

# Paul O'Dwyer, In His Own Words

INTERVIEW BY JANE MULLER

*Interview conducted 7 December 1990*

**T**he problems with being an immigrant I suppose is that you are called upon to see things in the land you left and the land you came to and you are called upon to do something about it. The first time that I think I was called upon to really raise funds here, although that was common among immigrants, was when an old man by the name of Thomas McGowan (that time probably in his late seventies, at this point I find it difficult to judge people's age at that period) ... got a group of us together who came from Bohola. ... That would be now when I was probably a lawyer early in the game and had settled down for the rest of my life to be in New York. He was talking about a visit that he had in Ireland and then that he had seen the church where we all went to, a Catholic church in Bohola. There was no other denomination there at that time anyway. And that the roof was in bad shape. Now Tom McGowan had become sort of a small time politician in Brooklyn when Brooklyn was very, very Irish.

Large colonies in Flatbush and Bedford-Stuyvesant were in a particularly strong position for working-class Irish. I mean a number of them were there. Anyway, we got together and formed the Bohola Society for want of some name to give to our endeavors.

Now, there was a Father John, the nemesis of the O'Dwyers, who has gone on to his reward or otherwise, and other parish priests. ... Some were less sympathetic and some were not—certainly Father John, and later Canon Higgins—were not very well disposed to me [because] in that context, I had taken positions here which were very independent. I had become at an early age—I think I was twenty-seven when I was president of the Mayomen's Patriotic and Benevolent Society which had been formed about one hundred years earlier. He had taken umbrage about the fact that I had introduced George Gilmore to the American public. ... George Gilmore was associated with a man by the name of Peadar O'Donnell and Peadar O'Donnell had been condemned by the bishops left, right and center as being an agent of Moscow, and Gilmore was his friend.<sup>1</sup> Gilmore

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*Photo: Paul O'Dwyer with Bill Fugazy protesting the indictment of Mario Biaggi, 1988. Photo by Peter Dolan. Courtesy of the NYIHR.*



*“If I thought  
at the end  
of the year  
that all I  
did was  
make a  
living, I’d  
regard it as  
a pretty  
incomplete  
year.”*

—Paul  
O’Dwyer, quote  
reproduced in his  
New York Times  
obituary,  
25 June 1998

came over to this country to talk about getting everybody together to get the Brits out of Ireland. I thought it was a good idea, so I introduced him to the body. The local Irish American newspapers picked it up that I had introduced him there [at the Mayomen’s meeting].

The Irish provincial press, the *Mayo News*, the *Connaught Telegraph*, and the *Western People* frequently had correspondents here [who] used to write stories of immigrants who had left that area and how they were making out—all very social. In any event, they came across this story about my introducing George Gilmore. On the basis of that, [at] the next diocesan meeting of the clergy, the question was discussed. And I, being the product of the seminary known as St. Nathys, I suppose they discussed what a revolting development this was.

With the result that Cannon Higgins of Bohola, waiting for some chance to express himself on the subject, was one day approached. This has to be about 1935. I date it with the date of my mother’s death. My oldest sister, Kathleen, went to the priest to make arrangements for a Mass, a memorial Mass, and he—somewhat under the influence of John Barleycorn—said to her that he was not in a position to do anything about her young brother, the Communist, but he did have control over his family [the O’Dwyers] in Ireland. Of course, she was not a very vocal person normally, but her brother was being insulted and she tore him [Canon Higgins] apart and told him what kind of person he was and [that she] had no respect for his clerical garb. On the contrary, she ridiculed him and so that set the stage for a continued antagonism between Canon Higgins, and not only me but with my brother-in-law, who was a teacher and somewhat under his control, and [with] my sister.

Another sister, who was sort of the controlling factor in the family, was also a teacher and wrote to me and said, “We really can’t tell you how to run your life, that would be inappropriate” or something to that effect, “but for God’s sake, can’t you keep out of this stuff that is getting back to Ireland, our life is getting to be miserable here.”

**[Jane Muller: Which sister was this?]**

My sister Mary Rose. So, it is Mrs. Durkan, who lived and taught in the same school that my father taught in and from whom I took over

properties which are now the O’Dwyer Cheshire Home. And I thought that that was sound advice and I would try to have my activities not take in the Emerald Isle.

