Ex-servicemen and Crime in Interwar Scotland

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Abstract

A great deal has been written on Scotland and the First World War, yet there has been no study on criminality amongst ex-servicemen after the war. This thesis considers both the ‘societal’ effect the war had on crime, as well as the ‘individual’ criminality of ex-servicemen. The ‘societal’ effect is gauged via an analysis of national crime statistics before, after and during the war. From a statistical point of view, many crimes, such as bigamy, murder and procurement, increased after the war and remained above pre-war levels for some time, a pattern that can be attributed to the disruptive effects of the war. The discussion of the ‘individual’ effect begins with a sample analysis of 162 interviews given by imprisoned ex-servicemen to the prison commissioners. These interviews illustrate that war experience had an impact on offending, with many interviewees admitting to problem drinking, and committing violent offences, especially wife assault. This last point is explored in greater depth, with reference to the return of veterans to their families. Trials involving ex-servicemen charged with domestic violence, including three cases of murder, are compared so as to find any commonalties. It is revealed that outcome of these trials was dependent on the character of the victim; common justifications being that the she had been unfaithful during the war, was intemperate, or exhibited behaviour otherwise below that expected of a wife. Emsley’s work on the ‘shell shock defence’, wherein only former officers could use mental illness as a mitigating factor for criminality, will also be tested with respect to Scotland. Of the five murder trials involving ex-servicemen who claimed to be mentally ill during this period, the one defendant found not guilty, was an ex-officer. Finally the role played by ex-servicemen in illegal land occupations after the war is discussed. Land raiding was the only example of Scottish ex-servicemen breaking the law en masse, yet in contrast to other veterans who broke the law, the land raiders received a great deal of sympathy from both the general public and politicians.
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Introduction

On Monday 19 April 1920 the Edinburgh Evening News reported that William Renton, a grocer from Stenhousemuir, was charged with selling sugar rations to buyers who did not hold a certificate of registration. The court seems to have accepted Renton’s excuse that he was unaware of any such regulations and let him off with a fine of £1. The newspaper also reported on that same day, in fact on the same page, that Donald Sherridan had been charged with numerous counts of fraud and theft in Glasgow. Using various aliases Sherridan had obtained money and clothing through the use of false cheques. His crime spree culminated with the theft of a gold watch from a golf club. The presiding sheriff took a dim view of Sherridan’s crimes and sentenced him to nine months’ imprisonment with hard labour. Meanwhile, in Dundee, Joseph McNamee was accused of murdering 55 year-old Mary Dyer by assaulting her with a poker. The accused was said to be on ‘affectionate terms’ with his victim and often called her ‘mother.’ McNamee was spared the more severe charge of murder and found guilty of culpable homicide, as he was said to have been in a ‘drunken frenzy’ when the assault took place. Nonetheless, he was sentenced to 12 years penal servitude for his crime.¹

Although these trials occurred on the same day almost a century ago, ostensibly they have little in common; a breach of rationing regulations in Falkirk, multiple charges of fraud and theft in Glasgow, and a tragic, yet no doubt forgotten, case of culpable homicide in Dundee. Yet the three guilty men shared one thing in common: they were all veterans of the First World War. Renton had only recently left the army so was unaware of the new rationing regulations, while McNamee had been demobilised a mere ten days before the crime took place.² Sherridan was an ex-officer having served in the army and the newly formed RAF as a captain. Although living in America when the war broke out, he had been born in Scotland and travelled ‘3,000

miles at his own expense to enlist in the British Army.'³ This thesis will propose that the war pushed ex-servicemen, and indeed society as a whole, towards criminality.

Bourke has found that studies concerning the relationship between violent crime and war have inevitably followed either a ‘societal’ or an ‘individual’ approach.⁴ Although Bourke was mainly concerned with ‘brutalisation’, wherein war created an indifference to human life, her analogy is useful for discussing war’s effect on crime more broadly. Renton’s criminality represents the societal effect, ergo a change caused by war that disturbs crime patterns, in this case the creation of a new category of offence in the form of rationing regulations. This thesis will test the societal effect by comparing criminal statistics before, after and during the war. It will be argued that many of the observed patterns in offending, such as increases in bigamy, rape, and procuration, can be related directly to the war. Mass enlistment, wartime economic and social conditions, as well as changes in law enforcement, all had a dramatic effect on offending. Sherridan and McNamee’s cases represent the effect of war on the individual. Essentially, can the criminality of these men be linked to their wartime experiences, and does this in turn effect their treatment by the judiciary? The individual effect of the war will be examined in the latter part of this thesis by identifying commonalities in offending amongst ex-servicemen. The discussion of the individual effect will begin with a sample analysis of imprisoned veterans, followed by three separate chapters on distinct aspects of ex-service criminality. These chapters will discuss; ex-servicemen and domestic violence, the relationship between war neuroses and criminality, and finally the role of veterans in post-war land agitations. Broadly speaking, it will be argued that like Renton, Sherridan and McNamee many ex-servicemen, and indeed Scottish society as a whole, struggled to readapt after the war.

Statistically at least, crime in Scotland bore a closer resemblance to Europe than the rest of Britain. Archer and Gartner’s cross-national study of violent crime found that the murder rate in Scotland actually increased by 50 per cent after the First World War, with only Germany and Italy showing higher increases amongst the combatant nations. More broadly the prison commissioners for Scotland reported in 1920 that the number of prison committals had risen to 19,250 from 11,725 the previous year. Although this total included both males and females, it was widely reported that demobilised men accounted for the rise in imprisonments. In 1918 the prison commissioners had commented that the fall in imprisonments during the war was caused by the enlistment of ‘those men who swelled the prison population.’ Yet the relationship between the war and criminality was not as simple as this.

In 1920, three ex-soldiers were brought before Falkirk Sheriff Court charged with committing robbery. Although two of the accused, John Brown and William McGrannigan, had juvenile records, a third, William Malloch, had never been in trouble before. It cannot be said then that enlistment had merely put a temporary halt on Malloch’s offending. The 27 year old was said to be one of five brothers who joined the army during the war and had been wounded while in France. When the offence took place he was unemployed and living on a pension of £2 a week. Malloch’s agent claimed that ‘His nerves seemed to be in a shattered state and his bodily health impaired as a result of his experiences in France.’ Malloch was nonetheless sentenced to 12 months’ imprisonment. Although it is impossible for a historian

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to speculate on the validity of this claim, as far as Malloch was concerned his criminality had been caused by his unfortunate war experiences.

Why then was the First World War so socially disruptive? In his 1919 memoir *A Private in the Guards*, Stephen Graham, a Scottish-born travel writer, prophesised the sort of world he would be returning to after demobilisation:

The Europe we are coming back to in peace is going to be a miserable place, where lies and cynicism and greed will be the main characteristics of public life, if our ideals are not ratified in the results of the victory. Public virtue will become a laughing-stock; democracy will continue to be stampeded by war-loan publicity campaigns and the election rampages of ambitious demagogues; there will be more evil standards in politics, literature, art, morals, finance.\(^{10}\)

Although historians have documented the restlessness of American, French, German and Italian veterans, British ex-servicemen have been defined by their comparative placidity, while voices such as Graham’s, who expressed misgivings about returning home, have been overlooked.\(^{11}\) This thesis contends, that like the combatants of other nations, Scottish ex-servicemen struggled to readapt after the war, and in many cases this manifested in law-breaking.

It is important then to understand why so many veterans struggled to readjust after the war. In Germany the paintings of Otto Dix and George Grosz seemed to echo the sentiments of Graham. Their juxtaposing images of hideously deformed ex-soldiers alongside block-headed generals, lewd clergymen and corpulent industrialists, emphasise the disillusionment felt by many ex-soldiers. Unsurprisingly the paintings of both artists were later banned by the

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Nazis in their quest to give a higher meaning to the war. The literature produced by veterans after the war also seems to suggest a remoteness from the society they returned to. Ford Madox Ford *Parade’s End* (1924-1928), follows the unhappy domestic life of Christopher Tietjen’s, a statistician turned army officer, and England’s ‘Last Tory.’ Tietjens seems sadly out of touch with the post-war world and seems disconnected with those around him, most notably his unfaithful wife. Grassic Gibbon’s *Sunset Song* (1932) produces a similar tone to Ford, albeit in a rural Scottish setting. Gibbon’s mourning for the loss of traditional country life is symptomatic of the malaise that permeated post-war Scotland. Despite Gibbon’s lamenting, post-war land agitations by ex-servicemen, might suggest that many were not ready to give up the old ways just yet. Some writers even went so far as to reject the modern world entirely. It is telling that Britain’s best-known fantasy writers, C.S. Lewis and J.R.R. Tolkien, both served as young officers during the First World War. Even Robert Graves, who produced the war’s most revealing memoir, *Good-Bye to All That* (1929), spent most of his life writing historical fiction in the seclusion of rural Majorca following a mental breakdown after the war.

The willingness of men to kill one another for four years, all whilst being applauded by an enthusiastic public, had prompted difficult questions about human nature, and fears that soldiers had been ‘brutalised.’ Reflecting on the lessons of the war in 1933, Carl Jung wrote that ‘The World War was such an irruption which showed, as nothing else could, how thin are the walls which separate a well-ordered world from lurking chaos.’ This type of thinking would later convince historians, such as Mosse, that Europe as a whole had been brutalised by four years of war. The idea that civilisation was merely a veneer for man’s baser impulses was also explored in the arts. André Masson portrayed the inherent brutality that lurked beneath

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the placid surface of civilisation in his surrealist painting *Battle of the Fishes* (1926). Masson himself had experienced man’s capacity for violence first-hand, having been shot in the chest while serving in the French Army in 1917. Like Dix and Grosz, Masson’s anti-war paintings resulted in him being persecuted by the Nazis.¹⁵ Literary and artistic allusions aside, for some the experience of warfare on a generation of men presented a very real threat to ordered society.

Given man’s apparent moral descent during the war, there were those who felt that veterans were more prone to criminality. Emsley and Lawrence have both found that in Britain contemporary commentators feared the return of ‘brutalised’ ex-soldiers.¹⁶ In an article on ‘The Demobilised Crook’ published in the Dundee *Courier* in 1919 the writer stated that ‘I would not go the length of saying that the war has brutalised such men, but it is the unanimous opinion of those who have to deal with criminals in this country and on the Continent that many have lost regard for the value of human life.’ The writer went on to say that violent crimes were on the increase due to a generation of ‘war hooligans.’¹⁷ In 1921 the *Edinburgh Evening* claimed that serving in the army promoted thievery as ‘when a man missed anything he helped himself to a similar article in possession of his neighbour. He did not regard his act as one of theft. All the articles supplied to the troops really belonged to the State.’¹⁸ The *Aberdeen Daily Journal* claimed that ‘the dulling of the distinction between meum and tuum which soldiering often brings in its train’ could explain the recent ‘epidemic’ of crime.¹⁹ Rather than suggesting that the war had brutalised men or that army life promoted wrong-doing, this study will argue that the social disruption caused by the war was the main factor in post-war criminality. Men developed bad habits in the army such as excessive drinking and paying for sex, while poor

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¹⁸ “No New Criminal Type”, *Edinburgh Evening News*, 8 November 1921.

health, both physical and mental, further complicated readjustment. The economic and social position of post-war Scottish society further exacerbated these issues, thus increasing criminality amongst veterans.

Although there has been no specific work on Scotland, the effect of the First World War on crime has been examined from a British, and even a European perspective. Thorstein Sellin’s 1926 study ‘Is Murder Increasing in Europe?’ was the first to suggest that England and Wales had been spared the post-war increase in crime that occurred in other belligerent nations. Various explanations for this phenomenon have been offered such as the ‘Black and Tan’ War acting as a convenient way to dispose of violent ex-soldiers. It is unwise to assume that crime patterns in England and Wales were replicated north of the border, given that Scotland retained control of its own legal system, as well as the administration of its prisons, jails and borstals. Recruiting patterns in Scotland were also different, with a far greater reliance on voluntary enlistment over conscription. Distribution amongst the services was also unequal, with Scots volunteering in lower numbers for the navy and RAF, with preference being given to the army. The fact that Scottish ex-servicemen were returning to an economic climate that was markedly worse than it was in England, would have contributed to differing patterns in offending as well. There is ample justification then to consider Scotland’s experience of post-war criminality separately.

The first part of this analysis, following the introduction and literature review, will consider the ‘societal’ effect of the war on crime. Essentially what effect did the war have on offending across Scottish society? Patterns in criminal statistics, as published in the Annual

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Report of the Prison Commissioners for Scotland and the Report on the Judicial Statistics of Scotland, will be analysed from 1909 to 1926 so as to compose an accurate representation of pre and post-war offending. In regards to crimes where there was a significant disparity in pre and post-war levels, it will be considered whether this was due to the war. Although it is important to examine the most serious categories of offence such as murder, culpable homicide, and rape, analysis of lesser felonies will also be included. It is important to consider offences in their own right rather than within broad categories of offence. The crimes that saw rise due to the war often did so for reasons exclusive to that category of offence. Bigamy, for example, saw one of the greatest post-war rises, a fact that was widely attributed to hasty war marriages as well as the financial incentive to wed provided by the separation allowance given to the wives of soldiers.24

It should not be assumed that any offence that rose after 1918 was a result of the war. While writing on the effects of the war in 1934, Francis W. Hirst stated that it was easy ‘to fancy that almost any changes good or bad that you can detect in society and the conditions following it, as compared with the society and conditions preceding it, was caused by the war or the revolution.’25 It is important then to present a broad discussion on how war effects criminality. Archer and Gartner have done the most work on crime in post-war societies, and for this reason the statistical models they have suggested will be applied to Scotland after the First World War.26 Although the analysis will primarily concern patterns in adult male offending, statistics relating to juvenile and female criminality will also be considered, thereby creating a societal account post-war crime. Finally, the proportion of war veterans within the Scottish prison population will be considered through the sampling of prison registers. It is

26 Archer & Gartner, Violence & Crime.
hoped that this chapter will provide a broad analysis how crime in Scotland was affected by the war.

The proceeding chapters will consider the effect of war service on the individual. The first of these chapters will discuss the results of a sample analysis of 162 veterans who were committed to prison between 1918 and 1931. This chapter will look for commonalities amongst ex-service prisoners, in terms of the nature of their offending, as well as the factors that lead them to commit crime. The sample is drawn from the ‘Causes of Crime’ section included in the annual reports of the prison commissioners, a series of anonymous interviews given by prisoners about their life histories. Of the 342 male prisoners interviewed from 1918 onwards, over 40 per cent were First World War veterans. By comparing the answers given by veterans and non-veterans it is possible to evaluate the effect of the war on life courses. As the interviews contain information on the previous and current convictions of the prisoners it is also possible to compare the offences of veterans with non-veterans. The interviews show that veterans were more prone to excessive alcohol consumption, violent offences, and unemployment compared to non-veteran prisoners. Due to the uniqueness of the prison commissioners’ interviews as a historical source, it is important to recognise their limitations and representativeness. However, the inherent value of the interviews should not be understated, as they most likely provide, albeit inadvertently, the only survey of the criminal careers of First World War veterans.

The proceeding chapter will build on the finding that ex-servicemen were more susceptible to domestic violence. This part of the analysis will rely heavily on individual cases of domestic violence as reported in newspapers, as well as divorce cases involving veterans where domestic abuse was present. It will be considered if there were any commonalities in these cases and if so how can they be related to the war service of the accused? More serious incidents where veterans attempted to kill their wives will also be discussed, as well as three
incidents where murder actually took place. These cases are not only relevant to this study but also expose the gender dynamics at work within the Scottish legal system. In particular they can reveal what factors could be considered a mitigating circumstance for wife murder. Conley has argued that during the late Victorian period the concept of ‘provocation’ emerged within Scots Law with regard to spousal homicide. A murderous husband could be said to have been ‘provoked’ if his wife was prone to drunkenness, was rumoured to be unfaithful, or was a ‘scold.’ Conley’s work is of particular relevance to this study as a common defence of ex-servicemen who were violent towards their wives was that the victim had ‘misbehaved’ while he was serving overseas. The use of this defence represents a clear change in circumstances caused by the war. It will be argued here that the war had a detrimental impact on family life due to long absences from the home, and improvident marriages at the beginning of the war. On an individual level, high rates of alcoholism and unemployment amongst ex-soldiers resulted in conflict between veterans and their families.

Although a great deal has been written on mental illness and the First World War, due mainly to the interest surrounding shell shock, little research has been undertaken regarding the relationship between mentally-ill veterans and crime. Emsley has argued that shell shock was only accepted as an extenuating circumstance for criminality when the accused was an ex-officer. Enlisted men, who usually came from working-class backgrounds, were not given the same privilege; their criminality was considered a product of their class rather than their war experience. Although Emsley’s study considers Britain as a whole, his analysis of the ‘shell shock defence’ tends to focus on England. For this reason, and the fact that Scotland has its own legal system, it seems necessary to examine the situation north of the border specifically.

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27 See Appendix for methodological discussion on these trials.
It is also the case that shell shock has tended to dominate discussions on mentally-ill veterans and crime, when in fact shell shock was only one of many psychological reactions to warfare. This analysis will also consider the use of malaria as a mitigating factor in murder trials. Despite the fact that in Salonica alone 160,381 British soldiers were admitted to hospital due to the disease, there has been little academic work on malaria and the First World War.\footnote{United Kingdom. War Office. \textit{Statistics of the Military Effort of the British Empire during the Great War, 1914-1920}, Cmd 2156, (London: H.M. Stationary Office, 1922), 744.} This part of the analysis will consider individual cases where veterans cited war neuroses as a mitigating factor for criminality so as to test Emsley’s hypothesis. Ex-servicemen used mental illness to explain a wide variety of criminal behaviour including assault, bigamy, theft, and of course murder. There were in fact five murder trials in interwar Scotland where the defendant claimed to be suffering from war related mental illness. The first occurred in 1919 when William Scott was accused of murdering his cousin, followed by the trial of James Rollins and his accomplice Albert James Fraser in 1920, Owen McAuley in 1921, William McInally the following year and Robert Brough in 1926. In the latter case the accused was a former officer, and tellingly the only defendant to be found not guilty.\footnote{See Appendix for methodological discussion on these trials.} This analysis will reveal the class dynamics which surrounded criminality and mental illness, as well as revealing insights into the post-war lives of mentally-ill veterans.

Finally, the role of veterans in land raids that occurred in Scotland after the First World War will be considered. Land raiding had emerged in the Highlands and islands during the late 19th century as a protest against landlords, but what difference did the war make? After the war ex-servicemen led a far more decisive campaign against the inequalities of the tenancy system. Land raiding was perhaps the only example of Scottish war veterans engaging in organised law breaking en masse, and resulted in several of the raiders being imprisoned. This attracted widespread sympathy for the imprisoned men which contrasted with the apathy usually
afforded to veterans who broke the law. Land raiding was seen as fitting behaviour for the ideal soldier, with the raider’s actions being considered not only justified but heroic. The support given to the veterans seems to owe something to the politically radical mood that emerged in Scotland after the war, with the Scottish Left providing their support. Land raiding then was shaped both by the societal and individual effects of the war. For the landed interest, however, the raiders represented a serious risk to the established order of rural society. Landowners accused the raiders of being in league with left-wing elements and even Sinn Fein. This analysis will consider the true intentions of the land raiders and examine the legal aspects of the situation.

When charged with the now obsolete offence of ‘using obscene language’ in 1922, William Arbuckle remarked that ‘It’s a hard case that I can’t get a little freedom after being seven years in the army, and three brothers killed and one defective from shell shock.’ One of the court’s clerks quipped that this was ‘All the more reason for you to behave yourself.’ Arbuckle’s special pleading seems to have done him little good as he was given the option of a fine or 30 days imprisonment. Generally speaking, veterans who broke the law were treated with little understanding. Even where ex-officers were concerned, sympathy had its limits. Archibald Carson, had been promoted from the ranks and decorated on several occasions, but was still sentenced to 12 months imprisonment for various frauds in 1920. The presiding sheriff refused to accept ‘valiant deeds’ as a mitigating factor in sentencing, and remarked that ‘One would have thought that the army would have taught the accused proper habits of discipline and rectitude, instead of which it had the opposite effect.’ Contrary to the sheriff’s remarks, this thesis will argue that many ex-servicemen lapsed into criminality due to the disruptive effects of the war, both to the society they returned to and their own individual life courses.

32 “This Freedom”, Falkirk Herald, 23 September 1922.
33 “Ex-Officer’s Frauds”, Falkirk Herald, 17 July 1920.
Chapter One

War and Crime: Themes and Concepts

‘O it’s Tommy this, an’ Tommy that, an’ “Tommy, go away”;

But it’s “Thank you, Mister Atkins,” when the band begins to play’¹

By the end of the First World War some five million men had served in the British armed forces; this was, and remains, the largest mobilisation of men in British history. Scotland alone contributed 557,000 men, of whom an estimated 147,048, or 26.4 per cent, never returned.² Although Anderson has argued that this figure has been exaggerated due to historiansunderestimating high post-war emigration, his own calculation is still in the region of 110,000 war dead.³ Yet despite the reverence the men who joined the colours are held in today, historically the British have feared the prospect of a standing army and the men who filled its ranks. Only desperate men were thought to enlist and those who returned were often considered to be a danger to civilised society. Even military commanders were not immune to this prejudice; the Duke of Wellington once complained that Britain’s armies were composed of ‘the scum of the earth.’⁴

Although the First World War certainly improved the reputation of the soldier, it would seem that many men failed to live up to the popular expectation of the stoic British warrior. Although Emsley and Lawrence have focussed solely on the relationship between British ex-servicemen and disorder, it is worth discussing the wider impact of the war on Britain, and more specifically Scotland, thereby considering the societal effect of war. It is also important to consider the economic, political and social condition of interwar Scotland so as to understand

the environment servicemen returned to. More broadly the return of demobilised men in other combatant nations will also be considered. Given the sad regularity of war throughout human history it is first worth considering the issue of veterans and disorder over time and in different locales.

**Returning Soldiers in History**

The problem of what to do with soldiers when the fighting ends pre-dates the First World War; in fact demobilised men have at several points throughout history become ‘folk demons’ for societies still contending with the convulsions of war. Campbell has identified the Roman Republic as being one of the first ‘states’ to have faced a demobilisation crisis. Due to the negative financial and agricultural effects of leaving the homestead for long periods of time, the plebeian classes had become increasingly reluctant to serve in the legions. The problem was only solved when Rome’s first emperor, Augustus, managed to pacify the plebeians by distributing land allotments to returning veterans paid for by the imperial treasury. Yet Augustus may have had an ulterior motive; by sending the ex-legionnaires to the provinces they could not be used in a coup against imperial power in Rome. Modern empires seemed to have lacked the foresight of the Romans. Following the end of the Napoleonic Wars returning soldiers were considered to be detrimental to the social order of the combatant nations. Parker has documented how British veterans of the Peninsular War (1807-1814) were characterised by contemporary sources as having been ‘brutalised’ by the conflict. She argues that public fears regarding veterans manifested in the passing of the Vagrancy Act of 1824, which was designed to criminalise the ‘incorrigible rogues’ who crowded Britain’s streets following the end of the Napoleonic Wars. Despite the army’s reputation of using convicts to fill its ranks,

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Parker has found that only between 10 and 20 per cent of British army recruits were criminals pressed into service. As for the army’s reputation for looting, it should be noted that soldiers were expected to march 15 miles per day on only 2,466 calories, which by modern dietary standards is 19 per cent lower than the minimum recommended intake for an inactive adult male. The looting of farms was in fact necessary to supplement the soldier’s meagre diet, rather than as a result of the criminal nature of the troops.

The crime wave that followed the end of the American Civil War (1861-1865) was, however, a reality, as opposed to the moral panic that followed the Napoleonic Wars. Although nationwide statistics show only a slight increase in crime, Abbott has found that New York saw an enormous increase in criminality. In 1864 there were 143 arrests between April and October in the city, for the corresponding period in 1865 the number had risen to 68,783. In stark contrast to the situation in Britain following the Napoleonic Wars, Civil War veterans who found themselves on the wrong side of the law received far more sympathy. The head warden of Massachusetts State Prison argued that the ‘defenders of the Union’ should be given conditional pardons so as to alleviate the problem. Although the findings of the above mentioned studies may not be directly relevant to the First World War, they illustrate that large numbers of demobilised men have always proved problematic for societies trying to reassert their civility after wartime.

Despite the First World War’s moniker as ‘the war to end wars’, the remainder of the 20th century was marred by conflict and the social disorganisation it caused. Veterans of the Vietnam War have received the most academic attention in regards to post-war readjustment. Mumola has found that even in 1997, 35 per cent of veterans in State prisons and 43 per cent

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7 Ibid, 44.
8 Ibid, 49.
10 Ibid, 233.
of those in Federal prisons had served in Vietnam.\textsuperscript{11} Greenberg, Rosenheck and Desai have found that the relationship between criminality and Vietnam veterans is complicated. Although white veterans were at a higher risk of imprisonment than non-veterans, Black and Hispanic veterans were at a lower risk than their peers. While 32.1 per cent of 45 to 54 year old males within the general population in 2000 were white veterans, within the prison system they represented 39.5 per cent of the population. Yet Black and Hispanic veterans of the same age group were underrepresented within the prison population as compared to the general population. The authors speculated that the armed forces would appear to be a better career option than the civilian occupations available to these ethnic groups. As the sample was taken in the year 2000 it is likely that veterans aged 45 to 54 years old had served in the Vietnam War. They theorised that as the white veterans were more likely to be from disadvantaged backgrounds than their peers, while Black and Hispanic veterans were equally disadvantaged to theirs, this can account for disparities within the prison population.\textsuperscript{12} Their study also illustrates the fallacy of assuming that an ex-serviceman’s criminality can automatically be attributed to their time in the forces.

Despite the American military abandoning conscription in 1973, the correlation between military service and criminality survived during the volunteer era. Bouffard’s study of the National Longitudinal Survey of Youth (NLSY) found that 13 per cent of the interviewees who had joined the military had committed a violent offence compared to 8 per cent of those who did not serve. Again race proved to be a factor, with White and Hispanic veterans being more likely to commit an offence than non-veterans, yet there was little difference amongst Black respondents.\textsuperscript{13} Both of these studies suggest that the relationship

between military service and criminality is a result of recruits coming from more disadvantaged backgrounds than their peers. Although this argument certainly holds a great deal of truth, other factors should be considered. One study regarding German veterans of the Second World War found that aggression was used as a coping mechanism for trauma. Veterans who were more likely to show aggressive behaviour were subsequently less likely to display symptoms relating to PTSD.\textsuperscript{14} High levels of aggression amongst some veterans could feasibly lead to an increased risk of criminality.

Even in the 21\textsuperscript{st} century it would seem that veterans are still at an increased risk of imprisonment. MacManus and Wessely reported in 2011 that between 3 and 9 per cent of English and Welsh prison inmates claimed that they had served in the armed forces. Yet despite ex-service personnel being less likely to offend than the general public, they were more likely to be in prison for a violent or sexual offence. A report by the Howard League for Penal Reform also reported that although PTSD was a common factor in offending, and that alcohol abuse was a widespread problem amongst ex-service prisoners.\textsuperscript{15} Treadwell has argued that many recruits come from troubled family backgrounds and are institutionalised in the military. Crime also offers a respite from the monotony of civilian life, while prison may prove less daunting to men used to the discipline of army life.\textsuperscript{16} Veterans are also overrepresented within the American prison system, although there have been some signs of improvement in recent years. In 1986, 20 per cent of State prisoners had served in the military, this had fallen to 12 per cent by 1997 and 10 per cent in 2004. Yet despite representing 46 per cent of the wider veteran population, ex-army personnel represented 56 per cent of veterans in State prisons.


Interestingly navy and air force personnel were underrepresented, while marines were also
over-represented.\textsuperscript{17} This suggests that combat experience is the main factor in veteran
criminality, yet an earlier study found that only around 20 per cent of veterans serving sentences
in American prisons had been in combat.\textsuperscript{18} The differing class composition of each branch of
the service can also explain offending patterns. It seems plausible the army and marine corps
attract more recruits from disadvantaged backgrounds, while the navy and air force recruit
higher numbers of technicians, engineers, mechanics and other skilled men, who are more
likely to come from higher socio-economic groups, and have better employment prospects after
leaving the service.

\textbf{The First World War and Crime in Britain}

Although no study has dealt with Scotland specifically, some academic attention has
been given to the subject of British veterans of the First World War and crime, and the effect
of the war on crime more generally. Emsley has argued that criminal statistics do not support
the claim that large numbers of men returned from the war and committed violent acts. Judicial
statistics show that in 1911 there were 1,000 cases of ‘inter-personal violence’ (homicide,
attempted homicide, threatening, serious wounding, and less serious wounding), by 1917 this
figure had fallen to less than 400 incidents. Although the figure saw a dramatic rise after the
war, it was as high as 600 in 1920, incidents of interpersonal violence continued to fall and did
not exceed pre-war levels until the 1930s.\textsuperscript{19} Statistics suggesting a fall in crime have dominated
how contemporary sources and later historians have viewed interwar Britain. Pugh’s rather
nostalgic account of the period presents the argument that the expected, although brief, rise in
crime following the war led to fears of ‘brutalisation.’ These concerns, however, quickly

\textsuperscript{18} Mumola, ‘Veterans in Prison or Jail’, 3.
subsided and were replaced by the view that the British were a uniquely placid people. He seems to agree with this self-assessment of the British character and cites the fact that in 1911 there were 269 crimes committed per 1,000 of the population, with only a marginal post-war rise with only 273 per 1,000 in 1921. This rise seems even less impressive when it is considered that in 1951, 1,299 crimes were committed per 1,000 of the population. Criminal statistics suggest that post-war fears of a more violent society were unfounded, although it should be noted that criminal statistics often reflect changes in policing or the judiciary rather than trends in criminality. Writing during the First World War, Abbott argued that the decline in the British prison population was due in part to the Criminal Justice Administration Act of 1914, which gave offenders more time to pay fines rather than imprisoning them if they could not pay. The decline in crime during and after the war has in fact been exaggerated; it was simply the case that fines were replacing custodial sentences, thereby lowering the prison population, but not necessarily criminal acts. Historians have also failed to discern the proportion of war veterans within the prison population itself which seems a grave oversight. For these reasons it would appear that our knowledge in this area is incomplete.

‘Brutalisation’

Ferguson writes in The Pity of War that contrary to popular belief, men actually enjoyed killing one another during the First World War. Although this seems extreme, committing acts of violence must have had an immense effect on an army composed largely of civilians. Military commanders felt that it was important to ‘harden’ new recruits, especially given that the ‘New Armies’ were far more middle-class and far more urban in character than the pre-war military. Bourke has noted that during the war psychology was appropriated to normalise

20 Martin Pugh, ‘We Danced All Night’: A Social History of Britain Between the Wars (London: Vintage, 2008), 105.
violence and stigmatise passivity. Ironically ‘normal’ men were believed to be those capable of the act of killing, while those who were not were characterised as effeminate, childlike and even latently homosexual.\(^23\)

During the war masculinity became increasingly associated with killing but on the condition that any violence came from a sense of duty. Porter and Watson have argued that the rhetoric of propagandists and of the soldiers themselves suggests that the ‘ideology of sacrifice’ escalated violence, wherein further violence was seen as the only way to justify the deaths of fallen comrades. They give the example of the legend of the Canadian officer crucified by the Germans whose Christ-like sacrifice encouraged his compatriots to seek violent revenge. By the end of the war Canadians forces on the Western Front were infamous for committing atrocities.\(^24\) Porter and Watson stress that ultimate victory for the British justified and vindicated the sacrifices made during the war, and that this explains why Germany was subject to post-war violence as veterans felt the fallen had still to be avenged.\(^25\) Jones doubts that soldiers developed a taste for violence, arguing that the ‘lows’ of war outweighed the ‘highs’, represented by the fact that most men sought rapid demobilisation after the war.\(^26\) He does concede that men may have enjoyed the excitement of war, citing the experience of Henry de Man, an officer in the Belgian army, who admitted that ordering a direct hit on an enemy position was ‘one of the happiest moments of my life.\(^27\)


\(^{25}\)Ibid, 164.


\(^{27}\)Ibid, 233.
Yet after the war there were many who feared that life in the trenches had ‘brutalised’ men. When speaking on his hope for the formation of the League of Nations, the Tory peer Lord Lansdowne warned that:

…the results of the war are revealed not only in the total of lives lost or wrecked, not only in the millions wasted on purposes of pure destruction, but on the ruin of the fabric of Society, the brutalisation of human character, the release of passions which refuse to be imprisoned…

Even some contemporary medical experts believed in brutalisation. The eminent sexologist Magnus Hirschfeld wrote in *The Sexual History of the World War* (1930) that ‘As the war continued, the men’s senses became dull and the little respect for other people’s lives that had obtained among a few of the soldiers, sank to the lowest level.’ Hirschfeld also noted the ease by which former criminals adapted to army life, citing two Iron Cross recipients with extensive prison records, and a Hungarian serial killer who had found his way into the forces.

The effects of brutalisation were not limited to soldiers, and many believed, particularly later historians, that entire societies had been made callous by the war. Mosse is the main proponent of this theory, which he uses to explain the failure of democracy in Germany. Mosse cites the Weimar Republic’s decision to grant amnesties to political assassins in 1930 as the culmination of an increasingly brutalised political culture. With respect to England, he has the habit of using England and Britain interchangeably, he limits the effects of brutalisation to the popularity of fictional characters such as the thuggish ‘Bulldog’ Drummond. Mosse elaborates that Mosley and the BUF’s uniquely English brand of fascism was considered ‘ungentlemanly’ and even comical. Lawrence has developed this theory further, and argues that brutalisation had the opposite effect in Britain as compared to Germany, with attitudes towards public

disorder actually hardening after the war. Although, Britain may not have experienced the same level of disorder as Germany, brutalisation took the form of increasing public demands for the use of force against dissent. In India, Ireland and even on Clydeside those who sought to undermine the state were met with violent oppression. Lawrence points to the fact that over £26,000 was raised by readers of the *Morning Post* for Colonel Reginald Dyer following his role in the Amritsar Massacre, where he commanded troops who killed over 300 unarmed Indian civilians. Lawrence has gone further still and argued that concerns over brutalisation led to a tamer culture of popular politics. Prior to the war heckling and unruly behaviour were an accepted part political meetings, and were considered the sign of a healthy body politic. During the interwar period fiery public meetings became associated with fascism, something which Lawrence argues was a result of contemporary fears over brutalisation. Brutalisation then acted has acted as a convenient explanation for the political violence and instability of the 1920s.

Emsley has argued that although concerns over brutalisation had the potential to create a moral panic, such a phenomenon never materialised. Instead violent crime committed by ex-servicemen was interpreted as a result of shell shock, or in the particular case of domestic violence and spousal homicide, the result of pre-war ideas regarding the ‘right’ of a husband to punish an unfaithful wife. Emsley reiterates that post-war crime statistics for England and Wales do not suggest that men had been brutalised. If we take the number of murders known to the police where the victim was over one year old, we find that there were 102 incidents in 1911 and 123 in 1919 and 121 the following year. Yet by 1924 the number of reported murders had fallen to 105, a figure that was actually lower than it had been in 1913. Similar patterns

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were also observed in the number of reported assaults, rapes and burglaries. Bourke has shown that fears over brutalisation were not confined to the First World, with the same debates occurring after the Second World War and Vietnam. Yet, like Emsley, Bourke notes that statistical evidence for brutalisation is contradictory, whether the societal or the individual approach is adopted. She refers to Archer and Gartner’s cross-national analysis, and notes that after the First World War homicide rose in Scotland, remained the same in England, but decreased in Australia and Canada. After the Second World War homicide increased in Scotland and England, but fell in Northern Ireland. With respect to the individual approach, Bourke notes that the American soldiers involved in the My Lai massacre, did not behave in way a noticeably different to other veterans when they returned from the war.

Marwick argues that Britain was spared from post-war violence as her own particular form of ‘fascism’ was exported to Ireland. Lawrence has continued this argument and has stated that the Black and Tans and the Auxiliaries were largely composed of war veterans. He argues that the excesses committed by the Black and Tans confirmed public fears that around brutalised ex-servicemen. Lawrence is not the only academic who has portrayed the Auxiliary forces as deranged war veterans. Harvey has argued that the Auxiliaries were ‘psychological casualties’; namely upper and middle-class men who should have gone to university had it not been for the war; working-class men who had received commissions but were disillusioned by their loss of status after demobilisation; and men with troubled childhoods who had found temporary respite in warfare. Yet none of these academics provide an in-depth analysis into

the backgrounds of the Black and Tans to prove this characterisation. Leeson has stated that most men joined simply because of the high rate of pay, rather than to satisfy any taste for violence. In the course of the Irish War of Independence unemployment in Britain had risen from 3.9 per cent to 16.9 per cent, while a new recruit to the Royal Irish Constabulary could expect a wage of £3 10s. a week as well as bonuses.\(^{38}\) This rate of pay must have seemed all the more lucrative if we consider that 52 per cent of Black and Tans were formerly employed in unskilled or semi-skilled occupations.\(^{39}\) Although Marwick and Lawrence are correct in their assertions that Britain experienced a relatively calm process of demobilisation, the theory that the Ireland acted as a ‘pressure valve’ for brutalised ex-servicemen is questionable. Leeson’s in-depth analysis of Auxiliary forces has shown that the average recruit was an unskilled working-class male seeking a well-paying job and a pension during a period of high unemployment.

Even with respect to Europe, the brutalisation theory is not without its critics. In his influential *The Civilising Process* (1939), Elias’ argues that between the 9\(^{th}\) and 19\(^{th}\) centuries Europeans placed progressively greater taboos on acts of violence and sexual behaviour, while concepts of ‘manners’ and etiquette’ increased in popularity. Yet Elias, who was himself a First World War veteran, notes that the war had little effect on long ingrained notions of civility, although he does note that table manners were quickly abandoned in the trenches.\(^{40}\) Prost also makes the useful observation that few men killed in close combat during the First World War. In contrast to wars of the past, and even the Second World War, artillery was the main instrument of death, with hand-to-hand combat taking on a secondary role.\(^{41}\) Prost has also


\(^{39}\) Ibid, 75.


argued that the brutalisation theory cannot be applied to France, in fact war had the opposite
effect. Pacifism defined French politics during the interwar years, with Aristide Briand’s
conciliatory approach towards Germany being popular amongst ex-soldiers. Audoin-
Rouzeau and Becker have argued that the brutalisation theory is further complicated by notions
of racial superiority. As far as the French were concerned, only the invading Germans had been
brutalised, while they on the other hand were actually defending civilisation. The German’s in-
turn countered the charge of barbarism with accusations that the Allies were using non-white
colonial troops to commit acts of savagery unknown to Europeans.

Regardless of the validity of the brutalisation theory, contemporary evidence shows that
there was at least a belief that the war had been morally degenerative. Although during the war
patriotic titles, such as Beith’s The First Hundred Thousand (1915) remained the most popular
form of war literature in Britain, by the 1920s darker aspects of the conflict were beginning to
be explored. A notable example of this was O’Flaherty’s Return of the Brute (1929). The
novel’s protagonist, Private Dunn, begins as a tough yet compassionate soldier, who protects
the girlish Private Lamont from the rest of the section. Dunn, however, becomes increasingly
deranged and the novel ends with him killing the section’s hated corporal with his bare hands:

He no longer feared the brutes, but felt akin to them and savagely proud of their hairy bodies
and of their smell, and of their snorting breath. On all sides they rose in myriads, some
enormous, some as small as ferrets, some with monstrous bellies, some as thin as snakes; all
with protruding fangs and eyes that belched fire. All made the same sounds as they moved, a
pattering of furred paws, like the pattering of heavy raindrops on a lake.

42 Antoine Prost, ‘The Impact of War on French and German Political Cultures’, The Historical Journal 37,
43 Stéphane Audoin-Rouzeau and Annette Becker, 14-18: Understanding the Great War, translated by Catherine
44 Gordon Urquhart, ‘Confrontation and Withdrawl: Loos, Readership and ‘The First Hundred Thousand’, in
Scotland and the Great War, eds. Catriona M.M. MacDonald and E.W. McFarland (Edinburgh: Birlinn, 2014),
123-144.
Given O’Flaherty’s Irishness and Communist sympathies, it might be tempting to dismiss his characterisation of British soldiers as snarling beasts more concerned about their rations than each other, as a hatchet job. Yet O’Flaherty, like his characters, had served with the Irish Guards during the war and suffered from shell shock. For O’Flaherty at least, the war did indeed have the potential to brutalise men.

**Europe**

Belief in the brutalisation theory has been largely encouraged by the violence that occurred on the Continent after 1918. Much of Europe was blighted by the excesses of right-wing paramilitaries during the interwar period, with academics frequently portraying the membership of these groups as bitter war veterans. Traverso has characterised the period between 1914 and 1945 as a ‘European Civil War.’ He argues that fascism was shaped by the experiences of the ‘front generation’ who had spent their formative years on the battlefields of the First World War. Fascism’s obsession with youth and national rebirth can be traced back to the belief that the war had been transcendental experience for a generation of men; something that can explain the enthusiasm for another war amongst German and Italian veterans. Theweleit’s psychoanalysis of the Freikorps focuses on the common neuroses experienced by its members, and how they shaped the ideology of German fascism. He argues that the ‘Stabbed in the back’ myth, wherein Germany lost the war because of the treachery of Jews, politicians, Communists and even women, as propagated by German veterans was a defence mechanism against the emasculating experience of defeat. Saladino has argued that former Arditi, the Italian army’s elite shock troops, were amongst the first to volunteer for d’Annunzio’s

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occupation of Fiume, when it was proposed that the city should be ceded to Croatia.\textsuperscript{49} Gerwarth has, however, downplayed the role of ex-soldiers in the \textit{Freikorps} and the Austrian \textit{Heimwehren}. He claims that as many as half of the members of these two groups would have been too young to have fought in the war, and in fact students made up a large proportion of their memberships.\textsuperscript{50} Traverso also notes the receptiveness of fascism to the ‘überflüssige’ (superfluous) generation; men who were too young to have fought in the First World War, but could hardly be described as youthful by the time of the Second. Several leading Nazis, namely Himmler, Heydrich, Eichmann and Speer, can be put into this group, whose commitment to National Socialism can be explained their belief that they had missed out on defending the Fatherland.\textsuperscript{51}

In revolutionary Russia veterans were often at the forefront of violent political action. Sanborn has documented the emergence of ‘warlordism’ following the collapse of the tsarist regime. In many cases these ‘military entrepreneurs’ had served as officers during the war, most notably Lavr Kornilov, Roman von Ungern-Shternberg and Pyotr Wrangel, but there were also smaller bands consisting of military deserters as well.\textsuperscript{52} The new nations that emerged following the collapse of the Habsburg, Hohenzollern and Romanov empires were troubled by the return of radicalised ex-soldiers. Newman has documented how in the southern Slavic nations, particularly Croatia, veterans were divided into enlisted men who wanted to replicate the Russian Revolution, and ex-officers who launched their own counter-revolution similar to those experienced in Germany and Hungary. Many returning men had spent the war in Russian POW camps, where they had become familiar with Bolshevism. The most famous example of

\textsuperscript{51} Traverso, \textit{Fire and Blood}, 207.
this was Josip Broz, better known as Tito, and later communist president of Yugoslavia. Yet even before the October Revolution some 12,741 Southern Slav soldiers, as well as 149 of their officers, stationed near Odessa created a ‘dissident movement.’

Even in Finland, which as an autonomous part of the Russian Empire was essentially neutral, veterans were numerous in radical political circles. Rintala has argued that the small group of Finns who volunteered for the German army during the war would later form the country’s far-right. Many had joined in the belief that full independence could only be achieved with the defeat of Russia by the Central Powers, yet many returned with the aggressive right-wing nationalism more commonly associated with Germany’s own war generation. Of course neither left nor right-wing paramilitary groups developed in Scotland during the interwar period, yet is it conceivable that war service caused some men to seek a hyper masculinised lifestyle? Theweleit’s discussion of the blatant misogyny of the Freikorps also raises the question; are men with combat experience more prone to acts of violence towards women?

**The Domestic Sphere and the War**

There are few studies that evaluate the prevalence of domestic violence amongst First World War veterans, modern studies concerning military personnel can supplement gaps in our understanding. Heyman and Neidig have found that reports of ‘severe’ spousal aggression are significantly higher in American army families compared to civilian households. In the past, similar findings were attributed to either the brutalising effect of training or the attraction of the military to violent individuals. Heyman and Neidig have speculated that the findings were probably due to disparities in age and racial make-up between the civilian and military populations, essentially younger and ethnic minority families were more likely to experience

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domestic violence. Yet Savarese, Suvak, King and King’s sample of 376 Vietnam veterans found that 84 per cent had committed at least one act of psychological abuse against their partner, while 21 per cent admitted to having been physically violent. A similar study concerning 331 American POWs from the Second World War found that 60 per cent had been verbally aggressive to their wives, and 12 per cent had been physically aggressive. In both cases there was a strong correlation between severity of PTSD and length of captivity.

Military culture itself, rather than combat exposure, has also been blamed for domestic violence amongst soldiers. Adelman has argued that the masculinised and militarised nature of Israeli society facilitates domestic violence against women. During the First Gulf War, Israel was persuaded not to retaliate against Iraqi missile strikes due to the fear that the Arab nations would withdraw from the Coalition if Israel joined the war. The period of Israeli helplessness saw a massive increase in violence against female partners. In 1990, 27 Israeli women were murdered by current or former partners, in 1991 the number rose to 42, but by 1992 it had dropped to 18. Calls to domestic abuse hotlines also rose during this period. Adelman argues that Israel’s passiveness ‘feminised’ Israeli men which resulted in them attempting to reassert their masculinity in the domestic sphere.

Although there is little statistical evidence, the possibility of a similar effect should be considered in this study. In his own history of the First World War Fussell notes that the rhetoric regarding warfare was often vaguely sexual; with words such as ‘assault’, ‘impact’, ‘thrust’

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and ‘penetration’ being used frequently to describe military operations. Literary allusions aside, Adam has argued that the Boer War followed shortly by the First World War, caused a gender imbalance, and this coupled with the return of mentally and physically damaged soldiers brought a new emphasis on manliness. Hughes has developed this theory further and added that the ‘deskilling’ of jobs and the rise of men working in ‘feminine’ office and retail jobs encouraged men to reassert their masculinity through drinking, gambling and domestic violence.

Although the social implications, as outlined by Hughes, are difficult to prove, it is at least the case that traditional ‘masculine’ employment declined in Scotland during the interwar period. If we take shipbuilding in Strathclyde for example, the industry and locale Hughes no doubt had in mind, we see a large increase in employment immediately after the war, but serious decline by the 1930s. In 1911, there were 45,314 males employed in shipbuilding, although this had risen to 95,976 in 1921, by 1931 the figure was as low as 65,884. As work in the shipyards declined the number of men employed in the service industry rose. In 1911, 25,427 males in Strathclyde worked in services, by 1921 this had fallen to 23,540, but by 1931 had risen again to 31,066. This would suggest that during times of economic distress men were forced to take less skilled and less ‘masculine’ employment. Yet this does not prove that were men reasserting their masculinity via domestic violence, and Hughes’ theory needs to be more closely correlated with post-war socio-economic conditions.

Nelson’s study of Australian veterans of the First World War has revealed that war service was used as a legal defence against charges of domestic violence. Although widely

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accepted by the courts, some of the men who used this defence never actually saw combat. Leslie W. and Francis D. were both given lenient sentences due to their war service, yet neither man ever saw combat due to being rendered medically unfit by venereal disease. Nelson goes on to theorise that generally the war did not create violent men, but rather made violent men worse. Of the 35 men identified by Nelson who had married before their enlistment, 18 had acted violently towards their wives before the war. It can be argued that veterans were emasculated by the inactivity of domesticity, and sought to regain their masculinity through control of the home. Although this theory, as outlined by Adam and Hughes is intriguing, they seem to accept the belief, as outlined by Nelson, that war service explained, and at times exoneration, domestic violence committed by men.

Given the proposed association between military service and domestic violence as outlined by Adelman, the changing nature of family life during the interwar period should be discussed. Hall’s analysis of interviews given by married women who lived in Birmingham in the 1920s and 30s has found that men took a more active role in family life than they had previously. Her interviews with women regarding their home life revealed that husbands took a greater interest in the rearing of their children and even helped with domestic chores, this contrasted with the behaviour of the women’s own fathers who never helped around the home. Roberts’ autobiographical The Classic Slum: Salford Life in the First Quarter of the Century (1971) notes that men were often derided for doing housework by their peers, and in some cases even by their wives, yet this in itself suggests that the practice existed. Abram’s study of Stirling Women’s Oral History Archive has revealed that, contrary to their reputation,
working-class men were capable of being attentive and loving fathers, even if they still shied away from housework.\textsuperscript{67} Klein has, however, found that the more visible presence of men in the domestic sphere was not always a good thing. Her analysis of police reports concerning working-class neighbourhoods in Manchester and Liverpool has revealed that husbands became more involved in neighbourhood quarrels, when previously such disputes were settled between wives. One result of this was that altercations between families became far more discordant.\textsuperscript{68}

Despite the more active role taken by men in family life, evidence suggests that the First World War may have been detrimental to traditional family structures. Klein’s study of irregular marriages amongst police constables has shown that middle-class values regarding marriage and family life were difficult to instil in the predominantly working-class officers; her study suggests that ‘acceptable’ working-class behaviours such as affairs and cohabitation remained common amongst officers.\textsuperscript{69} Hughes and Meek have gone further still and directly attributed family breakdown in Scotland to the war. In July 1919 Glasgow City Council reported that they were receiving 50 applications every month for relief from the abandoned wives of demobilised soldiers and sailors. A sample of 3,000 households in Govan revealed that between 1911 and 1929 applications from lone parents as a percentage of all household applications increased from 31.1 per cent to 35.9 per cent and those from deserted wives rose from 30.4 per cent to 37 per cent.\textsuperscript{70} Emsley has found that incidents of bigamy increased dramatically during the war, with cases being less than 200 in 1914, but rising to 900 by 1919.\textsuperscript{71}

\textsuperscript{71} Emsley, \textit{Soldier, Sailor, Beggarman, Thief}, 146.
Some academics have downplayed this rising tide of ‘Bohemianism.’ Pugh has argued that the interwar period saw a more ‘heavily married society.’ The number of men married by 49 had increased from 88 per cent in 1900 to at least 92 per cent in the 1920s and 1930s, for women the increase was less noticeable at 81 per cent to 83 per cent. Long periods of separation due to military service may well have accounted for the breakdown of individual marriages, while the working class remained reluctant to accept bourgeois notions of respectability. The general increase in marriages suggests that the rise of ‘Bohemianism’ may have been exaggerated.

**Social Class after the First World War**

The interwar period is popularly characterised as a polarised society, where images of soup kitchens and slums were juxtaposed against the decadence of the emerging *nouveau riche*. Some historians have taken a different line of argument and have suggested that the effects of the First World War actually improved the position of the working class. Given the strong relationship between social class and crime this theory is directly relevant to this study. Waites has argued that unskilled workers benefitted more than any other class from the war. For example engineers’ labourers received 59 per cent of a fitter’s wage in 1914, but by 1918 it was 76 per cent. Similar wage rises also occurred for bricklayers’ labourers and railway porters. Waites attributes this to an increased demand for labour during the war that strengthened the position of the worker and the trade unions. The growing number of munitions works also allowed unskilled workers to advance to the strata of semi-skilled munitions workers. The improved economic position of unskilled workers also had a beneficial effect on the living standards of the working class. Winter has shown that infant mortality improved significantly in England and Wales during the war. In 1911, per 1,000 live births 130.06

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72 Pugh, *We Danced All Night*, 127.
74 Ibid, 35-36.
children would die in infancy, by 1916 the figure was as low as 91.21. By war’s end it had risen again to 97.16, but the pattern continued with the figure falling to 89.13 in 1919 and 79.73 in 1920.75

This phenomenon was partially caused by the war inadvertently raising wages and improving the diet of working families. The Summer Committee found that during the war working families’ food expenditure went up by 90 per cent.76 Food expenditure increased due to wartime limitations on the sale of alcohol, full employment due to military service and greater levels of female employment, and the fact that production demands meant that workers could demand higher wages.77 Scott has argued that higher wages also led to an increase in working-class home ownership. Between 1919 and 1931, only 1.2 per cent of new homes in England and Wales were valued at less than £400, ergo homes designed for low income buyers; yet by 1934 this section of the housing market represented 36.7 per cent of new homes.78 This pattern of working-class consumption continued, and by 1937/38 the Ministry of Labour announced that 17.8 per cent of non-agricultural working-class households owned or were purchasing their own homes. Scott does note that working-class home ownership saw no real increase in Scotland and remained uncommon during the period.79 In another study he estimates that even by the late 1930s only 5.9 per cent of all Scottish homes were owner-occupied.80 During the relative prosperity of the ‘roaring twenties’ Scotland remained an economic backwater, with unemployment being consistently higher than in most parts of England throughout the interwar period. Insured unemployment peaked in Scotland in 1932 at

76 Ibid, 500.
77 Ibid, 499.
79 Ibid, 9.
27.7 per cent, yet it was below 20 per cent in the south of England. Only the North-East (28.5 per cent) and Wales (36 per cent) had higher unemployment, while even Northern Ireland had slightly lower unemployment at 27.2 per cent.  

While writing during the Second World War George Orwell commented that ‘After 1918 there began to appear something that had never existed in England before: people of indeterminate social class.’ Although the vast majority of ex-soldiers who fell into criminality would have been enlisted men, a small number would have been officers. Otley has discussed how the First World War saw a temporary loosening of the aristocracy’s domination of the officer corps, noting that white-collar workers were becoming more readily accepted as officers. By 1917, the sons of ‘Civilian Professionals’ made up 35.7 per cent of entrants to Sandhurst, having risen from 23.0 per cent in 1900. This trend did not survive the war and by 1920 the percentage had dropped to 30.6 per cent and continued to fall in subsequent years. Rather than providing an opportunity for social advancement the changing nature of the officer corps created the phenomenon of the ‘temporary gentleman.’ Petter has shown that down and out ex-officers were a stock characters of interwar literature, with examples appearing in D.H. Lawrence’s *Lady Chatterley’s Lover* (1928), Virginia Woolf’s *Mrs Dalloway* (1925) and many other lesser known examples.

The Prison Commissioners’ reports include at least one example of a prisoner who could be described as a temporary gentleman. The 1929 report contains the son of a manufacturer’s agent who joined the army as an enlisted man but later received a commission.

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After becoming bankrupt in 1925 the ex-officer was twice convicted of fraud and once for theft. The prisoner attributed his downfall to the ‘loss of work and income having been accustomed to plenty of money.’ Although no similar data is available for Britain, former American Army officers were more likely to commit suicide than enlisted men. In 1919, the suicide rate amongst ex-officers was 40 per 100,000 compared to 12 for enlisted men. Officers who found themselves before a court did at least have one advantage over enlisted men. Emsley has argued that shell shock was more readily accepted as a mitigating factor in violent crimes committed by ex-officers, as it was believed that criminal violence was uncharacteristic to the middle classes and could only be explained by mental illness. Working-class soldiers, however, were not entitled to the ‘shell shock defence’ as crime, and in particular domestic violence, was seen as typical of their class. Although the war created a more open society, this worked both ways and it was easy for ex-officers to fall on hard times, while many of those who expected advancement because of their war service were often disappointed.

**Scotland and the First World War**

It is important to discuss the nature of Scottish society in the aftermath of the First World War, and how these changes may have attributed to criminality amongst veterans. Most historians agree that Scotland suffered a high and, according to some accounts, disproportionate number of causalities. Ferguson has estimated that one quarter of all Scotsmen who served were killed in action, as a percentage this would mean that Scotland was only exceeded by Turkey and Serbia in terms of casualties. Royle has questioned the accuracy of Ferguson’s estimate, pointing out that this would mean that 182,222 Scots were killed, a

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88 Ferguson, *The Pity of War*, 298.
number he believes is far too high. He does concede that the generally accepted figure of 100,000 is still too low. More recently Anderson has argued that high levels of emigration after the war created the impression of disproportionate casualties. His estimate of 110,000 war dead is considerably lower than the 150,000 names on the Scottish National War Memorial. He also argues Scotland’s historically high levels emigration limited the demographic effect of war losses. In 1911, between 60 and 70 per cent of male emigrants were between the ages of 12 and 40, so perhaps as many as 80,000 males would have emigrated from Scotland anyway even if war had not broken out. A further 46,000 would have died from disease, accidents or non-war related deaths.

Watt has provided the most recent estimate of 102,500 losses based on the statistics provided by the General Register Office for Scotland. He has argued that previous estimates have relied heavily on Winter’s figures, which considered total British losses rather than considering Scotland specifically, while others included dubious qualifications for Scottishness, such as having at least one Scottish parent. Nonetheless, he maintains that even if casualties were lower than expected, Scottish recruitment was different from the rest of Britain. During the war, 73.04 per cent of all Scottish-born soldiers joined the infantry, compared to 63.95 per cent of those born in Ireland, 56.57 per cent in England, and 53.67 per cent in Wales. It will be remembered that Noonan and Mumola’s study of the modern American prison system found that army and marine veterans were over-represented, while ex-naval personnel and airmen were underrepresented. Again, it cannot be assumed that the

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surprisingly small statistical increases in crime that occurred in England and Wales’ after the war also occurred in Scotland.

Human costs aside, the effect of the war on Scotland’s identity has also created debate. Goldie has argued that Scotland did not have a unique cultural interpretation of the war, but instead contributed to a homogenous British narrative. Goldie bases his hypothesis on two factors. Firstly, that British identity was strengthened by Scotland’s contribution to a collective war effort against an existential threat. Secondly, interpretation of the war has become ingrained in British literary tradition. Goldie also notes that Scottishness was incorporated into the war effort with relative ease, citing one recruitment poster published in the People’s Journal in 1914, which portrayed a kilted Robert the Bruce gazing proudly at his modern day compatriots flocking to Britannia to enlist. This argument has also been applied to the experience of Scottish soldiers serving in the British Army. Spiers believes that ostensibly the experience of the Scottish soldier was almost identical to that of the rest of the Army. By 1915, the geographical identity of many Scottish units had been diminished. In April, the 51st (Highland) Division had accepted a Lancashire brigade, while the 16th HLI received men from Notts, Derby and Yorkshire depots. Spiers does concede that the positive self-image, created through the wearing of kilts and the playing of bagpipes, was a uniquely Scottish method of raising morale.

Contrary to Goldie’s claims of unity, Finlay has argued that the effects of the war caused Scotland to abandon British imperial identity. The Reform Act of 1918 saw an increase in

94 Ibid, 40.
97 Ibid, 328.
working-class voters who were not as affected by the benefits of empire, and as a result class rather than national interests dominated Scottish politics. Prior to the war, an integral part of Scotland’s imperial identity was the characterisation of the Scots as a ‘martial race.’ The traumatic experience of the trenches and post-war disarmament reduced the importance of militarism to Scottish identity.\textsuperscript{98} Calder argues that the design of the Scottish National War Memorial clearly represented the emergence of a separate identity. The memorial chapel itself displays images of Calgacus, Bruce, Alexander III, and of course Wallace alongside those of contemporary kilted soldiers. Calder refers to the comments of the architectural writer Sir Lawrence Weaver who wrote that ‘Scotland laments the glorious, England mourns the dead. The noble Scottish National War Memorial typifies the characteristic of the race.’\textsuperscript{99} Although it is unclear how the First World War affected Scotland’s identity, the traumatic experience of the war undeniably had a lasting legacy on the nation.

**Politics**

While Scottish politics was far tamer than on the Continent or even in England, fascist groups did emerge in Scotland during the interwar period. It was not a crime to be a member of a far-right political group, but violent clashes between fascists and their opponents were common. What remains unclear is the extent to which these groups recruited disillusioned war veterans. Cullen has found that the Scottish ‘officer class’ tended to fill the ranks of the British Union of Fascists (BUF) north of the border, giving several examples of Scottish BUF members who had military careers.\textsuperscript{100} All of these individuals appear to have served post-First World War, and therefore cannot be put into the stereotypical brutalised and disillusioned veteran


mould as outlined by Mosse and others. It has been argued that the BUF floundered in Scotland because the party failed to exploit sectarian tensions. Cullen has argued that the association between fascism and Italy, and therefore Catholicism, alienated Scotland’s extremist Protestant groups, who may have otherwise been receptive to the BUF. He points out that John Cormack of Edinburgh’s Protestant Action went to great pains to undermine the BUF in Scotland.101

Maitles has argued that the relationship between Protestant extremists and fascists was more complicated. Alexander Ratcliffe, leader of the Scottish Protestant League (SPL), was briefly a member of the Scottish Democratic Fascist Party (SDFP) and by 1939 had fully converted to fascism. The broader SPL continued to oppose fascism and in particular the BUF; in 1931 the SPL’s newspaper the Vanguard stated that ‘Von Papen, Mussolini and Oswald Mosley have received the Papal blessing and the Concordat has made Germany practically a Papal state...the Papacy is behind Hitler in his devilish work.’102 Bowd also documents that Ratcliffe was opposed to the nationalists during the Spanish Civil War, describing the fall of Barcelona as a ‘blow to world Protestantism.’103 Gallagher argues that John Cormack, the leader of Edinburgh-based Protestant Action (PA), also viewed fascism as an essentially Catholic movement. His supporters even harassed Oswald Mosley when he visited Edinburgh in the 1930s, although Cormack did meet with the leader of the SDFP in 1933. Despite his virulent anti-Catholicism, Cormack made efforts to endear himself to Edinburgh’s small Jewish community, and at least one Jew stood as a councillor on a PA ticket. It is difficult then to interpret his own brand of reactionary Protestantism as fascism by a different name.104 Support for fascism in Scotland was led by a small group of middle-class activists, something which

101 Ibid, 324-325.
can explain why Scotland was largely devoid of the street violence associated with the movement in England. Fascism ultimately faltered in Scotland due to the inability of the movement’s leaders to tap into sectarian prejudices. Other political groups were, however, more adept in exploiting Scotland’s historic aversion to Roman Catholicism.

Despite a brief period of religious tolerance during the war, sectarian conflict had returned with a vengeance during the interwar years. Davies has found at least one incident of sectarian violence where the perpetrator attempted to use his war service as a mitigating circumstance. When John Traquair, a member of the Protestant ‘Billy Boys’ gang, was charged with assaulting two Glasgow Celtic fans his counsel portrayed him in court as a physiologically damaged veteran who had fallen on hard times. Although the Orange Order had suffered its share of casualties during the war, Walker has found that these losses were quickly recouped. In 1920, the General Secretary for Scotland announced that the Order had received 4,151 new members for that year, this amounted to the largest ever net increase in Scottish members. This trend has been confirmed by Kaufmann whose statistical analysis found that the variable ‘wartime’ had a high impact on Order membership due to high enlistment rates amongst Order members during the First World War. The resurgence of Orangeism during the interwar period is difficult to explain, as Kaufmann has found that the Great Depression had neither a decisive positive or negative statistical effect on Order membership. Gallagher has partially blamed the First World War for the heightening of sectarian tensions, arguing that Scottish society became more turbulent, as had happened on the Continent, while the demise of old

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108 Ibid, 171.
political groupings allowed right-wingers and reactionaries to exploit grievances.\textsuperscript{109} John Cormack, the leader of Protestant Action was himself a veteran of the First World War, having served with the Argyll and Sutherland Highlanders.\textsuperscript{110} Gallagher also notes that Cormack’s movement, much like fascism, was defined by an aggressive masculinity common amongst some ex-servicemen.\textsuperscript{111}

There is, however, some debate on the prevalence of interwar sectarian conflict. Rosie argues that the ‘sectarian conflict’ that occurred in Edinburgh during 1935 has been exaggerated, pointing out that the local press only reported 38 criminal charges connected to sectarian incidents in the city.\textsuperscript{112} Although Rosie is correct that only a small number of sectarian incidents were reported in the local press, Gallagher notes that the Archbishop of Edinburgh believed that the media was deliberately downplaying unrest.\textsuperscript{113} Despite being more strongly associated with religious conflict than the capital, Glasgow’s experience of sectarian politics was far less violent. Smyth has shown that rather than engaging in ‘street politics’ the SPL had the ability to attract middle-class voters, polling heavily in Camphill, Cathcart and Langside in the 1933 Glasgow council elections. Smyth states that the loss of previously Moderate voters to the SPL allowed Labour to take power in 1933.\textsuperscript{114} The rejection of the traditional parties in favour of Labour and to a lesser extent the SPL and Protestant Action, seems to suggest a climate of disillusionment following the war. It should also be noted that veterans were drawn from both ‘sides’ of the sectarian conflict. Handley notes that in 1920 there were at least 150 ex-servicemen in the Glasgow battalion of the IRA.\textsuperscript{115}

\textsuperscript{110} Ibïd, 156.
\textsuperscript{111} Gallagher, \textit{Edinburgh Divided}, 107.
\textsuperscript{113} Gallagher, ‘Protestant Extremism in Urban Scotland’, 159.
\textsuperscript{115} James Edmund Handley, \textit{The Irish in Modern Scotland} (Cork, Cork University Press, 1947), 299.
Protestant groups was not illegal, they were involved in sectarian clashes which often ended in violence.

To many, it seemed only fair that collective self-sacrifice during the war would be rewarded with the formation of a more equal society. Both the Liberals and the Conservatives seemed unwilling to make such provisions; the working classes then would have to look to socialism if their demands were to be met. Marwick has stated that the labour movement increased its influence and prestige during the war as the government needed its cooperation regarding the industrial aspect of the war effort. In terms of relevance to this study, there was in fact a strong association between strike action and crime. In 1926, the year of the General Strike, crimes against property without violence rose in Scotland, from just over 12,000 incidents in 1925 to 19,387 in 1926. The 1926 strike has been viewed by some historians as the culmination of the dissatisfaction that had developed following the war. Thorpe has illustrated that the Communist Party of Great Britain (CPGB) enjoyed increased membership following the strike. In June 1925 the party had only 5,000 members, but following the General Strike membership had swelled to 12,000.

For some, socialism had much older roots in Scotland. Smout has argued that by the early 20th century Scottish workers had begun to put their own interests ahead of production. He claims that loyalty to the Liberals was severed far earlier during the 1907-08 employment crisis giving the example of one particular socialist meeting that managed to attract 35,000 workers. Smout does concede that the war heightened class consciousness making reference to grievances such as Scotland’s proportionately higher combat deaths, the imprisonment of

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John Maclean and rising rents in industrial areas. On the latter point, Red Clydeside has become so revered that events such as ‘the Battle of George Square’ have come to resemble a national myth. Barclay has gone to great lengths to debunk some of the assumptions of Red Clydeside, namely that it was Churchill who gave the orders, that only English troops were used to suppress the crowds, and that 10,000 soldiers were pitted against 100,000 protestors, a number of whom were killed. Yet even if the crowds have been exaggerated, and Scottish policemen, soldiers and cabinet members were in fact complicit in the suppression of Red Clydeside, for many Scots 1919 marks a symbolic shift away from England and towards socialism.

Harvie’s pessimistic account of 20th century Scotland has downplayed the early rise of Labour altogether. He points out that in Glasgow alone the Scottish Unionist Party increased its membership from 7,000 in 1913 to 20,000 in 1922 and 32,000 in 1929, a figure almost double that of the Labour Party and the Independent Labour Party (ILP) for the whole of Scotland. Campbell argues that in the case of England left-wing activists failed to recruit veterans. He argues that most demobilised men joined the British Legion, an organisation which favoured self-help schemes over political activism. He goes on to say that the traditional parties had begun to organise veterans before demobilisation, and were successful in directing them towards pre-existing ‘political identities.’ Hutchison has found a similar trend in Scotland, with 46 per cent of Conservative candidates for Scottish seats in the 1918 election having a military title. This compared to only 10 per cent and 6 per cent for Coalition and Independent Liberals respectively. No Labour candidate appears to canvassed under a military

120 Ibid, 267-268.
123 Campbell, ‘Where Do All the Soldiers Go?’, 107.
Although the war was not the sole cause, Scotland embraced socialism with far greater vigour during the interwar years. The success of the Labour Party is arguably testament to this while the 1926 strike represented a growing militancy amongst the working class.

**Gang Culture**

Although the British underworld lacked the melodrama of gangland Chicago or New York, gangs nonetheless dominated interwar discourses on crime. Shore has found that contemporary commentators were worried about the attraction of gangs to ex-servicemen. In the hysteria surrounding the ‘Racecourse Wars’ of the 1920s the service records of participating gang members were drawn into question due to fears regarding brutalisation. It was found that many of the participants had in fact served, yet crucially their criminal records pre-dated the war. Emsley agrees that the First World War did not make gangsters out of previously law-abiding citizens. He gives the examples of Ikey Bogard and Joseph Sabini, two of London’s most infamous gangsters who also served as infantrymen during the war, but like most of their criminal colleagues they had been drawn into gang life at a young age and returned to the underworld after their war service. Modern theories on gang culture do suggest that veterans might be receptive to gang life. Klein’s characterisation of gang members as aggressive individuals with strong needs for social affiliation, could be applied to troubled veterans.

In regards to Scotland, Glasgow gained particular notoriety for the city’s infamous razor gangs which terrorised the Gorbals and other working-class areas. Taylor has characterised these gangs as being divided along religious lines and primarily concerned with protecting their own territory while ‘raiding’ that of other gangs. The religious aspect of these gangs is

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emphasised by the fact that Old Firm matches, the annual commemoration of the Battle of the Boyne and St. Patrick’s Day were usually marked by violence. Davies has argued that the gangs were more sophisticated than they have been given credit for, and at times engaged in criminal enterprises alongside sectarian violence. He has shown that the Protestant ‘Billy Boys’ commanded a protection racket over much of the East End. This contradicts Taylor’s belief that the gangs rarely harassed ‘civilians’; he bases this on the findings of his study into the Gorbals’ Jewish community that suggested that the gangs rarely engaged in anti-Semitism and mainly fought amongst themselves. Despite his tendency to portray Glasgow’s gangs as being more than just sectarian ‘street fighters’, Davies is dismissive of Glasgow’s moniker ‘the Scottish Chicago’ which was popularised during the period. He points out that whereas Chicago experienced 500 gang related homicides in the 1920s alone, Glasgow saw only six during the entire interwar period. It seems then that Scotland’s gangs were unique in the sense that although they were primarily concerned with waging sectarian conflict, they also engaged in organised crime when the opportunity arose.

**Veterans and Disability**

The sight of physically disabled and often impoverished veterans was a common one during the interwar period. Even those who returned seemingly healthy may have gone on to suffer from other medical problems, such as respiratory problems from gas exposure or simply reduced life expectancy. Poor health is not of course a determinant of criminality, yet many of the veterans who found themselves in the Scottish prison system attributed their downfall to

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128 Avram Taylor, ‘Are you a Billy, or a Dan, or an old tin can?’: street violence and relations between Catholics, Jews and Protestants in the Gorbals during the interwar years’, *Urban History* 41, no.1, (2013): 1-17, 15.
health problems they had acquired during the war. One veteran interviewed in the 1928 prison commissioners’ report was said have had his health ‘broken down’ by war service.\textsuperscript{132} Norman has found that American veterans of the First World War who had been exposed to mustard gas experienced higher rates of mortality than their comrades. Gas attack sufferers experienced a substantially higher ratio of observed to expected deaths compared to veterans who had suffered from pneumonia and a control group of veterans with various different wounds. This was largely due to a higher incidence of respiratory diseases amongst those who had been exposed to mustard gas. The mortality rate of all three groups of veterans was, however, generally lower than the standard for American males born in 1891.\textsuperscript{133} Contrary to this a comparative study of New Zealand First World War veterans found that non-combatant military personnel lived on average eight years longer than combatants. It was also found that both combatant and non-combatant veterans suffered a higher incidence of premature death after the war compared to the general population.\textsuperscript{134}

Winter has argued that British ex-servicemen may also suffered from lower life expectancy. By comparing the sex-ratio mortality for the years 1896-1900 to those for 1948 we find that the age group with the most substantial differential were those who were between the ages of 45 and 75 in 1948. The males in this group would have been aged 15-45 during the war and a large number would have served.\textsuperscript{135} Although many veterans no doubt suffered ill-health as a result of their war service, it is less clear how disabled men fared after the war. Elsey’s survey of disabled British veterans has found that employment prospects after the war were more hopeful than one might have expected. All of the respondents experienced no real

difficulty in gaining employment, although admittedly they had enjoyed a fair level of education or training before the war thereby making them more employable.\textsuperscript{136} It should also be considered that Elsey conducted the interviews in 1993, and as a result there were only four suitable respondents, the representativeness of her findings are therefore questionable. It is clear that there has not been enough academic work regarding the health implications of military service during the First World War. The existing evidence suggests that war service had a detrimental impact on health, which would of course have had a negative effect on job prospects and by extension may have increased the likelihood of criminality.

\textbf{Mental Illness amongst Veterans}

Many veterans harboured less visible scars that could be as debilitating as any physical injury. Very little has been written regarding the extent of criminality amongst shell shock victims, in fact even the prevalence of the disease itself is an issue of contention. Van Bergen claims that the generally accepted estimate of 80,000 sufferers, as given in the \textit{Medical History of the War}, is far too low.\textsuperscript{137} This seems logical given that 613,000 German soldiers were suffering from \textit{Kriegsneurosen} (war neuroses) in 1917 alone.\textsuperscript{138} In regards to the relationship between shell shock and crime, Emsley has found that some members of the judiciary were cynical about shell-shock. The medical officer at Birmingham prison stated that shell-shock had replaced the ‘drink excuse’ amongst prisoners.\textsuperscript{139} In defence of the medical officer, Emsley’s study of \textit{The Times} court reports has found that shell shock was used as a defence in cases pertaining to bigamy, burglary, fraud, loitering with intent, theft, and obtaining money.

\begin{footnotes}
\footnotetext{137}{Leo van Bergen, \textit{Before My Helpless Sight Suffering, Dying and Military Medicine on the Western Front, 1914–1918} (Farnham: Ashgate Publishing, 2009), 241.}
\footnotetext{139}{Emsley, ‘Violent crime in England in 1919s’, 188.}
\end{footnotes}
by false pretences. Attitudes to shell shock sufferers were often far from enlightened. Many of the condition’s ‘symptoms’ had previously been associated with societal outcasts. Mosse has stated that sufferers were believed to be of nervous dispositions, ill-proportioned and constantly in motion. These same ‘effeminate’ characteristics had historically been associated with gypsies, Jews, homosexuals, habitual criminals and the mentally-ill. Although the mental health of veterans was not a major concern of the British government, the return of thousands of mentally damaged soldiers during the interwar period did at least create some debate on the subject.

**Alcohol Abuse**

It seems probable that traumatised or disillusioned ex-servicemen may have sought solace in alcohol. Hughes has theorised that the reemphasis on manliness after the First World War encouraged men to seek a more masculine lifestyle that normally involved heavy drinking, a trend that was further exacerbated by returning soldiers suffering from war neuroses. Contrary to this, Jones and Fear have argued that the Licensing Act of 1921, as well as increased duties on spirits and ‘government ale’ made alcohol a luxury item, thereby limiting its use amongst ex-servicemen. It seems more likely that increasing prices and new legislation would have changed what people drank rather than how much. By the 1930s the Prison Department for Scotland found that growing numbers of prisoners were ‘red wine addicts’, while the more desperate had resorted to consuming methylated spirits.

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140 Emsley, *Soldier, Sailor, Beggarmen, Thief*, 149.
142 Hughes, ‘Representations and Counter-Representations of Domestic Violence’, 175.
Despite a lack of information regarding the First World War, there is a great deal of literature regarding alcohol consumption amongst veterans of modern conflicts. Morton, Jones and Manganaro found that in a sample of 120 elderly American veterans 36 per cent met the Diagnostic and Statistical Manual of Mental Disorders’ criteria for alcohol abuse or dependence. This trend has in fact been noted in several studies. Jeleniek and Williams’ sample of 2,000 Vietnam combat veterans found that 80 per cent had suffered from alcohol problems. Robinette, Hrubec and Fraumeni have found that American veterans of the Second World War suffering from alcoholism had a significantly higher chance of dying a violent death. They estimated that of the 4,401 veterans used in their study there would be 24.9 deaths by suicide and 13.9 deaths by homicide. The observed numbers were far higher with 48 suicides and 44 homicides. In terms of mortality there were 1,438 observed deaths compared to 870.8 expected deaths. Alcohol consumption was in fact encouraged by the British army during the First World War, with soldiers receiving with a rum ration before major offensives. Army doctors felt that the beneficial impact on morale outweighed any adverse medical effects. A common claim amongst veterans interviewed by the prison commissioners was that they had first consumed alcohol while in the army. There is no doubt an association between military veterans and high alcohol consumption, yet the lack of information regarding the First World War leaves a considerable gap in our knowledge.

It seems prudent to discuss interwar Britain’s relationship with alcohol more broadly in the hope that some conclusions may be drawn. Ostensibly at least, medical and legal statistics

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148 Jones & Fear, ‘Alcohol use and misuse within the military’, 167.
seem to suggest that the British were becoming more temperate. Smart has found that there was a significant drop in alcohol related crime during the First World War. Between January and June of 1915 there was a 92.3 per cent reduction in the number of convictions for drunkenness in the areas in Smart’s sample. He has also found that some of the adverse medical effects of alcoholism were also diminishing. In 1914, there were 116.2 deaths per million attributed to liver cirrhosis in areas that would later fall under the control of the Central Control Board (Liquor Traffic). By 1918, the figure had more than halved to 48.4 per million, this trend actually survived the war and by 1921 there were still only 50.7 deaths from liver cirrhosis per million. In regards to Scotland, Smout states that the stipulations of the Licensing Act of 1921, which reduced pub opening hours to eight hours on weekdays and a closing time of 10 pm, coupled with fewer public houses, meant that the nation’s drinking culture began to decline. This trend has been downplayed by Hughes, who notes that although whisky consumption fell in Scotland from 2,757,190 gallons in 1923 to 2,099,838 in 1927 the number of public houses and licensed grocers only fell by 243 premises for the same period. The tendency amongst academics to overstate the decline of alcohol consumption following the war should be kept in mind when considering the drinking habits of ex-servicemen.

**Economic Conditions**

Britain’s interwar economy has long been a source of contention for economists with battle lines generally being drawn between Keynesians and New Classicists; the primary objective of the debate is to explain the high unemployment and desperate poverty that characterised the period. There is of course a widely held belief in a correlation between the economy and crime. Rapheal and Winter-Ebmer argue that ‘rational offenders’ compare

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financial returns on time spent in either committing crime or working in legal employment. It seems reasonable then that the unemployed and low wage earners would have the most to gain from criminality.\footnote{Steven Rapheal and Rudolf Winter-Ebmer, ‘Identifying the Effect of Unemployment on Crime’, \textit{Journal of Law and Economics} 44, no.1, (2001): 259-283, 262.} Although it should be pointed out that this argument cannot be applied to crimes that do not entail the possibility of financial benefit. In regards to unemployment in interwar Britain, New Classicists Benjamin and Kochin have argued that Britain’s generous state insurance scheme caused high unemployment, claiming that the system paid out benefits that were relatively high compared to wages and were subject to few restrictions. They have found that while the 1931 census categorised 12.7 per cent of males and 8.6 per cent of females over the age of 14 as unemployed, the corresponding data for unemployed workers in the insured industries was far higher, at 17 per cent for males and 13 per cent for females.\footnote{Daniel K. Benjamin and Levis A. Kochin, ‘Searching for an Explanation of Unemployment in Interwar Britain’, \textit{Journal of Political Economy} 87, No.3, (1979): 441-478, 476.}

Crafts has criticised this view and has proven that the impact of benefits was most beneficial to workers who were unemployed for less than three months. By using Benjamin and Kochin’s own equation, Crafts calculates that the effect of reducing 1937 benefits to 1929 levels would mean a reduction in unemployment of between 38,000 and 41,000 persons. The hypothetical reduction of benefits would have had no effect, given that long-term unemployment rose by at least 178,000 persons between 1929 and 1937.\footnote{N.F.R. Crafts, ‘Long-Term Unemployment in Britain in the 1930s’, \textit{The Economic History Review} 40, no.3, (1987): 418-432, 430.} It should be kept in mind that conclusions regarding ‘Britain’s economy’ may not reflect regional differences between the Celtic fringe and England. Heim has argued that Scotland tended to be neglected in terms of industrial development during the interwar period. Of the 510 new branch factories that existed in Britain in 1935 only four operated in Scotland, while the Midlands alone had 17.\footnote{Carol E. Heim, ‘Industrial Organization and Regional Development in Interwar Britain’, \textit{The Journal of Economic History} 43, no.4, (1983): 931-952, 938.} Buxton has also emphasised the extent of the ‘the Scottish problem’; he makes the
argument that the differences between the Scottish and the wider British economy have been underestimated. Between 1923 and 1939 unemployment was consistently higher in Scotland as compared to Britain as a whole. In 1934, the disparity was most noticeable at 23.1 per cent for Scotland and 16.6 per cent for the entire country. Britain’s interwar economy no doubt added to the climate of disillusionment that had emerged after the war; working-class men who had fought during the war felt that they deserved better than being at the mercy of market fluctuations.

**Conclusion**

Scottish soldiers who survived the First World War came home to a very different society from the one they had left. Although Scotland was thankfully spared from the convulsions that destabilised some parts of Europe, the country was gripped by a feeling of disillusionment due to the high costs and low rewards of the war. Many of the beneficial social changes that occurred in England after the war, such as increased home ownership and lower alcohol consumption, did not occur in Scotland. The emergence of violent gangs during the interwar period seems to dispel the myth that the British were an inherently ‘peaceable’ people. The emergence of the SPL and Protestant Action also suggests that Scotland was very far from the ideal of British level-headiness; these parties were extremist and actively encouraged political violence. There were further difficulties specific to ex-servicemen such economic uncertainty, poor health, psychological problems, the breakdown of family life and political isolation. Given these circumstances it seems likely that some veterans would have lapsed into criminality. Although the prison population fell during the interwar period this does not mean that crime fell with it, something that will be explored in the next chapter. It would seem then

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that interwar Scotland was hardly a conducive place to recover from the physical and mental effects of war service.
Chapter Two

The Effect of the First World War on Crime in Scotland

‘We have been transformed into a sphere which is definitely lower from almost every point of view than that which we had attained in the days before Armageddon. Never was there a time when people were more disposed to turn to courses of violence, to show scant respect for law and country to tradition and procedure, than the present.’ Winston Churchill, 1919.¹

In her work on the experience of killing during the two world wars and the Vietnam War, Bourke notes that studies regarding brutalisation have tended to adopt one of two methodologies. The ‘individual’ approach, focuses on whether ex-servicemen are over-represented amongst violent offenders, while the ‘societal’ approach examines the prevalence of violent crime in post-war societies.² This chapter will consider the latter approach and will consider the statistical effect of the war on crime in Scotland, but will expand to non-violent crime as well. Conventional wisdom suggests that the onset of war usually causes a statistical fall in crime due mainly to the removal of large numbers of young men through war service.³

The relationship between war and criminality is rarely this simple, and there are even fewer accepted principles on the nature of post-war offending. Archer and Gartner have identified no less than seven models commonly used by social scientists to explain the effect of war on crime. Two of their models predict that war causes a statistical decrease in crime. The ‘social solidarity’ model argues that increased civic responsibility and feelings of patriotism lead to a fall in crime. In quite a different vein, the ‘catharsis’ model argues that any wartime reductions in crime are deceptive, as violent acts are merely exported from society to the battlefield. Contrary to this, the ‘legitimisation of violence’, ‘social disorganisation’ and ‘violent veterans’

¹ “Mr Churchill on a Changed World”, Scotsman, 25 November 1919.
models all predict a rise in post-war crime. Archer and Gartner have also proposed two further models that argue that war can cause either an increase or a decrease in criminality depending on circumstance. The ‘economic’ model argues that scarcities created by wartime conditions as well as the state of the jobs market dictate societies’ experience of war and post-war crime. Finally there is the ‘artefacts’ model that relates to demographic effects, such as the reduction of the male population during war. These models will be discussed in greater depth, and where possible, will be applied to Scotland’s own experience of the First World War.

**The Period of Analysis**

In 1968, Marwick proposed a quantitative approach to measuring the brutalising effect of the First World War on British society; he suggested that statistics relating to violent offences three years before and three years after the war should be analysed comparatively. Although Marwick’s methodology is sound, the scope of his proposed statistical analysis needs to be broadened. Few men were demobilised immediately after the war, and even by February 1920 125,000 army personnel were still awaiting demobilisation. Recently, Gerwarth has proposed that 1918 did not mark the end of fighting for many belligerents, with state and paramilitary violence continuing until the early 1920s. While it would be an exaggeration to include Britain amongst Gerwarth’s so-called ‘vanquished’ nations, her armed forces were involved in a series of smaller military actions in the immediate aftermath of the war. British servicemen saw combat during the Allied intervention in the Russian Civil War (1918-1920), the Third Anglo-Afghan War (1919), the Somaliland campaign (1920), the Iraqi revolt against the British (1920), and the Irish War of Independence (1919-1921). In the case of the latter,
fighting took the form of a guerrilla war characterised by reprisals and counter-reprisals, with several historians comparing the conflict to the violent excesses of the Freikorps.\textsuperscript{8}

Limiting the pre and post war periods to three years also seems too narrow to observe the full effects of the conflict. Archer and Gartner’s study of wars’ effect on crime proposes that the period of study should be five years.\textsuperscript{9} The ‘post-war’ statistics in this study will consider the five years following 1921, which would take the period of analysis from 1909 to 1926. Although Marwick, as well as Archer and Gartner, were concerned primarily with violent crime, this study will consider all categories of offence. Focusing solely on violent crime seems to assume that the only possible effect of war service is brutalisation, which has been the preoccupation of most studies regarding veterans and crime. Other factors such as the economic and social effects of the war will also be considered as potential influences on post-war criminality.

\textbf{Crime Statistics}

While criminal statistics are undoubtedly valuable, it is important to accept their limitations. Maguire states that although criminal acts are defined by law, they are also social constructs, and for this reason the concept of a ‘true’ total of crimes is flawed. An individual’s definition of what constitutes crime is influenced by a variety of factors such as their own knowledge and feelings regarding crime, which is in turn influenced by wider public attitudes, politicians and the media.\textsuperscript{10} Maguire’s last point is of particular importance to this study, given that the interwar period saw the over-reporting of some types of offending while others were marginalised. One example of this, identified by Hughes, was the declining press coverage


\textsuperscript{9} Archer & Gartner, \textit{Violence & Crime}, 77.

given to domestic violence in Scotland due to more pressing concerns regarding gangs.\textsuperscript{11} Prior to 1925 ‘assaults by husbands on wives’ were recorded separately in crime statistics, thereafter all categories of assault were merged under one heading.\textsuperscript{12} This seems to suggest that domestic violence was less of a public concern, although no doubt still prevalent, by the mid-1920s.

How the authorities recorded statistics often had more to do with politics than creating an accurate representation of crime in society. Taylor notes that in the case of England and Wales police forces operated on stringent budgets due to the adverse economic conditions of the 1920s and 1930s. In 1921, a Committee on National Expenditure, nicknamed the ‘Geddes’s Axe’ after its chairperson, recommended a 5 per cent reduction in police personnel as an economic necessity alongside other financial cuts. In an effort to protect their own forces from staff cuts, many Chief Constables changed the way they recorded offences so as to create an impression of increasing crime. Perhaps the best example of this was the abolition of the \textit{Suspected Stolen Book} used by many forces to record unsolved instances of petty theft, which were not included in official crime statistics. With the threat of budget cuts, unsolved thefts were recorded in the \textit{Crime Book} alongside indictable offences, thereby ‘raising’ crime figures by including previously unquantified incidents.\textsuperscript{13} It should be considered then that Scotland’s police forces and legal institutions most likely documented statistics with their own agenda in mind.

Even when statistics are recorded without ulterior motives, no methodology can provide a comprehensive illustration of crime in society. This chapter relies on the statistics provided by the \textit{Annual Report of the Prison Commissioners for Scotland}, a yearly summary of prison

statistics as well as an account of the operation of Scotland’s prisons, county jails and criminal asylums. The statistics used by the prison commissioners mainly relate to the ‘offences of prisoners’, which include untried prisoners, some of whom would of course be acquitted. This method by definition also excludes unsolved crimes, and it could be argued that recording the offences of prisoners may reveal more about the competency, or indeed willingness, of the state to punish certain offences rather than creating an illustration of the prevalence of crime in society. Even contemporary sources recognised the limitations of assessing crime in this way.

In 1925, Pitrim Sorokin, a sociologist and White Russian émigré, dismissed statistics in his own study on the effect of war on crime and disorder. He stated that criminal statistics concerned only ‘a fortuitous portion of murders’ and did not give an accurate representation of society.\(^\text{14}\) The American anti-war campaigner H.C. Engelbrecht, however, suggested that statistics relating to the number of crimes committed, as opposed to the number of persons convicted, was a more representative illustration of offending.\(^\text{15}\) By using this method Engelbrecht made a convincing argument that war was detrimental to public order in civil society. Statistical methodology then is often dictated by what the researcher wants to prove or disprove.

**The ‘Social Solidarity’ Model**

Despite war’s obvious potential for destruction, increased social cohesion is often a side-effect of conflict.\(^\text{16}\) Dubbed the ‘social solidarity’ model by Archer and Gartner, it has been suggested that crime falls during war due to increased civic responsibility and feelings of patriotism. This theory draws heavily on Emile Durkheim’s *Le Suicide* (1897), which argues that ‘great national wars’, alongside revolutions reduced the suicide rate amongst men and

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\(^{15}\) H.C. Engelbrecht, *Revolt Against War* (New York: Dodd, Mead & Company, 1937), 188.

\(^{16}\) Archer & Gartner, *Violence & Crime*, 73.
women. Durkheim concluded that ‘popular wars rouse collective sentiments, stimulate partisan spirit and patriotism, political and national faith, alike, and concentrating activity toward a single end, at least temporarily cause a stronger integration of society.’ Durkheim’s own research, however, suggested that increased social integration during war did not reduce all forms of criminality. While robberies, frauds and abuses of confidence fell during wartime, homicides were found to have increased. In France during the Franco-Prussian War unpremeditated murders rose from 133 in 1870 to 224 in 1871; for the years 1866 to 1869 the yearly average was only 119.

During the war newspapers regularly ran stories regarding criminals who had reformed their ways upon hearing the cry of King and Country. In 1915, the Dundee Courier reported on a ‘shopman’ who had lapsed into criminality, ‘but whose patriotism was fired within him when he thought of his country’s need.’ The prison commissioners for Scotland also reported in 1914 that ‘the War has exercised a steadying effect on many of those who regarded the law lightly, and has stirred in them not only some sense of the pride of citizenship, but some appreciations of its responsibilities.’ Some remained unconvinced that the criminal had truly reformed his ways. In 1915, the Globe claimed that ‘The picture of the confidence trick man bursting into tears of patriotic remorse and throwing away his wad of ‘flash’ notes ere hastening to the recruitment office is very beautiful, but has not the slightest foundation in fact.’ The article went onto argue that patterns rather than levels of offending had changed with bigamy for example showing a significant increase. The fact that newspapers were preoccupied with the war rather than crime was also credited for the impression of low levels of offending.

17 Émile Durkheim, Suicide, a Study in Sociology, ed. George Simpson (Oxford: Routledge, 2002), 208.
18 Ibid, 352.
19 “From Prison to Battlefield”, Courier, 3 November 1915.
21 “War and the Criminal”, Globe, 13th December 1915.
The ‘Catharsis’ Model

Archer and Gartner have suggested that societies with the most violent experiences of war would presumably experience the greatest ‘cathartic’ effect, wherein violent crime would remain below per-war levels *ante bellum*. Their own analysis seems to disprove this given that, of the First World War belligerent nations who experienced over 500 battle deaths per million of their pre-war population, only Hungary saw a decrease in post-war homicide. Most nations included in Archer and Gartner’s analysis, even those with comparatively low combat deaths such as Japan, saw an increase in homicides after the war. Even in the case of Hungary the reduction in homicides was probably due to murders remaining unrecorded during the chaotic rule of the Hungarian Soviet Republic and the subsequent ‘white’ counter revolution. Nonetheless, several historians have applied their own form of the ‘catharsis model’ to explain post-war European crime rates.

Marwick has developed this concept to explain why much of Continental Europe was troubled by political and social instability, while post-war Britain was noted for its orderliness. Marwick argues that Britain’s own experiment with ‘fascism’ was exported to Ireland during the Black and Tan War. Violent men had of course always been useful for maintaining order in Britain’s vast overseas empire. Tosh has argued that during the 19th century concepts of masculinity changed, and the Victorian male was expected to act with restraint both at home and in public. Those who could not conform to this ideal were useful as soldiers and administrators in Britain’s overseas territories. Certainly, amongst Irish republicans there was a widely held belief that the ‘Black and Tans’ were brutalised veterans recruited from British

23 Ibid, 88.
prisons.\footnote{Bureau of Military History, Witness Statement 972 (Thomas Cleary), Irish Military Archives, 26, Bureau of Military History, Witness Statement 907, (Laurence Nugent), Irish Military Archives, 198.} It is, however, dubious that syphoning off potential trouble makers into the ‘Black and Tans’ would have had a major effect on public order in Britain. Leeson notes that from July 1920 to July 1921 9,000 British ex-servicemen joined the ‘Black and Tans’.\footnote{David Leeson, ‘The ‘scum of London’s underworld’? British Recruits for the Royal Irish Constabulary, 1920-21’, Contemporay British History 17, no.1, (2010): 1-38, 1.} Although this figure is significant it should be remembered that 4,970,902 British men joined the Army during the First World War.\footnote{United Kingdom. War Office, Statistics of the Military Effort of the British Empire during the Great War, 1914-1920, Cmd 2156, (London: H.M. Stationary Office, 1922), 364.} Enlistment in the ‘Black and Tans’ then cannot entirely explain the apparent placidity of mainland Britain after the war.

The most contentious issue regarding the ‘catharsis’ model is that it implies that human beings, and in particular men, inherently enjoy committing acts of violence. The British Freudian Ernest Jones wrote in 1921 that war reveals ‘All sorts of previously forbidden and buried impulses, cruel, sadistic, murderous and so on’, and that these desires, ‘are stirred to greater activity.’\footnote{Ernest Jones, ‘War Shock and Freud’s Theory of the Neuroses’, in Psycho-Analyses and the War Neuroses, ed. Ernest Jones, (London: The International Psycho-Analytical Press, 1921), 44-59, 48.} Yet in the aftermath of the war there were some who took solace in the fact that men had apparently been unwilling participants in the slaughter. Writing in the International Journal of Ethics in 1921, Ralph M. Eaton, a Harvard University philosopher, stated that ‘Only in tales of horror does the Mr Hyde lurk beneath the Dr Jekyll. Blood-lust is an uncommonly rare motive to action in war.’ Eaton then made reference to the war literature of Henri Barbusse and Philip Gibbs which clearly convey that men did not enjoy killing.\footnote{Ralph M. Eaton, ‘The Social Unrest of the Soldier’, International Journal of Ethics 31, no.3, (1921): 279-288, 282.} The ‘catharsis’ model is difficult to analyse as it does not propose a certain demographic change that reduces offending, but rather predicts a change in mind-set in post-war societies; essentially that man’s need for violence will be satisfied on the battlefield rather than the home
front. However, if it was found that violent crime, and in particular murder, had increased after a war then the ‘catharsis’ model would be disproved.

**The ‘Social Disorganisation’ Model**

Despite England and Wales’ apparent return to normalcy after the First World War, conventional wisdom would suggest that post-war societies usually experience an increase in crime. Archer and Gartner have described the detrimental effects of war on public order as the ‘social disorganisation’ model. There are in fact two versions of this model used by academics, one which incorporates the various social changes caused by war, which affect defeated and victorious nations alike, such as property losses, industrialisation, migration and family breakdown. The other interpretation of this model relates to social and psychological changes more commonly found in defeated nations, but also in nations that have experienced Pyrrhic victories. Sutherland and Cressey have argued that post-war crime waves are normally limited to countries that have experienced a complete dissolution of their economic, political and social systems. Examples of this have occurred in the United States after the Civil War, in France following the 1848 Revolution and the Franco-Prussian War, and in Austria and Germany following the First World War. Nations whose economic, political and social systems remain intact, such as England and Wales after the First World War, are less likely to experience post-war crime waves.

Although Scottish society changed significantly during the war, it would be a gross exaggeration to say that the country’s pre-war order had been destroyed. Yet there was a prevailing attitude in post-war Scotland that the old nation, characterised by rurality, community and the Kirk, had been replaced by an increasingly urban and irreligious society.

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This romantic view of Scotland is clearly evident in Grassic-Gibbon’s *Sunset Song* (1932), where the four Kinraddie men who fell in the war are said to have died with ‘a thing older than themselves, these were the Last of the Peasants, the last of the Old Scots folk.’\(^3\)\(^3\) The same lamenting for the loss of an idealised past can also be found in lesser known works such as Blake’s *The Shipbuilders* (1935), which mourns the decline of Glasgow shipbuilding and paternalistic capitalism, while Marshall’s *The Black Oxen* (1972), which charts the reversal of Edinburgh’s bourgeoisie from politically liberal and morally conservative to politically conservative and morally liberal.\(^3\)\(^4\) The mourning of an idealised, and more orderly, past could be symptomatic of a society that was becoming increasingly unstable.

**The ‘Legitimisation of Violence’ Model**

A common theme amongst those who argue that conflict causes an increase in crime relates to the legitimisation of violence that follows war. It seems plausible that a society that legitimises killing and devalues human life is likely to see a rise in violent crime post-war. Writing in the early 16\(^{th}\) century Thomas More stated that England’s periodic wars with France had been detrimental to public order. He argued ‘that at home the war had corrupted morals, imbued the citizens with a lust for robbery, that slaughter in warfare had made them completely reckless.’\(^3\)\(^5\) Writing in 1937, Engelbrecht argued that ‘The value of human life is infinitely depreciated by the fact that the killer is the greatest military hero.’\(^3\)\(^6\) The American lawyer Clarence Darrow proposed that high crime rates during the 1920s were the result of brutalised veterans returning to an equally hardened civil society. In reference to the effects of the war he stated that:

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\(^3\)\(^3\) Lewis Grassic Gibbon, *Sunset Song*, ed. Tom Crawford (Edinburgh: Canongate, 1999), 256.
\(^3\)\(^6\) Engelbrecht, *Revolt Against War*, 188-189.
“Thou shalt not kill,” was repealed. Property was not only ruthlessly destroyed but openly confiscated. Lying was a fine art. When this bears a harvest after the war, the public loudly clamours for hanging boys whose psychology is a direct result of long and intensive training by the leaders of the world.\(^ {37} \)

Ernest Jones argued in 1921 that such ‘training’ was detrimental to the human psyche ‘The manhood of a nation is in war not only allowed, but encouraged and ordered to indulge in behaviour of a kind that is throughout abhorrent to the civilised mind.’ Jones took the less conventional belief that war neuroses were caused not by a fear of death, but from the moral readjustment needed to commit acts of violence.\(^ {38} \) The validity of the ‘legitimisation of violence’ model in regards to post-war Scotland will be tested by measuring the prevalence of violent crime in pre and post war statistics.

**The ‘Violent Veterans’ Model**

The return of ‘violent veterans’ to civil society has also been cited as a potential factor in post-war criminality, an argument that seems to have a lot in common with the brutalisation theory.\(^ {39} \) During the First World War the British Army went to great lengths to subvert the modern civilised man’s aversion to violence. In training manuals on the art of bayoneting, it was advised that men should be taught to advance in ‘a state of wild excitement.’ In terms of practical advice, such manuals were noted for their visceral depictions of combat: men were taught to attack their opponent’s throat, while in the case of a retreating enemy, a thrust to the kidneys on either side of the spine was recommended.\(^ {40} \) It is difficult to say if such training made men more predisposed to acts of violence in civilian life. Writing in respect to his own

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\(^ {38} \) Jones, ‘War Shock and Freud’s Theory of the Neuroses’, 48.

\(^ {39} \) Archer & Gartner, *Violence & Crime*, 74-75.

nation after the First World War, the French socialist and anti-militarist Augustin Hamon warned that ‘Life in the midst of violence and slaughter develops in man an appetite for violence and accustoms him to the idea of resorting to violence in order to obtain the realization of his desires and requirements.’ In Britain, discourses regarding the return of potentially damaged veterans used the language of ‘brutalisation.’ Yet it is unclear how far these fears permeated the public mind. In a report on the Dunbartonshire Education Authority one member of the panel stated that she had reservations about appointing men with war experience as teachers, as they may have been ‘brutalised’ and therefore unfit to work with children.

Contrary to this Rev John Kelman of St George’s Free Church, Edinburgh, refused to believe that men had been brutalised. In a lecture delivered at Yale University, Kelman recounted his experience with a regiment that had killed a hundred of the enemy in one action, but then later acted as teachers at a French school that had been closed due to the war.

There is some evidence that suggests that ex-servicemen are no more violent than other criminal offenders. Indeed Bennett’s sample of American prisoners after the Second World War found that veterans were in fact less violent: 56 per cent of federal inmates serving sentences for fraud and embezzlement were veterans yet only 37 per cent of murderers and 29 per cent of robbers had served in the war. Similarly, Willbach found that in 1946, 867 males aged 20 and under had been arrested in New York for robbery, yet only 684 males between the ages of 21 and 30, the age group with the most veterans, had been arrested on the same charge. It should be noted that Willbach ignores the fact that men aged 19 and 20 in 1946 would have been able to serve in the last year of the war, and also assumes the unlikely premise that

43 “School Management Committees”, *The Kirkintilloch Herald*, June 14 1922.
underage enlistment was non-existent.\textsuperscript{46} There is clearly little academic consensus on the link between ex-servicemen and violent crime, although there does appear to be an assumption that returning soldiers bring the violence of the battlefield home with them.

**The ‘Economic’ Model**

Archer and Gartner have also outlined models that argue that the effect of war on crime is variable. War inevitably causes economic changes that affect both belligerent and non-belligerent nations alike.\textsuperscript{47} The German-British criminologist Hermann Mannheim noted that one of the few crimes to increase in England and Wales during the First World War was the stealing of fruit and plants, no doubt a result of the scarcity of these commodities.\textsuperscript{48} Archer and Gartner have stated that the economic changes most likely to have an effect on crime are shortages in certain commodities and employment. In regards to the latter, war usually creates increased employment opportunities, due to labour shortages and increased industrial output, although full employment usually ends with the conclusion of hostilities.\textsuperscript{49} The economic model outlined by Archer and Gartner could certainly be applied to Scotland. Buxton points out that Scotland produced 18 per cent of British steel before the war, with this increasing to 23 per cent by 1920. By the late 1930s this had fallen to 15 per cent, with similar declines occurring across the heavy industries.\textsuperscript{50} With the decline in global trade, interwar Scotland experienced unemployment levels that were consistently above the average rate for Britain. In 1923, unemployment stood at 14.3 per cent in Scotland and 11.6 per cent for Britain as a whole. By 1932 this had risen to 27.7 per cent and 21.9 per cent respectively.\textsuperscript{51}


\textsuperscript{47} Archer & Gartner, *Violence & Crime*, 74.


\textsuperscript{49} Archer & Gartner, *Violence & Crime*, 74.


\textsuperscript{51} Neil K. Buxton, ‘Economic Growth in Scotland between the Wars: The Role of Production Structure and
There is evidence which suggests that ex-servicemen were at particular risk of unemployment during the Great Depression. Davidson’s 1929 study estimated that 58 per cent of all unemployed males were veterans, with the proportion being 80 per cent amongst 30 to 34 year olds.\(^{52}\) One criticism of the ‘economic’ model is that it relies on the premise that unfavourable economic conditions invariably increase the prevalence of law-breaking. Lester and Yang’s study of the United States between 1940 and 1984 found that although unemployment was associated with high suicide rates, there was no evidence of a similar association to homicides.\(^{53}\) Although Archer and Gartner’s ‘economic’ theory only concerns violent crime, adverse post-war economic conditions could have encouraged other forms of offending. When two ex-soldiers appeared at Edinburgh Sheriff Court in 1920 charged with burglary, both men revealed that they had struggled to find employment since the war. For one of the men the army appears to have been his only employer, having left industrial school to enlist in 1914 and only being demobilised the previous month.\(^{54}\) It was not simply the case that post-war economic conditions encouraged criminality. For many veterans the war had disrupted their development, with younger recruits missing the opportunity to learn a trade or gain experience, and were at a marked a disadvantage in finding employment.

**The ‘Artefacts’ Model**

Most studies agree that the onset of major conflicts invariably leads to a reduction in crime, even if the long-lasting effects are contentious. In regards to Britain’s experience during the First World War, Mannheim outlines the factors that led to a statistical decrease in crime. The factor causing the largest effect was high enlistment levels of the male age group most

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\(^{54}\) “Unemployed Ex-Soldier’s Burglary”, *Edinburgh Evening News*, 28 February 1920.
likely to offend, but it should also be noted that falling alcohol consumption due to tighter restrictions, increased employment opportunities and the fact that the police force lost 10 per cent of its constables to enlistment, all contributed to the ‘decrease’ in crime.\(^{55}\) In most major conflicts the most visible demographic effect is a reduction of the male population, at first temporarily due to enlistment and then later permanently through war dead. The result of this can lead to a significant reduction in crime due to the fact that most offences are committed by males.\(^{56}\)

In the case of Scotland, this hypothesis is complicated by the fact that is unclear just how many men were killed during war. The initial estimate, as calculated in the 1921 census, was as low as 74,000, but did not include airmen and men who died of wounds while at home or after 1921.\(^{57}\) Spiers has given a noticeably higher estimate of 147,000 being killed out of the 557,618 men who served.\(^{58}\) Ferguson has suggested that the 26.4 per cent of Scots who were killed accounted for just over 10 per cent of Scotland’s male population between the ages of 15 and 49.\(^{59}\) Anderson’s figure, which considers post-war emigration, is considerably lower, but is still as high as 110,000.\(^{60}\) Regardless of the true figure, all of these estimates suggest a significant reduction in the demographic group most likely to commit crime. Of the 1,847 convicted ordinary prisoners held in all Scottish prisons on 31 December 1913 1,305 (70.7 per cent) were males over the age of 15 and under 50.\(^{61}\) Scotland’s population in a broader sense

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\(^{56}\) Archer & Gartner, *Violence & Crime*, 72.


also underwent significant changes during the interwar period, between 1921 and 1931 the population fell by 39,707 persons, most likely due to emigration.\(^{62}\)

Unsurprisingly, this period also saw a fall in the male prison population; in 1921 the average daily number of male prisoners in all institutions was 1,857 by 1931 this number had fallen to 1,472.\(^{63}\) This trend may have been due to legislative changes regarding the payment of court imposed fines. The Criminal Justice Administration Act of 1914 contained the provision that a convicted person should be given time to pay a fine, when previously those who could not pay would be given a prison term.\(^{64}\) Writing in 1918, the American economist and social worker Edith Abbott argued that the Act, and not the war, had considerably reduced the prison population of Great Britain and Ireland.\(^{65}\) As enlistment was the main cause in the reduction of wartime criminality, the long-term effect of the Criminal Justice Act in reducing imprisonments went largely unnoticed. It cannot be denied that mass enlistment significantly reduced offending, at least for the duration of the war. In 1915, the Scotsman reported that the previous year had seen the lowest number of prison committals in Scotland since 1875, with similar stories running throughout the war noting the drastic decline in criminality.\(^{66}\) Robert Graves went so far as to suggest that the war had left a permanent legacy of orderliness, with the exception of Southern Ireland, across the British Isles.\(^{67}\) The end of hostilities in 1918 did nonetheless see several outbreaks of mass public disorder, with Kent suggesting that ex-servicemen were often the main culprits in acts of rioting.\(^{68}\) Jenkinson has also found this to be...

\(^{62}\) [Link](http://www.scotlandscensus.gov.uk/documents/censusresults/release1a/rel1asbtable1.pdf)
\(^{64}\) Criminal Justice Administration Act, 1914, 4 & 5 Geo.5, c.58, s.3. [Link](http://www.legislation.gov.uk/ukpga/Geo5/4-5/58/enacted)
true of the 1919 seaport riots, a racist reaction to the presence of black, Arab and Asian seamen. Jenkinson does admit that newspapers may have overemphasised the presence of veterans, due to brutalisation providing a convenient explanation for the violence of the riots.69 During the war not a single person had been imprisoned in Scotland for ‘mobbing and rioting’, although according to MacDonald anti-German riots did in fact occur in several Scottish towns in 1915.70 Yet only a year after the Armistice 19 males were imprisoned for this offence, and in the following year this had risen to 30 and by 1921, 146.71 In September of that year unemployed men broke into a shop in Dundee and caused £120 worth of damage; one of the accused was John Knight, recently demobilised and unemployed. It was reported that he had been wounded four times during the war, twice in the head.72

Veterans who took part in civil disorders may have had their grievances, yet compared to their counterparts on the Continent, British ex-servicemen generally avoided extremist politics.73 Soucy argues that French veterans were widely involved in the right-wing anti-parliamentarian riots of 1934. Similarly Ledeen has shown that former Arditi, the elite shock troops of the Italian army, were among the first converts to fascism.74 Yet despite the comparative placidity of British veterans, imprisonments for mobbing and rioting still rose to unprecedented levels after mass demobilisation in 1921. Ward has argued that the Coalition Government was so concerned about the presence of demobilised soldiers in rioting only four

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years after the Russian Revolution, that Special Branch was tasked with an extensive surveillance campaign of ex-servicemen. Clearly some veterans were dissatisfied with the post-war settlement, even if the majority obeyed the law.

**War and Violent Crime**

For historians and contemporary commentators alike the best indication of war’s effect on society is the prevalence of post-war murder. After the First World War it was widely believed that murder was rising in Europe, with the former territories of the Central Powers proving particularly unstable. Thorstein Sellin’s 1926 study of European murder rates revealed significant rises in the belligerent nations of France, Germany and Italy, although not in England and Wales, while in the neutral countries of Denmark, the Netherlands, Norway and Sweden there were no such rises. In Germany, for example, in 1913 per 100,000 of the population 0.55 persons were found guilty of homicide, by 1921 the figure had almost doubled to 1.00 per 100,000. One problem encountered by Sellin was the differing categorisations of life-taking between nations, although the impression remained that the war had proved socially disruptive.

A cursory glance at murder statistics suggest that Scotland did in fact see a rise in homicides after the First World War, a claim made by Archer and Gartner and repeated by Bourke. The statistics used concern those imprisoned for murder either under sentence, including those later hanged, and untried prisoners, some of whom would have been found acquitted of the charge. In 1909, there were nine Scottish males imprisoned for murder and in 1910 this had fallen to six, and to four in 1911. The figure rose again to seven in 1912 and

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1913. The war did not significantly reduce the number of men imprisoned for murder until the last year of the conflict. In 1914, the figure had only fallen to six, and actually rose to nine the following year. In 1916 and 1917 the figure was five, and only in 1918 was there a significant drop when one male was imprisoned for murder. After the war ended numbers appeared to be returning to normal with seven imprisonments in 1919 and eight in 1920. In 1921, the year when almost all serving men had been demobilised, there was an unprecedented spike with 45 Scottish males imprisoned for murder, no doubt the basis for the claims made by Archer and Gartner.

The figure for 1921 was, however, inflated by a single event rather than a rising predilection for murder across Scottish society. The prison commissioners themselves were quick to note that the rise in imprisonments was due to Sinn Fein activity, rather than a society brutalised by war. That year 40 individuals had been charged with the murder of a police inspector during an attempt to liberate two Sinn Fein prisoners in Glasgow. Although the ‘smashing of the van’, as it came to be known, may not have been representative of crime in Scotland, it should not be considered somehow separate from society merely because its

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82 Ibid, 4.
perpetrators were Irish republicans. Handley states that many members of the Glasgow IRA during this period were themselves war veterans.\textsuperscript{83} Militant republican activity was not merely an overspill of events in Ireland, and had in fact pre-dated the First World War.\textsuperscript{84} Yet overall the statistics relating to imprisonments for murder do not give the impression that the war had made Scottish society more violent.

Statistics relating to the number of murders known to the police, as published in the annual \textit{Report on the Judicial Statistics for Scotland}, give an altogether different picture. The reports on judicial statistics give a more comprehensive account of crime than that of the prison commissioners as they include figures on non-custodial sentences as well as unsolved crimes. Although the number of persons convicted of murder may have risen only marginally, incidents of actual murder appear to have increased significantly. One limitation of these statistics is that by recording murder victims, rather than perpetrators, the small number of murders committed by women are potentially recorded alongside those committed by men, when the primary focus of this analysis is ex-servicemen. It would appear that Scotland saw a rise in murder after the First World War even if the police could not always apprehend a suspect. In 1909, there were ten murders known to the police, this number did not fluctuate greatly even with the general reduction of crime that followed the onset of war.\textsuperscript{85} In the penultimate year of the war the number was as low as six, yet this was not an unprecedented dip having also occurred before the war in 1911.\textsuperscript{86}

\textsuperscript{83} James Edmund Handley, \textit{The Irish in Modern Scotland} (Cork: Cork University Press, 1947), 299.
\textsuperscript{86} Archer & Gartner, \textit{Violence & Crime}. See Comparative Data File: Nations, Scotland, (Pages of the Statistical Tables are not numbered.)
In the seven years that proceeded the end of the war the number of reported murders in Scotland remained above pre-war levels. In 1919, there were 12 murders known to the police, by 1920 this had risen to 18 and 17 a year later. Between 1922 and 1924 the number remained at 12 but rose again in 1925 to 17, before returning to pre-war levels in 1926 with nine known murders. It was not until 1929 that the number of reported murders fell below pre-war levels.\(^{87}\) The number of state executions also increased slightly after the war. In the decade prior to the war there were five executions in Scotland, yet eleven occurred in the ten years after 1918.\(^{88}\) It could be argued then that the ‘legitimation of violence’ model has some bearing with respect to Scotland. Commentators writing in the post-war period did indeed believe that brutalisation had left a legacy of violence. In 1923, the *Fife Free Press & Kirkcaldy Guardian* noted that recent tragic events, namely a double murder, two suicides, and a drowning, had gone

\(^{87}\) Ibid.

seemingly unnoticed. The paper went on to ask the question ‘Is it that the brutalising influences of war still linger; that the toxic sediment continues to ferment and breed a callous indifference to human life?’

The statistics for culpable homicide, essentially the Scottish equivalent of manslaughter under English Law, are harder to interpret. It should be noted that culpable homicide actually covers two distinct legal situations. Voluntary culpable homicide, relates to situations wherein the mens rea (‘guilty mind’) for murder is present but the offence is downgraded due to mitigating circumstances, such as temporary insanity or even drunkenness. Involuntary culpable homicide, occurs where the mens rea for murder is not present but either the mens rea for culpable homicide is or the circumstances of death amount to culpable homicide. The latter normally relates to accidents caused by negligence, a notable example from the period would be the conviction of two signalmen in 1915 for their role in the Quintinshill rail disaster.

Official statistics record voluntary and involuntary cases of culpable homicide under one heading. As a result of this, cases where life was lost due to criminal neglect will be included in any analysis. Yet excluding culpable homicide altogether would mean ignoring cases where murder had essentially been committed, but the perpetrator was insane or even under the influence of alcohol. In fact many individuals convicted for culpable homicide in the voluntary degree, would have initially been tried for murder, but had the charges reduced due to mitigating circumstances. It should also be noted that culpable homicide was statistically more common than murder during the first half of the 20th century. In 1914, there were 34 persons proceeded against for culpable homicide compared to only seven for murder, and even by 1939

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89 “Hope for Betterment”, Fife Free Press & Kirkcaldy Guardian, 6 January 1923.
the ratio was still 25 to 7. By the 1950s the ratio began to narrow and in 1956 the number of persons proceeded against was equal at 13.\textsuperscript{91}

The number of men imprisoned for culpable homicide appears to have fallen after the war. In the five years before 1914 the number of imprisonments were as low as 17 in 1911 and as high as 25 the following year, before falling again to 18 on the eve of war in 1913.\textsuperscript{92} In 1914, 31 males were imprisoned for culpable homicide, and in 1915 26. This number fell thereafter, to 15 in 1916 and to nine in the last two years of the war.\textsuperscript{93} After the war imprisonments rose to 16 in 1919, but fell again the following year to 14, and although there were 22 imprisonments in 1921, this was still below the figure for 1912.\textsuperscript{94} It is difficult to say if imprisonments for culpable homicide dropped because of the war. The nature of the offence makes it difficult to quantify, with one advocate remarking during a trial in 1922 that ‘the degrees of guilt or culpability attaching to one who was guilty of culpable homicide varied very, very much.’\textsuperscript{95} It might be argued that a rise in the murder rate alongside a fall in cases for culpable homicide, suggests a harsher line being taken by the judiciary on what should be considered a mitigating factor. This hypothesis is difficult to prove, however, as it can only be applied to imprisonments for the two offences, and only where voluntary culpable homicide is concerned. It is perhaps wiser then to base any conclusions on post-war violence on the statistics relating to murder.