I joined it [the National Lawyers Guild] about ten years later in New York.<sup>2</sup> Somebody that I had met in court or something said, “You ought to join this organization” and told me something about it, and I thought I should. It was meant to create a different society, certainly as far as lawyers were concerned. Up to that point they were probably as reactionary a lot as you could find. And I did not join the Bar Association, but I did join the National Lawyers Guild. By 1947 I had become the president of the New York Chapter, which was the leading chapter in the country. Detroit was a good one. There was a Judge O’Brien there who led the Ohio-Michigan groups. We took up many things, of course. We took up—I filed a brief on behalf of the Hollywood Ten as President of the Guild and, later, for the lawyers who were punished for defending them.

**[Jane Muller: What ten?]**

The Communist Ten. I think they called them the “Hollywood Ten” who were charged with having been active in the Communist Party. It was not always a direct charge. It was something else. Earl Browder, head of the Communist Party in the United States, was not charged with being a communist but he was charged with making a false statement in application for his passport. So...they got to them some other way. And throughout the course of the McCarthy period, it was not just the McCarthy period, it was before and after McCarthy. There were various tricks by which the Government was able to convict people they wanted to convict without ever raising the direct issue whether or not they could charge them with being a communist (which might make it offensive to the First Amendment).

The struggle to maintain the First and the Fifth and the Fourth Amendments were really almost exclusively in the hands of the National Lawyers Guild. I knew, for instance, on my own knowledge, that many of the people in the New York Chapter were members of the Communist Party or, if they weren’t members, they espoused the same cause. I also knew that



they didn't represent the majority of the members and that crucial to our philosophy was that there should be no exclusion. Now, up to that time, I think the most important body defending civil rights in this country was the Civil Liberties Union. That's the American Civil Liberties Union [ACLU] and its New York branch, the New York Civil Liberties Union. But the ACLU, in the opinion of myself and others, failed to live up to what we regarded as being the ultimate in the defense of people's views—[especially] when they failed to defend the Communist Party on the ground that they were believers in violence [and] the overthrow of the country by violence and, therefore, they could not claim that a non-violent approach should give them protection. We saw no distinctions and we felt that...as soon as you adopt that philosophy and that is, that you now draw distinctions, [then] you ultimately defeat the purpose [for] which the association was formed in the first instance. So there was this, while the ACLU and the New York Civil Liberties Union [were] not law organization[s], they did jump into the breach and get members of their bodies and some of the best known lawyers in the town [to join them, those who] had accepted that philosophy and stayed with it. We did not.

**[Jane Muller:** Did the Civil Liberties Union do anything for the Irish community, that you recall, of great mention?]

There wasn't much to do at that particular time. The time when certain of these organizations were active was in the period of time between 1916 and 1922 when Ireland's Rebellion and the aftermath of rebellion [was being] discussed at length in the United States. Efforts [were] made to bring aid and assistance to the new body. At that time, among those who stood out among the defended, was a magazine called *The Nation* which is still in existence<sup>3</sup> and which is still functioning as a critic of government's excesses on a very logical basis. But there wasn't too much activity in this connection [Ireland] for another twenty years.

**[Jane Muller:** The National Lawyers' Guild wasn't in existence then, of course.]

No.

**[Jane Muller:** As we mentioned, where did they tie in to have an effect on the Irish community? I mean, you mentioned that they had several founders that were Irish.]

Well, actually yeah, but the founders were by this time old and dying...



**[Jane Muller:** So that now we have subsequent members that were of Irish extraction and working for the Irish cause?]

Not too many.

**[Jane Muller:** Not too many?]

But the ones that were, ahh! I remember two meetings that we had, national meetings, and an issue came up with respect to Ireland and Mary Murphy from Buffalo and myself were the only two Irish there [who] were...in the New York Chapter of the Guild. But we raised the question on the floor...I am not quite certain what that issue was at this moment, only that the vociferous rejection of what was then being proposed strictly on the basis of Ireland versus England was so loud that it frightened everybody off [so much so] that even the two of us prevailed in what we were after at that point in time. I am not too sure it was because they agreed with us, but they feared the wrath of the Irish, the small Irish contingent.