It would, however, be inaccurate to say that Scotland as a whole had become more violent since the war, even if murder cases did rise. The number of assaults, both in terms of


\textsuperscript{94} \textit{Annual Report of the Prison Commissioners 1919}, (1920), 37; \textit{Annual Report of the Prison Commissioners 1920}, (1921), 22; \textit{Annual Report of the Prison Commissioners 1921}, (1922), 18.

\textsuperscript{95} “Dramatic Turn in Hunter Street Tragedy”, \textit{Evening Telegraph}, 19\textsuperscript{th} April 1920.
imprisonments and incidents known to the police, appears to have fallen. It could be argued that assaults, being far more common than instances of life taking, are a more accurate measure of the prevalence of violence in society. The Prison Commissioners divided assaults into various categories including ‘assaults’, ‘assaults by husbands on wives’ and ‘assaults on officers of the law.’ For the purpose of this analysis all of these categories will be grouped together, although ‘assaults by husbands on wives’ will be examined in more detail later.

Broadly speaking, the number of assaults known to the police rose slowly between 1909 and the beginning of the war, with 2,511 assaults known to the police in 1909 and rising every year until the figure reached 3,409 in 1913. Assaults fell drastically during the war and by 1918 only 855 assaults were known to the police. Although in 1920 assaults resembled pre-war levels at 2,900 incidents, the figure fell significantly thereafter. By 1922 there were 1,171 assaults, a figure well below pre-war levels.96 It is difficult to characterise post-war Scotland as a brutalised society when assaults were actually falling below pre-war levels.

**Bigamy, Prostitution and Violence against women**

Among the many social changes caused by the war less rigid attitudes to marriage and sexual relations were seen as the most damaging. Woollacott has examined the moral panic regarding ‘khaki fever’, the so-called hysterical attraction of young women and girls to soldiers, and the subsequent sexual immorality it entailed.97 Circulars distributed by the Scottish Office even went so far as to advise local police forces to be vigilant for young girls who loitered near military camps. It was believed that such behaviour ‘cannot but expose them to the danger of seduction or prostitution.’98 Although ‘khaki fever’ was undoubtedly exaggerated, criminal

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98 First World War: Danger to Young Girls Loitering Near Camps, 1914, HH31/16/11, The National Archives of Scotland.
statistics suggest that the growing permissiveness to sexual morality was a real phenomenon. Between 1909 and 1925 there were significant rises in bigamy, failure to support illegitimate children and wives, as well as procuration. In 1909, 27 males were imprisoned for bigamy in Scotland although this number decreased steadily in the years immediately before the war and the figure was as low as 17 by 1914. During the war imprisonments for bigamy rose from 27 in 1915 to 103 by 1919. Unlike the many offences that quickly fell after a brief post-war spike, committals for bigamy remained above pre-war levels with 47 males being imprisoned in 1926. Many cases of bigamy during this period inevitably involved veterans and serving soldiers. Under the headline ‘Scottish Girls Duped’ the Perthshire Advertiser reported in 1918 that ‘Cases of bigamy between soldiers and unsuspecting maidens have been rather notoriously frequent of late.’ The Scottish press, keen to preserve the reputation of the nation’s own fighting men, shifted the blame onto English soldiers serving at bases in Scotland.

The dislocation of military service was clearly detrimental to some marriages, suggesting that the ‘social disorganisation’ model has some validity. The onset of war, however, may have extended the longevity of troubled marriages, rather than splitting up previously happy spouses. When John Campbell, a war veteran, was charged with bigamy in 1929 he claimed that his first wife had only stayed with him for his separation allowance, and the marriage had broken down shortly after his demobilisation in 1921. The separation allowance itself was believed by some to have caused the increase in bigamy during the war. The *Evening Telegraph and Post* claimed that many cases of bigamy involved enlisted men who had been estranged from their wives before the war, but were now cohabiting with other

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103 “Bigamy at Crieff”, Scotsman, 5 April 1929.
women; the prospect of the separation allowance had provided an incentive to marry common
law wives bigamously. Indeed, irregular marriages, the Scottish equivalent of a common-

104 law marriage, rose significantly during the war. Whereas in 1913 there were 3,051 irregular

105 marriages in Scotland, by 1914 there were 4,899 before peaking at 7,420 the following year.

Although the numbers fell thereafter, even by 1918 the figure was as high as 5,943.

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Figure 2.2: Number of males imprisoned for bigamy, failure to support illegitimate children and procuration

between 1909 and 1926. Note that after 1924 Failure to support illegitimate children was merged with other civil

imprisonments. Compiled from the Annual Reports of the Prison Commissioners.

![Graph showing number of imprisonments for bigamy, failure to support illegitimate children, and procuration between 1909 and 1926.]

The rise of irregular marriages up to 1915 may have been due to hasty war marriages,

possibly motivated by the prospect of the separation allowance. Mannheim attributes generous

separation allowances to the rise of bigamy during the war, but also cites the abnormally high

number of marriages during the war as a factor. In 1911, 274,943 marriages took place but by

1915, during the height of mobilisation, the number had risen to 360,885. A less plausible

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104 “Increase in Bigamy”, Evening Telegraph and Post, 9th December 1915.


explanation was that some men with shell shock had married bigamously while not under control of their mental faculties. Despite suffering from shell shock and near blindness, Archibald Trotter was sentenced to six months imprisonment at Edinburgh Sheriff Court in 1920. The Procurator-Fiscal commented that ‘Bigamy was becoming extremely common, and people were beginning to think that it was not any crime at all.’\textsuperscript{107} There were in fact many similar examples of men accused of bigamy in Scottish courts citing shell shock as a mitigating factor.\textsuperscript{108} It is clear that attitudes to sexual morality and relationships had changed significantly since the war, something that was reflected in patterns of offending.

It should be remembered that military service had long been recognised as a way for men to escape their domestic obligations. George Farquhar’s 1706 play \textit{The Recruiting Officer} includes a reworking of the traditional Scottish folk song ‘Over the Hills and Far Away’, in which soldiers proclaim that ‘We all shall lead more happy lives, By getting rid of brats and wives, That scold and bawl both night and day.’\textsuperscript{109} Nonetheless the First World War, and the social upheaval it caused, clearly had a disruptive effect on family life. The number of men imprisoned for failing to support wives and illegitimate children rose sharply after the war. While in 1913, 31 males were imprisoned for failing to support their wives, the figure had more than doubled to 73 by 1918 and was still as high as 62 in 1921.\textsuperscript{110} Between 1909 and 1913 the number of men convicted of failing to support illegitimate children was reduced every year, having fallen from 142 to 93.\textsuperscript{111} Yet after the war the figure quickly rose and by 1924

\textsuperscript{107} “Edinburgh Man Almost Blind”, \textit{Evening Telegraph}, 6 February 1920.
imprisonments were above pre-war levels at 155.\textsuperscript{112} Although the number of illegitimate births was actually lower after the war, they constituted a slightly higher proportion of all births. In 1911, out of 121,850 births 9,200 (7.55\%) were illegitimate. Yet by 1919 out of 106,269 births 8,424 (7.93\%) were illegitimate.\textsuperscript{113} Military service then may have provided men with the opportunity to evade their familial obligations. The fact that this trend continued after the war suggests that the war did permanent damage to family life. This will be discussed at greater length in a chapter four.

For many the war, and the disruptions it caused, were thought to have been degenerative to the nation’s youth. Writing in the last year of the war one commentator warned that; ‘Many of the young manhood and womanhood of our country have fallen victims to the bait of prostitution.’ Young soldiers away from home for the first time were thought to be particularly susceptible ‘Their curiosity is aroused, their desire to taste such vices is stimulated, they are encouraged by others soaked in vice, and, without the restraining hand of their parents they fall victims to a deadly vice.’\textsuperscript{114} Despite the alarmist tone of the article it was nonetheless prophetic. In 1920, 69 men were committed to prison for procuration. Although this fell to 48 the following year, imprisonments continued to rise and by 1926 134 men had been imprisoned for procurement.\textsuperscript{115} In 1909, five years before the war, only 33 men had been imprisoned for the same offence in all of Scotland.\textsuperscript{116} Procurement itself was the offence of enticing, or attempting to entice, a woman or girl into prostitution.\textsuperscript{117} Settle has shown that during the First

\textsuperscript{116} \textit{Annual Report of the Prison Commissioners 1909}, (1910), 43.
World War the geographical centre for prostitution in Edinburgh moved from the Old Town to
the New. This was mainly due to the high number of servicemen travelling through the
Capital’s train stations.\textsuperscript{118}

It is possible that some men’s habit of paying for sex was developed while serving
abroad. Harrison notes that in Egypt and France, where most troops were stationed, prostitution
was openly tolerated by the local authorities, and was widely exploited by the soldiers stationed
there.\textsuperscript{119} In \textit{Goodbye to All That} Graves makes the possibly apocryphal claim that a prostitute
working on the Western Front was expected to service nearly a battalion per week, and 150
men could be seen queuing outside one brothel. Demand was so high that a prostitute could
retire after three weeks work ‘pale but proud.’\textsuperscript{120} Roberts states that such claims were no doubt
exaggerated, but that the war had indeed created a generation of men more familiar with sex
and how to attain it. It was also the case that some of the ‘flaunting women’, casual prostitutes
who mainly catered to soldiers, plied their trade fulltime after the war.\textsuperscript{121} Makepeace has also
made the claim that British soldiers mainly solicited casual prostitutes, who could be bought
with a ‘night out’ rather than with money. She theorises this was due mainly to casual
prostitutes being cheaper than ‘professionals’, with evidence suggesting that officers and the
better paid Dominion troops monopolised brothels.\textsuperscript{122}

Anecdotal evidence aside, it is difficult to quantify the extent to which men paid for
sex during their service. The fact that venereal disease was a major cause of illness amongst
soldiers is, however, telling. While explaining the expansion of military hospitals during the

\textsuperscript{118} Louise Settle, ‘The Social Geography of Prostitution in Edinburgh, 1900-1939’, \textit{Journal of Scottish Historical
Studies} 33, no.4, (2013), 234–259
\textsuperscript{119} Mark Harrison, ‘The British Army and the problem of venereal disease in France and Egypt during the First
\textsuperscript{121} Roberts, \textit{The Classic Slum}, 229-231.
\textsuperscript{122} Clare Makepeace, ‘Male Heterosexuality and Prostitution During the Great War: British soldiers’ encounters
war, Sir J.S. Cowans, Quartermaster-General to the Forces, commented that ‘It was also unfortunately necessary to take special measures to meet the constant increase of venereal disease in all the Commands.’ Indeed, venereal disease continued to rise even after the fighting ended. As men began to return from the war British hospitals experienced a significant increase in admissions for venereal disease. In December 1919 there were 806 such admissions, in January 1920 1,220 and 1,227 in February. Rates of venereal disease particularly high amongst Dominion troops, with the infection rate being 18 per cent for ANZACs and 15.6 per cent for the Canadians. Hanna has proposed that this trend was caused partially by the comparatively higher number of young bachelors amongst the ANZAC forces. Yet even for married ANZACs the long ship journey between Europe and the antipodes made a visit home unfeasible, thus increasing the likelihood of infidelity. Makepeace has also suggested that it was considered more acceptable for married men to use brothels, as they, unlike bachelors, were more used to regular sexual activity. It should not, however, be assumed that the rise in venereal disease was due entirely to prostitution. Gibson has shown that the sex lives of British soldiers were by no means solely confined to the brothel. Romantic, or at least non-financial, relationships with local women were common as well, although dalliances were usually brief due to the constant movement of regiments.

The rise in imprisonments for procurement does not fit easily into any of Archer and Gartner’s statistical models. It should be considered that the number of women arrested for offences relating to prostitution also rose; in Edinburgh 234 women were arrested in 1920 and the following year the figure had increased to 418. In 1921, Chief Constable of Edinburgh City

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124 Ibid, 342.
126 Clare Makepeace, ‘Male Heterosexuality and Prostitution During the Great War: British soldiers’ encounters with *maisons Tolérées*, *Cultural and Social History* 9, no.1, (2012): 65-83, 70.
Police Roderick Ross suggested that more women were turning to prostitution because of unemployment. He elaborated that during the war there had been increased employment opportunities for women, thereby reducing prostitution, yet this trend had not survived the peace and many women found themselves out of work. If Ross’ explanation is correct this could be seen as an example of Archer and Gartner’s ‘economic’ model in action, although it cannot account for the apparent rise in men paying for sex.

The incidence of rape, both reported and the number of imprisonments, fell dramatically during the war. It is difficult to ascribe any reason for this other than the removal of large numbers of the male population through war service. What is harder to explain is the rise in rape figures immediately after the war that significantly surpassed pre-war levels. In 1913, 27 males were imprisoned for rape in Scotland, but with the onset of war this had fallen to 15, while between 1916 and 1919 the number of imprisonments never exceeded 10. Like so many other offences, mass demobilisation in 1920 saw a significant rise with 28 imprisonments, then rising to 31 in 1921 and 33 in 1922, after which imprisonments began to resemble pre-war levels. Archer and Gartner’s figures on reported incidents, which also factor in population size, are even more striking. 1920 saw 39 reported incidents of rape, amounting to 0.80 reports of rape per 100,000 of the population. This remained the highest number of reported rapes in respect to the population until the early 1960s.

131 Archer & Gartner, Violence & Crime, see Comparative Crime Data File: Nations, Scotland, (Pages of the Statistical Tables are not numbered).
also rose from 38 in 1913 to 47 in 1918 and 48 in 1919. Curiously there was a spike in this offence during the war with 52 imprisonments in 1915.  

Other sexual offences also saw significant increases upon mass demobilisation in 1921. During the war the highest number of men imprisoned for incest was five in 1918, a figure that was below pre-war levels, however in 1921 23 men were imprisoned for the same offence. Gilbert has argued that the experience of serving in the First World War may have fostered misogynistic views in some men. Her study relies heavily on the misogynistic themes in certain literature, namely the work of D.H. Lawrence, who went out of his way not to serve during the war. Sexual offences that did not normally involve women also increased after the war. In fact imprisonments for ‘unnatural crimes’, a collective term for offences relating to bestiality and sodomy, rose from 16 in 1913 to 33 in 1921. Nonetheless, the statistics for rape in post-war Scotland show that violence against women increased in the immediate aftermath of the war. This in itself suggests that the wave of post-war misogyny was not confined to literary interpretations.

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135 Annual Report of the Prison Commissioners 1913, (1914), 59; Annual Report of the Prison Commissioners 1920, (1921), 22
Figure 2.3: Number of men imprisoned for rape, attempted rape and incest between 1909 and 1926. Note that after 1923 attempted rape and indecent assault were recorded under one heading. Compiled from the *Annual Reports of the Prison Commissioners*.

Not all crimes against women saw a statistical rise after the war; in fact imprisonments for domestic violence appear to have fallen. Imprisonments for wife assault rose significantly prior to the war with 430 in 1909 and 740 in 1914.¹³⁶ Hughes has pointed out that during this period attitudes to domestic violence hardened, but more importantly it became easier for the judiciary to charge wife beaters. The charge of wife assault was redefined to include actual assault, but also breach of the peace as well as drunk and disorderly behaviour when the offence was directed at a wife. It was far easier to obtain a conviction for the latter two charges resulting in more imprisonments. The Summary Jurisdiction Act (1908) also allowed Sheriffs to prosecute a defendant without a jury, again this resulted in more convictions.¹³⁷ Imprisonments fell dramatically during the war, falling as low as 94 by 1918.¹³⁸ Unlike many other crimes wife assault did not see a dramatic rise following mass demobilisation in 1920. Although there

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were 372 imprisonments in 1920, this fell to 324 in 1921 and fell with every year until wife assault was no longer recorded separately in 1924.\textsuperscript{139}

These figures may represent a change in the way wife-beaters were dealt with rather than a decline in domestic abuse. Hughes has found that between 1889 and 1915, a period when ‘assaults on wives’ were recorded separately, few men were sent to prison. Only one-third of Scottish men found guilty of assaulting their wives were given a prison sentence, and even then 60 to 80 per cent of sentences were for a duration of less than one month.\textsuperscript{140} When an ex-serviceman was charged with wife assault his war record was invariably brought up in court. The most graphic example of this was the Motherwell veteran charged with assaulting his wife after she threw his war medals in the fireplace following a quarrel. When asked for an explanation the accused ‘pulled from his pocket a number of scorched war medals’; the display seems to have worked and a sentence of three months’ probation was passed.\textsuperscript{141} It should be noted that this case does not seem to be representative. When James Manderson Blackie was found to have given his wife ‘a severe blow in the back’ the judge commented that ‘he was sorry that a man with a war record such as that of the accused should have struck a woman, more especially his wife.’ Regardless, a sentence of 60 days imprisonment was passed.\textsuperscript{142} The relationship between ex-servicemen and domestic violence will be considered specifically in a chapter four.

\textbf{Alcohol Offences}

Conventional wisdom suggests that the First World War enforced a degree of temperance on the British people due to restrictions on the sale of alcohol. Jones and Fear have


\textsuperscript{140} Hughes, ‘The “Non-Criminal” Class: Wife-beating in Scotland’, 46-47.

\textsuperscript{141} “War Medals in Fire”, \textit{Aberdeen Press and Journal}, 16 May 1928.

\textsuperscript{142} “Wife Assault”, \textit{Hawick News}, 13 January 1928.
suggested that this trend survived the war due to high prices of alcohol during the 1920s and 1930s.\textsuperscript{143} This claim has also been made by Smout and Winter with the latter claiming that reduced parental alcohol consumption led to a fall in infant mortality.\textsuperscript{144} Statistics on imprisonments for alcohol related offences seem to validate the claims of later historians, with imprisonments falling dramatically during the war and remaining well below pre-war levels \textit{ante bellum}. Between 1909 and 1914 imprisonments for being drunk and incapable never fell below 6,000 and were as high 8,147 in 1913.\textsuperscript{145} The fall in imprisonments during the war cannot be wholly attributed to the widespread enlistment of the male population, as in the first year of the war imprisonments only dropped to 7,566, which was higher than those for 1910, 1911 and 1912.\textsuperscript{146} Only in 1915 did imprisonments begin to fall significantly with 4,525 for that year, and by the end of the war the figure had reached an unprecedented low of 639.\textsuperscript{147} Although the figure reached 3,529 in the disorder of 1920, it remained well below pre-war levels thereafter, with only 2,028 imprisonments in 1926.\textsuperscript{148} Wartime restrictions on alcohol were retained even after the Armistice, with the 1921 Licensing (Scotland) Act limiting the sale of alcohol in public houses to 11:30 am to 3 pm and 5:30 pm to 10 pm on weekdays and no trading on Sundays.\textsuperscript{149} Hughes, however, argues that the rising cost of spirits did not decrease alcohol

\textsuperscript{146} Annual Report of the Prison Commissioner 1914, (1914-16), 46.
consumption overall, with many drinkers supplementing spirits with greater quantities of beer.  

Theft, Robbery and Crimes of Dishonesty

In comparison to crimes relating to alcohol and violence, it is much harder to predict the effect war had on theft, robbery and fraud. In regards to robbery, defined as theft with violence by Scots Law, there were some commentators who feared that war experience had made the ordinary thief more prone to violence. Sir Nevil Macready, Chief Commissioner of the Metropolitan police warned that robbers had ‘grown callous after four years’ experience of killing.’ He argued that before the war a burglar who was disturbed by a home owner would make their escape, yet war experience had made criminals more likely to resort to violence. Although the number of imprisonments for robbery saw little change, with 80 in 1913 and 82 in 1920, the number known to the police was far higher. The fact that a large number of robberies remained unsolved perhaps fuelled the public perception that it was a growing problem. In 1919, there were 149 robberies known to the police but only 56 imprisonments, the following year there were 184 incidents compared to 88 imprisonments. Some contemporary commentators believed that the rise in unsolved and violent thefts was caused by the return of war veterans. An anonymous official with the Criminal Investigation Department told the Dundee Courier in 1919 that war had created a new breed of more intelligent criminals. It was claimed that ‘Men have returned into civil life with sharpened intellects. The experience of war in many lands has broadened their outlooks and given them

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151 “Effect of War on Crime”, Scotsman, 5 May 1919.
confidence.’ Yet it is difficult to find any quantitative evidence that proves that war service had made the average criminal anymore cunning or violent.

In *The Classic Slum* Roberts claims that the collapse of the post-war economic boom combined with an emerging consumer culture, created a society that was more prone to crimes of dishonesty. Having become accustomed to a certain standard of living the working-classes were more tempted by the rewards of embezzlement, fraud and false pretences. In the case of Scotland, imprisonments for falsehood, fraud and wilful imposition increased after the war. In 1909, there were 360 males imprisoned for these offences, with this number falling even before the war began. By 1918 imprisonments were as low as 125, yet this figure quickly rose and by 1923 the figure was 648. Although imprisonments fell thereafter, even by 1926 they were still above pre-war levels at 489.

Other crimes of dishonesty saw significant increases as well. The number of imprisonments for Post Office offences committed by officials were as low as 13 in 1909 and had fallen to 2 in 1919. Yet by 1922 there were as many as 27 imprisonments, with the figure only falling to 25 in 1923 and 24 the following year. This trend should not be exaggerated, as imprisonments for embezzlement remained fairly constant, with an expected dip during the war, and only a moderate increase thereafter. Although in 1923 there were as many as 130 imprisonments, the figure for 1911 was only slightly lower at 125. Imprisonments for thefts, by far the most common crime against property, actually fell after the war. In 1909, 4,510 males

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159 Annual Report of the Prison Commissioners 1923, (1924), 18-19; Annual Report of the Prison Commissioners 1911, (1912), 44.
were imprisoned for theft, with the figure falling as low as 1,358 in 1916. Although imprisonments rose to 2,038 in 1920, they were still below pre-war levels in 1926 with 2,104 imprisonments.\textsuperscript{160} Rather than seeing a decline in the incidence of theft, fines were beginning to replace imprisonments for more trivial offences during this period. The validity of Roberts’ claim of consumerism encouraging dishonesty remains unclear, but it can at least be said that certain crimes of dishonesty increased after the war.

**Juvenile Delinquency**

Although the onset of war had reduced adult offending dramatically, the trend was less noticeable in younger offenders. Between 1915 and 1916 the number of prisoners who were serving their first term behind bars only fell from 6,977 to 6,614. The prison commissioners had been expecting a larger reduction, but explained that ‘a considerable tendency to lawlessness on the part of the younger members of the population who have either been exempted from or not yet called up for military service.’\textsuperscript{161} In the 1918 the prison commissioners elaborated further and explained that adult males who had left their jobs so as to join the armed forces had been replaced by teenage boys. Many of them had left school to work in ‘conditions that were not healthy to their social development.’ It was also found that the average juvenile offender was earning 35 shillings a week prior to his imprisonment, this was far higher than before the war. The report concluded that ‘If many of them took men’s places in industry, it is not surprising that some of them should have disclosed men’s vices and committed crime.’\textsuperscript{162}


\textsuperscript{161} Annual Report of the Prison Commissioners 1916, (1917), 3.

\textsuperscript{162} Annual Report of the Prison Commissioners 1918, (1919), 7.
Despite the adult prison population falling drastically during the war the number of juvenile committals overall only saw a slight decrease, and the number of female juvenile prisoners actually increased. Although between 1913 and 1914 the daily average for male borstal inmates fell from 134 to 107, in 1915 the figure had risen to 118 and was as high as 128 in 1918. The daily average of female borstal inmates rose steadily throughout the war going from ten in 1913, to 15 the following year and 23 by the end of the war. The American economist and social worker Edith Abbott, agreed that employment in adult workplaces had increased juvenile delinquency, but also noted that the war had been detrimental to education and family life. In regards to education, hundreds of British schools had been commandeered for military purposes and by 1916 155,421 children had been displaced. The loss of fathers and elder brothers to the armed forces, and in some cases mothers to wartime employment, was believed to have deprived children of care. In this situation children sought relief by ‘grouping themselves together, while their uncontrolled energy oftentimes finds an unlawful outlet.’ The rising tide of juvenile delinquency no doubt influenced the authorities in their decision to allow borstal inmates to join the forces, and by 1917 over 300 inmates had been liberated for this purpose.

Yet the increase in juvenile delinquency, or at least the increase in the number of borstal committals, seems to have survived the war. In 1913, 66 male juveniles had been committed to borstals yet by 1919 this number had risen to 200 and was still as high as 113 in 1925. It is highly likely that at least some of these juvenile offenders were veterans. In 1919, the governor of the Polmont Institution commented that the inmates under his charge that year were ‘bigger and of better physique’ than in previous years. Although he did not provide any

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163 Ibid, 15.
165 Ibid, 199-200.
figures to support his claim, he felt that this was due to the fact that some of them had served in the army.\textsuperscript{168} The absence of fathers during the war may have been detrimental to the upbringing of children as well. In 1923, the \textit{Evening Telegraph} reported that the social effects of the war had created a lasting legacy of juvenile delinquency in Fife’s mining districts. High wages during the war had created a culture of excess where children were neglected for the public house or cinema. Bad language had become prevalent due to elder brothers passing on the swear words they learned in the army. Behaviour in schools had also deteriorated due to the enlistment of male teachers, with the remaining female teachers being unable to keep discipline. Tales from fathers and older brothers about pilfering from army camps had apparently encouraged pupils to steal from their schools as well.\textsuperscript{169} Although the article is undoubtedly reactionary, with the writer’s belief that the rising generation is somehow worse than the previous being a tedious feature of discourses on delinquency, statistically at least juvenile offending increased during and after the war.

\textbf{Female Offending}

Although the decline in offending experienced between 1914 and 1918 was largely attributed to a large portion of the male population enlisting in the armed forces, the social and economic disruptions of the war had an effect on female criminality as well. In 1917, the prison commissioners noted that the number of female imprisonments had fallen alongside that of males. They attributed this to wartime restrictions on alcohol consumption, more employment opportunities, and higher wages that could be used to pay fines for minor offences.\textsuperscript{170} During the space of only one year the number of females imprisoned for drunkenness and ‘drunk and incapable’ fell by over 1,000 individuals, from 3,787 in 1915 to 2,430 in 1916, and by 1918

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\textsuperscript{168} \textit{Annual Report of the Prison Commissioners 1919}, (1920), 59.
\textsuperscript{169} “Juvenile Life in Fife Mining Centre”, \textit{Evening Telegraph}, 10 October 1923.
\textsuperscript{170} \textit{Annual Report of the Prison Commissioners 1917}, (1918), 3.
\end{flushleft}
they were as low as 505.\textsuperscript{171} Between 1914 and 1918 the number of females committed to prison per annum fell from 12,892 to 2,266. By the end of the war there were on average only 203 females held daily in all of Scotland’s prisons, borstals and State Inebriate Reformatories.\textsuperscript{172}

Contrary to the belief that the war had been detrimental to the well-being of children, assaults committed by parents on their children, a crime which women predominated in the annual judicial statistics, actually decreased. Imprisonments for ‘Cruel and Unnatural Treatment of Children’, the term used for parental assaults, fell consistently throughout the war. In 1915, female imprisonments were as high as 273, but in 1916 they had fallen to 213, in 1917 148 and 106 in 1918. Unlike many other offences this trend actually continued to fall after the Armistice with only 81 imprisonments in 1919.\textsuperscript{173} This seems to correlate with Winter’s argument that wartime liquor restrictions and full employment were beneficial to the family.\textsuperscript{174} This is not to say that female criminality disappeared entirely, with the war creating previously unknown patterns in female offending. In 1918, there were, perhaps for the first time in Scottish history, more females imprisoned for murder than males, with four compared to one.\textsuperscript{175} Statistical anomalies aside, other offences remained common during the war as well. Imprisonments for ‘Concealment of Pregnancy’ initially decreased but were above average by the end of war. The crime itself referred to cases where a new born child had been found dead or was missing, yet the mother had not made it known that she was pregnant. This applied to cases where the cause of death was infanticide or neglect, but also natural deaths that were not registered.\textsuperscript{176} In 1913, there were six imprisonments for the offence, the average having been

\textsuperscript{172} Annual Report of the Prison Commissioners 1918, (1919), 15.
\textsuperscript{174} Winter, ‘The Impact of the First World War on Civilian Health in Britain’, 487-507.
\textsuperscript{175} Annual Report of the Prison Commissioners 1918, (1919), 38.
\textsuperscript{176} MacDonald, A Practical Treatise on the Criminal Law of Scotland, 155-160.
eight per annum over the last five years.\textsuperscript{177} By 1915, this figure had fallen to three, with the same number being imprisoned the following year. Yet by 1917 this had increased to seven, and then 12 in 1918, but had returned to three again by 1919.\textsuperscript{178}

There is some evidence that the rising number of imprisonments was at least partially related to the war. One woman who was so accused in 1916 claimed that her illegitimate child’s father had been killed while on service.\textsuperscript{179} During another trial in 1918 the accused claimed that the father of the child had ‘seduced her under the promise of marriage’ but he was now serving in France.\textsuperscript{180} The latter case in particular seems to owe something to the wider pattern of sexual permissiveness, exemplified by increasing levels of bigamy, divorce and illegitimacy. It should be remembered that the number of men imprisoned for failing to provide for illegitimate children was also rising during this period. It is noteworthy that in both of these cases, and in fact in many others, the accused were domestic servants.\textsuperscript{181} This perhaps says something of the relationship between masters and their female servants during this period. Bartley has suggested that sexual harassment, both by masters and male servants, was an occupational hazard for domestic staff during this period.\textsuperscript{182} Benson’s study has also found that the employment of female servants was often a cover for live-in mistresses.\textsuperscript{183} Although most women were spared from the brutality of the trenches, they were not unaffected by the convulsions of war.

\begin{flushleft}
\textsuperscript{177} Annual Report of the Prison Commissioners for the year 1913, (1914), 59.
\textsuperscript{179} “Tragic Discovery in the City”, Evening Express, 26 December 1916.
\textsuperscript{180} “Serious Charge Against Domestic Servant”, Courier, 13 September 1918.
\end{flushleft}
Veterans and Crime

Gauging the proportion of veterans within broader patterns of crime is complicated, but one that is necessary for the assessing the individual effect of war on offending. Brown’s analysis of the Dartmoor Prison Mutiny in 1932 revealed that only 44 out of the 427 rioters had a conviction while on active service. In 26 of these cases the offence occurred during the war, suggesting that only a small proportion of the prisoners were veterans. Her analysis excludes men who had served but were not convicted while in the armed forces, and prisoners who took no part in the riot, so it would be unwise to accept this figure as broadly representative. Prison records did not usually record whether an individual had served in the war. Although some prison registers do list ‘soldier’ as an occupation, this is normally limited to serving men or the recently demobilised who had yet to find employment. In 1919, 286 prisoners were said to be soldiers out of 2,956 male prisoners at Glasgow’s Duke Street Prison. This amounts to a relatively small proportion of the prison population at just under 10 per cent. As already stated many men were still abroad in 1919 so it is questionable if this figure can really be considered post-war.

In 1922, 106 army pensioners were recorded out of 1,313 male prisoners held in Dundee Prison, amounting to just over 8 per cent of the male prison population. Yet it should be noted that only men who had some form of disablement would be in receipt of a pension, so presumably some of the other prisoners would have been veterans. This figure then is likely to be an underestimate. In Greenock in 1918 out of 318 male prisoners 93, or just under 30 per cent, were recorded as soldiers. By 1919 the proportion had fallen to 48, 13 per cent, out of 363

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184 Alyson Brown, ‘Crime, Criminal Mobility and Serial Offenders in Early Twentieth-Century Britain’, *Contemporary British History* 25, no.4, 551-568, 557.
185 Glasgow (Duke Street) Prison, Register of Criminal Prisoners and their Religious Persuasions (Males) 1919-1921, HH21/32/138, National Archives of Scotland.
186 Dundee Prison, 3 January 1922 - 3 October 1927, Register of Criminal Prisoners and their Religious Persuasions (Males and Females). Contains prisoner registration nos. 1922/1-1927/673 (Male), and 1922/1-1927/255 (Female), HH21/47/17, National Archives of Scotland.
prisoners. As most of the prisoners recorded as soldiers were convicted for desertion, it seems that the term ‘soldier’ refers to men who were still officially in the army rather than ex-servicemen. In 1920, the number of prisoners rose to 940, but only 29 were recorded as being soldiers, with this number falling even further to 21 out of 863 male prisoners in 1921.\textsuperscript{187} The prison authorities did on occasion pass comment on the presence of ex-servicemen in their institutions. When the number of prisoners of all classes inevitably began to increase again after the war, by 1,335 between 1918 and 1919, the prison commissioners believed that this was due to demobilisation.\textsuperscript{188} The proportion of veterans within the post-war prison population, as well as the nature of their criminality, will be dealt with more thoroughly in the following chapters.

**Conclusion**

Due to the limitations of criminal statistics and the ambiguities of the definition of crime, it is difficult to give a succinct answer to what lasting effect the First World War had on crime in Scotland. This question is further complicated by changes in policing and sentencing patterns, not to mention the impact of unsolved or unreported crime. Nonetheless some conclusions can be drawn despite these difficulties. Although the onset of war saw an unprecedented fall in crime, this should not be exaggerated as some categories, such as imprisonments for murder, did not fall below pre-war levels until the end of the war. It is clear that 1921 saw a post-war ‘crime wave’ caused primarily by mass demobilisation. Most categories of offence, including murder, culpable homicide, rape and burglary, all saw significant rises that coincided with men returning from the forces. In the case of murder, when statistics relating to known incidents rather than imprisonments are used, post-war levels were

\textsuperscript{187} Greenock Prison, Register of Criminal Prisoners and their Religious Persuasions, 1913-1922, HH21/33/21, National Archives of Scotland.

\textsuperscript{188} Annual Report of the Prison Commissioners 1919, (1920), 5.
higher than pre-war levels until 1929. This would appear to disprove the ‘catharsis’ model as outlined by Archer and Gartner. The fact that state executions were far higher in the post-war period than before the war gives some credence to the ‘legitimisation of violence’ model.

Although it does not fit neatly into Archer and Gartner’s statistical models, there is significant evidence that the prevalence of prostitution rose in Scotland after the war. The adverse economic conditions of the 1920s may explain why more women were turning to the oldest profession. It cannot explain, however, why more men were willing to pay for sex, although it could be the case that this was a habit acquired by some men while in the service. Violent crimes against women also appear to have increased after the war. Even if imprisonments for wife assault fell, rape showed a statistical increase, both in terms of imprisonments, incidents known to the police and incidents per 100,000 of the population. This may justify the view, as advocated by Campbell and Gilbert, that the experience of serving in the First World War had fostered feelings of misogyny in some men.189 The war also appears to have been detrimental to family life; bigamy rose drastically during the war and remained well above pre-war levels even when hostilities ended. Imprisonments for failing to support wives also rose after the war and remained above pre-war levels. It has been convincingly argued then that the war had a statistical impact on crime, with certain categories of offence showing a marked increase post-war. Juvenile and female offending were also affected by the war, suggesting that the relationship between war and crime is more complicated than offences falling purely because of the mobilisation of the male population. The war created unique conditions that were unheard of in peacetime thereby creating new patterns in offending, which in some cases lasted for many years after the conflict ended.

Chapter Three

‘Causes of Crime’: A Sample of Imprisoned Ex-servicemen

‘An intelligent and pleasant spoken young man and typical of his kind ex-service, medically unfit, unemployed with no ballast and just living hand to mouth. Has no pension.’

As outlined by Bourke in the previous chapter, assessing war’s impact on crime usually follows one of two methodologies: the ‘individual’ and the ‘societal.’ Studies regarding the First World War, such as Emsley’s and Lawrence’s, have tended to adopt the ‘societal’ approach, but have also added anecdotal evidence in the form of widely published court cases, usually sensational murder trials, involving veterans. This methodology is skewed towards the most serious, but ultimately less common, types of offending, while ignoring instances of theft, lesser categories of assault, including domestic violence, and crimes relating to alcohol consumption. The attention given to the ‘brutalisation theory’ also ignores other factors that may have caused some veterans to offend such as alcoholism, difficulty in obtaining employment and mental illness; all factors that could conceivably have been aggravated, or even caused, by serving in the military. For this reason primary materials regarding the more common types of offending, and the individuals who committed them, should be examined in closer detail. This chapter then will begin the individual part of this analysis, and will consider the experiences of ex-servicemen and criminality specifically, rather than discussing the effect of war on offending from a societal perspective.

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‘Causes of Crime’

In 1896 the *Annual Report of the Prison Commissioners for Scotland* contained a new section titled ‘Causes of Crime.’ This novel conception was actually the published results of a series of interviews with prisoners about their lives and backgrounds prior to entering prison. The interviews were included in every annual report, except for three years during the war, until 1931 when they were discontinued. During this period 1,196 male and female prisoners were interviewed, providing a fascinating insight into the social history of early 20th century Scotland. Each year the governor of one of Scotland’s prisons would interview a sample of his charges with the aim to reveal ‘the causes of which lead to crimes and offences.’ Between 1918 and 1931, 342 males prisoners were interviewed in this way, of whom 162 had served in the First World War. Among them were veterans of Gallipoli, Jutland and Mons, former POWs, men who had been gassed and suffered from shell-shock, and at least one ex-officer fallen on hard times. Some had been awarded medals, while others had proved less inclined to soldiering and had deserted or taken part in mutinies. They included old campaigners who had served in the Boer War and India as well as men, or rather boys, who had enlisted while still underage.

Despite their varying experiences, one thing that these men had in common was a post-war prison sentence. Their life courses seem to contradict the view of some contemporaries that the experience of military service had caused a decline in offending by instilling discipline in a generation of men. Writing in 1941, Robert Graves and Alan Hodge suggested that public disorders had become exceptional during the interwar years for this very reason, and that when they did occur they were ‘likely to be put down at once by some strong-armed champion of popular opinion-usually an ex-Serviceman.’ Contrary to this the prison commissioners’

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reports suggest that war veterans were more likely to be convicted of a crime involving alcohol or violence. It seems then it was left to the police to ‘put down’ disorders when they involved ex-servicemen themselves.

This analysis will focus on the prisoners’ interviews between 1918 and 1931, so as to create an accurate illustration of criminality amongst ex-servicemen. Although Smith makes a passing reference to the interviews in his work on alcohol and imprisonment during the 1900s, serious analysis of this unusual source is limited to the author’s own work on the prisoners’ religious backgrounds. The prison commissioners explained their decision to begin interviewing prisoners in 1896 thus ‘It has been observed that what is desired by the country is to know the causes which lead to crime and offences.’ For this reason the interviews contain material not normally included in prison records such as the drinking habits of prisoners, their family backgrounds, and, importantly for this study, details of any military service. In terms of the process of interviewing the prisoners, the 1913 report contains a brief description of the commissioners’ modus operandi. The prisoners were said to have been interviewed in the order they were received into prison ‘irrespective of sex, age, nationality, crime, sentence or other considerations.’ When the interviews were published males and females appeared in separate columns, although it remains unclear how the number of prisoners to be interviewed was decided, with the number normally being rounded off to a multiple of five or ten.

To allow full disclosure the interviews were conducted with only the interviewer and the prisoner in a cell without the presence of a warder, with both parties remaining anonymous.

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in the printed version of the report. The 1913 interviewer stated that as a result of these precautions they had ‘obtained truthful facts given willingly, in many cases quite eagerly.’

Although it should be considered that the process may have changed with time and with different interviewers, it seems likely that the general operation would have remained the same. While in 1912 it was revealed that the interviews had taken place at Glasgow’s Barlinnie prison, in no other year was the name of the prison revealed. Occasionally some clue was given by the commissioners such as ‘a rural district with country towns’ in 1919 or ‘a large industrial seaport town’ in 1920. It is also possible to deduce the location of the prison based on the information provided. For example, a high number of shipyard workers would suggest a prison on the west coast, textile workers Dundee, while the presence of poachers likely indicates a rural prison.

Despite the obvious value of the interviews as a historical source they are not without their limitations. Much like the census, the ‘Causes of Crime’ section only recorded individuals who happened to be in prison on the day that the interviews took place, and for this reason it cannot be assumed that the prisoners who were interviewed were representative of the entire prison population. The interviewers themselves may not have been completely impartial; in fact contemporary notions of bourgeois respectability seem to have shaped the governors’ criminological theories. Questions such as if the prisoner had learned a trade, and if not why, or if they had attended Sunday School were regular features of the reports. As the interviewer was the prison’s governor, and therefore the interviewer changed from prison to prison, the length, detail and line of questioning varies slightly between interviews. Another limitation is that the commissioners only interviewed ‘ordinary prisoners’: offenders who had committed crimes that were considered less serious by the standard of the day, and had been sentenced to

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9 Ibid.
less than one year’s imprisonment. ‘Convicts’, who had been given lengthy prison sentences for serious crimes such as murder, were never interviewed. Convicts were, however, unrepresentative, and constituted less than 20 per cent of the Scottish prison population at this time. In 1925, for example, there were on average 211 convicts held daily at HMP Peterhead out of 1,160 adult male prisoners held in all institutions.¹¹ There is also a question of truthfulness regarding the prisoners’ own recollections. In fact from 1927 onwards the interviews included a disclaimer stating that ‘Their accuracy has not been tested, and they must not be taken necessarily setting forth the facts which were before the Court when sentence was pronounced.’¹² Prisoners may have wished to present themselves more favourably to an authority figure like a governor, or had simply forgotten events that had occurred many years previously. Given that a high number of the prisoners were alcoholics, or at least drank excessively, their power of memory might also be called into question. Yet the candidness of the interviews is generally noteworthy; there are examples of prisoners admitting to being cuckolded, to drinking methylated spirits, and one individual who even confessed that he did not seek work as unemployment benefits were higher than his wages.¹³ Importantly the interviewers never seemed to suspect that any of the prisoners were lying about their war record. For this reason it can be assumed that the interviews provide an accurate representation of the experience of serving in the First World War.

**The Proportion of Veterans within the Interviews**

The figure of 162 veterans out of 342 prisoners is likely an underestimation. Some potential veterans have been excluded from the final total as although they served in the armed

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¹³ Ibid, 97-98. (See Appendix for more discussion of the interviews as a historical source).
forces it does not specify when. The 1926 report for example includes a 46 year old who was
said to have served in the army for 4 ½ years, but gives no more details of his military career.\textsuperscript{14}
It seems plausible that he was a First World War veteran given his age and length of service,
but it cannot be assumed that this is the case. As previously stated the interviews may not be
typical of the wider prison population, and for this reason it should not be assumed that just
over 47 per cent of the entire Scottish prison population served in the First World War.
Nonetheless, this is the best estimation based on the available sources. If we consider Spiers’
figure of 41.4 per cent of Scottish males between the age of 15 and 49 having joined the British
Army during the First World War, it would appear that army veterans were very slightly over-
represented at 44 per cent of the entire sample. \textsuperscript{15} As some of the prisoners would have been
either too old or too young to have served, it would seem prudent to remove these individuals.
This is problematic as identifying a First World War age cohort is difficult. Generally speaking
individuals born between 1873 and 1900 have been categorised as part of the so-called ‘Lost
Generation.’\textsuperscript{16}

The age range of the veterans identified by the prison commissioners is much broader
with the eldest being born in 1859 and the youngest in 1902.\textsuperscript{17} The accepted age demographic
of First World War veterans clearly ignores the high prevalence of underage enlistment, as well
as older men who volunteered. Writing for \textit{Scribner’s Magazine} in 1919, Henry de Man
reported to his American readers that the average age of recruits in the European armies was
far higher, claiming that it was not uncommon to see ‘grizzly fathers of families, over fifty

\textsuperscript{14} United Kingdom. Prison Commissioners for Scotland. \textit{Annual Report of the Prison Commissioners for Scotland
Hugh Cecil and Peter H. Liddle (London: Leo Cooper, 1996), 314-335, 314.
\textsuperscript{17} \textit{Annual Report of the Prison Commissioners 1919}, (1920), 32; United Kingdom. Prison Commissioners for
Scotland. \textit{Annual Report of the Prison Commissioners for Scotland for the year 1921}, Cmd 2384, (Edinburgh:
H.M. Stationary Office, 1922), 64.
years of age’ in the trenches. At least one of the imprisoned veterans claimed that one of his sons had been killed during the war, thus emphasising the broad age range of recruits. In terms of definition of war service, RAF and navy personnel have also been included, although they were far less common, with eight seamen and only one airman being recorded respectively. Men who were on home service as well as non-combatant military personnel have been included as well. It should be considered that non-combatants would have suffered from many of the problems more commonly associated with men in the lines. Dr Gordon Holmes, Consultant Neurologist to the British Armies in France told a Committee of Enquiry into shell-shock that ‘I have seen a number of cases of ‘shell shock’ in men who were never near the line’, and made reference to a mass bout of shell-shock amongst a Labour Battalion during an air raid.

Patterns in Offending

In many respects the crimes committed by the veterans fitted into the common patterns of offending of the day, yet they also showed their own idiosyncrasies. In terms of convictions, recording was not limited to the offence that the prisoner was currently in jail for, but included past convictions as well. Breach of the peace was the most common single offence due to the broad range of criminal behaviour it encompassed. As is the case today, the offence was commonly associated with alcohol consumption, yet this was not always the case. For this reason only prisoners who explicitly stated that alcohol was a factor in one of their convictions, or were convicted of a crime that inherently involved alcohol, such as drunkenness, have been categorised as having committed an alcohol related offence. Usefully the interviewers also identified prisoners whom they believed to be alcoholics, although they tended to use non-

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clinical terms such as ‘addicted to drink’, ‘sodden with drink’ or having ‘marks of dissipation.’

Although many of the prisoners interviewed had committed alcohol related offences or were identified as having alcohol problems, the trend is more noticeable amongst veterans. Sixty-one (37 per cent) of the veterans displayed alcohol problems while 73 (45 per cent) had been convicted of a crime where alcohol consumption was said to have been involved; this compared to 23 per cent and 30 per cent of non-veterans respectively.

Figure 3.1: Sample of offences committed by prisoners interviewed in the ‘Causes of Crime’ section of the Annual Report of the Prison Commissioners for Scotland and Prisons Department for Scotland 1918 to 1931. Note the figures concern prisoners who had at least one conviction for said offence. Many prisoners had multiple convictions so would of course be recorded in several categories, but not more than once for the same category. There were other offences recorded that were not included in this table.

<table>
<thead>
<tr>
<th>Sample of offences committed by prisoners</th>
<th>WWI Veterans</th>
<th>Non-WWI Veterans</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of prisoners convicted</td>
<td>% of Veterans</td>
</tr>
<tr>
<td>Alcohol Related Offences</td>
<td>73</td>
<td>45.06</td>
</tr>
<tr>
<td>Bigamy, Wife desertion, Failure to pay aliment etc.</td>
<td>3</td>
<td>1.8</td>
</tr>
<tr>
<td>Breach of the Peace</td>
<td>61</td>
<td>37.6</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>11</td>
<td>6.7</td>
</tr>
<tr>
<td>Fraud etc.</td>
<td>13</td>
<td>8.02</td>
</tr>
<tr>
<td>Theft etc.</td>
<td>58</td>
<td>35.8</td>
</tr>
<tr>
<td>Violent Offences</td>
<td>45</td>
<td>27.7</td>
</tr>
</tbody>
</table>

**Alcohol**

The commissioners themselves seem to have noticed a relationship between ex-servicemen and alcohol, and the army itself was identified as the place where many prisoners learned to drink. Twenty-two of the veterans were said to have first taken drink during their war service, with several elaborating that ‘bad company’ in the army had resulted in them taking up the drinking habit. A prisoner interviewed in 1920, claimed that he ‘Did not drink till
he was 19, when he enlisted in the Army, where he became acquainted with men addicted to drink.’ Another prisoner, who had served as a farrier during the war, stated that he ‘Started to imbibe when in the army, and all his convictions have been incurred since 1918.’ A further three prisoners stated that although they had never been abstainers, their drinking had become markedly worse during the war. One veteran was said to have fallen prey to alcoholism in this very manner, the commissioners commented that he ‘Had taken an occasional drink while at farm work, but never the worse of it. The habit had grown on him while in the Army and was the cause of him getting into bother.’

It is hardly surprising that so many men began to drink during the war given that alcohol consumption was actively encouraged by the army. The rum ration, a tradition more commonly associated with the navy, was given to army personnel as a way of lifting morale. Previously soldiers had only been given a tot of rum if serving in a flying column or upon the recommendation of a medical officer. Many medical professionals were cynical regarding the benefits of giving alcohol to soldiers. Dr Victor Horsley, an officer in the RAMC and temperance campaigner, noted that officers had found that, among other things, the rum ration caused a ‘Decadence of moral’, which subsequently led to increases in disorder resulting in degradations in rank and other punishments. At least two of the veterans interviewed stated that the rum ration was the first time they had consumed alcohol, with one directly blaming ‘the tot of rum and company for his downfall.’

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24 Annual Report of the Prison Commissioners 1921, (1922), 60.
26 Ibid.
Many of the ex-servicemen who were interviewed seem to have drunk to ease the trauma of war. One former POW’s relationship with alcohol was explained with the blunt statement ‘Drinks as a result of war.’ Another POW was said to have ‘Only started to drink as a result of his experience as a prisoner of war.’ The prisoner in question stated that during his captivity his health broke down, something that was confirmed by the interviewer who described him as ‘depressed physically’ and ‘debauched.’ Veterans who had failed to find post-war employment also seem to have sought solace in alcohol. Having enlisted in 1916, one prisoner claimed that he could not get his old job back as a van driver and could only find sporadic work as a labourer. The prisoner claimed that his five convictions for being drunk and incapable, drunkenness and breach of the peace were due to him doing ‘anything to kill my misery.’

There also seems to have been a tendency amongst men who were wounded during the war to seek solace in alcohol. A former farm labourer, whose right hand was rendered useless due to being wounded, was said to have become ‘despondent at times because unable to get steady employment, and then gives way to drink.’ Another prisoner, who was wounded in the leg and given a pension, had fared poorly after the war and became ‘a common tramp and methylated spirit drinker.’ The connection between his war service and his social decline was not lost on the interviewer who commented ‘His prison record is mainly post-war.’ Individual evidence aside, the relationship between wounded men and alcohol is obvious when the evidence is quantified. Of the 52 veterans who were identified as having been wounded, 38 (73 per cent) had alcohol problems or had been convicted of a crime where alcohol was involved.

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28 Annual Report of the Prison Commissioners 1921, (1922), 63-64.
29 Ibid, 65.
30 Ibid, 64.
It is unclear why these men drank, it could be the case that they did so due to their misfortunes, conversely they may have been in receipt of a disability pension which, unlike employment, was not dependent on sobriety. Four of the prisoners in the sample were receiving a pension for an amputation and all of them attributed their downfall to drinking.\textsuperscript{33} There is indeed evidence for this hypothesis outwith the prison commissioners’ interviews. In 1923, the \textit{Motherwell Times} reported on two disabled veterans facing charges of conducting themselves in a disorderly manner and committing a breach of the peace. At the close of the hearing the presiding bailie commented ‘Seeing you are disabled men I am going to let you off lightly, but it isn’t right that you should be drinking the pension money.’\textsuperscript{34}

When Joseph Kane was charged with attempted house-breaking in 1919 it was revealed that he received a pension of 40 shillings a week for shell-shock and wounds to his left arm. On the day of his arrest Kane had received his pension and spent all of it on drink, leading the presiding sheriff to remark ‘that it looked like Kane were getting too much of a pension.’\textsuperscript{35} Even as late as 1935 one bailie complained ‘I find that the average person who comes before me for drunkenness is either unemployed or in receipt of a Government pension. These grants were never intended to be spent on liquor.’ These remarks were made during the trial of a former soldier arrested for drunkenness who had no less than 25 previous convictions.\textsuperscript{36} Many ratepayers would of course resent the prospect of pensions being spent on drink, and for this reason such incidents may have been given undue exposure by the press. Yet regardless of frequency there is clear evidence that some ex-servicemen succumbed to alcoholism after the


\textsuperscript{34} “Ex-Soldiers in Trouble”, \textit{Motherwell Times}, 23 March 1923.

\textsuperscript{35} “Spent All His Pension on Drink”, \textit{Evening Telegraph}, 18 November 1919.

\textsuperscript{36} “Pensions and Dole “Not for Drink”, \textit{Evening Telegraph}, 22 February 1935.
war, a fact that contradicts the conventional wisdom that the interwar period saw a decline in alcohol consumption.

It is generally accepted that wartime restrictions on alcohol, both economic and legislative, enforced a degree of temperance on the British people. Smout has argued that increased licensing controls during the war, enacted so as to improve worker efficiency, effectively ended 24 hour drinking in Scotland. This was further consolidated by the Licensing Act of 1921 that retained restricted opening hours. Smart has shown that convictions for drunkenness and deaths from cirrhosis of the liver also fell during the war. This trend actually survived the peace with neither convictions nor deaths returning to their pre-war levels. Jones and Fear have gone as far as to suggest that high alcohol prices during the interwar period meant that most veterans could simply not afford to turn to drink. High prices usually lead to the emergence of alcohol substitutes rather than a decline in drinking. The Scottish Board of Health reported in 1925 that Spanish red wine could be bought in Glasgow for four pence a gill (a quarter pint), and was commonly mixed with whisky or methylated spirits. Glasgow police reports from 1921 state that 647 individuals apprehended for drunkenness had consumed methylated spirits at the time of their arrest.

The use of methylated spirits may well have been a habit men developed while in the army. In Ford Madox Ford’s *Parade’s End* trilogy soldiers are portrayed drinking methylated spirits in the trenches as a substitute for alcohol. In fact, four of the veterans interviewed admitted to taking methylated spirits, which although a common practice at the time,

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nonetheless indicates a serious drinking problem.\textsuperscript{42} The most serious example of problem drinking was a veteran interviewed in 1929 who was described as a ‘confirmed methylated spirit drinker’ with as many as 123 convictions for drunkenness. The interviewer described the prisoner as ‘Very debauched and looking much older than he is.’ Yet the fact that the prisoner made his living as a street musician does not seem to have stopped him from purchasing alcohol, suggesting that their poverty did not impede the drinking of veterans.\textsuperscript{43}

Rising alcohol prices could also be circumvented by the establishment of members’ clubs which were not subject to the same pricing restrictions and opening hours as public houses. In interwar Scotland certain ex-servicemen’s clubs became notorious as drinking dens, much to the consternation of town councils, the police and temperance campaigners.\textsuperscript{44} When Kirkintilloch in East Dumbartonshire voted in favour of becoming a ‘dry town’ in 1920 the ex-servicemen’s club remained, until 1924, the only licensed premise in the town.\textsuperscript{45} A noteworthy revelation of the subsequent battles between ex-serviceman’s clubs and the authorities was that many veterans felt they had earned the right to drink. A veteran writing in the local paper complained that the town’s leading advocate of prohibition had not served during the war as he was medically unfit, although he had been active in the recruitment campaign.\textsuperscript{46} Public discourses between veterans and the advocates of temperance, namely town councillors, the police and middle-class social reformers, may explain the prevalence of alcohol-related offences amongst the veterans who were interviewed.

\textsuperscript{43} Annual Report of the Prisons Department 1929, (1930), 100.
\textsuperscript{45} “The Temperance Act Poll”, Kirkintilloch Herald, 3 November 1920; “Kirkintilloch Bone Dry”, Sunday Post, 27 January 1924.
\textsuperscript{46} “Pro Bono Publico”, Kirkintilloch Herald, 22 March 1922.
Since the 1890s the bourgeois establishment had been determined to enforce temperance on the working class. McLaughlin has argued that social reformers of this period grouped together habitual drunkards with criminals and the insane, for whom confinement was seen as a necessary step towards reformation.\textsuperscript{47} It should be considered that the prison commissioners’ definition of alcoholism was heavily influenced by the work of these same social reformers. Room points out that although modern societies consider alcoholism a medical problem, historically it has been viewed as a social disease.\textsuperscript{48} Prisoners who were identified as being ‘addicted to drink’ by the commissioners were most likely categorised as such because of a history of alcohol-related offences, a breakdown in family life or loss of employment, as opposed to being medically diagnosed as alcohol dependent.

Although the criminal intent of men charged with alcohol related offences is debatable, the interviews clearly suggest that veterans were more susceptible to alcohol problems than non-serving prisoners. It must be considered then why some veterans felt compelled to engage in heavy drinking? A simplistic interpretation might be that veterans drank to ease the trauma of war, which as stated was an explanation that some of the prisoners themselves gave. This view assumes that men universally disliked the experience of combat, a view that has been called in to question in recent years.\textsuperscript{49} It should also be noted that that the prisoners who explicitly stated that they drank because of the war were either suffering from some form of disablement, or had been POWs, and that it was these factors that caused them to drink.

An alternative explanation may be that the masculine drinking culture of the army, promoted by the canteen ‘drinking schools’ and the rum ration, may have created a lasting tendency to over imbibe. Emsley has suggested that the availability of cheap French wine and brandy proved tempting for many British soldiers. It must be borne in mind that on the home front alcohol had become expensive and licencing hours had been severely limited. Tellingly, 85 per cent of court martials for drunkenness during the First World War occurred overseas.\(^{50}\) The association between heavy drinking and masculinity was in fact a prevalent belief in interwar Scotland. Roderick Ross, Chief Constable of Edinburgh City Police, wrote in 1929 that ‘The Scots have usually been regarded as one of the hard-drinking nations’, continuing, ‘If it is correct that the inhabitants of countries which consume large quantities of intoxicating liquor are more virile, robust, and progressive than those of a wholly or moderately temperate disposition, this may account for the universal success of Scotsmen in every walk of life.’ Although Ross advised moderate drinking, he claimed that the link between alcohol and crime could only be proven with respect to petty offences.\(^{51}\)

In terms of cultural representations, the alcoholic veteran, often a former officer, was a familiar feature of interwar literature. Hemingway’s semi-biographical novel *The Sun Also Rises* (1926) features Mike Campbell a Scotsman and former officer, who manages to fund his drinking problem despite being bankrupt.\(^{52}\) Having served in the Red Cross in Italy during the war, Hemingway commonly associated heavy drinking with masculinity throughout his written work. Regardless of their reasons it is clear then that a great many of the veterans featured in the prison commissioners’ reports were problem drinkers.

\(^{52}\) Ernest Hemingway, *The Sun Also Rises* (New York: Charles Scribner’s Sons, 1926).


**Violent Offences**

Alongside convictions for alcohol related offences veterans showed a greater predilection towards violent crimes including ‘assault’, ‘assault to the effusion of blood,’ ‘serious injury to the person’ and ‘wife assault.’ Of the 77 prisoners convicted of a violent offence 45, slightly less than 60 per cent, were veterans, despite only representing 47.3 per cent of all non-serving prisoners. This figure begs the question, did the British armed forces recruit or create violent men? Writing in the *International Journal of Ethics* in 1920, the academic T.H. Procter argued that some men had enlisted due to what he termed ‘Submoral Purposes’, elaborating that certain individuals were ‘born scrappers’ and that ‘Even towards the end of the war one occasionally met a man, - usually young, - who, in spite of all hardship and a couple of wounds, positively revelled in fighting.\(^{53}\)

Henry De Man, a socialist politician and former lieutenant in the Belgian army, warned in his 1919 article that amongst veterans the war had fostered “the hatred and contempt of other human beings, and the brutish delight of killing them.”\(^{54}\) Ferguson has also taken this view; his study of war diaries, letters and memoirs has led him to suggest that some men evidently enjoyed killing one another.\(^{55}\) Unfortunately the commissioners’ interviews do not give the date of a prisoner’s previous convictions, so it is difficult to gauge the prevalence of pre-war violence amongst veterans. Based on a small sample, the veterans interviewed in the 1919 report, ergo men who had most likely been recently demobilised, we find that of the four veterans convicted of assault, none had any previous convictions for violent offences, although two did have previous convictions for other offences.\(^{56}\)

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\(^{55}\) Ferguson, *The Pity of War*, 363.

It is difficult to say if the brutalising effects of war had turned some men into criminals. It seems just as plausible to suggest that the tendency of veterans to over-imbibe may have subsequently led to a higher rate of convictions for violent offences. If we take the example of a veteran charged in 1919 with assault to the effusion of blood and serious injury to the person, we find that rather than the crime being motivated by some blood lust bred in the trenches, it was simply the case that he was drunk and had quarrelled with another man in a public house.\textsuperscript{57} Another veteran convicted for assault in 1920 was said to have ‘never lost an opportunity of taking drink.’ Yet it seems unlikely that he had been brutalised given that he was on home service, and therefore unfamiliar with combat.\textsuperscript{58} Even the prisoner who blamed his five convictions for assault on his ‘beasty temper’, cannot be characterised as having been brutalised, as the majority of his convictions occurred before his war service.\textsuperscript{59}

It would seem then that there is little evidence amongst the prison commissioners’ interviews to suggest that the war had brutalised men. This is not to say that some veterans or even society as a whole were not more violent after the war, merely that brutalisation was not the sole cause. If we look at crime in Scotland more broadly we actually see a reduction in imprisonments for violent offences after the war. In 1921, the year of mass demobilisation, 737 males were received into prison on a charge of murder, attempted murder, culpable homicide, assaults, assaults on officers and assaults on wives, yet in 1913 there had been 1,345 such incidents.\textsuperscript{60} Patterns in violent offending were influenced by a variety of factors such as changes in policing, the way statistics were gathered, or a reduction in the young male population due to war and emigration. In regards to the effect of the war specifically, family breakdown and economic difficulties are as likely malefactors as brutalisation.

\textsuperscript{57} Ibid, 31.
\textsuperscript{58} Annual Report of the Prison Commissioners 1920, (1921), 61.
\textsuperscript{59} Annual Report of the Prison Commissioners 1921, (1922), 62-63.
\textsuperscript{60} Annual Report of the Prison Commissioners 1921, (1922), 18; Annual Report of the Prison Commissioners 1913, (1914), 59.
If we examine the prisoners with convictions for violent offences further, there is a noticeable difference between veterans and non-veterans with regards to the prevalence of domestic violence, with 11 veterans having been convicted of such a crime compared to four non-veterans. Although most prisoners who were convicted of domestic violence were charged with ‘wife assault’, incidents where prisoners assaulted other family members were also included. It should be noted that during this period Scottish courts preferred to fine rather than imprison men convicted for wife assault, which may account for the relatively small number of domestic abusers within the sample.\(^{61}\) Heyman and Neidig have suggested that a higher prevalence of domestic violence in modern military families, as compared to civilian households, is partially due to a disparity in ages in the two populations. Statistically domestic abuse is more common in younger families, and it is the case that married military couples tend to be younger on average than in civilian households.\(^{62}\) It should be considered that the veterans’ age group may have contributed to the impression of a higher rate of domestic violence.

It might be expected that many of the non-veteran prisoners were either too young or too old to have served in the war, so we should not be surprised that a group containing a higher number of older men has a lower rate of domestic violence. It should also be considered that there was a higher number of widowers amongst the non-veterans; with 13 compared to five this would also lower the prevalence of domestic violence. In regards to men who were too young to have served in the war, many of whom were teenagers when the interviews were conducted, they would have been less likely to have been married. Yet despite the non-veterans sample showing a broader range of ages than the veterans, for both groups the ‘typical’

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individual was born around the same time. The median year of birth was 1890 for veterans and 1889 for non-veterans, and for this reason, age should not be considered the sole cause of a higher prevalence of domestic violence amongst the veterans.

Again the relationship between alcohol and veterans should be considered as a factor in higher levels of domestic violence. One veteran imprisoned for assaulting his wife in 1919 conceded that ‘His wife does not drink, and is attentive to her family and household duties’, yet he had been addicted to drink since leaving the army.63 The breakdown of marriages caused by prolonged absences from the home may have contributed to domestic violence. A prisoner interviewed in the 1920 report, who had spent the latter part of his service as a non-combatant, had assaulted his wife upon returning home to find she was being ‘kept’ by another man.64 In 1919, the Scotsman reported that the average percentage of illegitimate births for the eight largest towns in Scotland were 6.9 per cent in 1915, 7.1 per cent in 1916 and 7.5 per cent in 1917, while in Dundee the percentage was as high as 11 per cent by 1917 having risen from 7 in 1915. The increase in illegitimacy was blamed on the ‘disturbing influence of the war on the ordinary routine of life.’65 At least one veteran convicted of ‘wife assault’ returned to find that his wife had three children that were not his own.66

Although the differences were minimal, the veterans’ sample showed a higher incidence of marriage breakdown and irregular marriage. Eleven veterans were estranged or divorced from their wives compared to nine non-veterans, while three were said to be cohabiting with a common law wife compared to one non-veteran. Hughes and Meek have directly accredited the First World War to an increase in family breakdowns in Scotland. Their sample of 3,000 households in Govan revealed that between 1911 and 1929 Poor Law

64 Annual Report of the Prison Commissioners 1920, (1921), 62.
66 Annual Report of the Prison Commissioners 1920, (1921), 64.
applications from lone parents as a percentage of all household applications increased from 31.1 per cent to 35.9 per cent and those from deserted wives rose from 30.4 per cent to 37 per cent. Although the hypothesis is difficult to relate to interwar Scotland, Gartner’s cross-national study of 18 developed nations between 1950 and 1980 found that divorce rates rose alongside homicides.

War, and in particular armed combat, are typically viewed as masculine by nature, and given the close association between domestic violence and gender this relationship should be examined in closer detail. It has been suggested that the sex ratio, as well as female marital opportunity, are in fact closely associated with violent crime. Barber’s study of this effect includes a regression analysis of violent crime in Scotland between 1871 and 1980, which suggests that violent crime increased when women had poor marital opportunities, essentially when there were significantly more women than men. Although it should be reiterated that Anderson believes that Scotland’s high levels of pre-war emigration limited the demographic effect of war losses, the preliminary report of the 1921 census for Scotland gives the male and female populations as 2,348,403 and 2,533,885 respectively. This amounted to an excess of females over males of 7.9 per cent of the male population. Although this excess was not the highest recorded, it had reached 18.5 per cent in 1811 (most likely due to high numbers of men serving abroad during the Napoleonic Wars) the excess had been as low as 6.2 per cent in 1911. The male population had also seen the smallest intercensal increase recorded at 1.7 per cent, although the female increase had also been a record low of 3.3 per cent.

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Yet it should be considered that some men may have been violent before their enlistment. Nelson’s study of domestic violence committed by Australian veterans of the First World War found that far from being brutalised, 18 of the 35 veterans in her sample had acted violently towards their wives before the war.\(^{71}\) It is also impossible to speculate what caused a man to be domestically violent based on the relatively short accounts provided by the annual reports. If we take one ex-serviceman featured in the 1920 report it could convincingly be argued that his conviction for ‘wife assault’ may have resulted from his difficult war experience. He had enlisted before the war and was recalled in 1914 before being discharged after sustaining a serious injury; despite this he enlisted again, this time in a Labour Battalion, but was again discharged due to disability. He then spent a year burying war dead in France, hardly a job conducive to his return to society. Other factors such as the prisoner’s childhood, which was blighted by the early death of his father, his mother’s alcoholism and his eventual placement with a foster family, may also have contributed to his unstable domestic life, as could his regular bouts of unemployment, or his wife having had three children that were not his.\(^{72}\)

It would also be unwise to suggest that the war ruined previously happy marriages, when some men evidently used the social dislocation caused by the war to escape their familial obligations. The wife of a soldier interviewed by the Prison Commissioners in 1919 stated that her husband had enlisted in 1914 and that she had not seen him since. She went on to describe him as a ‘worthless, drunken character’ even prior to his war service.\(^{73}\) It is also unclear if statistical increases relating to family breakdown and illegitimacy can be ascribed solely to the war, or even if these statistics can explain higher rates of domestic violence amongst veterans.

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\(^{72}\) *Annual Report of the Prison Commissioners 1920*, (1921), 64.

\(^{73}\) *Annual Report of the Prison Commissioners 1919*, (1920), 35-36.
It is clear that it was at least believed that the war had been detrimental to the traditional Scottish family. Blake’s 1935 novel The Shipbuilders recounts the story of war veteran Danny Shields’ post-war domestic life. Unable to keep his household together or find gainful employment, Shields regularly takes solace in drink. After his wife leaves the family, Shields is arrested while creating a disturbance outside his sister-in-law’s home in an attempt to reconcile with his estranged wife. Although a fictional character, the prison commissioners’ interviews seem to suggest that Shield’s experience of family breakdown, as well as his problem drinking, may have been a typical portrayal of post-war readjustment.

**Fraud and Theft**

Despite being more predisposed towards crimes involving violence and alcohol, veterans appear to have been less inclined towards theft. While 77 (42 per cent) of non-veterans had been convicted of theft, only 58 (35 per cent) of veterans had been similarly convicted. With a higher incidence of crimes relating to alcohol and violence, but a lower incidence of theft amongst veterans, it would be tempting to suggest that these men were struggling to readjust to civilian life and that the war had not created career criminals. It may have been the case that habitual thieves were more likely to be unfit for military service. Goring’s The English Convict: A Statistical Study (1913) found that in a sample of 760 male prisoners, those convicted of stealing and burglary were more likely to be in poor health. Prisoners in this class accounted for the majority of men whose health was said to be ‘Poor or Lower’ and ‘Very Poor Destitute Class.’ Whereas 69 men convicted for violence to the person were found to have ‘Poor or Lower’ health, the figure for those convicted of stealing and burglary was 87. Goring also found that the mean height of thieves was slightly lower than other prisoners. Prisoners

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convicted for stealing and burglary had a mean height of 65.17 inches, compared to 65.55 inches for those convicted for violence to the person, forgery or fraud. It should be noted that the minimum height for British Army recruits during the First World War was 5’3” (63.6 inches) in 1914 before being lowered to 5’2” (62.4 inches). It was often the case that men who were under 5’4” (64.8 inches) were often automatically classified as Grade IV—All those who are totally and permanently unfit for any form of Military Service. As the prison commissioners’ interviews do not give information on the height of the prisoners, it would be unwise to apply his findings directly to this sample. Nonetheless generally lower levels of physical fitness amongst thieves may explain why so few veterans were found amongst this category of prisoner.

**Veterans across the Sample**

The theory that demobilisation was followed by a period of readjustment is strengthened by the fact that in the later interviews there are far fewer war veterans. The correlation between age and crime meant that inevitably the proportion of veterans would decline over time. In 1931, the most common age demographic for male prisoners was between 30 and under 40 years old. Given that the so called ‘Lost Generation’ was born between 1873 and 1900, by the early 1930s most veterans would have been outwith or in the upper end of this age group, and therefore at less risk of committing crime. The 1931 report, the last report to include a ‘Causes of Crime’ section, recorded four veterans out of 17 male prisoners, whereas 24 of the 30 prisoners interviewed in the 1920 report were veterans. Yet there are

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76 Ibid, 178.
77 “Height Limit Reduced”, *Daily Record*, 25 February 1915.
78 J.M. Winter, ‘Military Fitness and Civilian Health in Britain during the First World War’, *Journal of Contemporary History* 15, No.2 (1980), 211-244, 224.
scant references to the proportion of veterans within the prison population beyond the early 1920s. The commissioners themselves believed that demobilisation was the cause of high numbers of prison committals after the war, although it was also noted that the number of female committals had also risen. While it should be noted that from 1921 onwards the number of prisoners interviewed was far fewer, thus creating smaller, less representative samples, there is a distinct impression that mass demobilisation was followed by a period of disorder which would subside in later years.

This trend should not be exaggerated, as some men clearly failed to readjust. The number of veterans may have been smaller in the later interviews, but their percentage in the last sample in 1931 was coincidentally the same as it was in 1918 at 23 per cent. Although outwith the scope of this study, the 1903 ‘Causes of Crime’ section includes a 69 year old sailor who had fought in the American Civil War some forty years earlier. Similarly there were at least seven Boer War veterans, five of whom had also served in the First World War, in the post-1918 interviews, with the latest appearing in 1930. There were in total 21 ex-servicemen who did not serve in the First World War or whose period of service is unknown, meaning that slightly over half, 53.5 per cent, of the sample had been in the armed forces. Acting and retired servicemen, including officers, soldiers, sailors and marines, accounted for less than 1 per cent of Scotland’s male population in 1911. As the data for the 1921 census is not fully available it is difficult to estimate the proportion of servicemen living in Scotland after the war, which would undoubtedly be far higher than the 1911 total. Yet the impression remains that ex-servicemen, even those who were not war veterans, were over-represented in the prison

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84 Annual Report of the Prisons Department 1930, (1931), 100.
population. This suggests that the relationship between ex-servicemen and criminality, correlates with serving in the armed forces, rather than being in combat specifically.

Figure 3.2: Percentage of First World War veterans amongst prisoners interviewed in the ‘Causes of Crime’ section of the Annual Report of the Prison Commissioners for Scotland and Prisons Department for Scotland.

Unemployment

The fact that veterans displayed a higher likelihood of being out of work also suggests a difficulty in readjusting. Forty per cent of veterans in the sample had been either unemployed or had been employed in casual work compared to 32 per cent of non-veterans. It will be remembered that Davidson’s 1929 study found that ex-servicemen were more susceptible to unemployment. There are various reasons as to why veterans may have experienced higher levels of unemployment compared to their peers who did not serve. It should be considered that the British Army has always recruited high numbers of unemployed and unskilled men. Dandeker and Strachan’s sample of prospective soldiers recruited in Essex between 1989 and

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1990 found that the unemployed made up a quarter of all applicants, although high numbers were rejected due to having criminal records or a history of substance abuse. It was also the case that semi-skilled workers were more likely to withdraw during the application process than the unskilled. They suggested that this was because the former group were more likely to gain alternative employment during the relatively long application process.\textsuperscript{87}

During the First World War the promise of regular army pay proved attractive to unemployed and unskilled men. Mercer points out that in 1914 an unskilled worker in Belfast could expect to earn between 15 and 20 shillings a week, providing that he was in regular employment. Although basic army pay only amounted to seven shillings a week, the wives of married men received an additional 12s. 6d. in the form of a separation allowance. Allowances increased per child and a family with three children could expect 20 shillings a week.\textsuperscript{88} In some cases men were offered cash incentives to enlist by benefactors or employers. Young has found several examples of this such as in Wemyss, Fife in 1914, where a bounty of £5 was offered to the first 200 men to enlist. The construction firm Robert McAlpine and Sons offered the same amount to employees who enlisted, and even gave separation allowances for wives and children.\textsuperscript{89} Men who had lost their jobs due to the complexities of the wartime economy would also have been inclined to enlist. Harvie points out that whereas 36.5 per cent of East Lothian miners, whose employment was dependent on trade with Europe, had enlisted in 1915, only 20 per cent of Ayrshire miners had done so. He concludes that the Army must have seemed a better alternative, albeit a temporary one, to parish relief for unemployed men.\textsuperscript{90}

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enlist. In December 1914 the Eastern District Committee of Stirlingshire County Council recommended that unemployed men should not be accepted onto relief works if they were able to join the Army.\textsuperscript{91}

Compared to skilled men the unskilled found it harder to gain exemptions from military service through war work. By late 1916 all unskilled and semi-skilled workers had been released from munitions work, so they could be conscripted into the armed forces.\textsuperscript{92} It seems likely that men who had experienced difficulty in obtaining regular employment before their war service would experience similar problems upon demobilisation. Paradoxically, veterans were significantly less likely to belong to the lowest section of the social strata reserved for prisoners identified as beggars, pedlars or tramps. Only seven (4.3 per cent) the veterans were categorised as such, while there were 24 (13.3 per cent) individuals found amongst the non-veterans. This is not to say that veterans did not ‘go on the tramp’; several of the tramps featured in Orwell’s Down and Out in Paris and London (1933) were war veterans.\textsuperscript{93} It is difficult to explain this anomaly although an itinerant hawker interviewed by the commissioners in 1922 may provide an explanation; the prisoner was said to have avoided conscription ‘owing to his constantly changing his whereabouts.’\textsuperscript{94} It seems likely that this would have been the case for many men who lived ‘on the tramp’ before the war and explains why a higher number of such individuals were found amongst the non-veterans.

\textbf{Disability and Health}

Despite the attraction of the army to unskilled and unemployed men, military service could adversely affect the employment prospects of skilled men as well. Of the 162 veterans who were interviewed, 52 or just over 32 per cent, had either been disabled, wounded or

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\textsuperscript{91}“Unemployment in Stirlingshire”, \textit{Edinburgh Evening News}, 10 December 1914.
\textsuperscript{92}“All Semi-Skilled and Unskilled Workers”, \textit{Courier}, 29\textsuperscript{th} December 1916.
\textsuperscript{93}George Orwell, \textit{Down and Out in Paris and London} (London: Victor Gollancz Ltd, 1933), 150, 165.
\textsuperscript{94}Annual Report of the Prison Commissioners 1922, (1923), 61.
\end{flushleft}
invalided through serious illness during the war, while only 20, less than 12 per cent, of the non-veterans could be described as being disabled or in poor health. At a time when the labour market was dominated by manual jobs, most of which were in the heavy industries, men with a disability would have been at a significant disadvantage in finding employment. Out of 1,569,505 males employed in Scotland in 1921 the two largest occupational groups were agriculture, forestry and fishing (193,968), and mining and quarrying (176,382). Although the third largest group was transport and communication workers (152,857), where disabled men might have had more opportunities, this group also included dock labourers, warehousemen and other physically demanding occupations.95 Two of the veterans had lost an arm during their service and another a hand, and it appears that all three had difficulties in finding employment. In two of the cases there was no mention of any employment history post-war, and both appear to have lived solely on their pensions.96 The remaining veteran, who had lost his arm, had worked for a time in a munitions factory, but upon its closure had been ‘idle’ for a year before taking a less strenuous job as an assistant postman.97

Although men who had lost limbs were at a particular disadvantage, less serious injuries could also impede employment. One veteran stated that he had been employed as a riveter before the war, but a wound he received to his left arm prevented ‘him from doing heavy work.’ Apart from occasional jobs he had ‘received ‘dole’ off and on for five years’ and had spent time in the poorhouse. Indeed, his criminal behaviour seems to have been financially motivated, with his previous convictions including conducting an illegal lottery, theft and housebreaking.98 A lifelong sailor and former mine-sweeper, convicted for street betting in

97 Annual Report of the Prison Commissioners 1921, (1922), 60.
1922 claimed that his doctor had forbidden him from going to sea due to lung troubles. The prisoner’s health problems had begun during the war when the ship he was serving on had been hit by a mine, resulting in him being seriously injured and suffering from the effects of cold water immersion.99

A further four wounded veterans stated that, although in employment, they were only able to work in light jobs after their disablement.100 In 1924, ‘Danus’, a pseudonym used by a writer for the Contemporary Review, estimated that of Britain’s half a million unemployed ex-servicemen 100,000 were disabled.101 Elsey has argued that the ability of disabled veterans to find work was dependent on the level of training they had received prior to their war service, men who had come from manual and unskilled backgrounds, or were too young to have begun their working lives, were at a disadvantage.102 Initiatives for disabled men were often unsuccessful, with the Glasgow Prince Albert workshops closing within three years of opening in 1919.103 Of the 52 disabled veterans interviewed by the prison commissioners the vast majority had little training. Only 15 had finished an apprenticeship, and even then several had been trained in niche trades with limited employment opportunities such as the veteran who had worked as an apprentice jockey.104 The remaining 37, three of whom were also illiterate, had been employed in semi or unskilled jobs, many of which, such as mining and labouring, were dependent on high levels of physical fitness. Although several disabled men were in receipt of a pension, payments were often temporary and could be withdrawn. One veteran had

been awarded the generous pension of 47s. 6d. per week for a head wound received while in France, but this had been withdrawn in 1921 for ‘misbehaviour’, most likely a reference to his five previous convictions for drunkenness and breach of the peace.105

Many ‘unfit’ ex-servicemen did not qualify for a pension as they did not meet the state’s definition of disability. The veterans reported a broad array of medical conditions contracted during the war including bronchitis, deafness, dysentery, enteric (typhoid) fever, frostbite, gastritis, malaria, neurasthenia, rheumatism and sunstroke, while the ambiguous expression ‘health broke down’ was also common. Yet poor health alone did not usually merit a pension. Five of the veterans stated that they had been gassed during the war, yet none had received a pension or gratuity for medical treatment.106 The long-term effects of being gassed were, and remain, poorly understood, with victims reporting a broad range of recurring ailments. One of the veterans in the sample made the unusual claim that ‘he is more easily intoxicated since he was gassed.’107 The main recorded effect of gassing was believed to be psychological. Meakins and Priestly’s sample of 188 Canadian veterans gassed during the war seems to confirm this. Four years after exposure only 18 were said to be suffering from bronchitis and eight from asthma, yet 78 were suffering from ‘irritable heart’, an ill-defined psychosomatic disorder caused by combat anxiety and first recorded during the American Civil War. A further 18 veterans in their sample reported some other neuroses.108

Former POWs seem to have been particularly prone to recurring health problems. One was said to have ‘Served in France and was 2 years a prisoner in Germany, where his health

broke down. He has no pension." The War Office estimated that of 155,181 British soldiers captured on the Western Front 10,856 (6.9%) died in captivity. One of the POWs interviewed by the commissioners was held in Bulgaria where conditions were worse still. Although there were only 1,237 POWs held in Bulgarian prison camps, 107 (8.6%) died while interned there. Spoerer has argued that British and Commonwealth POWs, alongside Americans and Italians, experienced a higher mortality rate due to the fact that they tended to be captured later in the war. POWs of other combatant nations, such as Belgium and Russia, tended to be captured earlier in the war and were employed in rural areas. Later prisoners worked in crowded camps in urban areas, where they were exposed to the risk of starvation and contagious diseases. Yet it would any period of captivity seems to have come with serious health implications. Although many of the veterans were happy to divulge details of the physical wounds received during the war, only a small number reported to have suffered from mental health problems.

**Mental Illness**

The interwar period saw a rise in mental illness in Scotland, something which some contemporary sources felt was due to the war. In 1926, the General Board of Control for Scotland reported that despite a decrease in population, caused in part by the war, the number of registered lunatics rose from 17,792 in 1910 to 18,266 in 1924. A small number of veteran prisoners were recorded as having mental health problems, and in fact the number of non-veterans identified as such was similar. Any prisoner who had been diagnosed with a

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psychopathological condition, such as shell-shock or neurasthenia, was certified by the medical officer as insane, or had been confined to an asylum at any point, has been categorised as suffering from mental health problems. Although the findings regarding such individuals are noteworthy, due to the small size of the sample it is unwise to make broad assumptions regarding the mental health of First World War veterans. Defendants who displayed clear signs of mental illness tended to be confined to asylums, or would have their case dismissed altogether, something that can explain the relatively small number of prisoners in the sample with mental health issues.

Another explanation for the low recording of mental health problems in the sample could be that individuals who were clearly mentally-ill would have been rejected for military service outright. The military establishment, however, tended to believe that the rising number of men breaking down was because of ‘neurotics’ being allowed into the armed forces. This supposed oversight was due to a lowering of the minimum standard of fitness, as well as the increasing number of conscripts over volunteers. Dr F. Burton Fanning informed the 1922 War Office Committee of Enquiry into “Shell Shock” that he and his colleagues found no cases of neurasthenia amongst the British Expeditionary Force, a body of men made up of career soldiers, ergo men who had volunteered before the war. Fanning went on to make the dubious remark that:

If the neurotic element had been kept out instead of forced in there would have been very much less ‘shell-shock.’ A tremendous number of neurotics resented being passed, and they had never the slightest intention of trying to make soldiers of themselves.\footnote{War Office, \textit{Report of the War Office Committee of Enquiry into “Shell Shock.”}, (1922), 22.}

This claim had been made earlier by Sir J. Purves Stewart, senior physician at Westminster Hospital, in 1919 to the British Medical Association. Stewart claimed that war neuroses had
been absent in earlier wars as armies were composed of trained professionals rather than conscripts.\textsuperscript{114} Contrary to Fanning and Stewart’s view all but one of the veterans suffering from mental health problems were volunteers. Six had joined in 1914, and another, a retired soldier, had re-enlisted in 1915, and as conscription was only introduced in 1916, these men must have been volunteers. Another veteran, who had been attached to the Indian Defence Force, must also have volunteered as conscription was never enacted in India. In the case of the one remaining veteran it is impossible to deduce if he was a volunteer or a conscript based on the information given. Asides from being volunteers the characteristic that was most commonly shared by mentally-ill veterans was a post-war drinking problem.

Of the nine veterans who were recorded as having mental health problems six were either convicted of a crime which involved alcohol or were said to have alcohol problems. The most notable example was in fact one of alcohol-induced mental illness. The aforementioned Indian Defence Force veteran had suffered from delirium tremens, an acute confusional state brought on by withdrawal from alcohol, upon entering prison.\textsuperscript{115} Alcohol seems to have been used as a self-medication by mentally-ill veterans; one interviewee stated that he had taken drink ‘with the object of relieving pains in his head.’ The prisoner in question had contracted sunstroke during the war and had subsequently been confined to an asylum on five occasions. It seems likely that mental illness along with his alcohol problems contributed to his arrest for assaulting his mother, alongside his 23 other convictions.\textsuperscript{116} It seems that the habit of treating sunstroke with alcohol was well known to the prison commissioners. One veteran’s 12 convictions for drunkenness and breach of the peace were explained with the statement ‘Drinking habits probably induced by exposure.’\textsuperscript{117} The link between war neuroses and alcohol

\textsuperscript{114} “British Medical Association”, \textit{Scotsman}, 10\textsuperscript{th} April 1919.
\textsuperscript{115} \textit{Annual Report of the Prison Commissioners} 1928 (1929), 100.
\textsuperscript{116} \textit{Annual Report of the Prison Commissioners} 1919, (1920), 34.
\textsuperscript{117} \textit{Annual Report of the Prison Commissioners} 1921, (1922), 64.
had in fact been established prior to the First World War, although it is unclear if British medical experts were aware of this relationship. Writing in 1910, Captain R.L. Richards, US Army Medical Corps, found that during the Russo-Japanese War alcohol psychoses and acute alcoholism were the second most common afflictions amongst Russian soldiers admitted to Harbin’s Central Psychiatric Hospital.118

Three of the ex-servicemen in the sample were explicitly said to have suffered from shell shock, with at least one being left permanently insane. All three were said to have started drinking heavily during the war, and two were said to be abstainers before their service.119 Of the nine veterans identified as suffering from mental illness by the commissioners, six were said to have started drinking to excess during or shortly after the war, with five having been total abstainers previously. Captain Richards noted this relationship in his own study and suggested that ‘Naturally the exhaustion of war experiences suggested a stimulant to total abstainers, many of whom reacted in a pathological way.’120 Despite the earlier work of Richards and others, combat-related mental illness was still poorly understood, and what should be done with mentally-ill veterans remained a contentious issue.

A veteran, who had been wounded at the Dardanelles, was said to have had his ‘nerves’ badly affected by spending three years in a Bulgarian POW camp. Upon his liberation he spent a further five months recovering in hospital, and still suffered from recurrent bouts of malaria. Despite his traumatic service he had not been awarded a pension.121 Contemporary sources were divided on how mentally-ill veterans should be treated, with opinion ranging from sympathy to outright condemnation. Although it was widely accepted that mental trauma could

121 Annual Report of the Prison Commissioners 1921, (1922), 63.
explain later criminal behaviour, experts on the subject did not always advise sympathetic treatment. At a meeting of the British Medical Association in 1919 Brevet Lieutenant-Colonel Dr E.W. Mott claimed that men with a ‘natural amativity’, a vague reference to sensuality and possibly effeminacy, would inevitably suffer from some form of ‘psyche neurosis.’ Essentially most ex-servicemen suffering from war neuroses would have broken down in civilian life anyway.122 In 1922 Mott gave a lecture to the Eugenics Education Society where he elaborated that ‘the existence of neuroses and psychoses was liable to be transmitted to the offspring.’123 The fact that some men attempted to explain criminal behaviour with shell shock, seemed to confirm the belief that only degenerates broke down.

Emsley has noted that the acceptance of shell-shock as a mitigating factor in criminal behaviour was dependent on factors such as the nature of the crime and the social class of the criminal. ‘The Shell Shock Defence’ was more readily accepted when used by former officers, as it was presumed that their criminal behaviour was at odds with their middle-class backgrounds. When enlisted men, most of whom came from working-class backgrounds, committed crime it was believed that their actions were symptomatic of their class rather than of their mental affliction.124 With a few notable exceptions, the veterans included in the prison commissioners’ reports came from working-class backgrounds, and would likely not have had the privilege of ‘the Shell Shock Defence’, which perhaps explains why they had been given a prison sentence. The relationship between mentally ill veterans and crime will be discussed in more depth in a later chapter.

122 “British Medical Association”, Scotsman, 10 April 1919.
123 “Sir F. Mott on War Nerves”, Scotsman, 18 January 1922.
**Good Soldiers?**

Many of the prisoners interviewed had proved to be capable soldiers, with a great many of them claiming to have left the army with a ‘good’ character when discharged. One prisoner interviewed in 1921 for example claimed that he had been recommended for the Military Medal, while another from the same year was said to have the Mons Star as well as other medals, and had twice been recommended for ‘special decoration.’ Yet some of the men interviewed were not particularly inclined towards life in the armed forces. In fact five of the veterans had been deserters, with one having deserted and re-joined the army twice before deserting for good in August 1918. Of the deserters one claimed that he left the army as he felt that his widowed sister should be allowed to claim a separation allowance on his account, but this was denied and he had returned home so as to support her. Another had joined the army while still underage at 15 ½ years old and had deserted on two occasions. Curiously four of the five deserters were Roman Catholics, which of course reflects their over-representation within the Scottish prison population. Yet the fact that these men were most likely of Irish descent at a time when the political situation in Ireland was becoming increasing militant, may also have played a part in their decision. At least one prisoner admitted that he had taken part in a mutiny during the war. The prisoner in question had taken work as a dock labourer in 1914 so as to evade serving in the army, but was called up after losing his job for drunkenness. His efforts were not entirely in vain as he managed to remain on home service until the end of the war when he was imprisoned for 18 months for mutiny. Again the prisoner in question was a Catholic, but the 30 convictions to his name for assault, disorderly conduct

127 Ibid, 32.
and drunkenness, as well as his efforts to avoid military service, seem to suggest that he was simply unreceptive to army discipline. Men whose conduct was poor even before they were demobilised can hardly be said to have been criminalised by their service.

Indeed it seems likely that many of the interviewed veterans had records before they entered the forces, and that their war service acted merely as an interruption to their criminal careers. In regards to juvenile offending three veterans revealed that they had spent time in borstals, two of whom had in fact been released early so as to serve in the army. A further three were said to have been in a reformatory. Again one had been given early release so as to join the army, but had later deserted. In terms of industrial schools, no less than nine veterans had spent part of their childhood in an institution of this type. Another three had been on a ‘training ship’, a sort of industrial school but with a seafaring focus. In total then 18, slightly over 10 per cent, of the veterans had spent time in some form of juvenile institution prior to serving in the armed forces. This is hardly surprising given the British army, and to a lesser extent the navy, actively recruited from borstals during the First World War. By 1918 365 former inmates of the Polmont Institution had enlisted in the armed forces. Military necessity aside, many felt that the recruitment of criminals was justified as it offered an opportunity for redemption. In 1919, one police chief inspector commented that ‘I am not surprised that hundreds of ex-convicts have redeemed themselves in the war. I believe that sixty per cent of

the habitual criminal class would have been saved gaol if in their early days they could have experienced some form of discipline.\textsuperscript{136}

As the war progressed the prison and military authorities allowed increasingly more serious prisoners to enlist. Between May 1917 and the end of the war 93 ‘ordinary’ adult prisoners were released from Scottish prisons so as to join the army. Amongst them were three men convicted of culpable homicide, three for incest, one for assault by stabbing, one for attempting to ravish (rape), another for sodomy, and numerous other offences including assault, bigamy, robbery and theft.\textsuperscript{137} A further 15 ‘convicts’, ergo prisoners considered to be the very worst offenders, were also released on license so as to join the army.\textsuperscript{138} This seems to cast serious doubt on the myth that men volunteered with the sole motivation of serving ‘King and Country.’ Again the presence of juvenile offenders within the interviews, alongside the wider policy of recruiting adult prisoners, seems to suggest that the assumption that the war had turned men into criminals is too simplistic.

\textbf{Conclusion}

If not for his brushes with the law, the last ex-serviceman to be interviewed would have fitted into the romantic ideal of the Scottish soldier. He had been brought up in a ‘respectable’ working-class Presbyterian family and left school at the fairly typical age of 14. Before the war he had worked as a farm labourer, all the while remaining unmarried so as to support his widowed mother. During his war service his right hand had been badly wounded and he would later struggle to find steady employment, instead maintaining himself through a pension and casual jobs. Due to his misfortunes he had turned to drink resulting in convictions for breach

\textsuperscript{137} List of Prisoners granted a remission of their sentence so as to join the Army, First World War: Enlistment of Criminals, Naval Ratings sentenced by Naval Court Martial, 1917, HH31/32/8, National Archives of Scotland.
\textsuperscript{138} List of Convicts Released on License so as to join the Army, 1917, First World War: Enlistment of Criminals, Naval Ratings sentenced by Naval Court Martial: Notice of Question, 1917, HH31/32/12, National Archives of Scotland.
of the peace and assault. The interviewer was sympathetic and commented ‘An intelligent man
who feels his position greatly and means to overcome his weakness.’ Unfortunately, like all
of the veterans who were interviewed, we have no way no knowing if he ever overcame the
difficulties of post-war readjustment.

The prison commissioners’ interviews clearly illustrate that, like the case described
above, many men struggled to return to civilian life after the war. Difficulty in readjusting
manifested in alcoholism, unemployment, and poor health; these same problems can be directly
linked to the war’s negative effect on the individual. Excessive alcohol consumption was
encouraged by the drinking culture of the army, while the intemperance of wounded men and
former POWs suggests that alcohol was used to ease the trauma of war. High unemployment
amongst ex-servicemen was not merely a coincidence either. Enlistment had disrupted training
and career paths, while poor health and disablement also made regular work difficult to find.
A miner interviewed in 1927 stated that he had followed his trade for no-less than 32 years
prior to his enlistment, yet he could not settle in regular employment after being demobilised
and had taken to ‘tramping.’

Yet compared to prisoners who did not serve, ex-servicemen were less likely to be
convicted of theft, which suggests that the war had not created a generation of career criminals.
The fact that the proportion of veterans interviewed by the prison commissioners peaked in
1920, but fell sporadically thereafter, suggests that the period following demobilisation was
difficult for veterans. It should, however, be remembered that even in 1931 there were still four
veterans alongside 13 other prisoners, most of whom were either too young to have served or
men who had avoided service through their itinerant lifestyles. The tendency towards domestic
violence amongst veteran prisoners, may of course be a result of an increased likelihood

139 Annual Report of the Prisons Department 1931, (1932), 93.
towards alcoholism and unemployment, yet this should not be assumed, and the relationship between ex-servicemen and domestic abuse will be explored in more depth in the proceeding chapter.
Chapter Four

The Return of the Veteran to the Domestic Sphere

‘He had gone away Ewan Tavendale, he came back a man so coarse and cruel that in place of love hate came singing in the heart of Chris-hate that never found speech, but that slowly found lodgement secure and unshaken.’ Lewis Grassic Gibbon, *Sunset Song*.1

The family in many ways is the first casualty of war. The separation of soldiers from their kin, sometimes for several years, usually proves detrimental to familial relations. Even after the war ends family life does not necessarily resume as normal. Inevitably some men never return, either through death or abandonment, while those men who do return often bring with them physical and mental reminders of the war. The former head of the household then may find himself a dependent, thus altering the internal structure of the family. Changes to wartime society, such as rapid industrialisation and urbanisation, may also have a negative effect on the family. Women are forced to circumnavigate these changes without their menfolk in order for the family to survive. Yet when the war ends does the family revert to its old modes of life or does it retain wartime characteristics? The dimensions of war are hardly conducive to continuity, and the effect of the First World War on Scotland seems to vindicate this hypothesis.

During the war the loss of male household heads, the staple of the ideal Edwardian family, caused the traditional family structure to change. Women became more visible in wider society, taking on greater responsibilities as wage earners, and generally becoming less dependent on male family members. Yet the men, or at least the fortunate amongst them, did eventually return from the war and to their families. This analysis will consider if the return of veterans to the domestic sphere resulted in criminal behaviour. As demonstrated by the prison commissioners’ interviews, ex-servicemen, who it should be noted were more likely to be

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married than other prisoners, were more prone to crimes relating to domestic violence, and also showed higher rates of unemployment and alcohol abuse. This chapter then considers both the societal effects of the war on family life, as well as the individual difficulties associated with ex-servicemen returning to the domestic sphere. This chapter will examine specific incidents of domestic violence, including more serious cases concerning murder and attempted murder, as well as considering divorce actions and cases of desertion involving ex-servicemen. The argument will be made here that mass military service caused marital disputes to become more discordant, and that broadly the war itself had a detrimental impact on family life.

The Effect of the First World War on the Domestic Sphere

Statistically at least it would appear that the war did irreparable damage to many marriages. Rowntree and Carrier have found that in the case of England and Wales divorces increased dramatically after the First World War. Between 1910 and 1913, the High Court received 919 petitions for divorce yet between 1920 and 1924 this had risen to 3,150. Similar increases were also observed after the Second World War suggesting that there is an association between conflict and divorce. Yet the authors believe that this phenomenon cannot be entirely attributed to the disruptive effects of war, and argue that legal changes that made divorce easier also had an impact. Divorces had in fact been on the increase even before the war suggesting a wider upwards trend. In Scotland, Anderson has found that in 1911 statistically 0.0 per cent of males aged 45 to 49 years old were divorced, but by 1931 this had risen to 0.2 per cent. Yet despite a reduction in the male population due to the war, more women were married at all ages after the war than in previous years. Whereas in 1911, 78.2 per cent of females aged between 20 and 24 years old had never been married, the figure had fallen to 75.4 per cent in 1921. This

suggests that the attractions of marriage survived the war even when divorce rates were increasing.⁴

The relationship between war and marital breakdown has been recorded elsewhere. Preston and McDonald’s statistical analysis of the incidence of divorce in America since the Civil War also found significant spikes after the two world wars.⁵ With relation to interwar Scotland specifically, in 1919 Lord Sands claimed that as a judge he had presided over 200 divorce proceedings during the previous 12 months where the wife had borne an illegitimate child while her husband was on service.⁶ Sands was by no means exaggerating; there was a significant spike in the number of petitions for divorce in Scotland during and immediately after the war. Between 1906 and 1910, there were 975 petitions, although this figure rose between 1911 and 1915 to 1,320, it more than doubled between 1916 and 1920 to 2,655. Interestingly, this figure fell thereafter and did not reach the levels seen between 1916 and 1920 until the Second World War.⁷ The evidence would suggest then that the popular characterisation of war as being detrimental to the family has some factual basis.

Despite the socially disruptive effects of conflict, several historians have argued that the First World War had a beneficial effect on family life; in particular, living conditions for working-class families seem to have improved, although the effect was more noticeable in Scotland than England. Winter is the main proponent of this idea, arguing that higher wages and full employment, as well as restrictions on alcohol consumption, had a beneficial effect on civilian health. Infant mortality, for example, decreased significantly during the war, with every year bar 1915 experiencing a statistical drop in deaths. Whereas in 1911 there had been 130.6

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⁴ Ibid, 206-207.
deaths in the first 12 months of life per 1,000 live births, by 1918 this had fallen to 97.16, and continued to fall after the war reaching 79.73 in 1920. More stringent regulations on alcohol consumption also had a beneficial effect on standards of health and living standards. According to Smart’s analysis, deaths from cirrhosis of the liver halved between 1911 and 1921, falling from 102.2 per million of the population to 50.7.

Despite the high levels of deprivation normally associated with the interwar period, some historians have nonetheless found evidence of some improvements. Scott has argued that increasing levels of home ownership amongst working-class families caused a decrease in family size, and a greater emphasis on creating a suitable home environment for child rearing. By 1938, 17.4 per cent of families with a weekly expenditure of between 80 and 90 shillings, the average for working-class households being 85 shillings, owned their own home. Amongst the highest earning working-class families, those living on 140 shillings per week, the figure was as high as 37.2 per cent. For the same year, Scott found that working-class home buyers, as opposed to owners who may be older and were therefore naturally more likely to have smaller families, had on average 1.06 children under the age of 18 while those who rented had 1.40. Yet it should be considered that many of the beneficial effects of the war on family life did not represent long term gains, and even those changes that did survive the peace were less evident in Scotland. Working-class home ownership in particular remained rare in Scotland.

Between 1919 and 1941, 70 per cent of new homes in Scotland were built by local authorities.

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while in England and Wales the percentage of council houses was only 28 per cent. It is also
the case that the fall in infant mortality, the crux of most studies concerning the beneficial
effects of war, was less immediate in Scotland than it was in England and Wales. Whereas
between 1911 and 1913 the average rate of infant mortality was 111 per 1,000 births, it was
102 between 1914 and 1916. The corresponding averages for Scotland fell from 112 to 111 per
1,000. Although by 1918 the number of infant mortalities in Scotland fell to 9,836, a reduction
of 637 from the previous year, it cannot be assumed that the social effects of the First World
War that occurred in England were replicated in Scotland.

The changing nature of gender roles during and after the war no doubt had an impact
on family life. The increased rate of female employment is well documented, but increased
opportunities for female leisure activities as well as the redefinition of masculinity should also
be considered. In Scotland, the number of females in employment between 1911 and 1921
increased significantly. Whereas in 1911, 593,210 were in employment by 1921 this had
increased to 638,575. This rise seems all the more impressive when it is considered that
between 1901 and 1911 the number of females in employment rose by only 1,586. There is
also an abundance of anecdotal evidence from women who entered the workplace during this
period. Stephenson and Brown’s interviews with Stirlingshire women born between 1894 and
1926, found at least one example of a woman who was forced to leave school early as her
father’s army pay was not enough to support a family. Jamieson has also found that there was

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12 James J. Smyth and Douglas S. Robertson, ‘Lost Alternatives to Council Housing? An Examination of Stirling’s
13 Bernard Mallet, ‘Vital Statistics as Affected by the War’, *Journal of the Royal Statistical Society* 81, no.1,
(1918): 1-36, 16.
See Female Employment: Scotland, 1901, 1911, and 1921, (Pages of the Statistical Tables are not numbered).
16 Jayne D. Stephenson and Callum G. Brown, ‘The View from the Workplace: Women’s Memories of Work in
Stirling c. 1910-c. 1950’, in *The World is Ill Divided: Women’s work in Scotland in the nineteenth and early
a belief amongst female domestic servants, and their employers, that the increased employment opportunities offered by the two world wars marked the end of live-in servitude.17 The effect the war had on gender roles, however, should not be overstated. Skillen points out that even after the war the vast majority of Scotland’s female workers were young and single. Between 1911 and 1921, the percentage or married women in work rose from 4.8 per cent to 6.4 per cent, yet this was still below the British average of 10 per cent. There were, however, regional and occupational variations, such as in Dundee where 30 per cent of female textile workers were married.18 Compare this with Roberts’ analysis of female employment in England and Wales in 1911 which found employment amongst married women was highest in areas associated with the textile industry.19 Smyth’s oral history of female textile workers found that although many recalled a female ‘gaffer’ during the war, she was quickly replaced by a man when hostilities ended.20 Female employment may have grown overall after the war, but the ancillary nature of women’s work remained the same.

The increased leisure opportunities available to English women after the war were also less visible in Scotland. Gutzke has argued that due to male enlistment and restrictions on alcohol sales, publicans made an effort to attract female customers during the war. By 1930, the Mass-Observation recorded that women accounted for two-fifths of the clientele across five suburban London premises. In Scotland, however, the pub retained its status as a male space, with only women of low social standing attending unchaperoned.21 Gender roles may have

been altered by the war, but the patriarchal structure of society remained largely intact. Kent has argued that after the First World War even feminists reverted to the belief that social stability depended on traditional family structures, namely the adherence to a masculine public sphere and a feminine private one.\(^{22}\) It should be considered then that returning men would have had to negotiate their own role within a gender structure that was in the process of reconstruction.

Although it is assumed that the war did irreparable damage to the traditional family structure, it would appear that this was not universally the case. Sieder’s collection of interviews regarding working-class life in wartime Vienna found that when a father enlisted his eldest son became the head of the household. Sons were expected to become bread winners and their sisters in turn had to attend to them and show deference. It was also the case that when fathers returned to their families they were quick to reassert their dominance, which in some instances resulted in men being physically abusive to their wives and children.\(^{23}\) Bolovan and Bolovan’s study of Transylvania found that although the war proved disruptive to family life, with divorces increasing and marriages decreasing, society quickly reverted to pre-war conditions. Although in 1921 the divorce rate was 1.2 per cent it fell thereafter and by 1930 it was a mere 0.8 per cent. It is further suggested that traditional notions of masculinity and patriarchy re-emerged after the war especially in rural areas.\(^{24}\) This seems to confirm Ginsborg’s recent work on European families in wake of the war and revolution in the 20th century.

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\(^{24}\) Bolovan, Ioan and Sorina Paula Bolovan. ‘The Impact of World War I on the Family in Transylvania’ in *Families in Europe between the 19th and 21st Centuries. From Traditional Model to the Contemporary PACS*, eds. Antoinette Fauve-Chamoux and Ioan Bolovan (Cluj-Napoca: Cluj University Press, 2009), 611-629, 626.
century. Despite social and economic turmoil, as well as the efforts of various communist and fascist regimes to remould the family, traditional family structures remained constant.25

Something should be said on the historiography surrounding domestic violence in Scotland during this period. The main authority on this subject is Hughes who argues that domestic violence was a permissible, and sadly common, facet of working-class life.26 Hughes has also taken umbrage at the notion of a ‘softer Patriarchy’ emerging in the late 19th century, which supposedly condemned violence towards women. Redefined legal concepts such as provocation and diminished responsibility, usually due to drunkenness, ensured that wife beaters rarely went to prison. Between 1898 and 1914, two-thirds of men convicted of assaulting their wives by Scottish summary courts received non-custodial sentences.27 This trend was not confined to Scotland, with Pleck arguing that in the United States social work replaced imprisonment as the preferred method of dealing with abusive husbands by the 1900s.28 Lambertz has argued that for several reasons the issue of domestic abuse was largely ignored throughout the interwar period. During the Victorian and Edwardian era the wife beater was typically characterised as a drunken, proletarian brute, yet after the First World War portraying working-class men in this way became problematic. The rise of the Labour movement as well as the Representation of the People Act 1918 meant that working men had to be treated with greater respect by politicians. The contribution of working-class males to the war effort, both as workers and soldiers, also had to be recognised. Even the image of the defenceless ‘battered wife’ changed due to the investigative work of social reformers, which

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revealed that working-class women were not as helpless as previously thought, and therefore did not require protection.\textsuperscript{29} It should be considered then that although domestic abuse was still widely prevalent during the interwar period, it was not considered a serious issue from either a legal or sociological standpoint.

Several studies have proposed that gendered violence may increase after the end of armed conflict. Pankhurst has argued that war is often followed by a ‘backlash’ of violence against women caused in part by a ‘crisis of masculinity.’ This relationship remains poorly understood and tends to generalise the experience of men who are violent towards women.\textsuperscript{30} Crouthamel has also developed this idea with regards to veterans and sexual dysfunction in Weimar Germany. Criminologists and psychologists alike feared the return of the ‘New Man’ born in the trenches, whose sexual appetites revolved around violence and deviant behaviour. German criminologists, such as Exner and Liepmann, even attributed the increase in female criminality during the war to a combination of women being sexually unsatisfied and having to take on male roles.\textsuperscript{31} Theweleit has also argued that the post-war atrocities committed by the Freikorps, who were largely composed of First World War veterans, stemmed from a sense of collective misogyny forged on the battlefield.\textsuperscript{32}

In the case of Britain after the two world wars, Emsley argues that post-war domestic homicide cases were dominated by the belief in the ‘unwritten law’, which allowed a degree of leniency to ex-servicemen who murdered unfaithful wives. There were qualifications to this rule, namely, that there had not been a history of domestic violence or periods of separation


\textsuperscript{32} Klaus Theweleit, Male Fantasies, Volume 2, Male bodies: psychoanalyzing the white terror, translated by Chris Turner and Erica Carter in collaboration with Stephen Conway (Minneapolis: University of Minnesota Press, 1989), 70-73.
prior to the war.\textsuperscript{33} It seems likely that Scottish courts would also have accepted this argument, as this legal precedent had existed before the First World War. According to Conley the tendency of giving lenient sentences to men who murdered ‘unfit’ wives emerged in Scotland during the late 19\textsuperscript{th} century. Murdered wives who were characterised as drunkards or even ‘scolds’ were considered to be at least partially responsible for their own deaths.\textsuperscript{34} Scots Law, then, considered violence towards women at least understandable, if not acceptable, under certain circumstances. This is of particular relevance to this study given Emsley’s work on the belief of an ‘unwritten law’ in regards to the right of husbands to punish wives who ‘misbehaved’ during the war.

Although the British veteran was widely portrayed as being more placid than the French Poilu or German Landser, there were some who felt that returned men would struggle to readjust to family life. Even before the war there were concerns that the family as an institution was at risk. Otto May, former secretary of the National Council for Combating Venereal Diseases, estimated that prior to the war 80 to 90 per cent of British bachelors had made the ‘sexual connection’ by 25 years old.\textsuperscript{35} Marriage it seemed no longer had a monopoly on sexual relations. Even those men who had succumbed to the pressure to wed, were often seen as posing a risk to their families when they returned from the war. Southard’s Shell-shock and other Neuropsychiatric Problems (1919), a collection of 558 case studies of soldiers from across the belligerent nations, includes several examples of mentally-ill soldiers who struggled to readjust to family life. Patients were recorded as being physically and verbally abusive to their wives, showing a lack of sexual interest, refusing to see their children and in some cases leaving their


families altogether.\textsuperscript{36} The hasty marriages that took place at the beginning of the war, motivated in part by the separation allowance or for some young men the desire to gain conjugal rights before going overseas, were also seen as a cause for concern. Sir Bernard Mallet reported to the Royal Statistical Society in 1918 that there had been an additional 8,000 marriages in Scotland during the war that would not have occurred in peacetime.\textsuperscript{37} The Church of Scotland initially welcomed the increase in marriages caused by the war, but was later forced to concede that ‘a certain portion who, marrying in haste, would live to repent in leisure.’\textsuperscript{38}

\textbf{First World War Veterans and Domestic Violence}

A survey of interwar Scottish newspapers would suggest that many ex-servicemen did indeed struggle to readjust to family life. Domestic abuse during this period tended to revolve around the issues of alcohol abuse, poverty and unemployment, and, as evidenced by the prison commissioners’ interviews, ex-servicemen were more susceptible to these same problems. The social and economic conditions of the 1920s and 1930s, which were in part caused by the war, also exacerbated these same problems. In a typical case in 1919, Thomas Welsh was accused of assaulting and threatening his wife following an evening of heavy drinking. Having withdrawn his unemployment benefit, he had been out of work since being demobilised four months earlier, he failed to return home. His wife later found him inebriated in a public house having spent most of the money. Welsh gave his wife £1 so as she could buy food for their children, but spent the remainder of the money on drink. When Welsh returned home later that evening ‘much the worse for liquor’ he became belligerent and his wife and children had to leave their home, with Welsh threatening to ‘kick her head off’ if his wife returned. When in

\begin{footnotesize}
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\item \textsuperscript{36} E.E. Southard, \textit{Shell-shock and other neuropsychiatric problems presented in five hundred and eighty-nine case histories from the War literature, 1914-1918} (Boston: W.M. Leonard, 1919), 14, 122, 123, 170, 172, 177, 261.
\item \textsuperscript{37} Mallet, ‘Vital Statistics as Affected by the War’, 4.
\item \textsuperscript{38} “Scottish Church Congress”, \textit{Scotsman}, 28 March 1917.
\end{itemize}
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court Welsh claimed that he had been invalided in France, but was nonetheless given the option of a fine of 40 shillings or 20 days imprisonment.\(^{39}\)

When ex-soldier John Gagan was accused of assaulting his wife and brother-in-law in 1920 it was revealed that he had had only lived with his wife for two weeks, despite having been demobilised for four months. During this time Gagan had failed to find work and was living on 29 shillings a week in unemployment benefit. After his home was broken up Gagan attempted to reconcile with his wife at her mother’s address but was rebuffed. Gagan, who was ‘much the worse for liquor’ then proceeded to kick his wife and knocked her brother unconscious when he attempted to intervene. When brought before the court, Gagan wore six wound stripes and claimed that he had served at the front and had been a POW; he also stated that he intended to re-join the army. Despite this Gagan was given the option of a fine of 40 shillings or 20 days imprisonment.\(^{40}\) Yet this was not an isolated incident. The previous year James Adams had been sentenced to 20 days imprisonment for striking his wife with a leather belt, again the defendant had been unemployed since being demobilised and had committed the offence while drunk.\(^{41}\)

Unemployment and poverty seem to have been a staple of court cases concerning abusive ex-servicemen, with wives who supported their husbands financially being at particular risk of violence. Tomes has argued that although domestic violence declined in middle-class households during the mid to late 19th century, this was not the case amongst the working-classes. Working-class women still endured domestic violence due to fact that were more likely to be employed, and therefore were more independent, creating higher levels of family conflict.\(^{42}\) Given that female employment had increased during the war women may have been


\(^{40}\) “Dundee Ex-Soldier with Six Wound Stripes”, *Evening Telegraph*, 20 June 1920.

\(^{41}\) “Struck his Wife with Leather Belt”, *Evening Telegraph*, 10 November 1919.

at greater risk. It will be remembered that in the prison commissioners’ sample 40 per cent of the veterans had been unemployed, compared to 32 per cent of non-serving prisoners. Patrick Roberts explained to a court in 1919 that ‘I have never been right since being demobilised.’ Roberts had assaulted his wife while drunk, having demanded beef but been told by his wife that she would need money to purchase said food. The presiding Bailie felt that the assault was serious enough to warrant a 20 day prison sentence with no option of paying a fine.43

Thomas Hughes had recently re-enlisted in the army and was due to be sent to France when he assaulted his wife in 1919. Hughes had been demobilised earlier in the year but had failed to find work and was living on state benefits before re-enlisting. While on leave Hughes had asked to meet his wife in a public house, and although she refused he went himself and returned with several bottles of beer. Hughes then assaulted his wife in an unprovoked attack and demanded ten shillings, which he was given, before assaulting his wife again. Although Hughes was due to leave for France later that week he was sentenced to 15 days imprisonment or a fine of 30 shillings.44 Domestic abuse aside, it is interesting that many men chose to re-enlist so soon after being demobilised. One can only infer their reasons for doing so, with post-war economic conditions no doubt being a factor, but might it also be the case that some ex-servicemen wanted to escape their unhappy home lives?

Alcohol was, inevitably, a contributing factor in many wife assaults committed by ex-servicemen. Even before the war had ended several commentators had warned about the susceptibilities of soldiers to drinking. At one public meeting at Kirkcaldy in January 1918 the Rev. Dr Norman McLean demanded nothing short of full prohibition for the remainder of the war and during the demobilisation process. McLean argued that while abroad young soldiers had been outwith the moderating influence of their mothers, yet the government had saw fit to

43 “Never Right Since Demobilisation”, Evening Telegraph, 18 June 1919.
44 “Was Going To Do Her”, Evening Telegraph, 16 June 1919.
send ‘a million gallons of liquor’ to the armies in France. It was no surprise then that so many soldiers had taken up the drinking habit. In 1919, Michael Donnachie was accused of having threatened his wife with a razor and striking her on the face. Despite being in receipt of £2 12s. week in the form of a government allowance, Donnachie had pawned everything in the couple’s home to feed his drinking and gambling addictions. Due to having admitted to previous convictions Donnachie was sentenced to 60 days imprisonment. Hughes has argued, with respect to interwar Clydeside, that alcohol and domestic violence formed a symbiotic relationship. Men asserted their control of the household economy via alcohol consumption and gambling, and protected this privilege with the threat of domestic violence. Drunkenness was subsequently used as an excuse for abusive behaviour.

Indeed, some men seem to have fallen into domestic discord almost immediately after their return. Having arrived at his Stirling home on Saturday 21 December 1918, Henry Alridge assaulted his wife and child on Tuesday and was in court on Thursday. On the day that the offence took place Alridge had bought a bottle of rum that he and his wife consumed prior to the assault taking place. Alridge claimed that he had been provoked by his wife’s constant ‘nagging’, while she countered that had she known that he was returning on Saturday she would have left the family home. The presiding judge stated that because Alridge had been serving his country he would receive the lenient sentence of 15 days imprisonment. The following year John McClusky was accused of having hit his wife with a chair, smashing two window panes and having thrown items of clothing in the fire. McClusky was in receipt of a disablement pension of £3 5s. a week, half of which he reportedly spent on alcohol. The presiding Bailie sentenced McClusky to 14 days imprisonment with the parting remark that he ‘hoped when he

45 “Demand for Prohibition”, Fifeshire Advertiser, 19 January 1918.
46 “New Stevenson Notes”, Motherwell Times, 4 July 1919.
47 Hughes, ‘Working Class Culture’, 77-78.
came out he would take the pledge.’ Yet the problem of drunken ex-servicemen assaulting their wives continued even after the ‘crimes waves’ that followed demobilisation. When James Glennie Thompson was accused of grabbing his wife by the throat at Montrose Police Court in 1924 the prosecutor remarked that the defendant was ‘like many more ex-soldiers to be addicted to the drinking habit.’ Thompson was subsequently given the lenient sentence of a fine of £1 or seven days imprisonment. The Prison Commissioners’ observation that ex-servicemen were more prone to crimes relating to alcohol consumption, was clearly evident in contemporary domestic abuse cases as well.