**[Jane Muller:** Mary Murphy, the lady that you referred to...what was her role at that time?]

*Illustration:  
Membership Card,  
Irish Institute, circa  
1950s. Courtesy of the  
Archives of Irish  
America, New York  
University.*

She was on one of the committees in the National Lawyers Guild in New York, in New York City. She was employed by one of the left wing unions, welfare unions. But, as time went on, the issue and—particularly now we're coming into the issue[s] past '68—the Guild would take (I was out as President)...very strong positions in this place or that place or the other place and we, the few that were in there, would raise the question "Hey, wait a minute, that's true, but are you forgetting Ireland?" And they would sheepishly return and come through with a resolution with regard to Ireland.

Now,...I would say, there was a change in the sense of Irish-Americans. Whereas previously there had been stalwart defenders of things that were reactionary, their children began to raise questions with regard to that and I remember them, people like [Pete] Hamill and [Jimmy] Breslin, hearing me some place or other, coming around, and they had a feeling that someone was speaking out. Now, there were things within the Irish organization[s], of course; I took issue with what they were doing.

For instance, as a president of the National Lawyers Guild, I was opposed to the lack of divorce laws in the City and the State of New York. Up to that time the only means of getting a divorce in the City and the State of New York was when a spouse, a man or a woman, would have to accuse his or her mate of adultery, and prove it. And it would be proven in the following fashion. Mrs. Jones would come into court to say that Mr. Jones had indeed been found in a hotel room or in his home in bed naked with another female, not his wife, and this was usually proven by two of his friends who acted as witnesses. A court couldn't be but aware of the fact that this true friend of the husband was producing the evidence which would show him to be an adulterer. But that was the only way that it could be done and that was the way it was done. And so, in Part Five of the Supreme Court devoted to undefended divorces, this was the way and that, of course, was preceded by some sort of an agreement between the husband or the wife in this situation.

The rule was that if the wife was found to be the offender in an adulterous situation, she could not have the kids because that was such a black mark upon her escutcheon that she could not bring up the children properly. Nobody was

complaining about that, but I know that the *Tablet*, the *Brooklyn Tablet*—which was at that time probably the strong voice of the Catholic Church in the eastern part of the United States, and particularly, the diocese of Brooklyn and Long Island—brought me to task editorially for my advocating a more sane divorce law. And this became a sort of mark which indicated [that] I was no longer acceptable there. So, I really didn't begin to, [I] kept away from that kind of thing, except to continue to object to the manner in which things were going.

But it was a few years later that a man named Richard Ryan, a reporter for the *Tablet*, called and I was then running for president of the [City] Council, that would be about 1973, this would be about twenty years later at least. He came to interview me about my campaign and frankly I didn't particularly want to see or hear him because I didn't expect that there would be anything good coming from the interview. I wouldn't be asked anything except this narrow issue. I don't even think we were talking about abortion at that time. We were talking about a more sane divorce law....[The Catholic Church]

Paul O'Dwyer  
(Bohola, Co. Mayo 1907—New York City 1998)

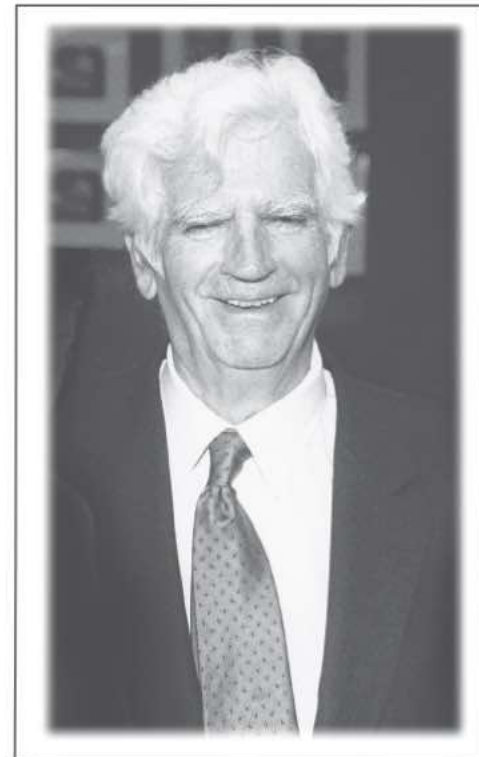


Photo: Paul O'Dwyer at the launch of Ireland House, New York University, 20 May 1991. Courtesy of M.R. Casey.



was a very different church, it was a very aggressive church and a very intolerant church and I couldn't see going with it on that score.