Alcohol was not, however, the only factor in domestic quarrels. John Dunlop was ‘quite sober’ when he hit his wife over the head with an enamelled basin in November 1919. Like many veterans, it would seem, he had been unemployed since being demobilised in August. By his own account Dunlop had returned home to find his wife the ‘worse of drink’, and in the process of removing items of furniture from their home so as to sell them. Dunlop claimed to have then removed his wife from their home after a bucket of water was thrown over him. The presiding judge stated he had no sympathy for wife beaters and sentenced Dunlop to 21 days imprisonment. Indeed, attempts by wives to leave their abusive husbands often ended in violence. In 1920, John Dewar was sentenced to ten days imprisonment for giving his wife two blows to the left side of the head. Dewar was unemployed and his home and been broken up on several occasions, resulting in his wife having to take up work and move in with her mother. The assault occurred when Dewar arrived at his mother-in-law’s home asking for his wedding certificate, which he was refused.

50 “Montrose Man Fined for Wife Assault”, Evening Telegraph, 11 November 1924.
51 “No Sympathy with Wife-Beaters”, Motherwell Times, 7 November 1919.
In a more serious incident, Angus Drysdale was convicted of having assaulted his wife by cutting her on the face, head and hand with a razor. Drysdale was estranged from his wife and was said to be affected by alcoholism. When the incident occurred he had attempted to reconcile with his wife but had been rebuffed. It was revealed during the trial that Drysdale had been trying to endear himself to his wife for several months but had been unsuccessful. Drysdale was sentenced to 20 months in prison but avoided being sent to the High Court, where he may have been given a longer sentence in a convict prison. The presiding judge seems to have granted this mercy on the grounds that Drysdale had been awarded the Military Medal at the Somme. The fact that Drysdale had been seriously wounded by shrapnel in the line of duty may also have worked in his favour. Oddly it was reported that Drysdale’s wife was more ‘disposed’ towards him after the assault took place, and had even visited him in prison.\(^5^3\)

Although most domestic abuse cases involving ex-servicemen concerned army veterans, men from other branches of the service proved just as susceptible to familial discord. Domestic abuse cases involving former seamen appear to have been especially violent. In one particularly brutal incident in 1919, Andrew Cruickshank of Gallowgate, a former minesweeper, repeatedly slashed his wife on the face, arm and thumb with a razor. Cruickshank, who was ‘under the influence of drink’, had quarrelled with his wife over the preparation of dinner when he attacked her with the razor. Fortunately a neighbour had managed to intervene and separated Cruickshank from his wife. At trial Cruickshank was sentenced to eight months in prison for the assault.\(^5^4\) Andrew Noble, another former minesweeper, appeared before Aberdeen Police Court in 1921 having been accused of striking his wife several times on the face and body. Although a fisherman Noble rarely went to sea as ‘on account of his habits, he lost several jobs’, but his lack of employment did not stop him

\(^{53}\) “War Hero’s Lapse”, *Falkirk Herald*, 19 July 1919.
\(^{54}\) “Discharged Seaman Assults His Wife”, *Scotsman*, 2 June 1919.
keeping another woman as well as his wife. Due to the brutality of the assault, and the ‘delicate’ condition of the victim, Noble was sentenced to 15 days imprisonment without the option of a fine.\footnote{55} It is interesting that Henry Alridge was told in Stirling in 1918 that he was being dealt with ‘leniently’ when he received the same punishment, suggesting that there was no uniform judicial response to wife assault. In 1920, Thomas Goodwin brazenly attacked his wife with a razor on a Dundee street in front of several witnesses. Goodwin had recently been demobilised from the navy and had carried out the attack following an argument. It was reported that after the incident took place Goodwin ‘comported himself in a cool fashion.’\footnote{56}

The presence of seamen amongst the many domestic abuse cases involving ex-servicemen seems to suggest that there is more to the phenomenon than these men had simply been ‘brutalised’ by life in the trenches. It is unlikely that seamen would have committed acts of violence against the enemy, at least not directly with their own hands. Emsley notes that due to the long absences from home that came with naval service, violent domestic quarrels over real or imagined infidelities were common amongst Royal Navy personnel even in peacetime.\footnote{57} Indeed, the married lives of sailors had a reputation of being unusually discordant even before the war. In 1912, the Royal Commission on Divorce and Matrimonial Causes heard a great deal of evidence on the subject. One solicitor gave evidence that it was common for the wives of sailors to cohabit with other men while their husbands were at sea. Although he emphasised that sailor’s wives were no less immoral than other women, he did state that they had ‘a very frequent opportunity in the absence of their husbands of straying from the right path.’\footnote{58}

\footnote{55}“Wife Brutally Assaulted”, 
\textit{Aberdeen Daily Journal}, 7 December 1921.

\footnote{56}“Scene in Dundee Street”, 
\textit{Courier}, 26 October 1920.

\footnote{57}Emsley, 
\textit{Soldier, Sailor, Beggarmen, Thief}, 141.

This corresponds to Klein’s argument, with regards to Liverpool in the early 20th century, that when husbands were overseas working-class communities considered it normal for wives to cohabit with other men.59 Similar claims were made by the Chief Constable of Plymouth, although he did concede that ‘Jacks Tars - are generally very forgiving.’ Yet there appears to have been a double standard here. Another solicitor gave his opinion that women should not be granted a divorce on the grounds of infidelity. He explained that a man who committed adultery while overseas did his wife no real harm as long as she never learned of it.60 Regardless of prevalence it seems likely that such arrangements could only lead to more quarrelsome marriages; long periods of absence from the home no doubt led to an increased incidence of domestic violence amongst ex-servicemen.

Although the period immediately after demobilisation seems to have been the most turbulent, some veterans’ abusive behaviour towards their families continued long after they had been demobilised. In 1937, Michael Tansey, described stereotypically as a ‘quick tempered’ Irishman by the Scotsman, was sentenced to five years penal servitude for having assaulted his wife to the danger of her life. Tansey had served in the Cameron Highlanders during the war and was estranged from his wife. On the day of the assault Tansey visited his wife’s home to see one of his children, but according to his own account was seized by jealousy and fractured his wife’s skull with a hatchet. Before leaving, Tansey broke into the gas meter and stole 4s. 11d. for which he was also charged. Although the presiding judge Lord MacKay believed that the assault was premeditated and not a result of jealousy, Tansey was not charged with a more serious offence of attempted murder as his wife had since recovered.61 In a bizarre incident reported in the Daily Record just prior to the Second World War, Robert McPhail

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admitted to assaulting his wife by throwing a cat in her face and hitting her with a towel. McPhail admitted that he had consumed 12 pints and several ‘halves’, an excessive amount for a man on a soldier’s pension according to the presiding bailie. McPhail elaborated that ‘he required to take drink as he had melancholy attacks as a result of his war experiences.’ Sentence was deferred for six months with Bailie T.A. Kerr remarking that ‘You indulge in what psychologists call a flight from reality – and you took a particularly big flight.’

Joseph Cullen, or Traynor, had a long criminal history which pre-dated the war and only ended in 1947 a few years before his death. His first conviction relating to domestic violence occurred in 1920 when he compressed his wife’s throat following an argument, for which he was fined 30s. During the court case it was revealed that his wife had racked up a debt of £20 during his war service, while he had recently begun corresponding with a woman in England. Yet Cullen had been in trouble before the war having been charged with assault, this time on another man rather than his wife, in 1912. Cullen was again convicted of assaulting his wife in 1944, and was sentenced to seven days’ imprisonment or a fine of 20 shillings. In 1947 Cullen was again before a court, this time he was convicted of stealing coal from his workplace, for which he was sentenced to ten days’ imprisonment or a £1 fine. When Cullen died in 1951 his long-suffering wife still paid for an obituary under the name Traynor, describing the deceased as ‘the beloved husband of Catherine Hussy.’ Cullen’s case represents the fallacy of automatically attributing an ex-serviceman’s criminal behaviour to his war service while ignoring the rest of his life course. Some men clearly would have behaved

62 “12 Pints: Threw Cat at His Wife”, Daily Record and Mail, 3 August 1939.
63 “Bonnybridge Assault Charge”, Falkirk Herald, 3 January 1920.
64 “Another Bonnybridge Case”, Falkirk Herald, 17 July 1912.
65 “Wife Assault”, Falkirk Herald, 15 November 1944.
abusively regardless of the war, and if anything their time in the forces gave their families a much needed respite.

**Divorce**

Although divorces rose during the interwar period, they were still relatively uncommon, and therefore were considered newsworthy. Several newspapers ran stories involving veterans and their wives that revealed cases of physical abuse, alcoholism and neglect. In some cases it would even appear that previously harmonious marriages had been irreparably damaged by the war. When Marion O’Connor née Black brought a divorce action against her husband Thomas O’Connor in 1923 she claimed that following his demobilisation from the army he had taken to drink and was often abusive. Amongst the many accusations against O’Connor it was stated that he had held his wife by the neck and threatened to cut her throat with a razor. O’Connor had been sentenced to six months’ probation for this offence, but was later sentenced to 30 days’ imprisonment for breaching probation by consuming alcohol. Sheriff Robertson agreed that O’Connor was abusive and granted a separation as well as an aliment to the pursuer and her child.68 At another divorce case in 1920 Eleanor Sutherland stated that her husband Stephen Smith had treated her abusively after being demobilised the previous year. The union had been a war marriage having taken place in 1915 while Smith was in the army. Smith served in France and Salonica and although he managed to find work after the war he had taken to drink. It was stated by his wife that he had contracted malaria during his service and was ‘treating himself’, a common euphemism for malaria sufferers who eased their symptoms with alcohol. A decree of divorce was granted to the unhappy couple.69

For many contemporary observers, the intemperance and domestic violence displayed in these divorce cases would have seemed deplorable, albeit fairly typical, working-class

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68 “Separation Case”, Falkirk Herald, 17 November 1923.
behaviour. Yet veterans from the more respectable classes were also susceptible to family breakdown and scandalous divorce cases. Daniel Jolly had served three years in the Scots Guards during the war rising to the rank of sergeant in that time. After the war Jolly was earning £3 7s. 4½d. a week with his firm, and earned an additional £30 per annum as a choirmaster and organist at the United Free Church in Perth. In 1923, Jolly’s wife pursued an action for divorce and alment, even going so far as to show the court bruises on her face supposedly caused by Jolly. On one occasion Jolly had hit her repeatedly with the strop of his razor for not taking the milk in.70 Although the court initially ruled in Jolly’s favour, later evidence that proved the accusations of cruelty resulted in his wife being awarded a separation with alment and gave her custody of their child.71 In the case of Jolly at least poverty cannot be said to have been the cause of his poor treatment towards his wife, although it is interesting that he was never imprisoned for these assaults.

Even former officers, men who were supposed to be of the gentlemanly classes, were not immune to domestic discord. In 1920, Joseph Park, a former lieutenant in the Royal Field Artillery, was brought before Aberdeen Sheriff Court charged with having failed to maintain his wife and their four children. Park had served in the Boer War as well as the First World War but had difficulty obtaining steady employment after demobilisation. Park had then abandoned his wife and taken up with another woman in London, where he was subsequently arrested. Park’s advocate, who was also his former commanding officer, cast his client as one of the war’s many destitute ‘temporary gentlemen.’ It was argued that ‘Many men were much worse off as officers than as non-commissioned officers by having to live up to the standard to which they had not been formerly accustomed.’ The sheriff seems to have been convinced by this argument and Park was let off with a fine of £20 to be paid within three months.72

71 “Tables Turned in Perth Action”, Courier, 4 March 1924.
Gilbert Hunter had enjoyed a varied and successful military career. When he married in 1915 he was a trooper in the Scots Greys, yet when his son was born the following year he was a lance-corporal in the Black Watch, and by December 1916 a sergeant.\(^{73}\) By the end of the war Hunter was a second-lieutenant in the Northumberland Fusiliers and had been awarded the Military Cross.\(^{74}\) Yet Hunter’s meteoric rise through the ranks was marred by a troubled home life. In 1918, Hunter placed an advert in the *Hawick News* stating that he would not pay any debts accumulated by his wife.\(^{75}\) By February 1920 matters had escalated and Hunter, who was still in the army, was sentenced to 20 days in prison for having assaulted his wife and mother-in-law while on leave. Hunter who had been drinking was alleged to have hit his wife and mother-in-law in the face, and had made threatening statements having removed bullets from his pockets.\(^{76}\) By May the couple were divorced, with Hunter losing custody of his three children and being ordered to pay 30 shillings a week alimony.\(^{77}\) In 1921 Hunter was convicted of being drunk and disorderly while living in Galashiels and working in a mill. Hunter claimed that he had been taunted about his family affairs, nonetheless he was given a fine of 15 shillings or ten days imprisonment.\(^{78}\) The presence of former officers amongst the many wife assault cases discussed here, suggests that the relationship between ex-servicemen and domestic abuse was caused by an individual effect specific to veterans. It cannot be said that these cases were simply aggravated by unemployment and wider economic conditions, when the accused were in work and relatively affluent. Clearly the war had damaged these marriages, in some cases beyond repair.

\(^{76}\) “Army Officer Sent to Prison”, *Hawick News*, 6 February 1920.
\(^{77}\) “Sheriff Baillie’s Decision in the Separation Case”, *Hawick News*, 21 May 1920.
\(^{78}\) “Drunk and Disorderly”, *Southern Reporter*, 10 March 1921.
Yet some marriages were unhappy even before the war, and it is quite possible that the war merely delayed rather than caused some cases of separation. In 1926, Marion Richardson stated that her marriage to James Todd had been unhappy since they wed in 1905. In fact the couple had been separated for eight years and only resumed cohabitation for a short period prior to Todd’s enlistment in 1914. Todd’s behaviour did not improve after his demobilisation and he was convicted on several occasions of assaulting his wife. A divorce was granted with the presiding sheriff noting that despite a marriage of almost three decades the couple had spent very little time living together. 79 In 1921, Lillie Wood told a court that despite having six children with her husband, John Heggie, the marriage had never been a happy one, and that even when sober her husband was violent towards her. Heggie became worse after his demobilisation in 1918, frequently threatening his wife with a razor and even sleeping with the offending item under his pillow. 80 Although there had been a history of discord in the cases of Heggie and Todd, there appears to have been a clear escalation in abusive behaviour after the war.

It should be considered that in some rare incidents it was actually the veterans themselves who were assaulted by their wives, with disabled men proving particularly vulnerable. In 1923, George Foy pursued a divorce action against his wife Elizabeth Rettie with whom he had two children. Foy had enlisted in 1915 and had been seriously wounded during the course of the war, having been injured in the right eye, losing his hearing in the right ear, being disabled in one arm and losing his right leg. Foy claimed that while staying with his in-laws he had been struck in the face four times, knocked over and forcibly pushed out of bed by his wife and her mother. It was also alleged that during one period of estrangement his wife had been living with a fisherman, who was himself married. 81 Foy was eventually granted a

80 “Girl’s Denial in Perth Court”, Evening Telegraph, 17 January 1921.
divorce the following year. Although Foy’s particular case may illustrate that veterans could themselves be victims, it does nothing to detract from the impression that the war had proved detrimental to family life. Foy’s helplessness as a result of his war wounds, changed the gender dynamics of his marriage, and created the unusual conditions where his wife could act as the aggressor. Unemployment and alcohol abuse were the main factors in the above court cases, and it should be remembered that the prison commissioners’ interviews revealed that ex-servicemen susceptible to these same problems. Yet there were other cases where veterans were accused of domestic abuse, but unemployment and alcohol were not factors. Although Edward Nelson admitted that he had been drunk when he assaulted his wife in 1917, it was also revealed during the course of the trial that he had been released from the army for mine work and was ‘making a lot of money.’ It is clear then that not all incidents involving ex-servicemen who committed domestic abuse can simply be dismissed as resulting from drink or unemployment. Clearly some men struggled to return to the domestic fold after such a long absence from their families.

### Violence towards other Family Members

Some ex-servicemen did not limit their abusive behaviour to their wives, but also directed their violence towards their children and even themselves. When Archibald Clephane returned home in 1919 he was dismayed to find that his wife had taken in a lodger. During the ensuing argument Clephane assaulted his son, resulting in him being fined. This was not the end of the incident, and Clephane later attempted suicide by consuming oxalic acid, only to be saved by the quick action of his wife. The court proved unsympathetic and Clephane was sentenced to seven days or a fine of 10s. for trying to poison himself and breach of the peace.

82 “Perth Divorce Case”, Evening Telegraph, 18 June 1924.
83 “Soldier-Civilian Assaults his Wife”, Fifeshire Advertiser, 10 March 1917.
One can only speculate why Clephane acted so dramatically over the presence of a lodger; perhaps another man in the house threatened his own position as head of the household, or the lodger may have been his wife’s lover. Davidoff has argued that during the 19th and early 20th centuries the role of landlady often developed into that of a common-law wife, with conjugal rights included.  

In 1919 Arthur Young was tried in Dundee for having assaulted his six week old daughter. During the trial it was revealed that Young was a habitual abuser having attempted to stab his wife, threatening to kill her and had been fined on at least one occasion for assaulting her. Young asked the court that he be sentenced to ‘a good flogging in order to make me a better man.’ The presiding Bailie felt that a sentence of 60 days imprisonment would be a more suitable punishment. It was not unheard of for parents to suffer at the hands of their veteran sons as well. In 1921, James Finnigan was sentenced to 60 days imprisonment for stabbing his own mother. On the night in question the unemployed ex-soldier had arrived home drunk when an argument ensued. Finnigan’s mother attempted to stop him taking a piece of bread from a cupboard stating that ‘If you are not going to work you are not going to eat.’ It was during the struggle that Finnigan stabbed his mother, causing a wound that required two stitches. Again ex-servicemen themselves could also be the victims of family violence of this sort. John Cockburn was sentenced to 20 days imprisonment or a fine of 40 shillings for assaulting his stepson. The victim, who was accused by Cockburn of puncturing the tyres of his bike, had served during the war and lost both eyes in 1917. The presiding Bailie remarked that it was

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86 “Dundee Ex-Soldier Asks for Good Flogging”, Evening Telegraph, 23 September 1919.
87 “Young Man Stabs His Mother”, Courier, 15 September 1921.
with great difficulty that he imposed the option of a fine, as in his opinion the accused deserved to go to prison.\(^88\)

**Family Desertion**

Family violence aside, some men simply never returned to their families even after the war ended. Although a civil issue under Scots Law, men who failed to support their wives, children, and even parents, could be imprisoned by a court. As already demonstrated in a previous chapter the number of men imprisoned for failing to support their wives rose dramatically after the war. It would appear that ex-servicemen were at least partially responsible for the rise in imprisonments of this type. During one trial for wife desertion at Glasgow Sheriff Court in 1919, it was stated on behalf of the Parish Council that 50 similar charges were made against ex-servicemen every month. The defendant in this particular case was Robert Thomson, who had deserted from the army twice, and appeared in court in naval uniform. Thomson had enlisted as a single man so as to avoid his pay being given to his wife, most likely because he was cohabiting with a soldier’s wife in Leith. The presiding Sheriff remarked that ‘the public had quite enough to do with their money at present without keeping other men’s wives and families.’ Thompson was subsequently sentenced to three months imprisonment with hard labour.\(^89\) Falsely enlisting as a single man was such a problem that the King’s Regulations were changed in 1919 so that soldiers who made false attestations and wife deserters could be discharged. The new provision also allowed deserted wives to apply for a portion of their husband’s pay while he remained in the service.\(^90\)

At Dundee in 1919 David Grant, a former soldier of no fixed abode, was accused of abandoning his wife and two children. Grant had three children by another woman while his

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\(^{88}\) “Dundee Father’s Assault”, *Evening Telegraph*, 29 May 1919.

\(^{89}\) “Service Men and their Wives”, *Scotsman*, 4 July 1919.

\(^{90}\) “The Army and Wife Deserters”, *Courier*, 17 November 1919.
regiment was based in Winchester and intended to emigrate to America after the war. In his
defence Grant stated that his wife had pawned his suits while he was on service and that she
had been unfaithful. The Sheriff was unconvinced and passed a sentence of 21 days
imprisonment on Grant.\textsuperscript{91} Although Robert Forrester had supported his wife and five children
during his war service, when he re-enlisted in the Military Police in 1920 he did so as a single
man. Forrester was about to be sent overseas when it became known that he was married and
he was conveyed to Edinburgh. Forrester claimed that he had lived away from his wife after
the war as she was cohabiting with another man, perhaps for this reason the presiding Sheriff
let Forrester off with a warning.\textsuperscript{92} Walter Grant, a labourer and professional footballer with
Aberdeen FC, was less fortunate when he deserted his wife and daughter in 1921. Grant had
married in 1917 while on leave from the army, yet only served a few months in France before
being gassed and sent to a hospital in Blackburn. While in England, Grant posed as a single
man and began seeing another woman, only to be discovered by his wife. Grant was described
as being ‘given to drink’ and often threatening towards his wife, yet she had been convinced
not to begin divorce proceedings on the assurance of better behaviour. Grant did not adhere to
his promise after being bought out of the service by Aberdeen FC, and his wife began
proceedings. Grant was sentenced to three months imprisonment, although he was allowed to
serve his time before the football season began.\textsuperscript{93}

\textbf{Spousal Homicide}

General Sir Nevil Macready, Chief Commissioner of the Metropolitan Police and a
former Gordon Highlander, commented in 1919 that previously when a man quarrelled with
his wife he might ‘just clip her under the ear’ but ‘after four years of life taking, he would hit

\textsuperscript{91} “Dundee Wife Desertor”, \textit{Evening Telegraph}, 27 August 1919.
\textsuperscript{92} “Ex-Soldier and Alleged Family Neglect”, \textit{Fife Free Press}, 18 June 1921.
\textsuperscript{93} “In the Courts”, \textit{Aberdeen Press and Journal}, 5 July 1921.
her over the head with an iron bar.\textsuperscript{94} Although Macready was undoubtedly alarmist, men had killed their wives before the war after all, his warning proved to be nonetheless prophetic. In 1920, Charles Johnstone was accused at Dumfries Sheriff Court of attempting to murder his wife, having stabbed her in the arm with a German dagger that he had brought home as a souvenir while serving in the KOSB.\textsuperscript{95} In 1922, it was reported that James Cochrane had committed suicide at Prestonpans by cutting his throat, but not before striking his wife over the head with a poker as she slept. Although his wife survived the attack, the incident was witnessed by the couple’s young children. It is unknown why Cochrane acted as he did, but it was claimed that he had a difficult war, having been wounded and captured at Mons, and later contracting tuberculosis while in a German POW camp.\textsuperscript{96} A similar case had in fact occurred in 1917 when William McIntosh, of the Argyll and Sutherland Highlanders had killed himself and his wife whilst on leave.\textsuperscript{97} In 1922 John Willison, described only as an ‘ex-soldier’, attempted to cut his wife’s throat at their home in Parkhead. Willison pleaded guilty to assault, rather than attempted murder, which was accepted by the court and he was sentenced to 18 months’ imprisonment.\textsuperscript{98} Yet some ex-servicemen’s wives were sadly less fortunate.

**John McManus, 1919**

Amongst the many acts of violence against wives committed by First World War veterans in Scotland, there were at least six incidents where a husband killed his wife, two of which occurred during the war itself.\textsuperscript{99} Three of the post-war cases will be discussed here, while the fourth, that of William McInally, will be discussed in a later chapter. The first such case occurred in 1919 when one John McManus was accused of having murdered his wife, Jane, of

\textsuperscript{94} “Effect of War on Crime”, Scotsman, 5 May 1919.
\textsuperscript{95} “Ex-Soldier and German Dagger”, Edinburgh Evening News, 12 April 1920.
\textsuperscript{96} “Tragedy in Ex-Soldier’s Home”, Linlithgowshire Gazette, 28 July 1922.
\textsuperscript{97} “Scottish Soldier and His Wife”, Courier, 27 March 1917.
\textsuperscript{98} “Glasgow High Court”, Scotsman, 10 August 1922.
16 years in Dundee. McManus had a good service record having been called up from the militia in 1914 and serving for the duration of the war, earning six medals, two with clasps, as well as three wound stripes. A former commanding officer stated that he had been gassed in France and ‘was a good soldier and did good service.’

Although McManus may have had a good war record he seems to have been ill-suited for anything other than soldiering. He did not take to civilian life and re-enlisted within a few months of being demobilised in 1919, this time serving in Russia during the Allied Intervention. His sister-in-law stated that although nominally a labourer she could not recall McManus ever being in work for more than a week. He was also a petty offender having been before a court at least five times before the war. McManus was convicted twice in 1909 for assaulting another man and for theft and assault, with the latter charge resulting in a ten day prison sentence. In 1912, McManus was sentenced to 40 days for assaulting his wife and resisting police. The following year he was sentenced to 30 days for breach of the peace, assaulting two women and malicious mischief. In fact, McManus was in prison again when war broke out in 1914 for assaulting his wife. It was claimed during his trial that McManus had around 15 or 16 convictions to his name.

For good reason then Jane McManus was apprehensive about her husband’s imminent return from Russia in 1919. Whilst still abroad she wrote him a letter saying that she would not take up house with him again. After all, when he had been demobilised the first time earlier that year the McManuses had pawned all their furniture for drink before parting ways. Jane

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100 “Ten Years’ Penal Servitude”, Courier, 18 November 1919.
102 “Ten Years’ Penal Servitude”, Courier, 18 November 1919.
103 Ibid.
104 Statement given by Helen Stewart, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.
105 Charge Sheet Relating to John McManus, 1914, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.
106 Statement given by Helen Stewart, AD15/19/120, National Archives of Scotland.
107 “Ten Years’ Penal Servitude”, Courier, 18 November 1919.
McManus’ sister would later claim that during the war her sister received a separation allowance, as well as £3 a week from her husband, and even managed to keep a house in Perth. Yet when McManus returned to Dundee in September 1919 his wife had no home for him. With nowhere to go the couple spent a week living with various acquaintances and drinking heavily. On the Monday morning of 29 September the McManuses made the fateful decision to move in with the Johnstone family at Ryehill Lane, Dundee. The McManuses found themselves sleeping on a mattress in the Johnstone’s two-roomed ground floor flat, which they also shared with their seven children. McManus was dismayed at this situation remarking to his wife that she ‘ought to have had a house for him when he came home.’ Once again the McManuses indulged in heavy drinking, with one of the Johnstone daughters claiming that they were ‘more or less drunk all the time they were with us.’

On the day of the tragedy the McManuses resumed drinking this time in the company of the Johnstones. At around 12:30 pm the two women left their husbands in the public house that they were all drinking in as Jane McManus was ‘stupid with drink.’ Due to her inebriated condition she had to be put to bed in the back room where the family usually slept. At around 1 pm McManus returned in a similar condition and had to be put to bed next to his wife. Mrs Johnstone then went shopping leaving her ten and twelve year old daughters in the house who were home from school for their lunch break. The elder daughter claimed that she heard a bump on the floor and upon investigation found Jane McManus on the floor breathing heavily. Shortly afterwards more thuds were heard to the point that the floor of the kitchen shook. McManus was also heard to make the remark ‘you bastard.’ By looking through the keyhole

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108 Statement given by Helen Stewart, AD15/19/120, National Archives of Scotland.
109 Statement given by Mary Ann Fisher or Reid, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.
110 Statement given by Mary Ann Johnstone, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.
111 Statement given by Rose Ann Johnstone, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.
112 Statement given by Mary Ann Johnstone, AD15/19/120, National Archives of Scotland.
the elder Johnstone daughter observed McManus holding his wife by the shoulders and repeatedly hitting her head off the floor. It would appear that Jane McManus was too inebriated to cry out or offer any resistance.\footnote{Statement given by Rose Ann Johnstone, AD15/19/120, National Archives of Scotland.}

Later that afternoon two of the Johnstone’s elder daughters returned from work and having heard what had happened from their sister they bathed Jane McManus’ wounds and put a pillow under her head.\footnote{Ibid.} After they had left Mr Johnstone returned home in such a state of drunkenness that he could later recall very little of the events that took place.\footnote{Statement given by Charles Johnstone, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.} When Mrs Johnstone finally returned home she found McManus holding his wife’s hand and crying. After putting Jane McManus to bed, it was presumed that she was still alive at this point, Mrs Johnstone claimed to have scolded the accused for assaulting his wife to which he responded ‘I am a brute and should not have done it.’\footnote{Statement given by Mary Ann Johnstone, AD15/19/120 National Archives of Scotland.} At around six o’clock the Johnstone’s married daughter and another woman visited the house and found Jane McManus dead, with the later post-mortem suggesting that she had died from a cerebral haemorrhage.\footnote{Statement given by Catherine Johnstone or Hancock, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland; “Ten Years’ Penal Servitude”, Courier, 18 November 1919.} By this time McManus was out drinking again with Mr Johnstone.\footnote{Statement given by Charles Johnston, AD15/19/120, National Archives of Scotland.} When the police arrived McManus had returned but seemed to show little awareness of what was going on. One inspector claimed that McManus at first pretended to be asleep in a chair, and upon his arrest made the remark ‘Don’t be too hard on me. Put me in for a simple drunk.’ When McManus finally came to his senses and was told that he was being arrested for his wife’s murder he stated simply ‘I am innocent.’\footnote{Statement given by Inspector Thomas Mitchell, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland; “Ten Years’ Penal Servitude”, Courier, 18 November 1919.}
During the subsequent murder trial the presiding judge, Lord Blackburn, remarked ‘It is a sad sight for me to see a man with the accused’s record, with medals on his breast and stripes on his arm, standing there charged with this offence.’ Although found guilty McManus received the lesser charge of culpable homicide and received the fairly lenient sentence of ten years. Lord Blackburn even indicated that he would have been even more merciful if it was not for McManus’ prior convictions. Yet McManus’ status as a decorated veteran was not the only thing that worked in his favour. Throughout the trial the character of Jane McManus was repeatedly attacked by the defence. A woman with whom Jane McManus had lodged with during the war claimed that she ‘never worked but drank all the time.’ The same witness also claimed that the deceased was in the habit of ‘being in the company of men.’ The owner of an eating house frequented by the McManuses claimed that while she was ‘frequently under the influence of drink’ her husband ‘always behaved himself and appeared to me to be a particularly quiet inoffensive fellow who never had an ill word to say to any person.’ Despite their turbulent relationship, one commonality between the McManuses was their frequent brushes with the law. Superintendent Hugh Gunn stated that Jane McManus had been charged with breach of the peace once in 1904, twice in 1905 and then again in 1909. In 1912, she was charged, but not proceeded against for assault upon the police and in 1914 for assault upon a woman and child. Her final charge was for being drunk in 1919 for which she received three months’ probation.

Even medical experts were quick to cast Jane McManus as a hopeless drunkard. For the defence Dr Buchannan described many of the deceased’s cuts and bruises as superficial. It

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120 “Ten Years’ Penal Servitude”, *Courier*, 18 November 1919.
121 Statement given by Mrs Georgine Low or Fitzpatrick, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.
122 Statement given by Mrs Catherine Butter or Hendry, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.
123 Statement given by Superintendent Hugh Gunn, Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.
was also claimed that she had an ‘exceptionally’ thin skull, which notably had not fractured, suggesting that the blows to the head were not so severe as previously thought. Buchannan also noted that the deceased suffered from fatty degeneration of the heart, muscle and liver, ‘which was surprising in someone so young’; it was in his medical opinion then that Jane McManus was an alcoholic. Questioning the victim’s suitability as a wife was a standard tactic in such trials. This was particularly true of cases involving war veterans, as there was an expectation that the wife of a soldier should to do her own bit and provide a suitable home for the returned warrior. As already stated Conley has shown that during the late 19th century Scottish Courts began to accept the improper behaviour of wives as a mitigating factor for domestic homicide. By the time of the McManus trial then, this particular definition of provocation was well established in Scots Law. By placing Jane McManus’ behaviour outwith that expected of a soldier’s wife his defence managed to attain a relatively lenient sentence.

**Nicholas Campbell, 1920**

The following year another ex-serviceman, Nicholas Campbell, was accused of having killed his wife Margaret at their Edinburgh home. Campbell had enlisted on the outbreak of war and had served with the Royal Scots in France and Gallipoli until 1919, during the course of which he was wounded three times. Ironically, on the day the incident took place Campbell had received a gratuity of £62 10s. for his war service, something that he himself blamed for the events that later took place. On Thursday 29 July 1920, at around 6 pm, Campbell returned to the home he shared with his wife, four children and 62 year old father. The Campbells’ eldest son, who was 12 years old at the time, later stated that his father was ‘a

124 “Ten Years’ Penal Servitude”, *Courier*, 18 November 1919.
126 Copy of Report by Professor Robertson, Morningside Asylum Edinburgh, Precognition against Nicolas Page Campbell for the crime of murder at 8 Nicholson Square, Edinburgh, 1920, AD15/20/33, National Archives of Scotland.
good deal under the influence of drink’ when he arrived home. By 8 pm Campbell began quarrelling with his wife, falsely accusing her of being drunk, and according to several newspapers, of having taken his gratuity money.

At around 10 pm Campbell gave his wife ‘several severe blows’ to the face and head, knocking her to the floor in the process. Campbell continued to knock his wife down, yet she rose every time, before sending his son to bed. The noise of the assaults continued for some time but stopped abruptly in the night. Both Campbell’s eldest son and his father testified that Margaret Campbell was in bed breathing heavily when they awoke early the next morning, with Campbell explaining to them that she was drunk. Around 12 noon the following day a member of the Edinburgh City Mission visited the house and convinced Campbell to send for a doctor, although little could be done by this point as she was already dead. In a final tragic twist it was revealed during the post-mortem examination that Margaret Campbell was pregnant at the time of death, having died of concussion haemorrhage under the skull and shock.

Campbell’s defence put a great deal of emphasis on the fact that he was an entirely different individual while drunk, something that was confirmed by his son, father and employer. It was also pointed out that Campbell had sustained a head injury from a falling brick in 1910, which according to his former employer seemed to have ‘permanently damaged’ his brain.

Dr Malcolm McAllister, Assistant Physician at the Royal Asylum, stated in court that

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128 Statement given by Nicholas Page Campbell Junior, Precognition against Nicolas Page Campbell for the crime of murder at 8 Nicholson Square, Edinburgh, 1920, AD15/20/33, National Archives of Scotland.
130 Statement given by Nicholas Page Campbell Junior, AD15/20/33, National Archives of Scotland.
131 Ibid; Statement given by Peter Campbell, National Archives of Scotland.
134 Statement given by George Gilchrist, Precognition against Nicolas Page Campbell for the crime of murder at 8 Nicholson Square, Edinburgh, 1920, AD15/20/33, National Archives of Scotland.
due to his head injury, Campbell would be less able to control himself when under the influence than the average person.” Another witness, a neighbour who was at the scene the following morning, claimed that upon seeing his wife’s body Campbell said that ‘This is what Government money has brought me to.’ Oddly little mention was made of Campbell’s war service. Perhaps it may have been difficult to portray Campbell as a law-abiding man who had been irreparably damaged by the war. After all he had been convicted of assaulting a police officer in 1910 and had previously assaulted his wife. Yet the latter conviction was after the war and witnesses could only recall Campbell being violent towards his wife before 1919.

Dr George M. Robertson, Professor of Psychiatry at the University of Edinburgh and Physician Superintendent of the Royal Asylum, did not go so far as to find Campbell insane when he examined him, but did find some mitigating circumstances. Robertson summarised that the head injury received by Campbell as well as his ‘morbid form of intoxication’ no doubt played a part in his crime. He also theorised that the ‘severe strain of the war and conditions’ had perhaps created a ‘brutalising tendency.’ It is interesting that this term had already permeated medico-legal thinking as early as 1920, especially given the lack of empirical evidence for such an effect. His former employer stated that Campbell had told him ‘about some stories he had heard about his wife’s conduct while he was at the War.’ This was a common justification used by veterans who were violent towards their wives, and in the case of Campbell the rumours appear to have been untrue. Again this defence can be seen within the prism of casting the victim as an unfit wife for a soldier. During his trial Campbell’s defence

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136 Ibid.
137 Charge Sheet Relating to Nicholas Page Campbell, Precognition against Nicolas Page Campbell for the crime of murder at 8 Nicholson Square, Edinburgh, 1920, AD15/20/33, National Archives of Scotland.
138 Statement given by George Gilchrist, AD15/20/33, National Archives of Scotland.
139 Copy of Report by Professor Robertson, Morningside Asylum Edinburgh, AD15/20/33, National Archives of Scotland.
140 Statement given by George Gilchrist, AD15/20/33, National Archives of Scotland.
made no effort to try and plead insanity, but did recount the mitigating factors as recorded by Robertson. The jury found Campbell guilty on the lesser charge of culpable homicide and he was sentenced to 12 years imprisonment.\textsuperscript{141}

**John McDermott, 1922**

Again in 1922 the Scottish judiciary had to contend with a murder case where the accused was a veteran and the victim his wife. John McDermott, a miner by trade, had volunteered for the army in 1915, yet he proved a reluctant soldier and was apprehended several times by the police as an absentee.\textsuperscript{142} Although there are few details on McDermott’s military service it was reported in the *Linlithgowshire Gazette* that he had served in the Gordon Highlanders and had been wounded several times, at least once in the head.\textsuperscript{143} McDermott’s marriage to Elizabeth McDonald seems to have been one of the many hasty marriages that occurred at the beginning of the war. When the couple married on New Year’s Eve 1914 they had known each other for only four weeks, and at most had lived together for a year by the time of McDermott’s enlistment.\textsuperscript{144}

McDermott had a difficult time readjusting after the war; during his trial it was revealed that he suffered from a variety of ailments including bronchitis, cardiac and kidney diseases, haemorrhoids, fits, possibly epileptic, nephritis, and mastoiditis, which caused serious headaches and resulted in an operation on the inner ear. One doctor also described McDermott as displaying signs of depression, and that he was ‘phthisical’, a contemporary term for consumptive.\textsuperscript{145} As a result of McDermott’s various illnesses he spent much of his time as an

\textsuperscript{141} “Ten Years’ Penal Servitude”, *Scotsman*, 28 September 1920.
\textsuperscript{142} Statement given by William McDonald, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland.
\textsuperscript{143} “Two Glasgow Murders”, *Linlithgowshire Gazette*, 10 February 1922.
\textsuperscript{144} Statement given by Jane Simpson or McDermott or Kelly, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland.
\textsuperscript{145} Letter from Gilbert Garrey M.D., Medical Officer H.M. Prison Duke Street to J. Drummond Starthearn Esq, Prosecutor Fiscal, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland, “A Mother’s Story”, *Courier*, 20th April 1922.
inpatient at the Bellahouston Hospital, which put increasing strain on his marriage and resulted in him losing his business as a hawker.\textsuperscript{146} While in hospital McDermott recounted various grievances regarding his wife namely that she rarely visited and that she never brought him any amenities, such as cigarettes.\textsuperscript{147} Coincidently, his wife’s brother was also in the same hospital receiving treatment and later recounted that McDermott threatened to ‘buy a revolver and put four of us out of the way.’ Later McDermott told his brother-in-law that he had bought a new razor and ‘he would make good use of it.’\textsuperscript{148} It was claimed by McDermott’s mother that her son’s home had been broken up on four occasions, and it was during one of these periods of estrangement that the McDermotts’ marriage reached its tragic conclusion.\textsuperscript{149}

On 6 February 1922 the McDermotts agreed to meet at his mother’s home so as to discuss their differences. McDermott wished for his wife to return to him but she had other ideas, apparently telling her husband ‘I am going to Dundee. I am never going to take up with you again. I have no love for you.’\textsuperscript{150} McDermott’s mother, who was also in the room during the argument, recounted that she turned her back for only a few seconds when her son cut his wife’s throat with a razor. McDermott then fled the scene while making the remark ‘Clyde for me’, presumably a reference to his intention to drown himself, but was apprehended by neighbours who had heard the commotion.\textsuperscript{151} The same neighbours would later testify that McDermott seemed unaware of what he had done, with one recounting that ‘He looked at her but said nothing and began to cry. He appeared to be quite dazed.’\textsuperscript{152} Much like the Campbell trial, little mention was made of McDermott’s military service, most likely due to his tendency

\textsuperscript{146} Statement given by Dr William Patrick Andrew Stewart, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland.
\textsuperscript{147} Statement given by Jane Simpson or McDermott or Kelly, AD15/22/14, National Archives of Scotland.
\textsuperscript{148} Statement given by James McDonald, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland.
\textsuperscript{149} Statement given by Jane Simpson or McDermott or Kelly, AD15/22/14, National Archives of Scotland.
\textsuperscript{150} “Two Glasgow Murders”, \textit{Linlithgowshire Gazette}, 10 February 1922.
\textsuperscript{151} Statement given by Jane Simpson or McDermott or Kelly, AD15/22/14, National Archives of Scotland.
\textsuperscript{152} Statement given by Esther Coffey or McComber, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland.
to desert. Instead the defence focussed on his medical ailments, particularly his inner ear problems.

The character of Elizabeth McDermott was also attacked; it was frequently intimated that she was an unfit wife prone to drinking and profligate spending. McDermott’s mother claimed that ‘They were always disagreeing. There were faults on both sides but chiefly on hers. She was very much addicted to drink.’ She went on to elaborate that the marriage was a cycle of Elizabeth McDermott pawnning their possessions, leaving her husband, then spending the money on drink and only returning when she had no money left.¹⁵³ Michael Hanley, one of the neighbours who was at the scene of the murder, claimed that McDermott told him that while in hospital ‘his wife had been drawing his allowance and spending it, and that he was driven to do it.’¹⁵⁴ Despite these accusations one neighbour stated although McDermott received a pension and treatment allowance of £2 1s. 6d., he only allowed his wife between five and ten shillings for herself. The witness also stated that contrary to McDermott’s accusations of neglect, his wife frequently visited him in hospital and also brought him cigarettes and sugar.¹⁵⁵ The accusation that she was an alcoholic was also refuted, and the victim’s father even countered that it was McDermott who was given to drinking.¹⁵⁶

Regardless of Elizabeth McDermott’s qualities as a wife the court accepted the defence’s argument that her husband was temporarily insane. This argument was no doubt strengthened by Dr Gilbert Garrey, the medical officer at Duke Street prison, who believed the crime had been committed during ‘an epileptic state.’¹⁵⁷ Dr William Stewart, who attended to

¹⁵³ Statement given by Jane Simpson or McDermott or Kelly, AD15/22/14, National Archives of Scotland.
¹⁵⁴ Statement given by Michael Hanley, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland.
¹⁵⁵ Statement given by Margaret Kemmet or Brennan, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland.
¹⁵⁶ Statement given by William McDonald, AD15/22/14, National Archives of Scotland.
¹⁵⁷ Letter from Gilbert Garrey M.D., Medical Officer H.M. Prison Duke Street to J. Drummond Starthearn Esq, Prosecutor Fiscal, AD15/22/14, National Archives of Scotland.
McDermott at Bellahoust, testified that McDermott ‘suffered from general debility’ and was prone to delusion.\(^{158}\) It should be noted that other members of staff at the Bellahoust hospital, including a nurse and a visiting physician, believed that McDermott was perfectly sane.\(^{159}\) John Glaister, Professor of Forensic Medicine and Public Health at the University of Glasgow, was convinced that McDermott was sane, but that ‘the prisoner was a man who would act on the impulse.’\(^{160}\) Crowther and White have noted that Glaister rarely diagnosed defendants as insane, often in opposition to the opinion of other medical experts.\(^{161}\) Having heard the medical evidence the Advocate-Depute accepted a plea of guilty of culpable homicide. When passing sentence Lord Blackburn remarked that McDermott was not responsible for his actions and that he had committed the crime while ‘living under great poverty and hardship.’ Due to the medical evidence presented by the defence, and the negative portrayal of his wife, McDermott was sentenced to a mere four years’ penal servitude. The Dundee based *Courier* reported that before leaving the dock at the end of the trial he gave a wave to his mother.\(^{162}\)

**Conclusion**

It would be unwise to characterise the war as ruining previously contented families, when some men clearly used their military service as an escape from their familial obligations. While serving in the London Irish Rifles during the war the writer Patrick MacGill asked a comrade why he had enlisted; he was meet with the response ‘I done it to get away from my old gal’s jore.’\(^{163}\) Yet despite the ulterior motives of some volunteers, the impression remains that the war did lasting damage to the family. The prison commissioners’ interviews found that

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\(^{158}\) “The High Court at Glasgow”, *Scotsman*, 20 April 1922.

\(^{159}\) Statement given by Dr William Patrick Andrew Stewart, Statement given by Sister Jean Low, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland.

\(^{160}\) Report by Professor John Glaister on examination on John McDermott, 17 March 1922, Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland; “Mother’s Ordeal”, *Aberdeen Daily Journal*, 20 April 1922.


\(^{162}\) “A Mother’s Story”, *Courier*, 20th April 1922.

a great many servicemen took up the drinking habit in the army, and given the frequency with which alcohol is mentioned in domestic abuse cases involving veterans, this seems to be a plausible relationship. The increased likelihood of ex-servicemen to be unemployed was undoubtedly a factor as well, something that was undoubtedly worsened the dire state of Scotland’s interwar economy. The war had also loosened gender roles, with increasing numbers of women entering the workplace, while disabled and unemployed ex-servicemen were forced to become dependents. The haste at which some men, such as McDermott, married their intendeds at the beginning of the war inevitably led to unstable marriages that were naturally more prone to discord. The societal effect of the war then clearly created the conditions for increased domestic discord.

Yet there are also cases where domestic violence cannot simply be explained by alcohol or unemployment. The fact that there were three murders in as many years, all involving ex-servicemen who had killed their wives, clearly illustrates the individual effect of war service on family harmony. The course of these trials was dictated by the conduct of the victims, a fact that seems to give credence to Emsley’s theory of the ‘unwritten law.’  

Wives who left their soldier husbands or were known drinkers, like Elizabeth McDermott and Jane McManus, were considered at least partially responsible for their husband’s violent actions. The fact that Campbell received the harshest sentence of the three is telling, given that it was difficult to besmirch his wife’s reputation, but not for lack of trying. McManus’ crime was very similar to Campbell’s, and he had a worse criminal record to boot, but received the slightly lighter sentence of ten years due mainly to the low reputation of his wife. Jane McManus’ alcoholism and inability to provide a suitable home for her husband was considered improper behaviour for the wife of a decorated soldier, regardless of his own less than savoury character. The

\[\text{164 Emsley, } \text{Soldier, Sailor, Beggarman, Thief, } \text{140.}\]
detrimental impact of the First World War on Scottish family life should then be seen as a forgotten legacy of the conflict.
Chapter Five

Mental Illness, War and Crime

‘I am not feeling well. I eat and sleep well, but I sweat and feel my legs weak. There is something wrong with me and I am not myself.’ Private William Scott, Royal Scots Fusiliers, 1919.

In the collective memory shell shock embodies the First World War more than any other aspect of the conflict. The term, which is diagnostically unhelpful due to its broad scope, has been interpreted as a psychological reaction to the experience of modern warfare. In many ways it personifies the conflict as it seems to exemplify the futility of war as well as the passivity of those who lived through it. The unsympathetic treatment given to sufferers by the military establishment also contributes to the popular ‘lions led by donkeys’ narrative. This view is heavily influenced by how the past is interpreted and seems to suggest that men did not break down in the millennia of conflict that preceded 1914. Shell shock is also problematic as it tends to act as an umbrella term for all instances of mental breakdown in combat, when in fact artillery bombardment was only one of the many ways men were left traumatised by war. Gas attacks, the fear of death, the act of killing and even being away from home could all be detrimental to a soldier’s mental state. For these reasons this chapter will consider the individual effect, as war neuroses effected the criminality of ex-servicemen specifically rather than creating society wide trends.

Although there has been a great deal of scholarly work on medical responses to shell shock, less has been written about the return of mentally-ill veterans to society. In particular, there has been little interest in the relationship between combat related mental illness and criminality. Emsley’s study, which focuses mainly on England, has found that in court cases

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1 Statement given by William Scott to Dr James Devon, 31/9/1919, Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.
involving former officers juries were more likely to accept shell shock as a mitigating factor, whereas enlisted men were not granted the same privilege. This study suggests that Emsley’s premise was broadly true north of the border, yet should be adjusted to accommodate the nuances of Scots Law. The relationship between crime, mental illness and class is more complicated than it appears. The decision to grant mercy to a mentally-ill veteran depended on other factors pertaining to the case, such as, was alcohol involved, the type of crime committed, as well as the character of the accused. The definition of insanity under Scots Law also affected the outcome of such trials. The recourse provided by the verdict of culpable homicide also allowed jurors to save the accused from the gallows, while still ensuring a lengthy prison sentence. It is not the purpose of this analysis to judge the validity of individual criminal cases; indeed, there are many cases of officers displaying genuine mental illness, while some enlisted men were clearly exaggerating or feigning symptoms to avoid prison. It will be argued that when presented with similar evidence courts tended to give officers the benefit of the doubt, but rarely extended the same courtesy to enlisted men.

**The Historians and Shell Shock**

Surprisingly little has been written on the return of mentally-ill First World War veterans to society, and lesser still on their relationship with criminality. Victorian notions of criminality and social elitism remained in mode during the interwar period, with violent crime being considered as the preserve to the lowest elements of the working classes. Upper and middle-class men, however, only behaved violently when insane; shell shock then could provide a convenient explanation as to why an ex-officer would break the law and act in a way unbefitting of his class, but could not excuse the criminality of an enlisted man. Emsley draws particular attention to the case of Lieutenant-Colonel Norman Rutherford who shot and killed

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another officer whom he believed was turning his family against him. Despite having a reputation for violence before the war Rutherford was found guilty but insane, and served less than ten years in Broadmoor prison. Yet in two similar contemporary cases involving enlisted men both were sentenced to death and hanged.\(^3\) Indeed, class tended to dominate discussions regarding the effect of the war on the mind. Lawrence has drawn attention to the testimony given by Brigadier-General C.B. Thompson to the Labour Party’s investigation into political violence in Ireland in 1921. Thompson stated that the ex-enlisted men who joined the ‘Black and Tans’ were ‘habituated in violence’ and ‘men of very evil character.’ By contrast, the excesses committed by the Auxiliary Division, who were recruited exclusively from ex-officers, were put down to ‘nerve strain.’\(^4\) Bourke has also called attention to the lack of sympathy given to shell shocked veterans who committed crime. One commentator stated in 1920 that shell shock was an ‘excuse for crime’ used by men who were ‘accelerated degenerates’ even before the war and were ‘too lazy to find employment.’\(^5\) Most historians then have tended to accept that mentally-ill veterans were given unsympathetic treatment unless they were former officers.

Barham has shown that the relationship between class and mental illness was far more complicated. Although accepting of the argument that military psychiatrists tended to be more sympathetic towards officers, he also argues that as only around 300 former officers were held in psychiatric institutions they were not numerous enough to form an effective lobby, meaning that they were often worse off than enlisted men.\(^6\) Contrary to the narrative of mentally-ill veterans being marginalised, Bogacz has argued that shell shock caused a positive change in medical, legal and even cultural attitudes towards mental illness. The high numbers of

\(^3\) Ibid, 183-184.
psychiatric causalities during the war forced the British to accept that men broke down regardless of class or race. Bogacz argues that this new found understanding of mental illness culminated in the abolition of the military death penalty in 1930. Historical accounts of post-war Australia have also noted that courts generally treated veterans leniently, especially when a history of mental illness could be established. Nelson has found that veterans who acted violently towards their wives regularly cited mental strain as a mitigating factor. In the cases of ‘Leslie W.’ and ‘Francis D.’ both were given lenient sentences due to their war service, yet Nelson has revealed that neither ever saw combat as they were medically unfit due to contracting venereal diseases. Although Loughan has agreed that Australian veterans were treated as ‘über-citizens’ by the judiciary, thereby entitling them to leniency, she also argues that so-called ‘mental soldiers’ were seen as ‘failed ANZACs’, whose psychiatric problems were due to their own constitution rather than the war. It seems to be the case that the sympathy granted to veterans had its limits with some cases being considered more ‘deserving’ than others.

A History of Mental Illness and War

Although the term shell shock is unique to the First World War, soldiers had displayed signs of combat stress for centuries prior to 1914. The Report of the War Office Committee of Enquiry into “Shell-Shock.” (1922) stated ‘That we have no evidence of “shell shock” in the campaigns of the past is not extraordinary, when it is borne in mind that the use of high explosives, of the violence and intensity developed in the recent war, was wholly unknown in conflicts of the past.’ It was, however, accepted that men had broken down even if shell shock

was not the cause; there was some anecdotal evidence from past conflicts and literary figures as diverse as Lucretius and Shakespeare had alluded to war neuroses.\textsuperscript{10} Peters has argued that evidence of Post-Traumatic Stress Disorder (PTSD) is clearly evident in personal accounts of the English Civil War (1642-1651). She cites the example of one parliamentarian officer who recorded his experiences in verse: ‘What Ghosts are they that haunt, The Chambers of my breast! And, when I sleep, or comfort Want, Will give my heart no rest?’\textsuperscript{11}

During the American Civil War (1861-1865), the physician Jacob Mendes da Costa recorded the details of 400 Union soldiers who had displayed symptoms similar to heart disease. Da Costa could not fully explain the ailment but noted that: ‘When present to a marked degree, it totally unfit[s] the soldier for active duty – as much as the worst organic disease.’\textsuperscript{12} Only later was Da Costa’s Syndrome or ‘Soldier’s Heart’ recognised as an anxiety disorder usually brought on by warfare.\textsuperscript{13} The British military establishment were, however, slow to investigate the relationship between war and mental illness. After the debacle that was the Second Boer War serious questions were asked regarding the suitability of the British Army. One government report argued that many soldiers were of poor physical stock due to ‘the modern necessity of recruiting chiefly in the poorest districts of crowded towns.’ Despite a lengthy discussion on the poor health and low intelligence of the average British soldier, the report did comment that: ‘the morale of the men of the Regular Army, including in that term the qualities of courage, endurance, discipline and cheerfulness under adverse circumstances,

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\textsuperscript{12} J.M. da Costa, ‘Observation on the diseases of the heart noticed among soldiers, particularly the organic diseases’, in \textit{Contributions relating to the causation and prevention of disease, and to camp diseases; together with a report of the diseases, etc., among the prisoners at Andersonville, GA.}, ed. Austin Flint (New York: Hurd and Houghton, 1867), 360-382, 381. \\
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left little or nothing to be desired.' In fact, no mention was made to mental breakdown amongst soldiers throughout the report.

When the British government made its own enquiry into shell shock in 1922 it was found that the Belgian surgeon Octave Laurent had already observed shell shock during the Balkan Wars (1912-1913). In his book *La Guerre en Bulgarie et en Turquie* (1914) Laurent documented a condition he dubbed ‘*commotion cérébrospinale.*’ He stated that the condition was a nervous disease caused by long distance projectiles, and displayed symptoms similar to what would become known as shell shock such as paralysis and retention of urine. Although recovery was usually swift in some cases ‘mental trouble may persist.’ Contrary to the opinion of the British government, Laurent was not the first medical expert to document shell shock. In his 1910 study of the Russo-Japanese War (1904-1905), Captain R.L. Richards, United States Army Medical Corps, found evidence that ‘mental and nervous diseases’ had been common in the Russian army. It was estimated that 1,500 soldiers had been diagnosed as mentally-ill in 1904 and 2,000 in 1905-06, with the rate of mental illness being described as ‘unusually large.’ Captain Richards’ also commented that:

The tremendous endurance, bodily and mental, required for the days of fighting over increasingly large areas and the mysterious and widely destructive effects of modern artillery fire will test men as they have never been tested before. We can surely count then on a larger percentage of mental diseases, requiring our attention in a future war.

Although his work had little impact in military circles, Captain Richards’ words would prove eerily prophetic in regards to the coming world war.

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17 Ibid, 178-179.
During the First World War the British Army were faced with the reality that men regularly broke down in combat. In February 1915, *The Lancet* published an article by Captain Charles S. Myer, RAMC, titled ‘A Contribution to the Study of Shell Shock.’ In the three cases that Myer had seen all had experienced a loss of memory, smell and taste following close proximity to shell bursts. Myers noted the similarity in shell shock to ‘hysteria’ a condition which had previously been thought to only effect women.\(^{18}\) Throughout the war various commentators passed comment on the new theory of shell shock; many were of course cynical. Francis X. Dercum, later a physician to Woodrow Wilson, claimed that shell shock rarely occurred in men who did not have a predisposition towards mental illness. He argued that shell shock was simply hysteria, and that ‘the hysterical woman or the hysterical man is born not made. Hysteria, further is a neuropathy of degeneracy.’\(^ {19}\) Better informed experts proved that men who had no personal or family history of mental illness could also suffer from shell shock. Dr E.E. Southard, a Harvard professor and advisor to the US Army, reviewed 589 shell shock case histories from various armies, and concluded that neurasthenia may develop in a man without ‘hereditary taint or acquired soil.’\(^ {20}\) Mental breakdown was, nonetheless, more common in soldiers with a history of neurosyphilis or epilepsy, and that the condition could also be aggravated by feeble-mindedness, alcoholism, schizophrenia, cyclothymia, and even old age.\(^ {21}\) Winter has argued that men with pre-existing conditions often found it difficult to receive treatment or a pension, as it was believed that their mental state was not a result of the war, thereby absolving the state’s duty of care.\(^ {22}\) Despite the report’s extensive findings it was


\(^ {19}\) Francis X. Dercum, ‘So-called ‘Shell-shock’: The Remedy’, *Archives of Neurology and Psychiatry* 1, no.1, (1919): 65-70.