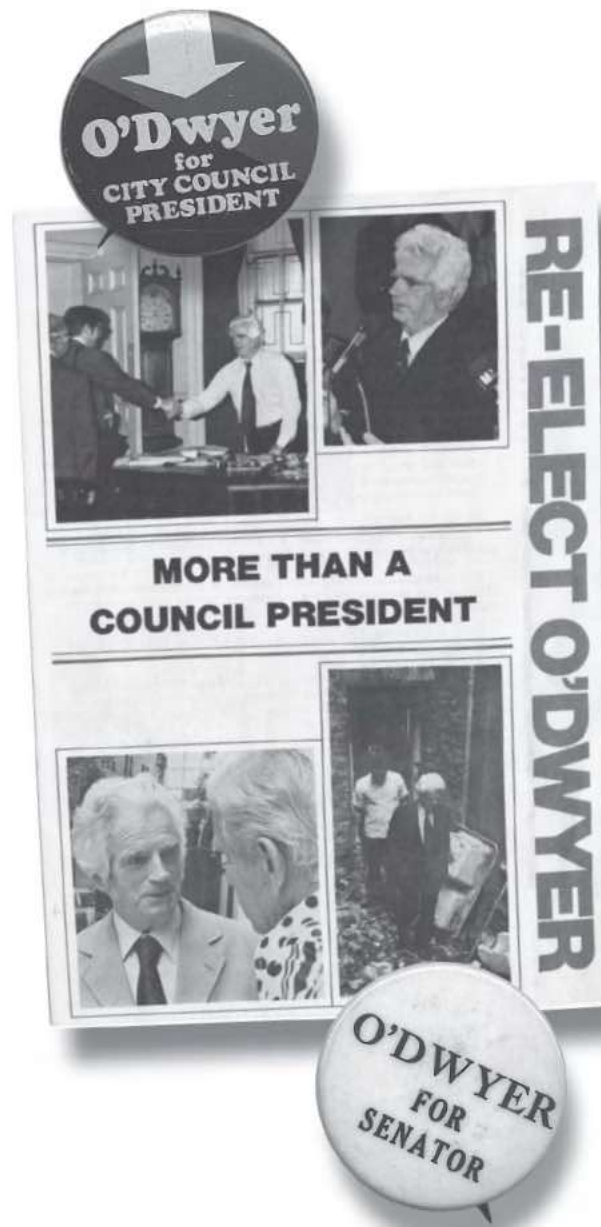
So...on these various issues, I was separating myself in a way from my own kinsmen. And when they condemned me I couldn't complain about it because I had left them and I stayed on the path that I thought was appropriate. Many times it was very uncomfortable, but there were many friends of mine in the Irish community that continued to disagree with me but, nevertheless, felt I was alright anyway. There were many in the Irish-American community [who] were much more Catholic than the Pope, to whom this saving grace was not apparent. So I [would] find this as I travelled in the community. In any event, it was not something I wasn't aware of, something I was conscious was going to happen and that I thought, frankly, it was a cheap price to pay for my freedom.

However, I took up the cudgels with a few Irish that were there and a few others that were conscious of what I was doing with respect to Ireland. And we did raise the issue several times in the Guild and each time we raised the issue, our position was sustained. They had to give the same attention to the Irish Question on civil rights as they did to any other question.

## Notes

- 1 Peadar O'Donnell, born in Donegal in 1893, and George Gilmore, born in Belfast in 1898, were both socialist republicans who sought the fusion of republican and socialist principles in Ireland after 1922. O'Donnell was expelled in 1934 from the Irish Republican Army for his non-violent beliefs. Only Gilmore and Frank Ryan continued to support him publicly. See D.J. Hickey and J.E. Doherty, *A Dictionary of Irish History, 1800-1980* (Dublin: Gill and Macmillan, 1980), s.v. "Peadar O'Donnell," "George Gilmore"
- 2 The National Lawyers Guild was founded in New York City in 1937 and "played an important role in drafting and implementing New Deal policies." Kenneth T. Jackson, ed. *The Encyclopedia of New York City* (New Haven: Yale University Press, 1995), s.v. "lawyers"
- 3 *The Nation*, a weekly magazine that supported civil liberties, civil rights and freedom of expression, was established in New York City in 1865. It is "the oldest

continuously published weekly magazine in the United States." Jackson, op.cit., s.v. "Nation"



*Pictured: Election memorabilia 1974, 1977, and 1968 respectively. Courtesy of the Archives of Irish America, New York University.*

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