\(^ {21}\) Ibid, 836, 839-840, 848.

stressed that shell shock was a lay term that described an entire ‘disease group’ as well as a particular condition.23

Shell shock was not the only psychological reaction to the experience of combat, in fact even the term itself is an over-simplification of various symptoms. Da Costa’s Syndrome was revisited during the war due to heart problems accounting for one-third of discharges from the British Army. Writing in 1916, Sir James Mackenzie, lecturer in cardiac research at the London Hospital, accepted that the life of the soldier brought strain on the heart, but maintained that the cause was most likely bacterial.24 Only after the war did Mackenzie revise his opinion that ‘Soldier’s Heart’ was closely linked to mental strain. Mackenzie noted that aside from cardiovascular difficulties, sufferers also displayed ‘mental disturbance, apathy, disinclination for exertion, mental depression, and irritability of temper.’25

As well as the increased use of artillery, the First World War also saw the use of poisonous gases. Although not as well documented as shell shock, soldiers who had been gassed displayed psychological problems as well. Writing in 1921, Harold S. Hulbert, a former lieutenant in the medical corps of the US naval reserve, argued that ‘gas neurosis syndrome’ was a unique phenomenon. Hulbert stated that the condition was not related to the volume or length of exposure, with sufferers ranging from those who had ‘only got a whiff of gas’ to those with extensive burns and lung damage.26 Aside from the normal symptoms of gas exposure, sufferers of ‘gas neurosis syndrome’ also displayed traits more commonly associated with shell shock. Hulbert recorded that soldiers exposed to gas often displayed ‘stuttering, deep breathing or sighing, palpitation, and compulsive movements of the hands and feet. There is usually severe insomnia with vivid troublesome dreams based on military or previous unpleasant

23 Ibid, 831.
experiences.’ A sample based study published in 1919 found that ‘irritable heart’, yet another name for Da Costa’s Syndrome, was the most common after-effect of chlorine gas poisoning. Of the 204 soldiers in the sample, 118 were suffering from ‘irritable heart’, while a further 30 were said to have unspecified neuroses.

**Shell Shock and Crime**

Although the damaging effect of mental illness to military efficiency was discussed at length, the return of psychologically damaged veterans to society was less of a concern. While giving evidence to the 1922 War Office Committee on shell shock, Squadron Leader W. Tyrell, RAF Medical Corps, stated that shell shock was usually detrimental to behaviour, ‘The careful man becomes suddenly reckless. The previously well-behaved man perpetuates petty crimes etc.’ When Tyrell spoke of ‘crime’ he was most likely referring to the breaking of military law, yet there was a clear inference that shell shock could encourage deviancy. For some this relationship may have been easy to understand given the elitism of Edwardian and Victorian society. Mosse notes that even before the First World War the insane, alongside habitual criminals, alongside gypsies, homosexuals, and Jews, were still believed to be identifiable by their ‘moveable physiognomy’, a symptom that had also been identified in those suffering from shell shock.

Some did in fact interpret the relationship between mental illness and crime more sympathetically. In 1922, Sir Frederick Sykes, a British Army and R.A.F. veteran, told the Royal Society for the Assistance of Discharged Prisoners that crime was a ‘mental disease’ and that ex-servicemen committed crime due to mental and physical strain. While it was widely

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27 Ibid, 214.
31 “Aftermath of War”, *Scotsman*, 21 May 1922.
accepted that mental illness could explain criminal behaviour, experts on the subject did not always advise sympathetic treatment. An anonymous commentator stated in 1920 that ‘From a long study of such cases my conclusion is that the only remedy is to let the law take its course. Too much sympathy is destructive to the moral fibre; only fear will keep the after war neurotic on a straight course.’

Even before the war ended it was demonstrably clear that some men would never be able to readjust to civil society. In October 1916, James O’Hara was brought before the High Court of the Judiciary accused of having killed three persons and wounding eight others. O’Hara had thrown a grenade into a crowded back court in Sister Street, Glasgow after hearing an argument between two women. O’Hara’s wife claimed that one of the victims had been ‘challengin’ my man to fight. He looked up an’ laughed. ‘Do you hear her?’ he said. An’ then he sat down again. The squabblin’ outside grew worse, an’ I began to get a wee bit frightened.’ Mrs O’Hara then proceeded to ask her brother, Thomas Fraser, who was the caretaker of the property, to contact the police. Before the police could be sent for, Fraser was killed in an explosion alongside Margaret Longmuir or Haig (25) and Catherine Horn (9). The People’s Journal reported that initially it was thought that there had been a zeppelin attack. It would appear that O’Hara had detonated a grenade he had brought back from his service.

O’Hara was reported as being an ‘old soldier’ who served in the Boer War as well as the First World War, having re-enlisted in the Scottish Rifles in August 1914 before being sent to France the following year. It was claimed by O’Hara’s wife that he had been wounded while at the front and had undergone several operations. It was after these procedures that her husband had begun to complain about pains in the head. A file on O’Hara included in a case

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33 “The Bomb Tragedy”, Daily Record and Mail, 18 October 1916.
34 “I Thought it was a Zeppelin”, People’s Journal, 16 September 1916.
35 “Sensational Affair in Glasgow”, Montrose, Arbroath and Brechin Review, 15 September 1916.
36 “The Bomb Tragedy”, Daily Record and Mail, 18 October 1916.
book of ‘criminal lunatics’ also states that he was an alcoholic and that drinking aggravated his mental state.\textsuperscript{37} At trial O’Hara was found guilty but insane which resulted in him being held ‘at His Majesty’s pleasure’ in Perth Prison’s Lunatic Department.\textsuperscript{38} This type of sentence was indeterminate and it is unclear when, if indeed ever, O’Hara was released. Yet the O’Hara case was merely the first of many such incidents; in the years following 1918 Scottish courts were inundated with mentally-ill, or supposedly mentally-ill, veterans accused of breaking the law.

It is perhaps unsurprising that there are so many examples of mentally-ill ex-soldiers falling foul of the law, especially when it is considered that by 1922 there were 75,000 British veterans pensioned for ‘nervous diseases’, of whom 6,800 had been committed to asylums.\textsuperscript{39} As late as 1920 the \textit{Aberdeen Daily Journal} reported that the War Office still had in its care a mentally-ill veteran who was yet to be identified. The individual in question could not recall his name or even which regiment he served in.\textsuperscript{40} Indeed, some men were beyond mental rehabilitation and would remain in institutions for the rest of their lives. In 2001 David Ireland, who had enlisted in the Black Watch in 1916, died at the age 103 having spent 77 years in psychiatric hospitals. Ireland had been discharged after being wounded at the Battle of Arras in 1917, yet failed to readjust to civilian life and was admitted to Stratheden hospital in 1924.\textsuperscript{41} The General Board of Control for Scotland also believed that the statistical increase in insanity that had occurred between 1910 and 1924 was largely due to the war.\textsuperscript{42}

Yet use of the ‘shell shock defence’ in criminal trials was rarely successful, with veterans often being met with cynicism or even outright ridicule. In 1924, James Henderson

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\textsuperscript{37} File on James O’Hara (anonymised), 133, Perth Prison, Criminal Lunatic Department Case Book (Indexed), 1913-23, HH21/48/5, National Archives of Scotland.  
\textsuperscript{38} “The Bomb Tragedy”, \textit{Daily Record and Mail}, 18 October 1916.  
\textsuperscript{39} “Insane Ex-Soldiers”, \textit{Aberdeen Daily Journal}, 12 September 1922.  
\textsuperscript{40} “Army’s Last “Lost” Soldier”, \textit{Aberdeen Daily Journal}, 10 April 1920.  
\textsuperscript{42} United Kingdom. General Board of Control for Scotland. \textit{Twelfth annual report of the General Board of Control for Scotland for the year 1925}, Cmd 2737, (Edinburgh: H.M. Stationary Office, 1926), vii-x.
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Miller claimed that the shell shock he sustained during his time in the navy was a mitigating factor in him stealing from a Salvation Army Hostel. The presiding sheriff derisively remarked ‘I have never discovered that shell shock makes a man a thief.’ Miller, who had four previous convictions, was sentenced to six months hard labour.⁴³ Not all veterans were so keen to divulge that they had been mental health patients. During a divorce trial in 1922, Cyril Seedhouse, a former 2nd lieutenant in the Flying Corps who won a bronze medal at the 1912 Olympics, was accused of having assaulted his wife during an argument. When the case was brought to Perth Sheriff Court Seedhouse’s wife divulged that he had also threatened her with a revolver and that ‘There were times when he was quite mad, and she went in fear of her life.’ Although Seedhouse did not mention it in his own version of events, his wife revealed that he had been sent to a ‘mental and neurasthenia hospital’ following an accident during the war. The charge against Seedhouse for assault was proven with the Prosecutor-Fiscal also noting that the accused had previously been before the court for possession of the same unlicensed revolver. The ex-officer was treated leniently receiving six months’ probation with the option being a £10 fine or seven days imprisonment.⁴⁴ In fact ex-officers were almost invariably treated more favourably than the men they had led when it came to the ‘shell shock defence.’ Interestingly, Seedhouse remained with his wife until 1930 when she filed for divorce again this time for desertion.⁴⁵

It has been discussed already how bigamy rose dramatically during and after the war. Subsequently, many veterans so accused attempted to use ‘the shell shock defence.’ Generally speaking, most men were unsuccessful although, again, officers tended to be more readily believed. When Thomas Noble was accused of bigamy at Glasgow in 1918, his defence of shell

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⁴³ “Man Who Stole From Salvation Army Hostel”, *Evening Telegraph*, 18 September 1924.
⁴⁵ “Court of Session”, *Scotsman*, 3 November 1930.
shock received little sympathy. During the course of the trial it was revealed that he had been married in 1906, and then again to a munitions worker in 1917. Noble had a chequered past having enlisted in 1914, been discharged the following year and then re-enlisting before finally deserting. It was claimed by Noble’s defence that he suffered badly from shell shock, which caused him to be ‘excitable.’ It was during one of these ‘attacks’ that Noble had married bigamously. The presiding Sheriff remained unconvinced and sentenced Noble to 12 months with hard labour. The press were also unsympathetic with the *Daily Record and Mail* describing it is a ‘heartless case.’ The story itself was written under the derisive title ‘Met in Street’, a reference to the manner in which Noble had supposedly encountered his second wife.46 Another veteran, David Strachan, accused of bigamy in 1920 claimed that he was ‘easily led’ due to a head wound and shell shock, but was nonetheless sentenced to three months imprisonment.47

After an unsuccessful attempt to flee to Canada, James Johnston was also found guilty of bigamy and sentenced to three months imprisonment. Johnston, who was still a territorial, had served during the war but had been discharged due to shell shock.48 Yet by comparison three months imprisonment was a lenient sentence. In 1918, the *Daily Record* reported that Thomas Gordon, a veteran of Marne and Mons, had been sentenced to six months for bigamy despite suffering from shell shock.49 That same month T.A. Pogmore, a private in the Gordon Highlanders, was convicted in Aberdeen of bigamously marrying a soldier’s widow, while already having a wife in England. Pogmore claimed to have completely forgotten his first wife due to untreated shell shock, the result of being mistakenly sent to his regiment’s depot in Aberdeen rather than a London hospital. In court the Prosecutor-Fiscal presented a letter

46 “Met in Street”, *Daily Record and Mail*, 29 January 1918.
47 “Methil man said to be easily led”, *Evening Telegraph*, 16 August 1920.
48 “Went off with other Woman to Canada”, *Evening Telegraph and Post*, 7 June 1923.
49 “Mons Soldier’s Bigamy”, *Daily Record and Mail*, 10 July 1918.
Pogmore had sent to his first wife the day before his bigamous wedding, in which he claimed he was about to be sent back to France. The presiding Sheriff sentenced him to six months hard labour, commenting that; ‘he could not see any circumstances which would form ground for an appeal to leniency.’

James McMillan, a former officer in the Machine Gun Corps, was treated more favourably when he was charged with bigamy in 1920. McMillan was also accused of defrauding a minister of £1 as well stealing a ring from a shop in Edinburgh. The defence stated that McMillan had been wounded three times during the war and suffered badly from shell shock, as well as paralysis and a complete loss of memory. A pathologist’s report stated that the accused’s condition was one of ‘stupor’ and that he could only understand the most basic questions. This does raise the issue of how McMillan managed to commit fraud or to convince someone to marry him not once but twice. Nonetheless, the Procurator-Fiscal decided to ‘desert the diet’, essentially abandoning the criminal charge. The fact that the case against McMillan were dropped entirely, when enlisted men under similar charges were usually given custodial sentences, is telling. Although there were of course exceptions to this. Francis Mottram a former artillery major was imprisoned for three months for bigamy despite claiming to be suffering from shell shock and neurasthenia. The fact that Mottram was a solicitor probably have counted against him, as he could hardly claim to be ignorant of the law.

Trials involving shell-shocked men who were accused of violent offences were more complicated, with both lenient and harsh sentences being handed down depending on circumstance. It was easier for the judiciary to accept that mental illness could lead a man to violence as opposed to say theft or bigamy. Nonetheless, mercy had its limits and was normally

50 “In the Courts”, Aberdeen Daily Journal, 9 July 1918.
51 “An Ex-Officer’s Mental Condition”, Scotsman, 7 February 1920.
only given to visibly affected men or those who had committed less serious offences. Less than a month after the Armistice, William Morrison was accused of having assaulted four people with a shoemaker’s knife in Aberdeen. The former Gordon Highlander had been discharged owing to shell shock and had previously spent time in an asylum. While there he had been visited by a young woman who was one of the assaulted. Apparently she had recently married a Canadian soldier, which had apparently prompted the attack.53 After a medical examination Morrison was handed over to the authorities and committed to an asylum.54

Following a football match between Stenhousemuir and Dunfermline Athletic in 1922, William Miller was accused of attempting to strike the referee. When on trial Miller produced a letter from his doctor that noted that he was in a ‘nervous condition’ due to shell shock, and that the present offence had been committed due to the ‘excitable froth of keen partisanship.’ Due to his doctor’s intervention, as well as the fact that Miller had only attempted to strike the referee, he was let off with a fine of ten shillings and advised to stop attending football matches.55 Patrick Duffy was particularly fortunate to receive a fine of 15 shillings in 1932 for breach of the peace and assaulting a police officer by kicking him and biting him in the leg. Duffy, who had no fixed abode, appeared in court in crutches and claimed that he remembered nothing of the incident due to suffering from shell shock and having consumed methylated spirits. The procurator fiscal remarked that just because Duffy had been disabled during the war this ‘did not entitle him do anything he cared.’56 Duffy, however, probably received a lighter sentence as by the 1930s courts preferred to fine rather than imprison petty offenders.

Yet shell shock was not always accepted as a contributing factor for violence. When Alfred McKenzie was charged with assaulting two men at a Perth Ex-Servicemen’s Club in

55 “Sequel to Football Disturbance”, *Falkirk Herald*, 27 September 1922.
1926 he asked to be treated leniently as he had been a POW and had shell shock. The presiding bailie remarked that ‘It was a threadbare excuse to say that this man had gone through the war. This was a premeditated and unprovoked assault.’ A fine of 40 shillings or 20 days imprisonment was given to McKenzie. In 1922 Robert Craig was charged with breach of the peace, assault and malicious mischief and given a fine of 30 shillings or 20 days imprisonment. Craig had suffered from shell shock and had been gassed during the war, yet the presiding bailie remarked only ‘that it was a great pity that a man who went through so much during the war should indulge in this way in intoxicating liquor.’ Cases where alcohol had been consumed by the accused usually received the same response. When George O’Connor was accused of assault at a lodging house in 1924 he claimed that due to shell shock drink quickly ‘went to his head.’ The presiding bailie remarked that ‘If you had shell shock, drink is the last thing you should take.’ A fine of £2 or 20 days imprisonment was subsequently imposed.

In 1927 John Hunter and John Smith were accused of having assaulted a police constable and another man in Lochgelly. Hunter had served in the RAMC during the war and had been discharged because of shell shock. Despite this Hunter, who was the one who had actually assaulted the constable, was given the more severe sentence of a £3 fine or 20 days’ imprisonment compared to Smith’s sentence of £2 or 15 days. In cases where the accused had previous convictions, even when they had occurred long before the present charge, it was unlikely that leniency would be granted. James Robertson was sentenced to 30 days imprisonment, without the option of a fine, for assaulting a police officer in Edinburgh in 1920. Robertson’s agent argued that he had not been convicted in 6 years and that he was presently suffering from shell shock. Yet the fact that Robertson had a previous conviction for assault,

57 “Scene in Perth Club”, Evening Telegraph, 22 March 1926.
58 “Gassed and Shellshock”, Evening Telegraph, 23 January 1922.
59 “Difficult to Keep Order”, Evening Telegraph and Post, 26 August 1924.
60 “Street Scene”, Fife Free Press, 15 January 1927.
alongside 23 other court appearances, seems to have counted against him. Daniel Gallacher’s previous convictions also seem to have prejudiced his case when he was accused of assaulting his parents in 1920. Gallacher was reported to have made the appeal ‘I have been all over the world fighting for my King and country. I was in the Dardanelles, Egypt, and all over. I was shell shocked too. Give me a chance.’ Yet the due to the ‘host of convictions against’ him he was sentenced to four months’ imprisonment.

Shell shock was also a common factor in cases pertaining to domestic violence. When accused of assaulting his wife in 1934 William Riddell claimed that he still suffered from attacks of shell shock and malaria as a result of his war service. Riddell also stated that he had been married since 1907 without incident, and asked for leniency so as not to lose his job. The presiding bailie considered these factors but felt that they could not wholly account for Riddell getting drunk and assaulting his wife. A fine of £1 or ten days was thus imposed. Yet again leniency could still be given under certain circumstances. Herbert Driffin was accused of assaulting his wife in 1935 following an argument over Driffin wanting to wake their children to give them sweets. Driffin conceded to having taken drink but insisted that he was not drunk, and that his wife had provoked him by hitting him with a slipper. The presiding sheriff felt that given the circumstances sentencing would be postponed for three months, although he warned that a man suffering from shell shock ‘should not take drink.’ Again the leniency shown to Riddell and Driffin may have been due to broader changes in sentencing patterns in the 1930s.

In the case of ex-officers who acted violently courts tended to be more sympathetic, but this had its limits. Donald McKelvie, a former sub-lieutenant in the Royal Navy, had been wounded seven times, at least once to the head, before being discharged with a pension for

62 “Father and Mother Assaulted”, Sunday Post, 29 August 1920.
63 “Wife Assault”, Hawick News, 19 October 1934.
64 “Sweets for the Children”, Falkirk Herald, 9 February 1935.
shell shock and neurasthenia. In 1925, McKelvie was accused of disorderly conduct at Lamlash Golf Course by breaking a pane of glass and assaulting a housekeeper. The presiding sheriff sentenced McKelvie to 30 days imprisonment, remarking that he ‘was unfit to be at liberty.’ It should be considered that McKelvie had been charged with a similar offence the previous month and had been given a sentence of probation on a bond of £20.\textsuperscript{65} McKelvie’s case proves that even where ex-officers were concerned there came a point when leniency could no longer be given. When Arthur Stirling of Muiravonside House Linlithgow, a ‘landed proprietor’, was charged with assaulting a railway clerk in 1937 he appears to have gotten off lightly. Although the arresting constable believed that Stirling had taken ‘a considerable amount of drink’, and his behaviour was described as ‘disgusting’ by his fellow passengers, he only received a fine of £2. Stirling’s solicitor told the court that his client had suffered from shell shock during the war and was still plagued by depression, resulting in him living in several nursing homes and needing a fulltime nurse at his own residence.\textsuperscript{66} The case of Stirling was not an anomaly, in fact the leniency given to mentally-ill ex-officers even extended to the most serious of crimes.

\textbf{Robert Brough, 1926}

The most notable use of the ‘shell shock defence’ in Scotland occurred during the trial of Robert Brough. His case represents the class dynamics that dictated contemporary thinking of not only shell shock, but mental illness more broadly. Even before details of Brough’s life were fully known, he was portrayed favourably by the press. A High Court circular published in the \textit{Edinburgh Evening News} described Brough as ‘a well-dressed young man of a smart soldierly appearance.’\textsuperscript{67} Brough had served as a lieutenant in the Lovat Scouts and the Highland Light Infantry during the war. He was also decorated, having been awarded the Military Cross.

\textsuperscript{65} “Unfit to be at Liberty”, \textit{Scotsman}, 18 September 1925, “Arran Shipmaster’s Illusions”, \textit{Sunday Post}, 16 August 1925.
\textsuperscript{66} “Blow at Railway Clerk on Platform”, \textit{Evening Telegraph}, 26 October 1937.
\textsuperscript{67} “For the High Court”, \textit{Edinburgh Evening News}, 25 June 1926.
for his successful defence of an enemy attack. Yet after the war Brough had difficulty readjusting to civilian life and was reported to be an alcoholic. His problems culminated on the 20th May 1926 when he shot and killed his landlady’s fiancé, Robert Hamilton, at 81 Scott Street, Glasgow, following an evening of heavy drinking.

Brough had returned home around 9:30 pm drunk but apparently affable. Following a private conversation with the victim, where he asked when he intended to get married, he returned with a revolver and shot Hamilton once in the chest. Following a brief struggle with his landlady’s son, he was disarmed and the police were sent for. When they arrived they found that Brough had made an attempt to cut his own wrists, but he claimed to remember nothing of the shooting. Hamilton was transported to the Royal Infirmary but died a week later. Brough had been residing at the address for two years as a lodger and was said to have gotten on well with the family. During the course of the trial it was also revealed that Brough had been romantically involved with his landlady, Jessie Goldie or Kleinstubber, a war widow, before Hamilton had proposed. In the early stages of the investigation Brough admitted that the crime was due to ‘75 per cent drink and 25 per cent jealousy.’ What appeared initially to be a common case of violence motivated by sexual jealousy and alcohol would lead to a trial that revolved around shell shock.

Despite his earlier admission, Brough’s defence created a narrative of a war hero who acted while suffering from shell shock and neurasthenia. In an interview with Professor John Glaister, who will be remembered from the McDermott trial, Brough stated that he had never been wounded nor been in hospital as a result of his service. Based on this encounter Glaister

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69 “Murder Charge”, Scotsman, 6 July 1920.
70 Ibid.
71 Statement given by Dr David Kennedy Henderson, Physician Superintendent to Glasgow Royal Mental Hospital, Precognition against Robert Sibbald Calderwood Brough for the crime of murder, 1926, AD15/26/73, National Archives of Scotland.
found Brough to be of sound mind and therefore ‘perfectly able to instruct his defence and to plead to the charge which is presented against him’, a diagnosis he would repeat at trial. Yet at a later interview with Dr Gilbert Garrey, the Medical Officer at Duke Street Prison, Brough claimed that he had misunderstood the question as to whether he had been in hospital during the war, and thought that this referred to his service abroad. He had in fact received a head injury while stationed at Loddon Camp near Norwich. Brough had been traveling on the top deck of a bus and had hit his head on an inn sign during a crash. The plausibility of this story was increased by the fact that the former comrade who corroborated it was at the time of the trial a Glasgow Police detective. Brough also admitted that he had been ‘blown up’ by a shell on two occasions, although no treatment was needed. Garrey believed that Brough was sane yet ‘suffers from some degree of what is termed shell shock, which would make him unstable more open to suggestion and less resistant.’ Andrew Allan Dewar, LRCP, FRSE, made a similar judgement, stating that although not insane Brough was suffering from neurasthenia, this alongside his heavy drinking on the evening of the shooting, would have made him ‘less responsible for his actions.’

Despite the fact that Brough had earlier stated that his actions were due to a combination of drink and jealousy, his defence claimed the contrary. His advocate argued that there was no proof of jealousy or ill-feeling between Brough and Hamilton. Yet a statement given by Brough’s victim on his deathbed suggested that a dispute had occurred over Jessie Goldie.

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72 Notes on Interview with Robert Sibbald Calderwood Brough by Professor John Glaister, 7 June 1926, Precognition against Robert Sibbald Calderwood Brough for the crime of murder, 1926, AD15/26/73, National Archives of Scotland, “Struggle for Revolver”, Courier and Advertiser, 6 July 1926.
73 Notes on Interview with Robert Sibbald Calderwood Brough in H.M. Prison by Gilbert Garrey, M.D., Medical Officer H.M. Prison Duke Street, 28 June 1926, Precognition against Robert Sibbald Calderwood Brough for the crime of murder, 1926, AD15/26/73, National Archives of Scotland.
74 “Brough Found Not Guilty”, Courier and Advertiser, 7 July 1926.
75 Notes on Interview with Robert Sibbald Calderwood Brough in H.M. Prison by Gilbert Garrey, M.D., Medical Officer H.M. Prison Duke Street, 28 June 1926, Precognition against Robert Sibbald Calderwood Brough for the crime of murder, 1926, AD15/26/73, National Archives of Scotland.
76 Statement given by Dr Andrew Allan Dewar, L.R.C.P. & S.Edin, Precognition against Robert Sibbald Calderwood Brough for the crime of murder, 1926, AD15/26/73, National Archives of Scotland.
Hamilton stated that on the night of the shooting Brough had asked him what his intentions with Goldie were; Hamilton responded that this was none of his business. Brough then left and returned with a revolver before firing three shots at Hamilton. This evidence was corroborated by Jessie Goldie and her son Maurice Kleinstuber, who added that ‘Brough was frequently drunk.’ The *Scotsman* also reported that Brough was an alcoholic and had first taken drink in 1916 at the Battle of Somme. It will be remembered that in the prison commissioners’ interviews, many veterans claimed that they began to drink during their war service. At the close of the trial, the jury was informed that only a verdict of not guilty would allow Brough to walk free, while even a verdict of the lesser charge of culpable homicide would still entail a prison sentence. Brough was subsequently found not guilty on all charges. The Dundee *Courier and Advertiser* reported that upon leaving the courthouse Brough ‘entered a motor car in which there were two ladies, and as the car drove off, the friends who had followed him from the courthouse raised a cheer.’

**William Scott, 1919**

Brough was not the first ex-soldier in Scotland to claim mental illness as a mitigating factor in a murder trial. The case of William Scott seven years earlier illustrates how social class dictated the treatment of mentally-ill veterans. On the 27 June 1919, William Scott and his brother were at the home of their cousin Elizabeth Corbett at Clune’s Vennel, Ayr when her husband, William Corbett arrived home on leave from his regiment. Scott and his brother left shortly afterwards with the intention of having a drink. Corbett would later testify that he found a razor case and boot polish belonging to Scott, but accepted his wife’s explanation that

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77 “Struggle for Revolver”, *Courier and Advertiser*, 6 July 1926.
78 “Murder Charge”, *Scotsman*, 6 July 1926.
79 “Brough Found Not Guilty”, *Courier and Advertiser*, 7 July 1926.
80 Evidence given for the Prosecution by William Jones Corbett, Trial transcript from the trial of William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire. Tried at High Court, Ayr. Tried on 21 Aug 1919, JC36/30, National Archives of Scotland.
Scott’s parents had recently lost their home and he needed somewhere to shave and clean his boots.\textsuperscript{81} The following evening the Corbetts were entertaining friends when Scott arrived ‘not drunk but it was apparent that he had been drinking.’ At first Scott was affable, giving money to his cousin and her two children, but he soon became belligerent. Scott made the accusation that someone had been using his boot polish; Elizabeth Corbett attempted to reason with her cousin but he became increasingly agitated. As the rest of the party went to sit down to tea, Scott cut Elizabeth Corbett’s throat with a razor, seemingly without anyone noticing.\textsuperscript{82} Elizabeth Corbett died shortly afterwards at the home of her sister who lived nearby. When the police arrived Scott offered little resistance and went quietly.\textsuperscript{83}

Scott was a sailor by trade but had been rejected by the navy during the war for having defective teeth. The army was less discerning, however, and he enlisted in the Royal Scots Fusiliers as a cook.\textsuperscript{84} During his service Scott spent two and half years in Salonica where he suffered from periodic bouts of tropical illness. Between January and September 1918, Scott suffered from recurrent malaria on ten occasions and was treated with quinine. His condition was so severe Scott was also given doses of arsenic, a common component in medicines at the time, in an effort to prevent further outbreaks of fever.\textsuperscript{85} Lieutenant-Colonel Duncan Fletcher, RAMC, officer in command of Crookston War Hospital, told investigators that he had treated ‘patients manifesting suicidal and homicidal tendencies and having to be very carefully watched.’ Fletcher also claimed that malaria was often accompanied by bouts of depression that subsequently led to alcohol abuse.\textsuperscript{86} During the subsequent murder trial, several ex-soldiers

\textsuperscript{81} Ibid.
\textsuperscript{82} Ibid.
\textsuperscript{83} Statement given by William Jones Corbett, Precognition against William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire, 1919, AD15/19/130, National Archives of Scotland.
\textsuperscript{84} Statement given by William Scott to Dr James Devon, 31/9/1919, Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.
\textsuperscript{85} Record of Malarial Treatment given to William Scott while serving in the Army, Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.
\textsuperscript{86} Statement given by Duncan Fletcher, Lieut. Col, RAMC O.i/c. Crookston War Hospital, Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.
stated that Scott had been drinking methylated spirits in the afternoon prior to the incident.\(^87\)

Captain William Lundun, who had served with Scott, also commented that ‘men in the highlands of Macedonia in many cases got very peculiar, it being a common form of badinage to accuse a man of suffering from the ‘Balkan Tap.’\(^88\) Scott’s mental instability was confirmed by his family, with his brother claiming that after his demobilisation the accused had suffered a mental breakdown and ‘cried like a child.’\(^89\) His mother also claimed that, ‘He was always bright and cheery before he went away and when he came home he was quite broken up; he was a total wreck.’\(^90\)

Yet there was more to Scott’s medical condition still. When examined at Ayr Prison by Dr H.C. Marr, Commissioner of the General Board of Control for Scotland, he was described as ‘a thick set, well-built man of small stature. He presents in facial, tongue and in hand features which are associated with mental defect and in particular what is known as Mongolian Defect. Defect is not noticeable in the intellectual aspect of mind.’\(^91\) Mongolian Defect was in fact an archaic term for Down’s syndrome. Although Marr was the only person to comment on Scott’s condition there is other evidence. The fact that he was rejected by the navy for having defective teeth, despite being a sailor, was most likely due to the dental problems caused by Down’s syndrome.\(^92\) His Certificate of Discharge from the Army also states that Scott was 5 foot 2 inches in height, which according to modern studies is around the mean height for an adult.

\(^{87}\) “Ayr Murder Trial”, \textit{Scotsman}, 22 August 1919.

\(^{88}\) Statement given by Captain William Lundun RAMC, Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.

\(^{89}\) Evidence given for the Defence by John Scott, Trial transcript from the trial of William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire. Tried at High Court, Ayr. Tried on 21 Aug 1919, JC36/30, National Archives of Scotland.

\(^{90}\) Evidence given for the Defence by Agnes Seymour or Scott, Trial transcript from the trial of William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire. Tried at High Court, Ayr. Tried on 21 Aug 1919, JC36/30, National Archives of Scotland.

\(^{91}\) Report by H.C. Marr, Commissioner of the General Board of Control for the Secretary for Scotland on William Scott, Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.

male with Down’s syndrome.\footnote{Certificate of Discharge, William Scott, Criminal case file: William Scott, 1919, HH16/157. National Archives of Scotland; Å. Myrelid, J. Gustafsson, B. Ollars, G. Annerén, ‘Growth charts for Down’s syndrome from birth to 18 years of age’, \textit{Archives of Disease in Childhood} 87, no.2, (2002), 97-103, 101.} A solicitor writing on Scott’s behalf also stated that his client had ‘laboured under the Original Handicap, throughout his life of being Sub-Normal, in the sense that he is a Degenerate.’\footnote{Letter from Robert S. Candlish, Solicitor, to the Secretary for Scotland, 26 August, 1919, Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.}

The fact that Scott’s condition was hardly mentioned during the investigation or subsequent trial is understandable, given that Down’s Syndrome was so poorly understood at the time. In 1899 George Sutherland proposed that Down’s syndrome was caused by parental syphilis, a hypothesis that was still in mode amongst medical professionals at the time of Scott’s trial in 1919.\footnote{Lilian Zihni, ‘Sutherland's syphilis hypothesis of Down's syndrome’, \textit{Journal of the History of the Neurosciences} 4, no.2, (1995): 133-137, 133; H.C. Stevens, ‘Mongolian Idiocy and Syphilis’, \textit{The Journal of the American Medical Association} LXVI, no.20, (1915): 1636-1640; J.E. McClelland, ‘Syphilis as an Etiological Factor in Mongolian Idiocy’, \textit{The Journal of the American Medical Association} LXVIII, no.10, (1917): 777-779.} Curiously, men with shell shock were also believed to be more likely to produce offspring with Down’s syndrome. Berry’s 1924 study argued that the fathers of children with Down’s syndrome were normally ‘sexually defunct’, a term denoting defective genes rather than impotency. Two-thirds of the children in her study had fathers who had served in the late war, of whom half had suffered from shell shock.\footnote{Cited in R.M. Stewart, ‘The Problem of the Mongol’, \textit{Proceedings of the Royal Society of Medicine} 19, Section of Psychiatry, (1925): 12-25, 16.} It seems more likely that this association was due to the high prevalence of shell shock rather than any inherited trait. Even more bizarrely, Down’s syndrome was believed by some to be a form of atavism. F.G. Crookshank’s ‘study’ \textit{The Mongol in Our Midst: A Study of Man and His Three Faces} (1924) proposed that Down’s syndrome was a genetic throwback from the Hunnic and Mongolian incursions into Europe. Crookshank’s theory was an eclectic mix of scientific racism and Nordicism combined with popular fears regarding miscegenation, with added undertones of antisemitism for good measure.\footnote{F.G. Crookshank, \textit{The Mongol in Our Midst: A Study of Man and His Three Faces} (London: Kegan Paul, Trench, Trübner & Co , 1924).} Regardless of its perceived etiological cause, Scott’s Down’s
syndrome would have fitted into contemporary ideas regarding inherited degeneracy, and would have seemed a more convincing cause for murder than malaria.

Yet the murder of Elizabeth Corbett, although tragic, was not a random act of violence; something that would later count against Scott at trial. During the murder investigation it was revealed that Scott’s relationship with his cousin was more than familial. Elizabeth Corbett, like Brough’s landlady, was a war widow, her first husband having been killed at Loos in 1915, leaving behind two young children. Scott would later claim; ‘I had gone with her before she was married. I never wanted to marry her. I admit I was fond of her. I knew her first man. He was a friend of mine. I had to do with her before she was married to him.’\(^98\) After the death of her first husband, Elizabeth MacKinnon married Corbett, a private in the Argyll & Sutherland Highlanders. Corbett’s deployment coincided with Scott’s demobilisation, at which point Scott moved into his cousin’s home. Several witnesses would testify that Scott and Elizabeth Corbett had a tumultuous relationship. Margaret Gibson, a neighbour of the victim, claimed that Corbett had stabbed Scott in the eye with a pin and around three months before the murder Scott had threatened to drown her. Two weeks later, Scott repeated the threat this time throwing a poker at her and brandishing a bread knife. Gibson also stated that the pair were ‘very jealous’ of one another, and scathingly remarked that; ‘Deceased was nothing more than a loose woman about the town.’\(^99\) Scott’s brother also claimed that ‘Mrs Corbett would never let my brother alone she always came after him.’\(^100\)

Scott’s crime may have been motivated by the prospect of his cousin moving overseas. William Corbett would testify in court that his regiment was about to be stationed in India and

\(^{98}\) Statement given by William Scott to Dr James Devon, 31/9/1919, Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.
\(^{99}\) Statement given by Margaret Gibson or Carson, Precognition against William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire, 1919, AD15/19/130, National Archives of Scotland.
\(^{100}\) Statement given by John Scott, Precognition against William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire, 1919, AD15/19/130, National Archives of Scotland.
he intended to take his wife and her children with him.\textsuperscript{101} After his arrest it was reported that Scott had remarked ‘I knew bloody well I could not get her, so I took bloody good care he would not get her.’\textsuperscript{102} Perhaps for this reason, the defence had difficulty in convincing the court that Scott’s malarial condition had acted as a mitigating factor. Dr William Landsborough, a fellow Salonica veteran, testified for the defence, and stated that consuming alcohol would ‘exaggerate the effect of malaria on the mental condition.’ Scott’s defence was damaged when Landsborough was forced to concede that he had not personally examined the accused and was only making general comments.\textsuperscript{103} The prosecution was quick to dismiss any claims of mental instability. Dr Fergus McKenna claimed that ‘I found no evidence of delusions or hallucinations. I am of the opinion that at the time of my examination the accused was of sound mind.’\textsuperscript{104} McKenna’s opinion was confirmed by Dr H.H. Boland, acting Medical Officer at Duke Street Prison, who found Scott ‘to be a person of sound mind and responsible for his actions.’\textsuperscript{105} It took the jury only 20 minutes to find Scott guilty but with a unanimous recommendation for mercy, which the judge ignored and sentenced Scott to death.\textsuperscript{106} This was only later commuted to life imprisonment following a petition to the Secretary of Scotland.\textsuperscript{107} Unlike Brough, Scott would have to serve 12 years in prison before he would be released in 1929.\textsuperscript{108}

\textsuperscript{101} Statement given by William Jones Corbett, Precognition against William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire, 1919, AD15/19/130, National Archives of Scotland.
\textsuperscript{102} Lord Ormidale, presiding, to Robert Munro, Secretary for Scotland, 24 August 1919, Criminal case file: William Scott, 1919-1935, HH16/157, National Archives of Scotland.
\textsuperscript{103} Evidence given for the Defence by Dr William Landsborough, Trial transcript from the trial of William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire. Tried at High Court, Ayr. Tried on 21 Aug 1919, JC36/30, National Archives of Scotland.
\textsuperscript{104} Evidence Report by Dr Fergus McKenna, Ayr, 18 August 1919, Criminal case file: William Scott, 1919-1935, HH16/157, National Archives of Scotland.
\textsuperscript{105} Medical Certificate by Dr H.H. Boland acting Medical Officer of H.M. Prison Glasgow for William Scott, 28 July 1919, Precognition against William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire, 1919, AD15/19/130, National Archives of Scotland.
\textsuperscript{106} “Ayr Murder Trial”, Scotsman, 22 August 1919.
\textsuperscript{107} “Ayr Murderer Reprieved”, Scotsman, 10 September 1919.
\textsuperscript{108} Particulars of Convict Recommended for Licence, 14 August 1931, Criminal case file: William Scott, 1919-1935, HH16/157, National Archives of Scotland.
Albert Fraser and James Rollins, 1920

In 1920, Scotland was gripped by the trial of two ex-servicemen, Albert Fraser and James Rollins, in a case known as the ‘Queen’s Park Murder.’ The Falkirk Herald claimed that not since the trial of Oscar Slater had there been such public interest in a criminal case. On the 4 February 1920 the body of a badly beaten man was found at the Queen’s Park Recreation Ground, Glasgow. It would appear that the man, who wore a discharged soldier’s badge, had been the victim of a robbery. The body was quickly identified as that of Henry Senior, a mason who had served 14 years in the army having been discharged with wounds two years earlier. It later transpired that Senior had been lured to the spot by Helen White, a young woman said to be of the ‘prostitute class’ who was cohabiting with Fraser. It would appear that she, Fraser and Rollins devised a plan to rob her patrons and beat them unconscious. Prior to the death of Senior, Fraser had committed at least three robberies of this kind, and it was assumed that Rollins had been his accomplice. On the evening in question White had convinced Senior to ‘accompany’ her to the Queen’s Park Recreation Ground where he was set upon by Fraser and Rollins. While Rollins held Senior from behind, Fraser beat their victim with his fists and a revolver. Death was caused by shock from injuries given by blows to the head. Before leaving the body they removed the victim’s boots, overcoat and pocket book and then left. Later that evening Rollins met with Elizabeth Stewart, whom he had been cohabiting with, and apparently made the remark ‘I think we have killed a man.’ When Senior’s body was discovered the following day the decision was made to flee to Ireland. The case quickly unravelled when items belonging to the deceased were recovered from a pawn...
shop. Within one week of the discovery of Senior’s body, Fraser and Rollins, as well as the two women, had been arrested and brought back to Glasgow.115

Fraser and Rollins stood little chance of acquittal when their female accomplices decided to testify against them. Despite fainting on several occasions, White clearly stated that the accused had carried out the assault. She also believed that it was Fraser who had struck Senior with the revolver. The defence could do little other than claim that the two women were only testifying against the accused to save their own skins.116 The defence did ask that the verdict be one of culpable homicide, as the accused did not intend to kill Senior only to rob him.117 The post-mortem evidence given by the now familiar Professor Glaister seems to have ruled out culpable homicide. Even if the injuries to the head had not been inflicted, the rupturing of the victim’s the liver would have been fatal.118 Unsurprisingly, Rollins and Fraser were found unanimously guilty. The two men were reported to have shaken hands when the death sentence was read out by the presiding Lord Sands.119 Yet even without the testimony of the Crown’s witnesses the prospects of the accused were grim. The fact that their crime was premeditated and had a financial motive no doubt counted against them, as did the fact that their victim was an ex-serviceman.

The ‘otherness’ of the accused, Fraser was an Australian and Rollins an Irishman, albeit a Protestant, may also have prejudiced the trial.120 Bourke has argued that during the First World War Irishmen were valued as soldiers due to the belief that they were naturally more aggressive.121 Yet at the same time Irish regiments were widely considered to be ill-disciplined

115 “Secret Hiding Place”, 11 February 1920.
116 “The Queen’s Park Murder”, Falkirk Herald, 8 May 1920.
117 Ibid.
118 “Park Murderers to Die”, Evening Telegraph and Post, 5 May 1920.
119 “The Queen’s Park”, Falkirk Herald, 8 May 1920.
120 Rollins was listed as being associated with the Church of Ireland in his local newspaper, “Church Roll of Honour”, Mid-Ulster Mail, 2 January 1915.
and prone to sedition. Bowman has argued that was in part due to the tendency to categorise disorder amongst Irish troops as ‘mutiny’, whereas similar incidents amongst English, Scottish and Welsh units were dismissed as mere strikes. It was also the case that officers more readily court martialed Irish soldiers for offences such as drunkenness, due to stereotypes regarding the Irish and alcohol.\textsuperscript{122} Similar accusations of ill-discipline were levelled at the Australian Imperial Force as well. In March 1918 for every 1,000 soldiers in the British forces one man was in military detention. The proportion for the Canadians, New Zealanders and South Africans was 1.6, yet for the Australians it was 9. Matters were further exacerbated by the resolute refusal of the Australians to shoot deserters.\textsuperscript{123} The distrust of British military injustice amongst many Australians stemmed from the executions of Harry ‘Breaker’ Morant and Peter Handcock during the Second Boer War. It was widely believed that the two officers, who were accused of killing Boer prisoners, were convenient scapegoats for the British.\textsuperscript{124} Although a representative of the Australian Imperial Force was present throughout the trial and the High Commissioner was made aware of the situation, neither wished to intervene in the outcome of the trial.\textsuperscript{125} It might be suggested that the court would have been more reluctant to put two Scottish ex-servicemen to death.\textsuperscript{126} Certainly the public seem to have had little sympathy with the accused. The \textit{Sunday Post} reported that petitions for the reprieve of the two men were not being signed.\textsuperscript{127}

\textsuperscript{125} “Condemned Men Penitent”, \textit{Sunday Post}, 16 May 1920.
\textsuperscript{126} James M’Kay or McKay appears to have been the only ‘Scottish’ First World War veteran sentenced to be hanged. He had killed his mother in 1927 for financial gain and was executed the following year. Far from being brutalised by his war service, he happily reminisced about his time in the Army with a chaplain prior to his execution. ‘Glasgow Execution’, \textit{Scotsman}, 25 January 1928; Record of conduct of prisoners in condemned cell, James McKay, tried at High Court, Glasgow, Dec 1927 (executed 24 Jan 1928), Glasgow (Duke Street) Prison, 1920-1929, HH12/52/28, National Archives of Scotland.
\textsuperscript{127} Ibid.
There is little trace of Albert Fraser’s life prior to the murder of Henry Senior other than that he served in 56th/5th Battalion of the Australian Imperial Force and was gassed at Étaples while serving in France, and at the time of his trial he was said to be 24 years old. Lord Sands stated after the trial that there was ‘no evidence as to antecedents.’ The Dundee Evening Telegraph even reported that Fraser’s mother and sister in Australia were unaware of his execution, and were under the belief that he had only been charged with assault. Fortunately, the life of James Rollins is better recorded than his accomplice. Rollins was a native of Cookstown, County Tyrone and was one of seven children. In one petition sent from residents in his home district it was stated that his mother had died when he was seven years old and he had subsequently ‘led a wild and precarious life in the mountains of Tyrone.’ This claim seems to be plausible given that Rollins’ father was charged with neglecting his son at a Petty Session in 1908. Rollins had enlisted in the Irish Guards in 1914 despite being a mere 15 years old, but was later wounded at Ypres and invalided home. It was also reported that during a bayonet charge he had lost a finger and received a shrapnel wound.

After a period of recovery he volunteered again but was wounded at La Bassée and discharged as unfit for further service. It was claimed that during his second injury Rollins had suffered from shell shock. His small number of sympathisers also emphasised that he was only 21 years old when the offence was committed. This fact only came to light in petitions asking for clemency after the trial, with the jury never being made aware of Rollin’s mental state. In

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128 Petition for Communication of sentence of Albert James Fraser to the King’s Most Excellent Majesty, 1920, Criminal case file: Albert James Fraser, James Rollins, 1920, HH16/160, National Archives of Scotland.
129 Report by Lord Sands to Lord Justice Clerk upon the Case of Albert James Fraser and James Rollins, both sentenced to death for murder at Glasgow upon 7 May 1920, HH16/160, National Archives of Scotland.
130 “Still Unaware of Son’s End on Scaffold”, Evening Telegraph, 3 June 1920.
131 Second Petition for the Communication of Sentence of James Rollins to the King’s Most Excellent Majesty, 1920, Criminal case file: Albert James Fraser, James Rollins, 1920, HH16/160, National Archives of Scotland.
133 Petition for Communication of Sentence of James Rollins to The King’s Most Excellent Majesty, 1920, Criminal case file: Albert James Fraser, James Rollins, 1920, HH16/160National Archives of Scotland.
134 “Private James Rollins”, Larne Times and Weekly Telegraph, 5 December 1914.
135 First Petition for Communication of Sentence of James Rollins to The King’s Most Excellent Majesty, 1920, Criminal case file: Albert James Fraser, James Rollins, 1920, HH16/160, National Archives of Scotland.
a letter to the Secretary for Scotland, Charles Dickson, Lord Justice Clerk, gave his personal opinion that there was no evidence of Rollin’s having shell shock.\textsuperscript{136} The executions were carried out regardless at Duke Street Prison on 26 May 1920. The two men, who showed immense loyalty to one another throughout, were to be hung simultaneously. When Rollins stepped up to the scaffold it was reported that his accomplice made the remark “Cheer up, Bill.”\textsuperscript{137}

\textbf{Owen McAuley, 1921}

In 1921, a year that was noteworthy for its high level of crime, another ex-serviceman was brought before a Scottish court on the charge of murder. In August Owen McAuley was accused of having killed his elderly father with a hammer for reasons that were never fully discerned. Family members stated that McAuley had a good relationship with his father, in fact he was somewhat indulged compared to his siblings.\textsuperscript{138} McAuley was a war veteran who had struggled to re-adjust to civilian life following his demobilisation; he was periodically unemployed and began to drink heavily having previously been temperate.\textsuperscript{139} McAuley had a strikingly similar war record to William Scott, they both served with the Royal Scots Fusiliers in Salonica and had contracted malaria while there.

Robert Gribben, a former comrade, stated that McAuley had ‘the worst case of malaria in Salonica so far as our regiment was concerned.’ Gribben elaborated that the heat was so excessive where they were stationed that between 10 am and 5 pm there was to be as little troop movement as possible. McAuley’s role as a despatch runner meant that he was exempted from the order thus aggravating his condition. As a result McAuley suffered from attacks of malaria

\textsuperscript{136} Report by Lord Justice Clerk to the Secretary for Scotland, Case of Albert James Fraser and James Rollins, both sentenced to death for murder at Glasgow upon 7 May 1920, HH16/160, National Archives of Scotland.
\textsuperscript{137} “Two Glasgow Murders”, \textit{Courier}, 27 May 1920.
\textsuperscript{138} “Strange Note Found in House of Tragedy”, \textit{Evening Telegraph}, 24 October 1921.
\textsuperscript{139} Statement given by Robert Gribben, Precognition against Owen McAuley for the crime of murder at 36 McAslin Street, Glasgow, 1921, AD15/21/136, National Archives of Scotland.
on a weekly basis and it was during these attacks that signs of mental illness first emerged. Gribben stated that following one attack McAuley claimed he was married to a woman named Norah but he later learned that McAuley was a bachelor. McAuley’s medical problems did not end there; his brother stated that he had been wounded in the head with shrapnel and as a result suffered from fits and neuralgia. Prior to his death McAuley’s father had expressed reservations about being left alone with his son due to his increasingly unusual behaviour. McAuley’s two brothers were also of the opinion that he had returned from the war ‘a changed man.’ Several witnesses stated that McAuley was noteworthy for his ‘wild staring eyes’ and abnormal mannerisms.

The medical experts were divided regarding McAuley’s mental state. Professor Glaister, who would later examine Brough, was unconvinced by McAuley’s case. Based on his own investigations as well as the evidence submitted to him by others, Glaister stated that that ‘there is not sufficient evidence to satisfy me that the said Owen McAuley was of unsound mind on the day and at the time the alleged crime took place.’ Glaister’s own experience had convinced him that there was no relationship between malaria and insanity. In fact it was only during the First World War that significant medical literature emerged on the subject. In 1916, Hildred Carlill, neurologist to the Royal Naval Hospital Haslar, recorded the case of a malarial patient who suffered from severe amnesia similar to that displayed in patients with Korsakoff’s Syndrome, a neurological disorder that is more commonly found in long-term alcohol abusers. McAuley had the good fortune to be examined by Dr W.K. Anderson, a leading exponent of what was then known as ‘malarial psychoses’ or ‘neuroses.’ Anderson summarised McAuley’s case with the statement ‘That after his return he was a changed man -

140 Statement given by Joseph McAuley, Precognition against Owen McAuley for the crime of murder at 36 McAslin Street, Glasgow, 1921, AD15/21/136, National Archives of Scotland.
141 “Glasgow High Court”, Scotsman, 25 October 1921.
142 Report by Professor Glaister R.E. Owen McAuley, Precognition against Owen McAuley for the crime of murder at 36 McAslin Street, Glasgow, 1921, AD15/21/136, National Archives of Scotland.
queer, as if the good in him had become subservient to the bad, conscience had ceased to
 preside, the finer shades of his character and judgment had disappeared.’ Anderson found that
McAuley suffered from recurrent bouts of malaria as well as dysentery and influenza. Yet
Anderson did not attribute McAuley’s crime wholly to malaria; ‘The suggestion of warfaring,
with the idea that it fosters the cheapness of life, may easily lead a mind thus debilitated by an
exhausting disease to an irrelevant homicide, -or, in a fit of depression a suicide.’ Essentially
Anderson believed that McAuley had been brutalised by the war, a remarkable claim for a
medical professional to make.

McAuley’s brief lodged a special defence on his behalf on the grounds that he had been
insane when the crime was committed. Yet as evidenced by the Scott case, convincing a jury
that malaria could lead to insanity was a difficult task. During the trial, Dr Joseph Green
testified that he had examined the accused and found that he was ‘in a melancholy state’ and
was ‘sluggish in his mental processes.’ Green stated that this was to be expected in a man in
such circumstances and that there was not sufficient evidence of insanity. Professor Glaister
also repeated his earlier remarks that there was no evidence that McAuley was insane. In
summing up the case the presiding judge acknowledged the difficulty in establishing
McAuley’s mental state, in particular there were several pieces of conflicting evidence that
further complicated the matter. McAuley had left a letter at the scene of the murder which
read ‘To All – Mary has dropped me, so I intend to have her life as well as another. I will depart
this life in peace, for it has been nothing but trouble with me since I was born through drink.’
McAuley’s intended was later interviewed and claimed that they had an argument, over an
‘improper suggestion’ made by McAuley, but that he had apologised and that she would

144 Report by Dr W.K. Anderson R.E. Owen McAuley, Precognition against Owen McAuley for the crime of
murder at 36 McAslin Street, Glasgow, 1921, AD15/21/136, National Archives of Scotland.
145 “Glasgow High Court”, Scotsman, 25 October 1921.
146 William K. Anderson, Malarial Psychoses and Neuroses: Their Medical, Sociological and Legal Aspects
147 “Strange Note Found in House of Tragedy”, The Evening Telegraph, 24 October 1921.
consider forgiving him. She did not, however, end relations with McAuley as was claimed.\textsuperscript{148} The presiding judge conceded that the letter was ‘the product of an unsound mind’, yet the fact that McAuley had given a false name and address while staying at a hotel in Edinburgh shortly after the murder suggested a calculated attempt to evade capture.\textsuperscript{149} Due to these inconsistencies McAuley was found guilty of the lesser charge of culpable homicide and sentenced to seven years penal servitude.\textsuperscript{150} The fact that no convincing motive could be established for his crime, perhaps made it easier for the jury to accept that McAuley was not wholly responsible for his crime.

Anderson would go on to write about the McAuley and Scott cases in his book \textit{Malarial Psychoses and Neuroses Their Medical, Sociological and Legal Aspects}, (1927), in which he made the argument that malaria should be considered a mitigating factor in criminal cases. In particular Anderson argued that ‘If the disease has been contracted on war service, it is almost more important to see that grievous wrong is not done to men who have already undergone a full share of hardship and sacrifice.’\textsuperscript{151} Anderson also revealed that he had been instrumental in saving Scott from the gallows, having passed on his research on the relationship between malaria and insanity to a cabinet minister.\textsuperscript{152} In regards to McAuley’s case Anderson believed that the emphasis placed on the accused’s alcohol consumption on the evening in question, as well as fact that he had shown no signs of mental illness while awaiting trial, had made it difficult for the jury to accept that recurrent malaria had any bearing on the case.\textsuperscript{153}

Although Anderson’s work on malaria was well regarded by his contemporaries, Croft and Nevin note that he subscribed to the mistaken belief that even mild forms of malaria, as

\textsuperscript{148} Statement given by Mary Josephine Carroll, Precognition against Owen McAuley for the crime of murder at 36 McAslin Street, Glasgow, 1921, AD15/21/136, National Archives of Scotland.
\textsuperscript{149} Anderson, \textit{Malarial Psychoses and Neuroses}, 192.
\textsuperscript{150} “Glasgow High Court”, \textit{Scotsman}, 25 October 1921.
\textsuperscript{151} Anderson, \textit{Malarial Psychoses and Neuroses}, 188.
\textsuperscript{152} Ibid, 189.
\textsuperscript{153} Ibid, 193.
opposed to just cerebral malaria, were neurologically harmful.\textsuperscript{154} Anderson also tarnished his work with the dubious claim that malaria could lead to ‘race degeneracy’ and dedicated an entire chapter of his book to this theory. Anderson’s conclusions focused mainly on the Mediterranean peoples; malaria was the cause of the low intelligence and poor physical condition of the French peasantry, while the high murder rate and general lawlessness commonly associated with certain districts of Italy could be similarly explained. Malaria was also proposed as the cause of the ‘change of character’ experienced by the Greek city states during the 4\textsuperscript{th} century BCE, leading to their eventual decline.\textsuperscript{155} Although reactionary fears regarding race decline were common after the First World War, Anderson’s work illustrates how the disease remained poorly understood even after wartime outbreaks had offered new opportunities for medical research. This may explain why Scott and later McAuley were sentenced to penal servitude rather than being treated in an asylum.

\textbf{William McInally, 1922}

The following year Scotland was once again troubled by the violent actions of a mentally unstable war veteran. William McInally, variously named as James McInally or M’Inally and McNally faced similar charges at Dundee, McInally was accused of murdering his wife with a razor sometime during the night of 26 or 27 August. The \textit{Courier} described the murder in the lurid detail that was typical of interwar crime journalism:

Mrs. McInally was murdered in bed, and her body with the head practically severed was found huddled in a pool of blood behind the door. The discovery was made through a neighbour residing beneath the attic observing blood oozing through the ceiling.\textsuperscript{156}


\textsuperscript{155} Anderson, \textit{Malarial Psychoses and Neuroses}, 17-25.

\textsuperscript{156} “Dundee Attic Tragedy”, \textit{Courier}, 28 August 1922.
Another neighbour reported that she had heard; ‘Annie give a terrible cry. ‘Oh’ and it was followed by a thud as if someone had fallen on the floor.’ The witness was later relieved to hear McInally cheerfully singing a German song, believing that this was incompatible with a serious incident. When concerned neighbours called on the McInally’s flat the following day the crime was quickly uncovered. McInally remained calm and stated that he was going to hand himself in, but opted to visit his mother before going on the run. McInally was arrested shortly afterwards between Barry and Monifieth by constable, described as a ‘burly ex-Black Watch man.’\footnote{Ibid.}

McInally was a career soldier having been in the army for 21 years; during this time he had served in the Boer War, the First World War and in various garrisons throughout the empire. Throughout McInally’s service he had displayed signs of mental illness and suffered severely from tropical diseases. During the subsequent murder investigation there was some confusion regarding McInally’s military record. It would appear that McInally enlisted in the KOSB in 1901, but as he was only 17 and his mother opposed to him joining the army he had enlisted under the name ‘James McInally.’\footnote{Statement given by William Tuch MacKenzie, M.D., Medical Superintendent of Dundee District Lunatic Asylum, Westgreen, Dundee, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.} His first period of service lasted from 1901 to 1910 during which he was hospitalised six times for malaria or ague. During his last enlistment between 1919 and 1922 he was again hospitalised with malaria as well as Sandfly fever.\footnote{Army Medical Records of William McInally, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.} Yet McInally’s long history of mental instability was not included in his medical records. At some point while stationed in Burma in 1905 McInally was implicated in an incident involving a loaded rifle and was sent to a hospital for ‘mental diseases’ in Rangoon. It is unclear what
exactly happened in Burma; McInally himself claimed that he had been drunk and gotten into a fight with another soldier, whom he later tried to shoot.\textsuperscript{160}

Two former comrades claimed that McInally had actually attempted to commit suicide although both gave differing accounts. In a letter to the Chief Constable of Dundee, Robert A. Benson claimed that; ‘I had occasion to knock his Rifle out his hand whilst he was seated on his Bed Cot for his (sic) great toe in the Trigger Guard of his Rifle. I on throwing open the Bolt a Cartridge flew out. He then turned to run to the storeroom for another Billett (sic) but I took the feet from him and had him escorted to the Guardroom from whence he was sent to Rangoon and put under observation.’\textsuperscript{161} William McCafferty, who had also served with McInally, gave a slightly different story;

McInally attempted to take his life by shooting himself with his rifle in front of his head he asked another soldier named McKenzie, who was afterwards killed in the Great War, to test the pull of the trigger, but instead he pulled out the bolt, when it was discovered that the rifle was loaded, and from the way in which it was held if the trigger had been pulled the bullet would have gone through McInally’s head.\textsuperscript{162}

Despite their differing accounts of the incident, the two men agreed that McInally was found to be insane and taken to Rangoon under restraint.\textsuperscript{163} It might have been the case that McInally attempted to take his life on not one but two separate occasions.

It would appear that even after treatment in Rangoon McInally remained unstable, and was widely known in his regiment as ‘Daft McInally.’ Benson stated that he did not see him again until during the First World War while stationed in Berwick-Upon-Tweed. McInally had

\textsuperscript{160} Letter from Robert Benson to the Chief Constable of Dundee, 10 December 1922, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.\textsuperscript{161} Statement given by William McCafferty, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.\textsuperscript{162} Letter from Robert Benson to Chief Constable Dundee, AD15/22/28, National Archives of Scotland, Statement given by William McCafferty, AD15/22/28, National Archives of Scotland.\textsuperscript{163} Ibid.
gone missing and was later found in the town gathering rags and bones, and although convicted for absence he was released as the battalion was about to be sent to France. Benson said of the incident; ‘I was still unshaken in my belief that he was not all there.’ McCafferty also stated that McInally remained peculiar in France and that a mutual acquaintance had told him that after demobilisation McInally was as ‘daft as ever.’\footnote{Letter from Robert Benson to Chief Constable Dundee, AD15/22/28, National Archives of Scotland.} After leaving the army in 1919 McInally returned to Dundee and married Annie McRae, a mill worker and mother of an illegitimate daughter whose father had been killed during the war.\footnote{Statement given by Elizabeth Graham or Yuill, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.} McInally did not settle long and re-enlisted four months after his demobilisation so as to complete 21 years’ service. After his final demobilisation from the army in June 1922 McInally struggled to readjust to civilian life. McRae’s half-sister claimed that McInally was an abusive and violent husband, who was financially dependent on his wife.\footnote{Ibid.} Annie McInally’s daughter claimed that he had struck her mother with his hands and that; ‘Since he came back this summer I have heard him say two or three times to my mother that he would kill her and then kill himself. I think he was drunk when he said that, for he was often drunk.’\footnote{Statement given by Ellen Whyte, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.}

Yet when cross examined in court McInally denied having ever struck his wife.\footnote{“M’Inally In the Box”, \textit{Courier}, 21 December 1922.} Instead, he resorted to the standard excuse of ex-servicemen who killed their wives: that she had been unfaithful while he was in the army. Although this was denied by several neighbours and acquaintances of the victim.\footnote{Statement given by Annie Crossan, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland; Statement given by Agnes Reilly or Moran; Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.} A police constable who knew the family described Annie McInally as ‘a hardworking woman who took a drink towards the end of the week. I certainly
never regarded her, and she was not regarded, as a woman of immoral habits.'\textsuperscript{170} Only McInally’s mother repeated his claim that his wife was of drunken habits and went with other men, but even she had to concede that it was only a rumour that she had heard from others.\textsuperscript{171} As evidenced by the McDermott trial that same year, it was often left to the victim’s mother-in-law to corroborate the claims of their murderous sons when no other evidence could be found. Interestingly, the \textit{Courier} reported that the deceased was a ‘staunch Protestant’ while McInally was a Roman Catholic.\textsuperscript{172} One can only infer why the \textit{Courier} thought the McInallys’ religious backgrounds were relevant.

Initially the medical experts called to examine McInally were cynical as to his insanity. Alexander Mitchell Stalker, M.D., Professor of Medicine of University College Dundee, stated that McInally was sane, but added; ‘I consider McInally to be a man who does not know, or at least does not recognise, the difference between right and wrong, and that in my opinion McInally does not comprehend the seriousness of the crime of murder, and has no sense of moral responsibility.’\textsuperscript{173} William MacKenzie, Medical Superintendent of Dundee District Lunatic Asylum, found no official record of McInally being treated at any mental hospital in Agra or Rangoon as he claimed. McInally also divulged that a supposed ‘mental breakdown’ in 1922 was actually ‘a touch of sun.’\textsuperscript{174} Nonetheless, McInally’s solicitor raised a special defence on his behalf. McInally pleaded not guilty and that he had been insane at the time of the murder and was therefore not responsible for his actions.\textsuperscript{175} William Watson KC argued for

\begin{itemize}
\item \textsuperscript{170} Statement given by Constable Alexander Dalyrymple, Dundee City Police, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.
\item \textsuperscript{171} Statement given by Mary McGurk or McInally, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.
\item \textsuperscript{172} “Dundee Attic Tragedy”, \textit{Courier}, 28 August 1922.
\item \textsuperscript{173} Statement given by Professor Alexander Mitchell Stalker, M.D., Professor of Medicine of University College Dundee, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.
\item \textsuperscript{174} Statement given by William Tuch MacKenzie, M.D., Medical Superintendent of Dundee District Lunatic Asylum, Westgreen, Dundee, AD15/22/28, National Archives of Scotland.
\item \textsuperscript{175} Indictment against William McInally for Murder, 9 December 1922, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.
\end{itemize}
the defence that if the jury accepted that McInally could not remember the night in question they had to accept that he was insane. It was also put to the court McInally had been influenced by a ‘pathological drunkenness’ or ‘a drunkenness which included a certain disease of the brain.’

Stalker repeated his suspicions in court describing McInally as; ‘in all the ordinary acceptations of the word sane, that he was quite fit to conduct himself in a sane manner, that he was a very low moral type, callous in the extreme, but in the ordinary meaning of the word sane.’ On the day of the murder McInally admitted to drinking two pints of beer and a half of rum before selling a pair of trousers so as to buy more drink before going home around 9:30 pm, although his recollection after this point was unclear due to being ‘very bad with the drink.’ McInally stated that he had no memory between going to bed with his wife around ten and finding her body the following morning. Due to the overwhelming evidence against him McInally was found guilty but insane. Like O’Hara before him, McInally was sent to the criminal lunatic department at Perth Prison to be held at ‘His Majesty’s Pleasure.’

**Conclusion**

The cases of Brough, McInally and Scott shared many similarities; all three were murders committed by mentally-ill veterans under the influence of alcohol. Although McInally’s suspicions regarding his wife’s fidelity seem to have been unfounded, sexual jealousy was a factor in all three cases. It would, nonetheless, be an oversimplification to say that Brough was found not guilty, and was generally treated more favourably, simply because he was an ex-officer. Scott’s Down’s syndrome would have fitted into well-established, if spurious, theories regarding inheritance and criminality, something that no doubt counted

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177 “M’Inally in the Box”, *Courier*, 21 December 1922.
178 Ibid.
against him. In the 1914 edition of Havelock Ellis’ *The Criminal* the findings of the criminologist Cesare Lombroso were compared with those of Down’s syndrome’s namesake John Langdon Down. Lombroso had argued that:

…born criminals have projecting ears, thick hair, a thin beard, projecting frontal eminences, enormous jaws, a square and projecting chin, large cheek-bones, and frequent gesticulation. It is in short, a type resembling the Mongolian, or sometimes the Negro.  

Down similarly suggested that ‘more than 10 per cent of congenital feeble minded children are typical Mongols. Their resemblance is infinitely greater to one another than to members of their own families.’  

Malaria sufferers were also treated less sympathetically than other invalided veterans. Lieutenant Harold Lake wrote in *Campaigning in the Balkans* (1918) that soldiers afflicted with malaria were ‘given to feel a bit of a failure -a “wash out” in the slang of the day- and not to be compared with some lucky youngster who has had his finger shot off.’  

Captain Arthur Alport, who served with the RAMC in Salonica, stated that civilian hospitals were simply not equipped to treat malaria after the war and ‘that many discharged soldiers will be ruined in health and valuable lives imperilled or lost.’  

The fact that Brough had killed his rival rather than his intended was no doubt a factor in his acquittal as well. During McInally’s trial the *Evening Telegraph* reported that there were ‘a fair number of women’ in the court.  

Nonetheless, there were clearly undertones of class throughout all of the trials. One of the doctors who examined McInally reported that; ‘He has the average intelligence of the

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181 Ibid.
ordinary unskilled labourer.' The fact that the medical community believed that level of intelligence could be so neatly associated with employment is telling. The McInallys’ tenement was also described as being home to the ‘poorer classes’ and was in a ‘densely populated street.’ Similarly the tenement where O’Hara lived was described as ‘sordid in the extreme. On one side of the thoroughfare is a row of frowsy hovel like tenements, and on the other a wall, over which can be seen the railway.’ When Scott’s death sentence was under review the Prison Commissioners for Scotland interviewed his family. It was reported that his parents were alcoholics living in a ‘squalid lodging house.’ Scott’s father was said to be ‘not perfectly sober when interviewed.’ The living arrangements of Fraser and Rollins were also given undue prominence during their trial. The fact that they cohabited with their two accomplices, who were said to be of the ‘prostitute class’, seems to have counted against them. The investigations made into the social background of the accused suggests a belief in ‘deserving and undeserving’ cases, a mantra clearly shaped by the Poor Law.

It is noteworthy that Professor Glaister, not a man who diagnosed insanity readily, was consulted on the cases of Brough, McDermott and McAuley. Although highly regarded as a medical expert Glaister was not infallible. He had testified for the prosecution during the now infamous murder trial of Oscar Slater in 1909. Slater was later exonerated, albeit after nearly 20 years in prison, and the trial is regarded today as a gross miscarriage of justice. Glaister was known to have dabbled in eugenics and to have held Malthusian views on the poor. In

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185 Statement given by Alexander Mitchell Stalker, M.D., Professor of Medicine of University College Dundee, Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.
186 “Dundee Attic Tragedy”, Courier, 28 August 1922.
187 “I Thought it was a Zeppelin”, People’s Journal, 16 September 1916.
188 Report by David Crombie, Secretary to the Prison Commissioners for Scotland, 26 August 1919, Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.
189 Report by Lord Sands to Lord Justice Clerk upon the Case of Albert James Fraser and James Rollins, both sentenced to death for murder at Glasgow upon 7 May 1920, HH16/160, National Archives of Scotland.
190 Crowther & Brenda, On soul and conscience, 45–47.
1912, he presented a paper entitled ‘The Future of the Race’ to the Philosophical Society of Glasgow wherein he argued that:

…that those who most receive relief from the poor law and public and private charity, are those who are most improvident, drunken, and immoral, and who, besides, are most frequently to be found as accused persons in our criminal law courts and fill our reformatory prisons.\(^{191}\)

Glaister also advocated that repeat offenders under the Poor Law should be sent to a ‘Detention Colony’ for a period of up to three years, that no monies should be given to ‘tramps’, and that unwed mothers should be ‘subject to complete control’.\(^{192}\) Although such views were common amongst men of Glaister’s social class and generation, it is hard to believe that these same prejudices did not colour his professional opinions.

The contrasting treatment of the accused suggests a clear bias in favour of ex-officers. The revelation that Scott had a sexual relationship with his victim was the defining point of his trial. Yet Brough killing a man who was engaged to a former romantic interest seems to have been of little consequence. Emsley’s theory then that the ‘shell shock defence’ was taken more seriously when it was used by former officers seems to be broadly correct. The trial of Fraser and Rollins was significantly different from the others, yet it is useful for comparative purposes. Unlike in the cases of Scott, McAuley and McInally, Rollin’s mental state was never presented to the jury, suggesting that claiming war neuroses could at least save an enlisted man from the gallows if not from prison. This suggests that Emsley’s interpretation of the ‘shell shock defence’ needs to be adjusted for Scots Law, even if the basic premise remains true. The


\(^{192}\) Ibid, 38-41.
evidence of the aforementioned trials clearly illustrates a double standard within the judiciary in regards to mentally-ill veterans of the First World War.
Chapter Six

Land Raiding in Scotland by First World War Veterans

‘Most of us have fought the war on sea and land and we are now determined to fight and shed our last drop of blood, if necessary, for our liberties at home, unless they can be secured otherwise.’ Letter to the Board of Agriculture for Scotland from the ex-servicemen of Raasay, 1920.¹

British veterans of the First World War, unlike their former allies and enemies on the Continent, have been portrayed as passively accepting the post-war settlement.² Yet this view ignores the leading role taken by Scottish ex-servicemen in the land agitations that took place in the aftermath of the war. Historians have tended to characterise the raids as a continuation of pre-1914 agitations without considering the impact of the war. They have also tended to assume that raiding only occurred in the Hebrides, when in fact agitations took place on the Highland mainland, Shetland and even as far south as Perthshire. The war itself is seen as merely providing a brief respite to the agitations that had occurred sporadically since the 1880s, with land raiding resuming immediately after the war. Yet it should be considered that later raids had their own character and were affected by the circumstances of the post-war world, as well as by the status of the raiders as veterans. Land raiding then bridges the societal and individual effects of the war on crime.

Contemporary sources made comparisons between the land raiders and similar agitations in Ireland, a worrying prospect given that the raids occurred in parallel with the Irish War of Independence and the Civil War. The support given to the land raiders by socialists was also troubling, given the leftward shift that occurred in Scotland after the war. To their

¹ Letter from the Ex-Servicemen of Raasay to the Secretary of the Board of Agriculture for Scotland, 19 February 1920, Land Agitation, Seizures and Land Settlement in Raasay, 1920-21, AF67/149, National Archives of Scotland.
supporters the actions of the land raiders did not amount to criminality, but was instead justified collective action. Nonetheless, the land raiders were not revolutionaries but were perhaps closer to the Luddites, given their determination to preserve a way of life that was no longer economically viable. Contrary to what their socialist supporters may have believed, the land raiders had no intention of overthrowing the tenant-landowner system, with most preferring to rent their land on fair terms rather than owning it themselves. Regardless of the raiders’ political ideals, these veterans were willing to break the law, and, in some cases, go to prison for their right to live on the land. The land raids then can convincingly be placed within the social disorder that followed the First World War in Scotland, and indeed in Europe in a broader sense.

**Land Raiding**

Although a great deal has been written on land raiding in Scotland, most historians have neglected the role played by veterans in post-war agitations. The First World War itself is seen as having no real effect on the agitations that had occurred since the 1880s. Leneman has argued that although interwar land reform was generally successful, the failure rate was highest amongst holders who had been given land immediately after the war, many of whom were veterans. The Department of Agriculture believed that the scheme had been rushed and that many of the ex-servicemen had not been properly trained in farming.³ Gold and Gold’s study of Lord Leverhulme’s attempts to ‘improve’ the Hebrides have also neglected the land occupations that were carried out in the same period. They do note that the returned veterans brought back a greater sense of entitlement, which added further difficulties to Leverhulme’s ambitious schemes.⁴ Cameron and Robertson have given more attention to the role of ex-

servicemen in post-war raids. They have identified 42 separate instances of protest between 1897 and 1914, yet this rose to 500 after the war.\(^5\) Cameron has also found that after the war ex-servicemen accounted for a significant number of applications for land. In 1920, for example, 76 per cent of applicants were ex-servicemen, even by 1924 they represented 49 per cent of applicants.\(^6\) Robertson has gone further still and suggests that the shared experience of war service created a sense of comradery amongst veterans, which superseded old ties to family and community. Robertson, nonetheless, reiterates that the actions of the land raiders constituted a ‘meta-movement’ rather than a homogenous collective action. The land raiders were isolated groups bound together by their similar backgrounds, tactics and objectives, rather than by a defining ideology and organisational structure.\(^7\)

The history of rural protest in the Scottish Highlands is relatively well recorded, with the agitations of the late 19\(^{th}\) century, collectively known as the ‘Crofter’s War’, being given particular attention. To understand the land issue in the Scottish Highlands fully it is necessary to go back even further. Blum has characterised the transition from communal to enclosed farming during the 18\(^{th}\) century as marking the beginning of a new agrarian order. The peasantry were forced to give up communal lands that they had held for centuries, all in the name of economic progress and rampant individualism.\(^8\) The transformation of the land from a communal asset to a commodity has been cited as the root cause of the majority of peasant conflicts. Smout notes that the Highland Clearances were in part motivated by these same economic forces. Following the potato blight of 1846, many Highland estates were near

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bankruptcy due to supplying famine relief. For many it seemed simply more economical to replace the people with animals.⁹ Yet Devine notes that whereas the Scottish Lowlands followed the European wide trend towards the consolidation and enclosure of farmlands, the Highlands and islands were less affected. Another notable difference between the two regions is that while the ‘Lowland Clearances’ were met with little opposition, when similar initiatives were made in the Highlands the people resisted. Between 1760 and 1855, the era of improvement, there were at least 20 recorded incidents of collective resistance in the Scottish Highlands.¹⁰ Devine has countered the belief that the Highlands had been tamed by the defeat of Jacobitism and the dismantlement of the Clan system in the 1740s, as well as the civilising effect of evangelical Protestantism. The stereotype of the ‘docile Highlander’ was also a product of Lowland sympathisers, who wished to distance the Highlanders from the seditious Irish peasant.¹¹

From this emerged a culture of popular protest in the Highlands and islands that lasted into the 20th century. Opposition took on many forms including boycotting, driving off livestock, poaching, rent strikes, sabotage, and most notably land raiding. Although this analysis will focus primarily on post-war land raids, it should be appreciated that the practice was a continuation of a long established form of protest in the Scottish Highlands. Hunter has characterised the period from 1881 to 1930 as one of more or less continuous conflict in the Highlands between tenants and landlords, with 1884 marking the beginning of a more forceful phase of agitation. He does note that some gains were made by the land agitators during this period, namely the establishment of the Crofter’s Commission, which was responsible for a reduction in rents by up to 50 per cent and the cancellation of most arrears.¹² Yet these gains

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appear to have been short-lived, with Cameron arguing that in the period prior to the First World War, 1897 to 1914, land raiding increased significantly. During these years there were 25 raids and 17 threats to raid, while between 1886 and 1896 there had only been nine raids and four threats to raid. It should also be noted that no raids or threats to raid were recorded in Barra and Vatersay, North Uist and Harris until the latter period. It is clear then that in the years prior to the war there was a clear escalation in tensions between landowners and the crofting community.

**Peasants and the Land**

It is necessary to locate Scottish land occupations within the broader context of peasant protest. Many of the tactics used by the land raiders, such as sabotage and poaching, were typical of peasant revolts. Hobsbawm has done the most comparative work on peasant land occupations and has identified several commonalities that occur regardless of locale or time period, such as belief that the occupied land rightfully belongs to the community, and the fact that land raids are rarely clandestine, with the landowner usually being informed in advance. Hobsbawm has also outlined what he calls ‘social banditry’, wherein the bandit or bandits defy the state or landowners in what they believe is a just cause. Unlike other criminals ‘social bandits’ usually act with the approval, and often with the help, of their own communities. Hobsbawm has suggested that landless ex-servicemen are particularly prone to banditry, most notably in Tsarist Russia and post-Risorgimento Italy. Theories on why peasants rebel, according to Jenkins, can be categorised as two distinct types; structural theories argue that peasant rebellions occur due to class relationships, while historical theories attribute the

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13 Ewen A. Cameron, ‘They Will Listen to no Remonstrance’: Land Raids and Land Raiders in the Scottish Highlands, 1886-1914’, *Scottish Economic and Social History* 17, no.1, (1997), 43-64, 44.
16 Ibid, 38.
increasing economic insecurity of the peasantry that comes with modernisation.\textsuperscript{17} Jenkins also notes that commercial family-sized tenancy, which was the norm in the Highlands and islands, has the greatest potential for grievances. Under this system landlords contribute little to production and try to extract as much rent as possible from the tenants, who also have to take on the inherent economic risks that come with commercial farming. Unlike other systems of land tenure, such as that used on country manors, ranches and plantations, the landlords are usually absent and cannot enforce the same degree of social control on their tenants.\textsuperscript{18}

One of the main issues of contention regarding peasant protest is whether reform encourages or discourages disorder. Finkel, Gehlbach and Olsen suggest that following the abolition of serfdom in Russia in 1861 rural protest actually increased. They estimated that during the 1860s refusals to work increased by 720 per cent amongst land owning peasants. They have suggested that this was due to Tsarist reforms increasing grievances while keeping expectations constant. Out of the 387 disturbances surveyed 350 were caused by dissatisfaction with the post-emancipation settlement.\textsuperscript{19} Domenech and Herreros have also found that incomplete land reform caused an increase in disturbances in Córdoba in the years prior to the Spanish Civil War, even in areas that had no previous history of agrarian protest.\textsuperscript{20} This debate is of particular relevance to this study, as reform had been attempted in the Highlands through the Crofters’ Holdings (Scotland) Act 1886, and then later with the Small Landholders (Scotland) Act 1911 and the Land Settlement (Scotland) Act 1919.\textsuperscript{21}

\textsuperscript{18} Ibid, 488-489.
\textsuperscript{20} Jordi Domenecha and Francisco Herreros, ‘Land reform and peasant revolution. Evidence from 1930s Spain’, Explorations in Economic History 64, April, (2017), 82–103, 102.
specifically designed to put an end to land raiding and other forms of protest such as rent strikes, yet, as historians have suggested, granting concessions in this way rarely prevents agrarian disturbances. Robertson has argued that one of the main aims of the 1919 Act was preventing the sort of political unrest that had occurred in Ireland and on the Clyde.\textsuperscript{22}

According to MacPhail agitations first began in Stoneybridge, South Uist as a direct result of being visited by the Napier Commission in 1883. Land was occupied and a branch of the Highland Land Law Reform Association was founded. The Commission was itself a public inquiry into the condition of crofters in the Highlands and islands, and was enacted in the wake of the ‘Crofter’s War’ of the 1870s and 1880s.\textsuperscript{23} Hunter notes that in a broader sense the Napier Commission did prevent further agitation, albeit only briefly, by suggesting immediate reform.\textsuperscript{24} The slow pace of reform also has the potential to frustrate the landless further and thereby increase agitations. Hunter notes that the passing into law of the Land Settlement Act 1919 saw only a brief abatement from land raiding. When only 227 applications were processed in the whole of 1920 land occupations quickly resumed.\textsuperscript{25}

Yet the 1919 Act did significantly increase the ability of the Board of Agriculture for Scotland (and as of 1928 its successor the Department of Agriculture) to create smallholdings. The Board was given the power to acquire land by either agreement or compulsion for the purposes of land settlement. Other measures included extending the geographic area where land schemes could be enacted and allowing the board to acquire private land without the arbitration of the Land Court.\textsuperscript{26} In a memorandum produced in 1924 by then Secretary for Scotland, Ronald Munro Ferguson, Viscount Novar, the Board was instructed that the crofting

\textsuperscript{23} I.M.M. MacPhail, \textit{The Crofters’ War} (Stornoway: Acair Ltd., 1989), 84.
\textsuperscript{24} Hunter, \textit{The Making of the Crofting Community}, 146.
\textsuperscript{25} Ibid, 200.
counties were to be prioritised, and that Treasury controls were also to be removed provided that the sum of £3 million was not exceeded. The only restriction placed by the Scottish Office was that there were to be no new settlement schemes in the Lowlands, although those already in place were to be followed through.\textsuperscript{27} It is understandable then why many who were sympathetic to or affected by the land issue were optimistic about the act.

**The First World War and Rural Unrest**

In the economic, social and political upheaval that followed the First World War several countries were faced with widespread peasant unrest. Snowden notes that in Italy peasant dissatisfaction with the post-war settlement was a vital factor in the rise of fascism. In order to ensure that Italy’s predominantly peasant army kept on fighting, the wartime government had promised extensive reforms that were never enacted. As a result post-war Italy saw unprecedented levels of rural protest, with 500,000 agricultural workers on strike in 1919 and 1,000,000 by 1920. Between 1901 and 1913 there had been on average only 112,000 strikers per year. It is unsurprising then that the landed elites were so quick to ally themselves with the emerging fascist movement.\textsuperscript{28} Although post-war Italy is the best known example of rural instability contributing to democratic collapse, similar events were occurring across Europe. Vermeulan’s study of rural Macedonia found that returning veterans from the Balkan and First World Wars were prone to agitation. The experience of leaving their villages had made veterans less deferential to the traditional community arbitrators, namely family heads, the Church and the tzorbatzides, the richer class of peasant.\textsuperscript{29}

\textsuperscript{27} Memorandum from Secretary for Scotland, Ronald Munro Ferguson, 1st Viscount Novar, to the Board of Agriculture for Scotland, 14 June 1923, Agriculture (Land Settlement) files Land settlement: memorandum by Board for Captain Elliot, MP following parliamentary debates on case of Strathaird Raiders, 1923, E824/487, National Archives of Scotland.


\textsuperscript{29} Hans Vermuelan, ‘Conflict and Peasant Protest in the History of a Macedonian Village, 1900-1936’, *Epitheorisi Koinonikon Erevnon* 13, special issue, (1981), 93-103, 98.
Luebbert has developed this idea even further, and suggested that after the war European states with traditional agricultural societies were more susceptible to reactionary dictatorships. Such regimes generally emerged in countries where more than half the population were engaged in agriculture. In Hungary, where Miklós Horthy successfully overthrew the communist government and established himself regent, 51 per cent of the population worked in agriculture, while in Poland under Marshall Pilsudski the figure was 60 per cent. To look at Hungary specifically, Deák has suggested the Horthy regime gained the support of the peasantry who had been alienated by the Habsburgs and then later Béla Kun’s communist government. Even when the large estates were nationalised the peasants did not receive the land, thereby costing the communists their support. It would be an exaggeration to draw too many parallels between the role of peasant unrest in the emergent right-wing dictatorships on the Continent and land raiding in the Scottish Highlands. Nonetheless, the interwar period saw peasants across Europe make more assertive claims for the land that they had fought for.

**Land Raiding in Scotland after the First World War**

As ex-servicemen began to return to the Highlands and islands after the war, many did so with the expectation that there be a homestead waiting for them. The task of providing land for ex-service applicants was undoubtedly an arduous one for the Board of Agriculture. In 1921, there were 12,759 applications for new holdings, with slightly under half of these coming from ex-servicemen. There were also a further 5,253 applications for enlargements to existing smallholdings, although only 150 these came from demobilised men. The Board of Agriculture

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then had to process a total of 18,162 applications in 1921 alone.\textsuperscript{32} It was perhaps inevitable that the Board of Agriculture struggled to satisfy the demand for land given the difficulties of post-war conditions. Between 1919 and 1923 only 1,679 new holdings were made available. Despite growing criticism towards the Board by landless ex-servicemen, this was a considerable increase in the number of holdings created from previous years. In 1913, 116 had been created, and although this rose to 318 the following year, for the remainder of the war only 162 new holdings were allocated. In 1919, threats to raid land were being made across the Highlands and islands, and by 1920, 16 land raids had occurred and threats were made against 47 farms. Raiding continued throughout the 1920s, with agitations continuing until 1926 on Tiree and 1933 on Harris, yet in most of the affected areas land raiding had ceased by 1923, by which time 1,507, around one-fifth, of the ex-service applicants had been given land.\textsuperscript{33} During this period the Board of Agriculture had to contend with repeated attempts to seize land by ex-servicemen who felt that they were merely claiming what was theirs. The situation was further aggravated by landowners who were reluctant to see their property divided into smallholdings.

\textbf{The Geography of Land Raiding}

It would be useful at this point to describe some of the characteristics of land raiding in terms of tactics, geographical distribution and the objectives of the raiders. Robertson has identified four phases of the ‘model’ land raid. Firstly, the land is occupied following a threat to raid; the landlord then begins legal proceedings, followed by arrests; higher authorities, such as the Board of Agriculture, become involved thus creating a media spectacle; finally, the land raiders are released from prison and settled on the land.\textsuperscript{34} Clearly then term ‘raid’ is overly dramatic, as raids were usually little more than occupations, illegal as they may have been.


\textsuperscript{33} Ibid, 259-260.

\textsuperscript{34} Robertson, \textit{Landscapes of Protest}, 75.
Acts of violence were rare, although at one raid at Paiblesgarry, North Uist in 1921 the landowner claimed that a blow directed at his horse using sea-ware had been intended for him.\textsuperscript{35} More common were acts of sabotage designed to prevent the land’s owner or tenant from using the land themselves. The Paiblesgarry raiders for example drove off the proprietor’s sheep and cattle stock and then later tipped over carts of manure that were to be used on the occupied land.\textsuperscript{36} During the same year raiders drove off stock on land belonging to Sir Arthur Orde on North Uist.\textsuperscript{37} Often raids were intended to be short term symbolic occupations designed to put pressure on landowners, and force them to negotiate. Commercial deer forests were often raided in this way and hunger seems to have been a primary motivator in such incidents.\textsuperscript{38} This type of raid was far more typical of the late 19\textsuperscript{th} century; when occupations recommenced after the First World War raids were often serious attempts to establish permanent homesteads.

In 1921 the ex-servicemen of Rona occupied land on the neighbouring island of Raasay, bringing with them their families and occupying the land for almost six months until arrests were made. In that time their community grew to 40 individuals and at least one child was born on the island.\textsuperscript{39} It was also reported that houses had been built on the site of dwellings that had been abandoned during the Clearances, with some men even building on the same land that had been occupied by their grandfathers or great-grandfathers.\textsuperscript{40} It is interesting that Hobsbawm’s study of land agitations in South America also found that ancestral associations with specific pieces of land remained important even after years of dispossession.\textsuperscript{41} In South Uist raiders also attempted to found a permanent community on the land they occupied. When

\textsuperscript{35} Report by the Procurator-Fiscal at Lochmaddy as to Case of John Macdonald and three others-Breach of the Peace, 22 February 1921, Land Agitation, Seizures and Land Settlement in Uist, 1919-1922, AF67/152, National Archives of Scotland.
\textsuperscript{36} Ibid.
\textsuperscript{37} ”Land Raiding in North Uist”, The Scotsman, 10 December 1920.
\textsuperscript{38} Hunter, The Making of the Crofting Community, 172-173.
\textsuperscript{39} ”Raasay Land Raiders”, Scotsman, 10 November 1921.
\textsuperscript{40} ‘J.B.M.’, “With the Raasay Raiders”, Forward, 30 July 1921.
\textsuperscript{41} Hobsbawm, ‘Peasant Land Occupations’, 141-142.
ex-servicemen planned to raid Drimore Farm in 1920 they unloaded four carts of seaweed on the land to be used as fertiliser. This was done before the occupation was actually carried out, demonstrating the long term ambitions of the raiders.\footnote{Letter from Police Constable Thomas J. Fraser to the Chief Constable of Inverness-shire, Land Agitation, Seizures and Land Settlement in Uist, 1919-1922, AF67/152, National Archives of Scotland.} In a report submitted to the Chief Constable of Inverness-shire on land raiding in 1922, it was noted that when raiders seized land at Cheesebay, North Uist, pegs were used to mark out the position of future crofts.\footnote{Letter from Police Constable E. MacDonald to the Chief Constable of Inverness-shire, 14 May 1922, Land Agitation, Seizures and Land Settlement in Crofting Areas, 1920-1923, AP67/151, National Archives of Scotland.} During the previous year it had been reported that raiders had planted potatoes and oats at Newton Farm, North Uist.\footnote{Letter from Police Constable E. MacDonald to the Chief Constable of Inverness-shire, 2 June 1921, Land Agitation, Seizures and Land Settlement in Crofting Areas, 1920-1921, AP67/150, National Archives of Scotland.} Although such actions were not unheard of prior to the war, attempts to permanently settle raided land, suggests that their status as ex-servicemen clearly increased the raiders sense of entitlement.

The geographical distribution of land raiding should be given some attention as it is often assumed that occupations were confined to the Western Isles, when in fact several raids took place on the Highland mainland, with parts of Inverness-shire and Sutherland both experiencing unrest. In 1920, no less than 14 raiders occupied the Farm of Kirkton, in Melvich, Sutherland. The raiders took the courtesy to forewarn the farm’s owner that they intended to occupy the land. In the letter the party explained that they were ex-servicemen from the nearby village of Portskerra, and that the farm was ‘the only land available to us.’\footnote{Letter from “Ex-Servicemen” to Vernon William McAndrew Esq., Bighouse, Melvich, 25 May 1920, Land Raids - Melvich, 1920, and Balranald, 1921: Correspondence and papers, 1920-1921, GD325/1/249, National Archives of Scotland.} This particular incident is of interest as, although the land’s owner initially launched an interdict against the raiders, this was later suspended and the land was set aside for holdings. A conflict later emerged between the raiders and other ex-servicemen who also wanted a share of the land. During a lively debate at the local school in Melvich the raiders claimed that ‘they were...
prepared to take all the penalties the law might inflict, even to the extent of going to Calton Jail.’ Despite still in illegal possession of the land, the raiders agreed to cooperate with the Board of Agriculture and the other veterans.46

Raiding also occurred in Kiltarlity, Beauly, Inverness-shire where the raiders where represented by the local Free Church minister the Rev Roderick MacCowan. The minister stated that he acted in the men’s interest noting: ‘They have a claim on me, because as Chairman of a Tribunal I sent a good many of them away to the War.’47 Following a public meeting presided over by MacCowan it was agreed that the ex-servicemen would occupy Bruiach Farm on Lord Lovat’s estate.48 On Shetland in 1919, where land raiding was practically unheard of, a group of veterans threatened to occupy the farm of Asta, but insisted that they did ‘not wish to create any unrest in the country’ nor were they making ‘revolutionary threats.’49 Raids also occurred as far south as Perthshire, although such incidents were clearly uncommon and different in character from the raids carried out elsewhere. In 1920, John Macpherson and James Campbell, taking inspiration from their ‘comrades in other districts’, threatened to occupy parts of the farm of Carwhin on the Breadalbane Estate.50 The Marquess of Breadalbane, had previously been troubled by veterans demanding land. Earlier that year he had ejected an ex-serviceman, Dugald Cameron, from his estate after he refused to leave his small holding. Cameron had been granted the land under the provisions of DORA, for the purposes of food production. After the lease ended Cameron refused the offer of other holdings and was subsequently evicted and imprisoned. It seems likely that Macpherson and Campbell decided to occupy land on the estate that summer after the Scottish Office stated that they did

47 Letter from Rev Roderick MacCowan to the Board of Agriculture for Scotland, 3 July 1920, Land Agitation, Seizures and Land Settlement in Crofting Areas, 1920-1921, AF67/150, National Archives of Scotland.
49 Letter from A.D. Leask to the Board of Agriculture for Scotland, 20 September 1919, Land Agitation in Shetland, 1919-1920, AF67/169, National Archives of Scotland.
50 Letter from John Macpherson and James Campbell to the Board of Agriculture for Scotland, 30 June 1920, Land Agitation in Perthshire, 1920, AF67/176, National Archives of Scotland.
not intend to pursue a land scheme for veterans in that area.\textsuperscript{51} Robertson has argued DORA regulations recognised that maximising food production involved a degree of centralised control, it was difficult then for the state to then claim that it could not enforce land redistribution.\textsuperscript{52} Again the conditions created by DORA were clearly specific to the post-war period, and represent the societal effects of the war, and how this in encouraged land raiding.

Despite unrest occurring elsewhere, the Western Isles saw the most frequent and acrimonious land raids, with repeated agitations occurring on Barra, Benebecula, Harris, Lewis and the Uists. Skye and Raasay were also prone to raids, while Tiree and Islay experienced agitations as well. It is clear that in these areas a culture of land raiding existed that pre-dated the war. Hunter has suggested that in the Hebrides raiding and threatening to raid the local sheep farms had become an accepted part of the order of things.\textsuperscript{53} A land settlement report produced in 1928 summarised the position of the crofter thus:

\begin{quote}
What seems an obvious fact to an observer accustomed to other modes of life, that there is not sufficient land to provide for the population in an island or a strath, is not accepted as a fact by the Highlander. He insists on being given land in his own district, and would rather have a hopeless patch of his own native heath than a fair holding in a strange glen.\textsuperscript{54}
\end{quote}

Although the writer may not have known it, they were actually referring to the Gaelic concept of \textit{duthchas} or \textit{düthaich}. Although the word is difficult to render into English, it can be roughly defined as one’s ancestral homeland. It is interesting that \textit{duthchas} also refers to an individual’s inherited temperament and countenance.\textsuperscript{55} In 1926, one study on the effect of the war on rural Scotland noted that familial attachments to the land had further complicated the issue. The

\begin{footnotes}
\item[51] “Land for Ex-Soldiers”, \textit{Aberdeen Daily Journal}, 7 July 1920.
\item[52] Robertson, \textit{Landscapes of Protest}, 80-81.
\item[53] Hunter, \textit{The Making of the Crofting Community}, 192.
\end{footnotes}
Highlander was said to be reluctant to give up his traditional lands since: ‘If he emigrated, he frequently lost his position of independence which he prized very greatly: if he remained, he saw himself excluded from the place where his forefathers lived.’

Indeed, the sense of independence that came with crofting was another motivation of the land raiders, something Lord Leverhulme learned first-hand when he attempted to entice the crofters of Lewis into wage labour. At one public meeting Leverhulme was informed by a member of the audience that: ‘We want to live our own lives in our own way, poor in material things it may be, but at least it will be clear of the fear of the factory bell; it will be free and independent.’ Smout has suggested that by the late 19th century such romantic concepts of the land and crofting as a way of life were no longer universal across the Highlands, but rather were idiosyncratic to the Outer Hebrides, Skye and Tiree, explaining why post-war raiding were most prevalent in these areas. The Western Isles was identified as one of the most ‘congested districts’ in Scotland, with the population far outstripping the availability of land. The population of Lewis for example more than trebled during the 19th century, rising from 9,168 in 1801 to 28,949 in 1901. Families on Lewis were also slightly larger than on the mainland, with on average five persons per family compared to four.

It should also be noted that land occupations in these areas were more common for the simple reason that it was more difficult to prevent the raiders. Scott has argued that the peasants who are the most rebellious are those who are geographically and culturally distant from the hegemonic influences of the nation state. This theory can certainly be applied to the

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56 Scott, ‘Scottish Land Settlement’, 221- 264, 226.
Herbridean land raiders. The sparse population and isolated geography of the Hebrides meant that enforcement of law and order was difficult and required the consent of the local population. Following threats to raid the Borve Estate on Harris in 1933 the government admitted it could do little as ‘The King’s writ hardly runs in Harris, and if land-raiding starts, the situation will get out of hand.’\textsuperscript{61} When a party of ex-servicemen occupied Raasay in 1921 the island’s rocky topography worked in the men’s favour. When the local constabulary attempted to arrest the occupiers the men hid in the island’s many caves, forcing the police into a frustrating and prolonged search, which only succeeded in firing an already sympathetic public’s imagination.\textsuperscript{62} The Gaelic language also added to the ‘otherness’ of the Hebrides compared to the mainland. As late as 1911, there were out of a population of 77,364 people, 9,110 individuals who spoke only Gaelic in the county of Ross and Cromarty, which at that time included Lewis. In Inverness-shire, which included the Uists, Harris, Skye and the Small Isles, there were 7,670 Gaelic-only speakers out of a population of 87,272. Those speaking Gaelic and English in the two counties numbered 37,816 and 41,110 respectively.\textsuperscript{63} In a letter to the Secretary for Scotland in 1921 land raiders from Coll and Gress in Lewis, stated that they had difficulty understanding legal proceedings as ‘English is not our native language.’\textsuperscript{64} Clearly then the geographical, cultural and linguistic distinctiveness of the Western Isles contributed to the practice of land raiding.

The land raiders also seem to have been motivated by a collective memory of dispossession. It is noteworthy how often the Clearances were referred to in the raiders’ correspondence. During the occupation of Raasay from 1920 to 1921 the wives of some of the

\textsuperscript{61} Letter from King’s and Lord Treasurer’s Remembrancer to the Department of Agriculture, Agriculture (Land Settlement) files Borve, Harris, 1933, E824/537, National Archives of Scotland.
\textsuperscript{62} “Men Hunted Like Deer”, Aberdeen Daily Journal, 8 September 1921.
\textsuperscript{64} Letter from Angus Graham and Murdo Graham for Coll and Gress ex-service men to the Secretary for State for Scotland, Robert Munro, 3 March 1921, Land settlement and raiding: Lewis correspondence between Secretary for Scotland and Lord Leverhulme, 1920-1922, AF67/389, National Archives of Scotland.
men appealed to the Queen consort, gently reminding her that their ancestors had been cleared from the island. They also pointed out that, despite this treatment, the dispossessed, which included the island’s diaspora in Canada and Tasmania, answered the call of King and Country in 1914.  

When the Raasay raiders sent a resolution to Prime Minister David Lloyd George they again mentioned that their forefathers had been cleared from the land ‘about 90 years ago.’ The imprisonment of some of the men was also described ‘as an insult to the memory of the gallant deeds performed by the Western Isles men in this and past wars.’ There seems to be a suggestion here that the actions of the veterans was in tune with the heroism of the island’s military past. When the community of Knockintorran, North Uist asked for an extension of their holdings in 1920 they stated that 39 men from the township had served during the war, with seven never returning. Loyal war service aside it was claimed that the land they desired had been taken from them around 1820. It was also claimed that the crofters were forced to pay rent for the land taken from them for a further 66 years. In 1917 the Royal Commission on housing in Scotland repeated the claim of Barra’s Catholic priest that the island was the most congested district outside Lewis. The islanders themselves were said to blame their intolerable living conditions on the clearances that took place there in 1848.

Even sympathisers from outwith the Highlands harked back to the Clearances when discussing the land question. At a meeting of the Kilsyth Co-operative Society Men’s Guild in 1920 Tom Johnston, Labour candidate for West Stirlingshire and later Secretary for Scotland, claimed that the land had been ‘stolen’ by the ‘Church and the ruling classes’ during the

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65 Wives of the Raasay Raiders to Her Majesty the Queen, November 1921, Land Agitation, Seizures and Land Settlement in Raasay, 1920-21, AF67/149, National Archives of Scotland.
66 Resolution sent to Prime Minister David Lloyd George by the Raasay Ex-servicemen, 10 November 1921, Land Agitation, Seizures and Land Settlement in Raasay, 1920-21, AF67/149, National Archives of Scotland.
67 Letter from Malcolm MacDonald on behalf of the crofters of Knockintorran to the Board of Agriculture for Scotland, 17 May 1920, Land Agitation, Seizures and Land Settlement in Uist, 1919-1922, AF67/152, National Archives of Scotland.
Clearances.\textsuperscript{69} Johnston had a long history of attacking the aristocracy, having in 1909 written \textit{Our Scots Noble Families}, a visceral attack on Scotland’s landed elites. Johnston would go on to help found the Highland Land League, in an attempt to break the Liberal hegemony of the Scottish Highlands in favour of Labour.\textsuperscript{70} During one parliamentary debate in 1927 David Kirkwood, Dumbarton MP and Red Clydesider, blamed the landed aristocracy for a catalogue of historic grievances including; inviting William of Orange and later the Hanoverians to usurp the British Crown, the Glencoe Massacre of 1692, and the crushing of the ’45 Jacobite rebellion. The Deputy Speaker drily noted that ‘The Lord Advocate and the Secretary for Scotland are hardly responsible for that.’\textsuperscript{71} Even as late as 1929 one reader’s letter published in the \textit{Edinburgh Evening News} defended the raiders, and asked if an earlier correspondent who had criticised them had ‘ever heard or read of the Highland Clearances?’\textsuperscript{72} The Board of Agriculture was not entirely ignorant to the emotive appeal of the Clearances. In correspondence between the board and the Treasury regarding the Raasay land raiders it was noted:

\begin{quote}
…that their forefathers at one time occupied the lands which they have now seized and were evicted several generations ago to make way for sporting tenants. The Board do not suggest that this is a view that can be recognised but it has foundation in fact, and receives a considerable measure of public sympathy and it is impossible to ignore its practical bearing on the situation.\textsuperscript{73}
\end{quote}

The Clearances cast a long shadow on the collective memory of Scotland, this was especially true with regards to the Highlands, but even in the Lowlands there were those who wished to

\textsuperscript{69}“Lime Light Lecture”, \textit{Kirkintilloch Gazette}, 6 February 1920.
\textsuperscript{71} 205 Parl. Deb., H.C. (5\textsuperscript{th} ser.) (1927) 133-140.
\textsuperscript{72} ‘Reader’, “The Editor’s Post Bag”, \textit{Edinburgh Evening News}, 1 February 1929.
\textsuperscript{73} Letter from the Board of Agriculture for Scotland to the Secretary to the Treasury, Agriculture (Land Settlement) files. Raasay, Inverness-shire: raiders from neighbouring island of Rona were imprisoned but refuse to return to Rona, 1921-1922, E824/639, National Archives of Scotland.
avenge the disposed Gaels. This is clearly demonstrated by the fact that the Clearances were cited as justification for not only raiding but also for possession of the land itself. It seems that for many historic grievance of dispossession could only be vindicated by repossessing the land that had been lost.

**Land and War Service**

In *The Pity of War* Ferguson scrutinises the belief that men were willing to risk life and limb simply for love of King and Country, and suggests that some men enlisted for the financial incentives.\(^74\) Despite their supposed martial heritage, the same revisionism can be applied to volunteers from the Highlands and islands during the First World War. The individual effect of the war on ex-servicemen was clearly a factor in post-war land raiding, as evidenced by the sense of entitlement expressed by the raiders. In 1920, the Reverend Roderick MacCowan admitted that while serving on an enlistment tribunal he had, ‘following the Government’, promised land in exchange for military service.\(^75\) In a letter to the Board of Agriculture a group of Lochmaddy veterans complained that ‘When facing the Germans we were filled with promises of getting land where and when we wanted and now four years have elapsed, but we are still left in the cold.’\(^76\)

Writing on behalf of 26 fellow veterans in 1919, John Wilson of South Uist claimed that they had been applying unsuccessfully for small holdings for many years, but a promise had been made during the war that the land would be redistributed when hostilities ceased. Wilson continued that they intended to occupy the land ‘As we fought pretty hard for it, it’s

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\(^75\) Letter from Rev Roderick MacCowan to the Board of Agriculture for Scotland, 3 July 1920, AF67/150, National Archives of Scotland.

\(^76\) Letter from Peter Macdonald, Ewen Macaskill and Donald MacRae to the Board of Agriculture for Scotland, Land Agitation, Seizures and Land Settlement in Crofting Areas, 1920-1923, AF67/151, National Archives of Scotland.
A.D. Leask made similar statements when he and his fellow veterans threatened to raid the farm of Asta on Shetland in 1919. Leask informed the Board of Agriculture that occupying the land ‘will only be acting up to the promises made to us by the Government when we were at the point of the bayonet facing the Huns.’ That same year a group of veterans on Tiree claimed that conscription had ‘either nipped in the bud or permanently ruined’ their careers, and that the only way that these men could make a livelihood would be through the land they were promised. Yet it remains unclear whether the government ever actually made any definite guarantees that land would be given to those who enlisted.

The promise of land in exchange for military service had a long history in the Highlands and islands. Devine notes that such practices most likely began during Britain’s wars with France in the late 18th and early 19th centuries. In 1802 Lord Macdonald had set aside parts of his estates on Skye on North Uist for those families who had provided ‘sons.’ Devine has suggested that recruiting in this way encouraged the emotional attachment to the land displayed by the Highland peasantry. Yet it is harder to find any similar bargains being made with respect to the First World War. Robertson argues that although it was believed that assurances had been given, the government had only made vague promises of post-war reform similar to those made to the nation as a whole. Some recruiters interpreted the promise of ‘Homes fit for Heroes’ as land in exchange for enlistment in the case of the Highlands and islands. Despite the inducements offered by some recruiters, it would appear that there was no formal scheme.

77 Letter from John Wilson on behalf of 26 other ex-servicemen to the Board of Agriculture for Scotland, 11 November 1919, AF67/152, Land Agitation, Seizures and Land Settlement in Uist, 1919-1922, National Archives of Scotland.
78 Letter from A.D. Leask to the Board of Agriculture for Scotland, 20 September 1919, AF67/169, National Archives of Scotland.
79 Letter from Tiree Ex-Servicemen to the Board of Agriculture for Scotland, 3 December 1919, Land Agitation in Tiree, 1918-1926, AF67/165, National Archives of Scotland.
80 Devine, Clearance and Improvement, 104-105.
81 Robertson, Landscapes of Protest, 129.
in place for the settlement of ex-servicemen. The fact that raiders believed that they had ‘fought for the land’ only increased their sense of entitlement, land raiding then was seen by veterans as a justifiable course of action when the government were slow to fulfil wartime promises.

Even those who were not veterans themselves often cited relatives who had served as their justification for land raiding. In 1918, Hugh McPhail complained that sheep had destroyed crops he had planted on land he had occupied. McPhail stated that he had one son who had served in the Navy and another who was due to be called up when he turned 18. In a response reminiscent of that supposedly given to recruiters during the Crimean War, McPhail stated that if he was to be imprisoned for trying to feed his sons then ‘Why don’t they take the sheep who have destroyed our crops and put them in the firing line in France?’ A common grievance of land raiders was the belief that families who had not contributed to the war effort were being given land before ex-servicemen. In a report by the Sub-Commissioner for Small Holdings on raiding on Barra during the war, the attitude of the islanders was summarised thus:

Why is it that two old bachelors with neither kith nor kin to succeed them are allowed to have all Eoligarry Lands for themselves, while we who are risking our own sons’ lives to defend that land can by no means obtain an inch of it?

The belief that ex-servicemen were being discriminated against persisted even after the war had ended. Donald J. McNeil, a former Cameron Highlander, complained in 1920 that while 11 ex-servicemen had not yet been given a smallholding, 26 persons ‘who did not raise a finger in aid of Britain in time of need’ had been given land on Barra.

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82 Letter from Hugh McPhail to the Board of Agriculture for Scotland, 1 July 1918, Land Agitation in Tiree, 1918-1926, AF67/165, National Archives of Scotland.
83 Supplementary Report by the Sub-Commissioners for Small Holdings on the Estate of Bolligarry, Barra, Land Agitation at Eoligarry, Barra, 1914-1918, AF67/143, National Archives of Scotland.
84 Letter from Donald J. McNeil to the Board of Agriculture for Scotland, 12 July 1920, Land Agitation, Seizures and Land Settlement in Crofting Areas, 1920, AF67/148, National Archives of Scotland.
It should be noted that the government did endeavour to settle veterans before other applicants, even if this was a slow process. In June 1923, Viscount Novar personally instructed the Board of Agriculture to take on the arduous task of having all Skye ex-service applicants settled by the end of 1924. The Board itself seems to have genuinely endeavoured to settle veterans, and even considered a scheme to provide land for families of serving ‘tinkers’, a much-maligned traveller community who were generally overlooked by the state. Although the settling of ex-servicemen was given priority by the Board, this was not always well received by the local community. In 1929, former land raider John McCuish was himself the victim of a raid of sorts. In an ironic case of poacher turned gamekeeper, the former raider filed a criminal complaint against Marion Maclennan (50 years), Lexy Maclennan (18 years), Catherine Macdonald (38 years), following an altercation on his smallholding. The women were accused of having thrown stones and ‘two pailfuls of urine’ at McCuish. It transpired that the women were the wives and daughter of two men who had raided alongside McCuish, but who had been imprisoned while McCuish, who had denied taking a major part in the raid, was given part of the land due to being an ex-serviceman. In the papers relating to the case it is clear that both the Board of Agriculture and the police felt that McCuish’s status as a veteran, and a survivor of the Iolaire disaster, entitled him to preferential treatment.

**Left-Wing Support for the Land Raiders**

Unlike previous land agitations, the post-war raids benefitted from more extensive press coverage and a generally sympathetic public. It can be argued that the land raids, with their

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85 Memorandum from Secretary for Scotland, Ronald Munro Ferguson, 1st Viscount Novar, to Board of Agriculture for Scotland, 14 June 1923, E824/487, National Archives of Scotland.
86 Land Settlement - Caithness Tinkers, 5 July 1917, Land Settlement: Highlands, 1917, AF66/183, National Archives of Scotland.
87 Police Report, In case of Marion Maclennan of Maclenna and Catherine Shaw or Macdonald – Assault and Breach of Peace at Scarista; and Lexy Maclennan – Assault at Scarista, 18 April 1929, Scaristaveg, Harris, 1929, AF83/797, National Archives of Scotland.
88 Ibid; Letter to the Under Secretary for Scotland from the Board of Agriculture for Scotland, 27 June 1928, Scaristaveg, Harris, 1929, AF83/797, National Archives of Scotland.
connotations of heroism and taking initiative, were seen as behaviour befitting of ex-serviceman, and therefore acceptable. There were also political dynamics to the support given to the land raiders. The high level of public sympathy was due to two factors: the status of the raiders as veterans and the radical mood that had been created by Red Clydeside. Robertson, as well as most other historians, have tended to downplay the role of Red Clydeside. The connection between Lowland socialists and Highland land raiders, he argues, was tenuous, but was nonetheless a worrying prospect for the government. Yet the relationship between the two groups had more depth than has previously been thought. At this time many socialists felt that industrial employment and urban life were inherently degenerative to the working classes, and that a ‘Back to the Land’ approach was needed to secure improved living conditions. In Stirling, for example, ‘homesteads’, effectively small communal farms, were proposed as an alternative to municipal housing. It seems plausible that the traumatic experience of modern warfare, following a century of rapid industrialisation and urbanisation, only increased the desirability of a return to the land. Smallholdings for ex-servicemen then would have fitted into the agenda of many socialists.

At a May Day in Greenock, 1920, workers passed a resolution in support of ‘the ex-servicemen of Lewis who are being persecuted for asserting their right to live in the land which gave them birth and defence of which they and their forefathers so freely shed their blood.’ The actions of the ‘London Company’ that owned the island of Lewis were criticised for having the men arrested and imprisoned. The government was also condemned for ‘lending its consent and concurrence to the proceedings.’ Similar statements of support came from the labour and

91 Resolution passed by meeting of Greenock Workers, 1 May 1920, Land Seizure and Settlement (Lord Leverhulme), 1920, AF67/327, National Archives of Scotland.
trades councils of Ayr, Edinburgh, Fraserburgh, Montrose, Motherwell and Stirling.  

The Inverness Trades and Labour Council was even more vitriolic the following year when land raiders on Raasay were imprisoned. The resolution they passed is worth quoting at length:

That this meeting of Highlanders, held in the Highland capital, much regret that two of their countrymen – Mr. Robert Munro, Secretary for Scotland, and Mr. T.B. Morison, Lord-Advocate – should be found backing up the landlords responsible for casting into Inverness Prison ex-service men and others whose only offence is that they have occupied and cultivated, against the wishes of the landlord, bits of land for food, land for which they are willing to give a fair rent. That the action of these two Highlanders is not in accordance with the views expressed by them when they first sought suffrages of the Highland people.

Clearly, many Highlanders identified with the cause of the land raiders even those who had no personal interest in the land. The Highland Labour Party was formed as a branch of the party for Highlanders living in the Lowlands in 1920. In 1921, the Dundee Evening Telegraph reported that Highlanders living in London had also formed their own branch of the Highland Labour Party. Its members were said to be mostly associated with the Highland Land League and the Scottish independence movement.

As late as 1928 the Scottish labour movement remained committed to the cause of the landless. At the annual conference of the Scottish ILP Sir John Gilmour, then Secretary for Scotland, was criticised bitterly over the imprisonment of two land raiders from Scarristavaig, Harris. Again Tom Johnston lent his support to the land raiders this time in his capacity as MP for Dundee. He stated that ‘The Highlanders were not being driven across the seas fast enough

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93 Resolution passed by meeting of Inverness Trades and Labour Council, 26 November 1921, Land Settlement, 1921, AF67/153, National Archives of Scotland.


95 “Highland Labour Movement”, Evening Telegraph, 1 February 1921.
for Sir John and his satellites, and now they were sending them to prison in order to break their spirits and preserve the Highlands as a sporting ground for the idle rich.’ David Kirkwood, was even more vitriolic in his condemnation of Gilmour, denouncing him as ‘a coward of the first order.’ During a debate in the House of Commons the previous year, Kirkwood criticised landlords, noting that: ‘This spirit of oppression, robbery and murder on the part of the ruling class had gone on for over a century in the Highlands.’ He also stated that the veterans were now fighting ‘in the real war, the only war that matters—the working-class war against the ruling class of every country, never mind this country.’ Later that year land raiders were again defended in the Commons. This time it was George Hardie, a younger brother of Keir and Labour MP for Springburn, who took up the cause of the landless. Hardie suggested that a tax on land values would break up the estates and allow their use by smallholders. Hardie also defended poaching, declaring that he himself had poached on the estate of the Secretary of Scotland.

*Forward*, a Glasgow-based socialist newspaper, was the land raider’s most vociferous supporter. Between 1906 and 1931 the paper was edited by Tom Johnston. According to Cameron it was Johnston who directed the paper towards an anti-landlord stance following raiding on Vatersay between 1906 and 1912. With respect to the post-war raids, *Forward* readers were regularly updated by Reverend Donald MacCallum, who was well versed in the land raider’s cause, having been imprisoned during the ‘Crofter’s War’ of the 1880s. MacCallum took particular umbrage with the promises made to encourage enlistment during the war: ‘Hence off to Flanders or the policing of the sea with you, and fight for your native land. And when ye come back ‘twill be to the land of heroes.’ Yet when the men returned, or

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97 205 Parl. Deb., H.C. (5th ser.) (1927), 133-140.
99 Cameron, ‘They Will Listen to no Remonstrance’, 60.
at least ‘some of them’ as drily noted by MacCallum, they were denied the land promised to them. Leverhulme, derisively referred to as ‘the soap boiler’ in reference to the source of his wealth, had purchased the land on Lewis previously designated for crofts with the intention of reinvigorating the island.\textsuperscript{101}

The results of the 1918 general election would suggest that the relationship between the land raiders and socialists was more sympathetic than ideological. Grigor points out that despite Labour gaining ground on a national scale, the Liberal hegemony held firm in the Highlands, with Coalition Liberals winning Argyll, Caithness and Sutherland, Ross and Cromarty, and Orkney and Shetland.\textsuperscript{102} It is difficult then to cast the land raiders as being the heralds of a radicalised north intent on revolutionary action. Following the collapse of his investment schemes on Lewis, Leverhulme offered the island as a gift to its inhabitants, yet this offer was declined. Smout has suggested that this incident was representative of attitudes to land ownership across the Highlands and islands. He argues that crofters saw little benefit in owning the land outright if they could rent it at a fair price.\textsuperscript{103} To the crofter occupancy of the land made its ownership irrelevant; a view that was undoubtedly at odds with 20th century capitalism, but hardly representative of a desire for social revolution either.

Yet the intervention of socialists into Highland matters had the establishment worried. The Russian masses after all had been mobilised with the slogan ‘Peace, Bread and Land’ only a few years before in 1917, causing the downfall of a landowning class that had existed since the 14th century. The Scotsman warned in 1921 that the land raiders were susceptible to the ‘propaganda’ of ‘the revolutionary extremists on the Clyde.’ It was even suggested that the ‘evil counsel’ of the socialists was a deliberate attempt to hinder land settlement so as to

\textsuperscript{102} Iain Fraser Grigor, Highland Resistance: The Radical Tradition of the Scottish North (Edinburgh: Mainstream Publishing, 2000), 188.
\textsuperscript{103} Smout, A Century of the Scottish People, 76.
encourage further unrest.\textsuperscript{104} Although the \textit{Scotsman} may have exaggerated their influence, Red Clydesiders certainly did make efforts to endear themselves to the land raiders. In the summer of 1920 John Maclean, himself the son of Gaelic speaking parents, visited occupied farms on Lewis and was given a ‘hearty welcome.’\textsuperscript{105} Later that year at a meeting of the Highland Land League in Glasgow it was reported that Maclean had proposed a resolution on Scottish independence and had also distributed leaflets advocating ‘a Scottish Communistic Republic.’\textsuperscript{106} Although the Scottish independence movement was still in its infancy, the need for land reform was often cited as a justification for greater devolution. At a meeting organised by the Scottish Home Rule Association in Glasgow Neil MacLean, Labour MP for Govan, complained that Westminster was uninterested in the land issue. MacLean stated that when he had brought up the case of the Lewis raiders before the House fewer than 40 members were present, yet he later discovered that more than 50 MPs were discouraged from entering the chamber by the Conservative and Liberal whips, thus preventing the issue being given serious consideration.\textsuperscript{107}

\textbf{Land Raiding and the Irish Situation}

The intervention of Lowland socialists was not the only troubling aspect of post-war land raiding. For many the unrest in the Scottish Highlands and islands bore a striking resemblance to recent agitations in Ireland. Cameron notes that this comparison pre-dated the First World War, beginning in at least the 1870s. Yet he stresses that the two locales were in fact very different. Rural Ireland was far more overcrowded and rack renting was endemic, while the government was far more likely to resort to force to put down acts of protest. Highland land was more marketable for sporting and aesthetic purposes, meaning that crofters

\textsuperscript{104} “A Story”, \textit{Scotsman}, 1 December 1921.
\textsuperscript{105} “Lewis Land Seizures”, \textit{Scotsman}, 9 August 1920.
\textsuperscript{106} “Insult to Lewis”, \textit{Aberdeen Daily Journal}, 23 August 1920.
\textsuperscript{107} “Home Rule for Scotland”, \textit{Scotsman}, 12 April 1920.
were not as essential as they were in Ireland, thus diminishing their bargaining power. Despite these differences the media often claimed that agitations in Scotland were linked to those in Ireland. Cameron records that during land raids on Lewis in the winter of 1887 it was falsely reported in the press that rifles had been imported from Ireland.\(^{108}\) The differences between the Scottish and Irish situations did not, however, prevent the comparison being made.

The fact that post-war land raiding coincided with the Irish War of Independence and the Civil War seems only to have aggravated these fears. In a letter to G. Erskine Jackson, Secretary to the Scottish Land and Property Federation, Walter L. Johnson of Strathaird, warned that; ‘Unless something pretty drastic is done I am confident that in a not distant future the West Coast of Scotland will be in a position exactly similar to that of the South of Ireland to-day.’\(^{109}\) Jackson himself made a similar claim in a letter to the Scotsman printed on 1 June 1923: ‘If the orders of the Court can be defied with impunity, then law and order and security of property cease to exist, and the position of matters in Skye may relapse into the same deplorable condition as that existing in parts of Ireland during recent years.’\(^{110}\) Johnson’s prediction of an Irish situation emerging in the Scottish Highlands had been a long standing concern of landowners. Robertson has also found this to be the case, and cites an estate factor who claimed in 1921 that ‘the Sinn-fein [sic] element is pretty strong here’, something which was denied by the local police inspector.\(^{111}\) Although drawing parallels between the land raiders and militant Irish nationalists was entirely spurious, these fears were widespread amongst those who opposed land reform. Again the escalation of the Irish question created a

\(^{109}\) Letter from Walter L. Johnson of Strathaird to G. Erskine Jackson Secretary of the Scottish Land and Property Association, 26 January 1923, Land Raids - Melvich, 1920, and Balranald, 1921: Correspondence and papers, 1920-1921, GD325/1/249, National Archives of Scotland.
\(^{110}\) G. Erskine Jackson, “Letters to the Editor”, Scotsman, 1 June 1923.
\(^{111}\) Robertson, Landscapes of Protest, 134-135.
situation in the Highlands that had not existed prior to the war. It would also appear that the land raiders themselves, as well as their supporters, used this to their advantage.

In a letter to David Lloyd George in 1921 John M. MacLeod, representing a group of disgruntled ex-servicemen, warned that unless something was done for them ‘the position here will not be any better than it is in Ireland where the people have got sick of being governed by London.’ It is unclear if MacLeod’s concerns were genuine or if he simply knew how to bait the establishment. The land agitators themselves felt that the government was preoccupied with Ireland, and appeared to be more willing to grant concessions to the Irish rebels. In a resolution passed by a meeting of ex-servicemen on Raasay in 1921 it was noted that MPs had cancelled their holidays to discuss Irish matters, yet ‘grievances of the Highland people are being studiously ignored.’ Another issue of contention was the release of ‘Irishmen, convicted of murders and other heinous offences’, while many land agitators remained in prison. The Inverness branch of the British Legion also passed a resolution objecting to the release of Irish rebels while the Lewis land raiders remained in prison. When ex-serviceman Peter Stuart complained to the Board of Agriculture in 1920, he stated that he was not afraid to go to prison and that ‘I believe I will eat more than the Lord Mayor of Cork.’ This was no doubt a reference to the ongoing hunger strike of the Sinn Fein Mayor of Cork Terence MacSwiney, who was at that time imprisoned in England on charges of sedition.

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112 Letter from to John M. MacLeod to David Lloyd George, 27 September 1921, Land Agitation, Seizures and Land Settlement in Raasay, 1920-21, AF67/149, National Archives of Scotland.
113 Resolution passed by the Ex-Servicemen of Raasay, 10 November 1921, Land Agitation, Seizures and Land Settlement in Raasay, 1920-21, AF67/149, National Archives of Scotland.
114 Letter from R. MacLeod of the Inverness Branch of the British Legion to Arthur Griffiths-Boscawen, Minister for Agriculture, 17 August 1921, Land Agitation, Seizures and Land Settlement in Uist, 1919-1922, AF67/152, National Archives of Scotland.
115 Letter from Peter Stuart to the Secretary of the Board of Agriculture for Scotland, 6 September 1920, Land Agitation, Seizures and Land Settlement in Crofting Areas, 1920-1921, AF67/150, National Archives of Scotland.
Although the government may have taken the land issue more seriously for fear that events in Ireland would repeat themselves elsewhere, the comparisons between land raiding and Sinn Feinism were little more than hysteria. Despite the IRB and later the IRA having well established networks in Scotland, the records of the Irish Bureau of Military History make no mention of Highland land agitations.\(^{117}\) It seems unlikely that the land raiders received any support, material or otherwise, from Irish republicans. Yet the comparisons made between the Scottish Highlands and Ireland do suggest that the land raids had the establishment worried. What with rebellions occurring in Afghanistan (1919), Somaliland (1920), Iraq (1920) and Transjordan (1923), the secession of Southern Ireland came as a major economic and political blow to the landed elites at a time when Britain’s hold on her vast empire was looking increasingly tenuous. Red Clydeside and the growing militancy of the labour movement also contributed to this paranoia. Rosenberg has gone so far as to characterise the unrest of 1919 as the closest Britain ever came to a workers’ revolution. Particularly worrying were the ‘Soldier’s Strikes’ of that year caused mainly by slow demobilisation, but also low pay, bad food and the Allied Intervention in the Russian Civil War.\(^{118}\) The illegal occupation of private land by ex-servicemen should be viewed then within the context of an increasingly unstable world.

The high casualty rates amongst junior officers and the subsequent belief in a ‘Lost Generation’ also contributed to a feeling of vulnerability amongst the aristocracy.\(^{119}\) Many of the old Highland landowning families had themselves lost sons during the war. Lord Lovat lost a younger brother at Ypres, while the 11\(^{th}\) Earl of Seafield was himself killed while serving with the Cameron Highlanders in 1915.\(^{120}\) That same year Captain Fergus Bowes-Lyon, the

\(^{117}\) [http://www.bureauofmilitaryhistory.ie/](http://www.bureauofmilitaryhistory.ie/)


third son of the Earl of Strathmore and brother of the later Queen Mother, was killed while serving in the 8th Black Watch. \(^{121}\) The 4th Marquis of Bute and the 12th Earl of Airlie also lost younger brothers in 1915 and 1917 respectively. \(^{122}\) These were the best known examples, but there were no doubt many more casualties amongst the lower ranks of the gentry. Whatever their flaws as landlords, the Highland aristocracy suffered the same losses as their tenants during the First World War. It was during this period of loss and declining status that landowners imagined a conspiracy of veteran land raiders inspired by Sinn Fein and controlled by Lowland socialists.

**Support from the Liberals and Conservatives**

Socialists and Sinn Feiners aside, support also came from less radical political associations as well, with the Liberal Party and its appendages taking a particular interest in the land raiders’ cause. In 1921, the North Argyll Liberal Association passed a motion condemning the imprisonment of a party of North Uist veterans for land raiding. \(^{123}\) In 1927 Alexander Livingstone, Liberal MP for the Western Isles, even visited a group of raiders in Inverness prison with the aim of securing their release. \(^{124}\) Similarly when six land raiders from Skye where released from prison in Edinburgh in 1923, they were entertained by the Young Scots’ Society. \(^{125}\) Even groups and individuals who were politically conservative came to the raiders’ aid. The Skye raiders were helped by Sir Samuel Chapman, Scottish Unionist Party MP for Edinburgh South, who raised money for their cause from fellow politicians. \(^{126}\)

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121 “Captain Fergus Bowes-Lyon”, *The Scotsman*, 4 October 1915.
123 Copy Motion passed at Meeting of Committee of the North Argyll Liberal Association, 25 August 1921, Land Agitation, Seizures and Land Settlement in Uist, 1919-1922, AF67/152, National Archives of Scotland.
124 “MP and Scots Land Raiders”, *Courier and Advertiser*, 30 April 1927.
126 Ibid.
During land raiding in North Uist in 1920 it was reported by the local constabulary that several of the raiders were members of the Comrades of the Great War (CGW), an ex-serviceman’s organisation, and used the association’s club house for their purposes.\textsuperscript{127} The CGW had in fact been founded by the Conservative peer, Lord Derby, as a less radical alternative to the left-leaning National Association of Discharged Sailors and Soldiers.\textsuperscript{128} This was not the only time that the CGW had sided with landless veterans. In 1920, the secretary for the CGW Dalmally branch telegrammed the Secretary for Scotland, Robert Munro, stating that the eviction of a veteran from his holding in Glenorchy was ‘unjust and unwarrantable.’\textsuperscript{129} Again the cooperation of the CGW seems to suggest that the actions of the land raiders enhanced rather than diminished their status as veterans. The sympathy given to the land raiders from political moderates, who would presumably be hostile to radical action, clearly demonstrates the importance of the men’s war service in gaining support.

**Opposition to Land Raiding**

Land raiders also had their detractors, indeed the *Scotsman* was only too willing to act as a mouthpiece for those who sided with the landowners. One William Pott, describing himself as a ‘Scot who went to the Colonies 37 years ago’, wrote in 1920 that ‘To permit these raiders to remain in possession is to condone felony and to encourage lawlessness.’ In regards to what to do with the landless, Pott recommended the traditional conservative response to any social or political problem relating to the Scottish Highlands: emigration.\textsuperscript{130} When a veteran was evicted from the Glenorchy Estate in 1920 another commentator writing in the *Scotsman* dismissed the former occupier as being ‘the dupe of various organisations and associations, which for cheap popularity, notoriety or expectant political advantages have used him as a

\textsuperscript{129} “Glenorchy Eviction Case”, *Scotsman*, 30 August 1920.
\textsuperscript{130} William Pott, “The Lewis Raiders”, *Scotsman*, 14 October 1920.
cat’s-paw to achieve their somewhat ignoble ends.’

This was a clear attempt to define acceptable behaviour for veterans; essentially that they should remain apolitical. One letter writer criticised those calling for a ‘Back to the Land’ solution to society’s ills, claiming that the sympathetic ‘urban masses’ knew little of rural life. The writer elaborated that ‘Smallholders had been driven off the sea, just as they have been off the land, by the stern economics incidental to our highly organised and involved civilisation.’

Although many Liberals were sympathetic to the landless, Joseph MacLeod, secretary of the Inverness-shire Liberal Association, was happy to inform the government on the activities of the land raiders. In a letter to the local MP in 1921, MacLeod reported that upon the release of a group of raiders from North Uist the men had been met by ‘a small group of the ILP’ MacLeod also poured scorn on newspaper reports that a large crowd of local residents had gathered to greet the released men. He also dismissed one ILP member, Abrach MacKay, as being the ‘worse for drink’ when he addressed the crowd calling for the raiders release. Nonetheless despite some isolated defenders of the landed interest, it can be safely said that the land raiders enjoyed support from across the political spectrum.

**The Churches**

The central position of religion in Highland life meant that the churches invariably had to take a stand on land raiding. Hunter has stated in regards to the land agitations of the late 19th century, that while in the Catholic areas of Barra, South Uist and Arisaig, the local clergy supported the land movement, the Protestant churches were generally on the side of the landowners. Yet despite the conservatism of the Kirk, several Church of Scotland ministers

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132 ‘Colonial Scot’, “Mr Lloyd George and the Land”, *Scotsman*, 19 September 1925.
133 Letter from Joseph MacLeod, honorary secretary of the Inverness-shire Liberal Association to T.B. Morrison, MP, 12 August 1921, Land Agitation, Seizures and Land Settlement in Uist, 1919-1922, AF67/152, National Archives of Scotland.
offered their assistance to the raiders. At a meeting of the Education Authority of Inverness-shire the Reverend MacLean, most likely Norman MacLean, a Church of Scotland minister with a long standing interest in the land issue, claimed that a group of recently imprisoned land raiders did ‘not infringe the moral law.’\footnote{135} Given the close ties between Church and state, as well as the Kirk’s socially conservative outlook, it is quite remarkable to hear a minister suggest that illegality and immorality were not necessarily concomitant.

As previously stated the Rev Donald MacCallum also provided the land raiders with a sympathetic platform through the articles he wrote in Forward. The Free Church, so synonymous with the Scottish islands, also rallied to the cause of the land raiders. When ex-servicemen threatened to raid the Macleod of Macleod Estates on Skye in 1919, it was the Free Church Minister the Rev Malcolm Galbraith who forwarded their demands to the Board of Agriculture.\footnote{136} The Rev Roderick MacCowan was another Free Church minister who took up the land raiders’ cause. In 1923, MacCowan defended imprisoned land raiders thus: ‘there was no sin in the action of the men, who had fought for their country and were maimed, taking a bit of land to eke out a livelihood.’\footnote{137} When the raiders were released later that year from the Calton Jail in Edinburgh MacCowan had raised £50 in subscriptions for the men.\footnote{138}

Even ministers from outwith the Highlands gave their support to the land raiders. The Rev MacLennan, St Columba’s UF Church, Edinburgh, also raised a sum of £20 for the aforementioned raiders.\footnote{139} Support from the Church seems to have been dependent on a minister’s own conscience. During raiding on Lewis in 1920 the Free Church minister R. McKenzie implored the raiders to desist, so as not to jeopardise Lord Leverhulme’s economic

\footnote{135}“Highland Ministers Up in Arms”, Evening Telegraph, 1 June 1923, MacPhail, The Crofter’s War, 36-37.

\footnote{136}Letter from Rev Malcolm Galbraith with petition from Ex-Servicemen for land on the farm of Claigan, Skye, 4 December 1919, Land Agitation in Skye, 1919, AF67/168, National Archives of Scotland.

\footnote{137}“Highland Ministers Up in Arms”, Evening Telegraph, 1 June 1923.

\footnote{138}“Skye Land Raids”, Scotsman, 6 June 1923.

\footnote{139}Ibid.
schemes for the island. Similarly at the General Assembly of the Free Church in 1923, one Glasgow elder asked his co-religionists in the Highlands and islands to warn raiders against their actions. The General Assemblies of the Presbyterian Churches generally avoided the issue of land, suggesting a conflict between their own natural conservatism and a desire to avoid appearing unpopular by siding against ex-servicemen. Instead the Churches focused on what they felt were the more pressing concerns of the day namely, Catholic Irish emigration, gambling, and a youth more interested in dance halls and American cinema than in religion.

**The Economic Cost of Land Raiding**

The land raids themselves could be financially damaging to the landowner and even the local community; raids disrupted agricultural output and often involved acts of vandalism to farm equipment. There was also the cost of prosecuting and apprehending the raiders, which was made all the higher by the remote geography of the raided land. When the farms of Coll and Gress on Lewis were occupied in 1920 the *Scotsman* reported that as a result 70 farm workers had been paid off, the total wage earnings of the farms being worth £10,000 to the community. Hunter records that when land raiders disrupted Lord Leverhulme’s plans to reinvigorate Lewis he took the punitive action of halting all building work on the island, which resulted in a loss of £3,000 in wages. When raiding continued Leverhulme took revenge by dismissing all Back and Vatisker men, the area where most raiders came from, who were employed in constructing the new harbour at Stornoway. *Forward* reported that at least 70 men employed by Leverhulme’s contractor, Sir Robert McAlpine, were dismissed in this way. This no doubt came as little surprise to *Forward*’s editors, as the McAlpines’ were, and indeed

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143 “The Raids in Lewis”, *Scotsman*, 16 February 1920.
remain, significant donors to the Conservative Party, while the practice of blacklisting troublesome workers also survives to this day.\textsuperscript{146} During a protracted period of raiding on Lewis in 1920 the \textit{Scotsman} suggested that raiding was detrimental to tourism on the island. Some of the raided farmland provided the island’s only hotel with much needed foodstuffs. Without the revenue brought in by anglers and hunters, rates would have to be raised so as to pay for ‘education, poor law relief, roof maintenance and other local services.’\textsuperscript{147} Despite the paper’s traditional opposition to land redistribution there was at least some truth in this claim. Analysis of Valuation Rolls carried out in the late 1920s estimated that creating small holdings had caused a net decrease of £18,718 across Scotland.\textsuperscript{148}

The Department of Agriculture conceded that the settlement of veterans on holdings was often financially unfeasible, and it was sometimes the case that schemes were only enacted to prevent disorder. Following raiding on the Borve Estate on Harris in 1933 the King’s and Lord Treasurer’s Remembrancer stated that:

> The Department make no pretence that this is an economic scheme; it is simply a means of averting an anticipated outbreak of land-raiding.’ The situation was summarised with the blunt statement that ‘The money is being paid to buy off disorder; whether the bargain is a good one is a political rather than an administrative question.\textsuperscript{149}

Settlement schemes were generally expensive affairs, for example, in 1921 the Board of Agriculture estimated that the cost of dividing two farms for smallholdings on South Uist would run to £16,332. Included in this sum was the cost of new buildings, payment for the existing tenant’s sheep stock, and compensation for the land’s owner, the much reviled Lady

\textsuperscript{147} “Land Settlement”, \textit{Scotsman}, 23 November 1920.
\textsuperscript{149} Letter from King’s and Lord Treasurer's Remembrancer to the Department of Agriculture, E824/537, National Archives of Scotland.
Gordon Cathcart.\textsuperscript{150} The cost of making Raasay suitable for small holders was higher still at £20,000, which included compensation to William Baird and Company who owned an iron mine on the island. Despite the fact that the board felt they were overpaying (they even considered an offer from Sir Harry Lauder of part of his Highland estate for smallholdings) the board accepted that it had little choice but to pay the ‘outrageous’ sum of £20,000.\textsuperscript{151}

By 1928, £2,158,185 had been borrowed from the Public Works Loan Commissioners by the Board of Agriculture for the settlement of ex-servicemen.\textsuperscript{152} Even after such a large investment, the smallholdings created after the war remained economically unproductive. An appraisal of a land scheme in Inverness-shire revealed that the 16 small holdings produced a combined rent of £307.13s. Yet the average net cost per holding was £388, while the final cost of the scheme was £6,204.\textsuperscript{153} It was later admitted in one report that the economic value of land schemes was hindered as ‘There was great political pressure for immediate settlement to satisfy the expectations of the ex-servicemen and the work had to be rushed.’\textsuperscript{154} Yet it says something as to the effectiveness of land raiding that the government was willing to undertake such costly land settlement schemes, so as to create small holdings that were not economically or agriculturally viable.

**Land Raiding and the Law**

Due to the nuances of the Scottish legal system it was often difficult to effectively prosecute land raiders, even in cases where the law had clearly been broken. One landowner complained that ‘To an Englishman it seems quite intolerable that when people come to raid

\textsuperscript{150} Letter from the Board of Agriculture for Scotland to the Secretary to the Treasury, 7 September 1921, Agriculture (Land Settlement) files Land settlement: memorandum by Board for Captain Elliot, MP following parliamentary debates on case of Strathaird Raiders, 1923, E824/487, National Archives of Scotland.

\textsuperscript{151} Letter from the Board of Agriculture for Scotland to the Secretary to the Treasury, E824/639, National Archives of Scotland.


\textsuperscript{153} Ibid, 70.

\textsuperscript{154} Ibid, 23.
your land, you are not allowed to take them by the scruff of the neck and kick them out.” An article published in the *Aberdeen Daily Journal* in 1919 summarises some of the difficulties faced by the police in regards to land raiding. It was reported that farmers on Lewis were ‘helpless’ as merely occupying land, that is without causing any damage, was a civil rather than legal issue. Even when a crime had been committed a ‘mere handful of constabulary on the island would stand a poor chance of enforcing the law on such a scattered community.’ It was also claimed that making arrests would only antagonise the community further. To many Highlanders and Islanders land raiding did not constitute a criminal act, but was seen as a perfectly reasonable response to land shortages. For example when eight ex-servicemen occupied land on the Orbost Estate on Skye they described themselves as ‘law abiding citizens so long as we get the treatment that we consider is due to us as ex-service men.’ In matters of local concern the community often enforced its own ‘moral economy’ that did not always concur with the law of the land, while attempts by outside forces to enforce these laws were often met with hostility.

Examples of the ‘moral economy’ at work occurred when warrants for apprehension were made on individuals, and the community would act collectively to prevent the arrest. Hunter notes that deforcement, the crime of preventing a sheriff or other legal official from doing their duties, was a common occurrence during land agitations. When John Macdonald and three others were accused of breach of the peace during a land raid in 1921, a body of 40 men were said to have barred the two constables from arresting the accused. It was later agreed by the Chief Constable and the Sheriff that a force of ‘about twenty police officers’ would be

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155 Letter from Walter L. Johnson of Strathaird to G. Erskine Jackson Secretary of the Scottish Land and Property Association, 26 January 1923, GD325/1/249, National Archives of Scotland.
157 Letter from Ex-Servicemen to the Board of Agriculture regarding small holdings on the Orbost Estate, Skye, 15 January 1921, Land Agitation, Seizures and Land Settlement in Crofting Areas, 1919-1920, AF67/147, National Archives of Scotland.
needed to carry out the arrest. In 1923, it was reported that ‘a strong force of police’ had been needed to arrest two disabled ex-servicemen following the deforcement of a Sheriff’s officer during a land raid on Skye. The Scotsman later reported that the accused had been successfully prosecuted and sentenced to 25 days in prison. Breach of interdict was one of the more effective criminal charges when it came to dealing with land raiders. An interdict would effectively ban an individual from acting in a certain way, in this case occupying another’s land. If the interdict was breached a fine or even a custodial sentence could be given by a court. Between 1908 and 1923 there were 32 imprisonments for breach of interdict in relation to land raiding.

Despite the difficulty in apprehending and prosecuting the land raiders, there were several instances where ex-servicemen were sent to prison for their part in occupations. In 1921, eight ex-servicemen from North Uist were sentenced to sixty days imprisonment for breach of interdict and contempt of court. It was reported in the Sunday Post that the men had initially intended to serve the full sentence and then return to the land they had occupied. The men were, nonetheless, released early after 18 days by the Secretary for Scotland, but on the condition that they obeyed the court’s interdict and stayed away from the raided land. Later that year five ex-servicemen, who had been occupying land on Raasay for nearly six months, were sentenced to 21 days in prison for refusing to pay a fine for contempt of court. The men had previously been tried in absentia for breach of interdict and found guilty. Prison did not

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159 Report by the Procurator-Fiscal at Lochmaddy as to Case of John Macdonald and three others-Breach of the Peace, 2 February 1921, AF67/152, National Archives of Scotland.
160 “Police “Raid” on Skye Village”, Evening Telegraph, 21 August 1921.
161 “Land Settlement”, Scotsman, 10 May 1924.
162 List of cases in which raiders have been sentenced for breach of interdict as requested by the Secretary for Scotland, 16 July 1923, Land seizure, 1923, AF67/175, National Archives of Scotland.
163 “Land Raiders Released”, Sunday Post, 28 August 1921.
164 “Raasay Land Raiders”, Scotsman, 10 November 1921.
deter the men, and upon their release they returned immediately to Raasay with the intention of staying there.\textsuperscript{165}

In 1923, six ex-servicemen, all of whom bar one had been disabled during the war, were imprisoned for two months for contempt of court.\textsuperscript{166} The men served only a short time in jail, having been sentenced on the 28 May and released on the 6 June.\textsuperscript{167} The men’s case had been brought up in parliament and an apology on their part also seems to have worked in their favour.\textsuperscript{168} Two fellow islanders who were charged with breach of interdict and deforcement later that year, Neil Stodart and Neil MacInnes, were described in one paper as bearing ‘unmistakable evidence, in the shape of physical infirmity, of their part in the war.’ Although the pair were found not guilty of the charge of deforcement, they were found guilty of breach of interdict, and subsequently sentenced to 25 days in prison. As the men were sentenced at the end of December, parliament would not sit again until after their sentence had been served so the matter was never debated, and they remained in prison.\textsuperscript{169}

The imprisonment of veterans seems to have strengthened the case of the land raiders by bringing an element of martyrdom to their cause. In 1923, James Maxton, Labour MP and later leader of the ILP, asked about the welfare of a group of imprisoned Skye veterans during a debate in parliament. Maxton was informed that the men were being treated as civil rather than criminal prisoners.\textsuperscript{170} It was later reported that the Skye raiders were allowed to wear their own clothes, and that the warders had shown them ‘every kindness.’ The only privation suffered by the prisoners was that they had not been allowed to smoke.\textsuperscript{171} In fact the land raiders were generally treated sympathetically by prison officials. When the North Uist raiders were

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\textsuperscript{165} “Land Raiders Return to Raasay”, \textit{Courier}, 23 December 1921.
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\textsuperscript{166} “Land Raiders in Prison”, \textit{Aberdeen Press and Journal}, 28 May 1928.
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\textsuperscript{167} “Six Cottars Set at Liberty”, \textit{Aberdeen Press and Journal}, 6 June 1923.
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\textsuperscript{168} “Skye Land Raiders”, \textit{Scotsman}, 4 June 1923.
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\textsuperscript{169} “Skye Raiders Imprisoned”, \textit{Sunday Post}, 23 December 1923.
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\textsuperscript{170} 164 Parl. Ded., H.C. (5th ser.) (1923) 1288-1289.
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\textsuperscript{171} “The Skye Land Raiders”, \textit{Scotsman}, 6 June 1923.
\end{flushright}
released from Edinburgh’s Calton Jail in 1923 the prison’s governor gave a favourable account of his charges, stating that the men ‘all went to prison with Bibles under their arms’, and added that ‘he had never had such prisoners before.’\textsuperscript{172} Even members of the judiciary appear to have shown a degree of sympathy for the land raiders, and at times acted directly in their interest. It was reported in 1921, that Sheriff George Watt of Inverness had cycled 16 miles and interrupted his holiday so as to have a group of land raiders released from prison.\textsuperscript{173} Due to the immense public sympathy for their cause, combined with the ambiguity over the illegality of their actions, imprisonments for land raiding were rare and when they did occur sentences were mercifully short.

When land raiders were released from prison it was generally a cause for celebration, both within their own communities and amongst their supporters. When the North Uist raiders were liberated in 1921 the \textit{Scotsman} reported that three large bonfires were lit, one on the neighbouring Monach Islands and the other two at the men’s homes. As the bonfires were lit simultaneously a large crowd headed by pipers gathered to escort the men home.\textsuperscript{174} Upon the release of the Skye raiders in Edinburgh the men were received by the Young Scots Society. At a reception that evening speeches were made and one of the prisoners sang a song he had composed in Gaelic regarding the land raids.\textsuperscript{175} When two Harris men were released in 1928, the Rev R. MacCowan assured them ‘that they need not be ashamed of being in prison.’\textsuperscript{176} Again this statement is representative of a community who saw no crime in land raiding. When a group of ten land raiders, which included three women, were due to be released from Inverness prison in 1918, subscriptions were raised so as to ‘entertain’ the raiders.

\textsuperscript{172} “Land Raiders Free”, \textit{Daily Herald}, 6 June 1923.
\textsuperscript{173} “Land Raiders Released”, \textit{Sunday Post}, 28 August 1921.
\textsuperscript{174} “The Return of the Raiders”, \textit{Scotsman}, 6 September 1921.
\textsuperscript{175} “The Skye Land Raiders”, \textit{Scotsman}, 6 June 1923.
\textsuperscript{176} “Harris Land Raiders Released”, \textit{Courier}, 16 February 1928.
Subscriptions came from across the Highlands, Edinburgh, Glasgow and even as far as London.\textsuperscript{177}

**Conclusion**

Although sporadic raiding continued after the immediate post-war period, by the early 1930s raiding had become rare and was more commonly used as a threat during negotiations over land settlement. Leneman has described the raid of Laxdale farm near Stornoway between 1932 and 1936 as the ‘last successful land raid’ in Scotland.\textsuperscript{178} Although this raid was different in character, with the raiders demanding council houses rather than smallholdings, the incident illustrated the enduring appeal of land raiding as a form of protest. It should also be noted that in 1948 seven veterans, this time of the Second World War, occupied land on the Knoydart peninsula in Lochaber. The raid seems to have been motivated by the fact that the land’s owner, Lord Brocket, was a prominent Nazi sympathiser, as much as the desire for land.\textsuperscript{179} Like their predecessors in the 1920s, the later raiders justified their actions on the grounds that they were war veterans, thus emphasising the importance of the individual effect on ex-servicemen.\textsuperscript{180}

Labour’s concern for the land issue created a legacy of greater interest in Highland affairs within the party. As Secretary for Scotland in Churchill’s wartime cabinet, Tom Johnston conceived an ambitious plan to build hydro dams in the Highlands. Although landowners opposed the scheme due to concerns over their game stocks, these objections were ignored, in what must have seemed a personal triumph for Johnston. Walker argues that Johnston’s dream of a self-supporting Highland population was never fully realised, yet the

\textsuperscript{177} “Land Raiders to be Entertained”, *Sunday Post*, 28 July 1918.
\textsuperscript{178} Leah Leneman, “The Last Successful Scottish Land Raid”, *Northern Scotland* 10, no. 1 (1990), 73-76.
\textsuperscript{179} Knoydart, Inverness-shire Police Reports, Land seizure, 1948, HH55/180, National Archives of Scotland
hydro dams did bring employment and electricity to many parts of the Highlands. More importantly the scheme represented a victory for the Highland people against the landowning class that had dominated them for centuries. The involvement of ex-servicemen in land raiding seriously questions the belief that the British veteran returned home happy to have done ‘his bit’ and expecting little in return. Neither were the raids merely a continuation of old practices, as the societal effects of the war clearly had an impact. The government wanted to avoid a repetition of events in Ireland, at a time when revolts were occurring across the Empire. The interest taken in the cause of the raiders by Lowland socialist, also had the potential for trouble. Unlike the other veterans considered in this study, the land raiders were seen as living up to the ideal of the noble warrior, with their actions being highly romanticised even in cases where they had clearly broken the law. The uniqueness of the post-war situation forced the government to take land raids more seriously than they had in the past, something that ultimately resulted in concessions being made on land redistribution. The land raids then should be placed within the wider disillusionment felt by many former combatants of the First World War.

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181 Walker, Thomas Johnston, 157-158.
Conclusion

A few months prior to the Second World War James Marshall was brought before Dumfries Sheriff Court for breach of the peace and assaulting his wife. Marshall claimed that he had been under the influence of ‘Red Biddy’, a mixture of red wine and methylated spirits, when the offences were committed. He elaborated that he had been gassed during the First World War and needed to take the concoction so as to keep his ‘chest open.’ It was also intimated that while on service he had been wounded in the head and suffered from shell shock. Yet the presiding sheriff had little sympathy for Marshall, most likely due to the seriousness of the assault and his 31 previous convictions. It was pointed out during the trial that Marshall had been in court almost twice a year since his first conviction in 1920. Before passing a sentence of six months imprisonment, Sheriff Johnston dismissed Marshall’s excuses with the statement ‘It is all very well talking about what happened away back in 1918.’

James Marshall was just one of the 557,618 Scotsmen recruited into the British Army during the First World War. In even broader terms Marshall was one of around 70 million men who served in the war from all combatant nations. So how representative was one man from Dumfries? Offending amongst ex-servicemen was clearly high from an ‘individual’ perspective, while on a ‘societal’ level many categories of offence rose after the war and remained high for some time. Bigamy, for example, increased dramatically due to the financial incentive provided by the separation allowance, but also because of the socially disruptive effects of the war, with some men clearly seeing their military service as a way to escape their domestic responsibilities. On this point it is also telling that the number of women imprisoned for concealment of pregnancy also increased during the war. In several cases the child’s father

had left for overseas service leaving the mother unmarried and without financial support. Imprisonments for rape rose from 27 in 1913 to 33 in 1923. Although these increases may seem small, it should be remembered that the war had reduced the male population significantly. The statistics for murder are perhaps the most telling of all. Unlike many other combatant nations Scotland did not see a significant reduction in the murder rate until 1918. Yet after the war the number of reported murders was significantly higher than pre-war levels. While in 1919 there were 12 reported murders and in 1920 18, in the five years prior to the war the figure had never been above 11. The number of reported murders per year did not drop below pre-war levels until 1926. This seems to suggest that the war had left a legacy of violent crime similar to that observed in combatant nations on the Continent. Statistically at least, the war clearly had an impact on offending patterns in Scotland.

The prison commissioners’ interviews give testament to the individual effect of war on criminality. Overall army veterans were slightly over-represented as compared to the general population at 44 per cent of the sample compared to 41 per cent of all Scottish males aged between 15 and 49. In the years immediately after the war this was far higher, peaking at 80 per cent of the sample in 1920. The veteran prisoners were more likely to have been convicted of crime relating to alcohol consumption or violence, and in particular wife assault. Ex-

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servicemen were also more susceptible to alcohol problems, with former POWs and wounded men being particularly vulnerable. In terms of anecdotal evidence several of the prisoners believed that the war had been the cause of their downfall. This was due to a variety of reasons such as ‘learning’ to drink while in the army, family breakdown, mental trauma, and disablement. A common statement made by the veterans was that their health had been ‘broken down’ by the war, a fact that seems to give credence to Winter’s theory of a ‘burnt-out’ generation.\(^8\)

It was also the case that the veterans were more likely than the non-veterans to have been unemployed. This could feasibly be the cause, or indeed, the result of the tendency of some veterans to commit crime. Curiously veterans were less likely to have been convicted of a crime relating to theft, but only a slightly higher proportion of non-veterans had been convicted of fraud. The fact that veterans were less likely to have been convicted of theft suggests that the war had not created a generation of career criminals. Given Goring’s findings on the physique of thieves compared to other criminals, thieves may have been less numerous amongst the veterans as they were more likely to be rejected as unfit for service.\(^9\) The impression given by the prison commissioners’ interviews is that many veterans struggled to readjust after the war. One of the most striking examples of this was a disabled ex-serviceman imprisoned for begging in 1930. The interviewer summarised his case with the statement ‘Discharged in September 1918 with disability pension. Nominally a pedlar now, is really a common tramp and methylated spirit drinker. His prison record is mainly post-war. Unmarried.’\(^10\)


Readjusting to the domestic sphere proved difficult for many returning men. The war itself was detrimental to family life, and even those men who did return to their families struggled to readapt. The surveying of national and local newspapers has shown that domestic violence was common amongst ex-servicemen. Although wives were the most common target for abuse, children and even parents were also subjected to physical violence. The harmful effect of war on familial harmony is also made clear by the fact that some veterans, usually disabled men, were themselves victims of domestic violence. Acrimonious civil actions against ex-servicemen for desertion and divorce were also common. It would be presumptuous to claim that these marriages had been ruined by the war, when in many cases there had been a history of discord. Yet a common justification given by ex-servicemen who abused their wives was that the victim had been unfaithful while they were overseas. In the murder trials of Campbell, McDermott and McManus the victims were portrayed, with varying degrees of success, as unfit wives for serving men. Campbell had apparently heard ‘stories’ about his wife during the war, McDermott claimed that his wife was spending his treatment allowance on herself, while Jane McManus was characterised as a hopeless alcoholic unable to provide a home for her decorated husband. In the cases of Campbell and McDermott at least, these accusations were dubious; yet the pattern of abusive men citing their wives’ behaviour as a mitigating factor suggests a degree of complicity on the part of the judiciary. Although culpable homicide was the more common outcome of murder trials during this period, the fact that in all three trials the accused was found guilty of former rather than latter seems to suggest that this argument was accepted by juries.

Curiously, mentally-ill veterans received less sympathy than those who abused or even killed their wives. Emsley’s theory that the ‘shell shock defence’ was reserved for former officers seems to apply to the Scottish legal system as well, although some adjustment is
Shell shock was used in defence of a variety of crimes including assault, bigamy, fraud and theft. In most cases this was met with either indifference or in some cases outright derision. There were, however, several examples of ex-officers who were treated leniently after being convicted of such offences. James McMillan, a former officer in the Machine Gun Corps, was convicted of bigamy, fraud and theft in 1920, yet the Procurator-Fiscal deserted the diet, essentially abandoning the case. Similarly, Cyril Seedhouse, a Flying Corps officer and Olympian, received 6 months’ probation for possessing an unlicensed revolver in 1922, despite threatening his wife on several occasions.

The judicial bias in favour of ex-officers is also apparent in the murder trials of the enlisted men mentioned, compared to that of Robert Brough, a former lieutenant and Military Cross recipient. McAuley was sentenced to seven years imprisonment for culpable homicide, while McInally was found guilty of murder but insane and was held at ‘His Majesty’s Pleasure.’ Scott only avoided the gallows because of a public petition and the intervention of medical professionals. Rollins was less fortunate still and his death sentence was actually carried out. Yet despite initially admitting that the crime was due to ‘75 per cent drink and 25 per cent jealousy’, Brough was found not guilty. It would be an oversimplification to suggest that Scott, McAuley and McInally were sentenced to prison, and Rollins to death, purely because they were enlisted men. Scott, McAuley and McInally’s mental state was aggravated by malaria, at a time when the relationship between the disease and psychoses was poorly understood, something that no doubt affected the outcome of their trials. Rollins’ mental state was simply never discussed during his trial, suggesting that mental illness could at least save

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12 “An Ex-Officer’s Mental Condition”, *Scotsman*, 7 February 1920.
14 Statement given by Dr David Kennedy Henderson, Physician Superintendent to Glasgow Royal Mental Hospital, Precognition against Robert Sibbald Calderwood Brough for the crime of murder, 1926, AD15/26/73, National Archives of Scotland.
an enlisted man’s life if not his liberty. Nonetheless, the fact Brough left court an innocent man, when the jury could at least have found him guilty of culpable homicide, seems to concur with Emsley’s hypothesis.

While England and Lowland Scotland did not experience the rural agitations that occurred on the Continent after the First World War, the Scottish Highlands and islands saw unrest for several years, with raiding occurring largely in the Western Isles, but also in Shetland and in the mainland counties of Inverness-shire, Sutherland and Perthshire. Ex-servicemen were willing to break the law, and in some cases even go to prison, for their right to the land they had fought for. The post-war raids were not merely a continuation of old practices. Wartime DORA regulations, political events on Clydeside and in Ireland, and most importantly the raiders status as veterans, all effected the course of post-war land raiding. Unlike most ex-servicemen who broke the law, land raiders were considered to be acting within the expected behaviour of a warrior. Yet despite the support of Scotland’s newly galvanised socialist movement, the land raiders remained oddly immune to politics. They do not seem to have given much credence to the ‘Scottish Communistic Republic’ proposed by John Maclean, even if they did appreciate his support. Although the land raiders may have been willing to occupy land illegally, their ‘revolutionary action’ was no more serious than a charge of breach of the peace. Their main objective was to obtain a croft and a small strip of land at a fair rent, rather than the creation of a rural socialist utopia. The extent of their demands was lost on the landowners and their small number of sympathisers. They envisioned a recreation of events in southern Ireland or Russia, a comparison which was widely resented by the land raiders themselves. Regardless of their political character, the land raids were the only example of Scottish ex-servicemen staging a mass protest against the post-war settlement. Despite their lack of revolutionary sentiment, these rural agitations should be put into the context of similar protests across interwar Europe.
Although significant numbers of men struggled to readjust, and in some cases fell into criminality, it would appear that the majority returned as law abiding citizens. Why then did the ex-servicemen discussed in this thesis turn to crime? Firstly it should be borne in mind that some men indulged in criminal behaviour before their enlistment. In the case of the land raiders, many had been engaged in similar activities before the war, or at least came from communities which were prone to agitations. Campbell and McManus, both of whom would later kill their wives, has been in trouble before the war as well. Although the charges are unknown, William Scott was also said to have been imprisoned for petty offences in Belfast and Glasgow, most likely during his time as a sailor. Yet the war clearly had an effect on the men who served. Although Campbell had apparently received brain damage from a falling brick in 1910, while ‘Daft’ McInally’s mental instability can be traced back to at least 1905, nearly 20 years before the murder of his wife, war neuroses was a factor in many ex-servicemen’s criminality. Brough, McAuley, McDermott, McManus, Rollins, and Scott had no history of mental illness prior to the war, and given that their conditions were aggravated by either shell shock or cerebral malaria, it seems unlikely that they would have been so affected had they stayed at home.

The social disruption caused by the war undoubtedly contributed to spousal homicide and domestic violence, the most common justification being that a wife had been unfaithful, or at least was believed to have been, while her husband was serving overseas. This phenomenon had in fact two sides; there were at least two cases during the war where the wife of a soldier serving overseas was murdered by her lover. Rather than men being brutalised by the war, as suggested by Bourke, long periods of absence proved fatal to family harmony. The last three chapters of this thesis also demonstrate that the crimes of ex-servicemen were judged by the

standard of what was considered suitable behaviour for a war hero. The veteran who illegally occupied land was considered to be acting with the same heroism that he had, presumably, displayed on the battlefield. An ex-officer who broke the law but claimed to be suffering from war neurosis was to be given the benefit of the doubt, whereas an enlisted man was merely displaying the sort of behaviour that was typical of his working-class origins. Even the wives of former soldiers were expected to act in a certain way. Although the killing of an unfit wife could never be wholly justified, it could at least be interpreted as an act of provocation in certain circumstances. Ironically, their status as veterans prevented many men from moving on from the war.

Despite the debate around the number of Scotsmen killed during the conflict, with estimates ranging from 74,000 to 147,000, the true cost of the First World War cannot simply be assessed by counting names on memorials and rolls of honour.\(^\text{18}\) The men who returned did so with mangled limbs, with lungs charred by poisonous gas, blood polluted by malaria, and of course the troubling memories of what they had seen. In 1942, the Ex-Services Welfare Society estimated that 30,000 First World War veterans were still in receipt of a pension for neurasthenia, while a further 6,000 were still being cared for in institutions.\(^\text{19}\) Given the timing of this statement it seems that the society was keen not to see a repetition of history. Even those men fortunate enough to avoid injury had to contend with the social convulsions of war. Ex-servicemen returned to families that had been fractured by conflict, and although unhappy marriages had existed before 1914, surely such long periods of absence had only increased domestic discord? Some men had developed unfortunate vices while in the services, such as excessive alcohol consumption and paying for sex, while others simply abandoned their


\(^{19}\) “War Neurasthenia”, *Scotsman*, 7 March 1942.
families. The grim economic conditions of interwar Scotland, where the desperate drank methylated spirits mixed with milk, were hardly conducive to post-war recovery. Ex-servicemen also had to contend with the idealised image of the returned warrior; stoic, temperate, and heroic, yet oddly passive. The failure of some men to live up to this lofty ideal, and subsequent descent into criminality was hardly surprising. Should then Elizabeth Corbett, murdered by a mentally unstable ex-soldier in 1919, be considered a victim of the First World War? Might even her killer William Scott be considered a forgotten casualty as well?
Appendix: Methodology

The writing of this thesis involved a number of methodological approaches, which should to be addressed, but for reasons of terseness, were not discussed in the body of the text. The reader will notice that a large amount of secondary material used came from historical newspapers. When using newspapers there is inevitably a tendency to focus on national publications, while neglecting local papers. Bingham has argued that this oversight is due in part to the difficulty of sourcing popular newspapers prior to digitisation, but also because historians have traditionally regarded the provincial titles as conservative, salacious, and prone to moral panics. Yet for these same reasons, the popular press was fixated on the reporting of crime and court proceedings, thus creating an enormous resource for historians.20 This study has endeavoured to sample titles from across Scotland, so as to compose a more varied survey of contemporary reporting, rather than over-relying on the self-styled ‘papers of record’, such as The Times and the Scotsman. Dundee’s moniker for ‘jute, jam and journalism’ has led to a tendency in Scottish history towards overreliance on the city’s newspapers. This thesis is no exception to this rule, although as the murder trials of John McDermott and William McInally both occurred in Dundee, perhaps this dependency is forgivable.

Although some material came from the microfilms available at the Mitchell Library, as well as the small number of snippets that occasionally appear in files at the National Archives of Scotland (NAS), the bulk of material came from the online repository the British Newspaper Archive (BNA). In some cases, such as when researching a well-known murder trial, it was simply a matter of searching for a name within a defined period of time. At other times it was necessary to think more laterally, and to search certain terms or phrases such as ‘ex-serviceman’ or ‘ex-soldier.’ No digitisation process can of course be perfect, but overall the

BNA provides a valuable resource, and it can be assumed that little relevant material has been overlooked. For the sake of good record keeping these searches have been saved to the author’s BNA account.

The Prison Commissioners’ interviews contain a wealth of information, which although valuable, could not possibly be used to their full potential without the use of computer software. All of the interviews were uploaded to the qualitative research aid Nvivo and subsequently coded by the author. Nvivo allows the creation of ‘nodes’, essentially categorisations of the user’s own creation. Nodes were composed in relation to the information provided, such as, for example, whether the prisoner had ‘alcohol problems’, had been convicted of ‘violent offences’, or had served in the ‘army’, ‘navy’ or ‘RAF.’ Of course the name of each node was often an umbrella term for the various, and at times archaic, terminology used in the interviews. A prisoner with the node ‘alcohol problems’ could be categorised as such due to their interview containing phrases such as ‘addicted to drink’, ‘sodden with drink’ or having ‘marks of dissipation.’ For comparative purposes the interviews were divided into ‘veterans’ and ‘non-veterans’, and coded on two separate Nvivo projects. The answers given by the two groups were then compared and quantified by the author manually. One limitation of Nvivo is that it lacks Optical Character Recognition Technology (OCR), meaning that text searches cannot be conducted, although pre-digital documents can still be searched and read manually. Another issue was that the Prison Commissioners’ reports for 1921, 1922 and 1923 do not exist in PDF format, although they are available at the NAS. For these years it was necessary to transcribe the interviews directly into Nvivo. Although this process was time consuming, it did not affect the outcome of the analysis.

One might be tempted to try and identify the individuals included in the interviews. Although time consuming, this could possibly be achieved by identifying the prison where the interviews took place, and then matching the ages, occupations and offences of the interviewees
with those on the prison register. After all, the prisoners were said to have been interviewed in the order they were received into prison, so presumably this would be replicated on the prison registers. Yet for ethical reasons the prisoners identities have not, and indeed should not, be revealed. These interviews were given under the condition of anonymity due to the reports being made available to the public upon publication. Although the interviewees are no-doubt long dead (the last cohort of prisoners were already adults in 1931) the commissioners’ guarantee of anonymity should be upheld. For further discussion of the interviews see the author’s own work: Cameron McKay, ‘The Annual Reports of the Prison Commissioners for Scotland and Religion, 1903–1931’, *Scottish Church History* 48, no.1, (2019): 83-101.

This thesis gives serious consideration to no less than eight murder trials spanning from 1919 to 1926. Some comment should be made here on why these trials were selected for analysis, as they were of course not the only murder cases during this period. Other ex-servicemen, such as Joseph McNamee in 1920 (mentioned briefly in the introduction) and James McKay in 1927 (mentioned page 215 in footnote 126), were tried for murder, but their war records seem to have been merely incidental. Only trials where the war service of the accused was relevant to the events that took place have been discussed here. Based on the files available in the NAS and from searching the BNA, it would appear that all murder trials in Scotland involving First World War veterans (besides those mentioned above) are discussed in-depth in this thesis. Some of the criminal case files, precognitions and trial transcripts relating to these cases do not appear on the NAS’s online catalogue, as they are yet to reach the mandatory 100 year closing period. Access to such records can, however, be granted with the permission of the Crown Office and Procurator Fiscal Service on request. Accessing these materials predicates on two conditions, namely that the records are used solely for research purposes, and that any living individuals mentioned within the records remain anonymous. As far as the author is aware both of these conditions have been adhered to.
Bibliography

Primary Sources

Annual Reports of the Prison Commissioners


-------- 1903. Cmd 2013, (Glasgow, 1904).

-------- 1909. Cmd 5164, (Glasgow, 1910).


Annual Reports of the Prisons Department for Scotland


Census Reports


Edited Collections

Da Costa, J.M. ‘Observation on the diseases of the heart noticed among soldiers, particularly the organic diseases’, in Contributions relating to the causation and prevention of disease, and to camp diseases; together with a report of the diseases, etc., among the prisoners at Andersonville, GA., edited by Austin Flint (New York: Hurd and Houghton, 1867), 360-382.


Fictional Works


Kipling, ‘Tommy’, 1892. [http://www.kiplingsociety.co.uk/poems_tommy.htm](http://www.kiplingsociety.co.uk/poems_tommy.htm)


**Government Reports**


**Hansard Parliamentary Debates**


205 Parl. Deb., H.C. (5th ser.) (1927) 133-140.


**Journal Articles**


**Judicial Statistics**


------- *1912.* Cmd 7164, (Edinburgh, 1913).

------- *1913.* Cmd 7734, (Edinburgh, 1914).

------- *1914.* Cmd 8126, (Edinburgh, 1915).


------- *1926.* Cmd 3162, (Edinburgh, 1928).


**Bureau of Military History**


**Land Raiding Files**

Land Agitation at Eoligarry, Barra, 1914-1918, AF67/143, National Archives of Scotland.

Land Agitation, Seizures and Land Settlement in Crofting Areas, 1919-1920, AF67/147, National Archives of Scotland.

Land Agitation, Seizures and Land Settlement in Crofting Areas, 1920, AF67/148, National Archives of Scotland.

Land Agitation, Seizures and Land Settlement in Raasay, 1920-21, AF67/149, National Archives of Scotland.
Land Agitation, Seizures and Land Settlement in Crofting Areas, 1920-1921, AF67/150, National Archives of Scotland.

Land Agitation, Seizures and Land Settlement in Crofting Areas, 1920-1923, AF67/151, National Archives of Scotland.

Land Agitation, Seizures and Land Settlement in Uist, 1919-1922, AF67/152, National Archives of Scotland.

Land Settlement, 1921, AF67/153, National Archives of Scotland.

Land Agitation in Tiree, 1918-1926, AF67/165, National Archives of Scotland.

Land Agitation in Skye, 1919, AF67/168, National Archives of Scotland.

Land Agitation in Shetland, 1919-1920, AF67/169, National Archives of Scotland.

Land seizure, 1923, AF67/175, National Archives of Scotland.

Land Agitation in Perthshire, 1920, AF67/176, National Archives of Scotland.

Land Settlement: Highlands, 1917, AF66/183, National Archives of Scotland.

Land Seizure and Settlement (Lord Leverhulme), 1920, AF67/327, National Archives of Scotland.

Land settlement and raiding: Lewis correspondence between Secretary for Scotland and Lord Leverhulme, 1920-1922, AF67/389, National Archives of Scotland.

Scaristaveg, Harris, 1929, AF83/797, National Archives of Scotland.

Agriculture (Land Settlement) files Land settlement: memorandum by Board for Captain Elliot, MP following parliamentary debates on case of Strathaird Raiders, 1923, E824/487, National Archives of Scotland.
Agriculture (Land Settlement) files Borve, Harris, 1933, E824/537, National Archives of Scotland.

Agriculture (Land Settlement) files. Raasay, Inverness-shire: raiders from neighbouring island of Rona were imprisoned but refuse to return to Rona, 1921-1922, E824/639, National Archives of Scotland.

Land Raids - Balranald, 1922 and Strathaird, 1922 and 1923: Correspondence and newspaper reports, 1922-1923, GD325/1/292, National Archives of Scotland.

Land Raids - Melvich, 1920, and Balranald, 1921: Correspondence and papers, 1920-1921, GD325/1/249, National Archives of Scotland.

Land seizure, 1948, HH55/180, National Archives of Scotland.

Legislation


Memoirs


Military Records

First World War: Danger to Young Girls Loitering Near Camps, 1914, HH31/16/11, The National Archives of Scotland.

First World War: Enlistment of Criminals, Naval Ratings sentenced by Naval Court Martial, 1917, HH31/32/8, National Archives of Scotland.

First World War: Enlistment of Criminals, Naval Ratings sentenced by Naval Court Martial: Notice of Question, 1917, HH31/32/12, National Archives of Scotland.


Monographs


**Newspapers**

*Aberdeen Daily Journal.*

*Aberdeen Press and Journal.*

*Aberdeen Weekly Journal.*

*Courier and Advertiser.*

*Courier.*

*Daily Herald.*

*Daily Record and Mail.*

*Daily Record.*

*Dumfries & Galloway Standard & Advertiser.*

*Dundee, Perth, Forfar, and Fife's People's Journal.*

*Edinburgh Evening News.*

*Evening Telegraph and Post.*
Evening Telegraph.

Falkirk Herald.

Fife Free Press & Kirkcaldy Guardian.

Fife Free Press.

Fifeshire Advertiser.

Forward.

Hamilton Advertiser.

Hawick News.

Irish News and Belfast Morning News.

Kirkintilloch Gazette.

Kirkintilloch Herald.

Larne Times and Weekly Telegraph.

Linlithgowshire Gazette.

Mid-Ulster Mail.

Montrose, Arbroath and Brechin Review.

Motherwell Times.

Newcastle Daily Journal.

People’s Journal.

Perthshire Advertiser.

Scotsman.
Precognitions and Related Materials

Precognition against John McDermott for the crime of murder, 1922, AD15/22/14, National Archives of Scotland.

Precognition against William McNally for the crime of murder at 13 Arthur Street, Dundee, 1922, AD15/22/28, National Archives of Scotland.

Precognition against Nicolas Page Campbell for the crime of murder at 8 Nicholson Square, Edinburgh, 1920, AD15/20/33, National Archives of Scotland.

Precognition against Robert Sibbald Calderwood Brough for the crime of murder, 1926, AD15/26/73, National Archives of Scotland.

Precognition against John McManus for the crime of murder at Ryehill Lane, Dundee, 1919, AD15/19/120, National Archives of Scotland.

Precognition against William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire, 1919, AD15/19/130, National Archives of Scotland.

Precognition against Owen McAuley for the crime of murder at 36 McAslin Street, Glasgow, 1921, AD15/21/136, National Archives of Scotland.

Criminal case file: William Scott, 1919, HH16/157, National Archives of Scotland.
Criminal case file: Albert James Fraser, James Rollins, 1920, HH16/160, National Archives of Scotland.

Trial transcript from the trial of William Scott for the crime of murder at 17 Clunes Vennel, Ayr, Ayrshire. Tried at High Court, Ayr. Tried on 21 Aug 1919, JC36/30, National Archives of Scotland.

Prison Registers and Records


Greenock Prison, Register of Criminal Prisoners and their Religious Persuasions, 1913-1922, HH21/33/21, National Archives of Scotland.

Dundee Prison, 3 January 1922 - 3 October 1927, Register of Criminal Prisoners and their Religious Persuasions (Males and Females). Contains prisoner registration nos. 1922/1-1927/673 (Male), and 1922/1-1927/255 (Female), HH21/47/17, National Archives of Scotland.

Perth Prison, Criminal Lunatic Department Case Book (Indexed), 1913-23, HH21/48/5, National Archives of Scotland.

Annual Reports of the Registrar General


Websites

http://www.bureauofmilitaryhistory.ie

Secondary Sources


Brown, Alyson. ‘Crime, Criminal Mobility and Serial Offenders in Early Twentieth-Century Britain’, *Contemporary British History* 25, no.4, 551-568, 557.


‘They Will Listen to no Remonstrance’: Land Raids and Land Raiders in the Scottish Highlands, 1886-1914’, *Scottish Economic and Social History* 17, no.1, (1997): 43-64.


Devine, T.M. Clanship to Crofter’s War: The social transformation of the Scottish Highlands (Manchester: Manchester University Press, 1994),

--------. Clearance and Improvement: Land, Power and People in Scotland, 1700-1900 (Edinburgh: John Donald Publishers Ltd., 2006).


--------. ‘The Last Successful Scottish Land Raid’, *Northern Scotland* 10, no.1 (1990), 73-76.


Makepeace, Clare. ‘Male Heterosexuality and Prostitution During the Great War: British soldiers’ encounters with *maisons Tolérées*, *Cultural and Social History* 9, no.1, (2012): 65-83.


Ó Conchubhair, Brian. ‘Capturing the Trenches of Language: World War One, the Irish Language and the Gaelic League’, *Modernist Cultures* 13, no.3, (2018): 382–398


Taylor, Avram. ‘Are you a Billy, or a Dan, or an old tin can?’: street violence and relations between Catholics, Jews and Protestants in the Gorbals during the interwar years’, *Urban History* 41, no.1, (2013): 1-17.


---------. *Male Fantasies, Volume 2, Male bodies: psychoanalyzing the white terror*, translated by Chris Turner and Erica Carter in collaboration with Stephen Conway (Minneapolis: University of Minnesota Press, 1989).


------------. ‘Military Fitness and Civilian Health in Britain during the First World War’, Journal of Contemporary History 15, No.2, (1980), 211-244.


