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The fight for freedom of speech on Glasgow Green, 1916–1932

John Couzin

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Glasgow Green lies in the centre of the City, it is the oldest of Glasgow's parks. Its origin lies in the Common Lands of the Burgh. Since the 1100s the area of the Green has been used for all manner of purposes from peat cutting, pasturing, slaughtering cattle, executions, walking, talking and playing.

On April 13th 1916 Glasgow Corporation repealed a bye-law passed in 1896 covering the regulation of City parks and replaced it with bye-law 20, restricting the right of free assembly. The bye-law was not invoked until 1922 when it became responsible for a considerable number of riotous disturbances of the 1920s and 30s.

On July 30th 1923, after many protests and demonstrations, bye-law 20 was amended to make an exception to the area outside the gates of the Green at Joycelyn Square. Meetings were still being cleared from outside all other City parks, this was not always concluded quietly. Guy Alfred Aldred challenged the bye-law by holding meetings outside the gates of Botanic Gardens, because of its historical traditions he considered the Green a special case. July

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6th. 1924 Guy Aldred addressed an open letter in “The Commune” to the Lord Provost, Magistrates and the City Council. He referred to the right of unlicensed liberty of free speech on Glasgow Green secured by long tradition and respected by the Common Law of Scotland. In the letter he made it known that he would be one of seventy speakers participating in an orderly quiet meeting at the monument on Glasgow Green. He also mentioned the seventy cases pending and those already in prison being treated like common criminals because of speaking on the Green without a permit. The meeting went ahead as advertised and further meetings for several weeks after this. At each meeting the police took names and charged the speakers. The speakers were drawn from two groups, Guy Aldred’s Anti-parliamentary Communist Federation, and John MacLean’s Scottish Workers’ Republican Party.

On November 29th 1926 at a meeting of the Glasgow Parks Sub-committee a report was read detailing complaints from the Magistrates Committee, referring to the abuse of Joycelyn Square by undesirables such as racing tipsters attracting a rowdy and troublesome element. A motion was put to the Parks Sub-committee that the exemption of the Square from the restrictions covering the Green should be repealed, the motion was carried. At this point in time Guy Aldred was in London on another campaign where on February 15th. 1925 he was arrested from his platform in Hyde Park and charged with blasphemy and sedition. When he got notice that the Sheriff Principal, A.O.M. MacKenzie had received an application from Glasgow Corporation for deletion of the clause in the bye-law exempting Joycelyn Square from the restriction that applied to the Green he lodged Notice of Appeal. The hearing was on March 29th. 1927, Guy Aldred appeared in person to state his objections.

Aldred quoted Acts and authorities supporting his view that the bye-law was beyond the legal authority of the Corporation and inconsistent with the Laws of Scotland and this bye-law was in fact an act of prohibition. He also stated that the London authorities

had laws to prevent tipsters from acting in Hyde Park but allowed public meetings. Sheriff MacKenzie on April 1st. 1927 confirmed the bye-law. The Glasgow Herald went further in an article on April 2nd. suggesting that the Corporation take steps to regulate all street corner oratory within the City. The Daily Herald carried the headline, "GLASGOW GREEN SILENT".

June 1931 saw the issue come very much alive again when the Brotherhood of the Way, known as Tramp Preachers arrived in Glasgow and started with fervour and passion to preach on the Green. They seldom had anywhere to sleep and had no worldly possessions bar their wooden crosses. They relied on collections to survive, prison to them would mean food and a bed. They were continually arrested and sentenced to thirty days in prison, their only defence in court was to loudly sing "Onward Christian Soldiers".

John McGovern, ILP Member of Parliament for Shettleston, asked the Secretary of State William Adamson if he would release the Tramp Preachers. Not happy with the answer McGovern persisted until the Speaker ordered him to leave the Chamber. He refused and as four doorkeepers tried to remove him supporters took hold of him in an attempt to prevent his removal. As this struggling mass of bodies rumbled towards the door the House was treated to a scene more in keeping with a street meeting being broken up by the police. McGovern was eventually ejected from the Chamber and was suspended for the remainder of the session. The event got him widespread publicity and he announced to the press that he would speak on Glasgow Green without a permit.

A Free Speech Council was formed. On Sunday July 5th. 1931 McGovern arrived at the Green to speak, a crowd of some six thousand had assembled. The meeting was allowed to proceed with the Police taking the names of all the speakers, of which there was no shortage. The speakers were; McGovern, Aldred, Pickering, McShane, Rennie, Heenan, McDougal, Reilly, McGlinchy and

Lanaghan. All made two Court appearances and were fined £3 each. Guy Aldred gave Notice of Appeal on behalf of all the accused.

At a meeting in Cental Halls Glasgow on September 19th. 1931 the Free Speech Committee became a permanent Council of Action. The Council of Action was held together because of the issue of the Green. In actual fact the members were from many different shades of the left with different motives. They ranged from the right to work, anti-means tests, anti-parliamentarians and others, in many instances there was little love lost between them. The differing motives and the fragmented leadership lead to the days of rioting that occurred on and after October 1st. 1931. On Thursday October 1st a large crowd had assembled on the Green, estimates were put at 100,000, the police estimate was 40,000. The police had instructed certain members of the Council of Action to lead demonstrators away in organised groups in different directions. Some of the crowd were armed with sticks, hammers and bottles as instructed the previous day by certain members of the Council of Action. There appears to have been a disturbance at the head of a large group preparing to march off the Green. McGovern was assaulted and arrested. The police charged the crowd, McShane ended up behind the police and lead a group who were going to “have a go at the police”, away from the Green over the Suspension Bridge and into Gorbals. Rioting broke out all over the City and it went on over the weekend. Shop windows were smashed and shops looted in every street in the City. It was reported that the City “is in a grip of terror”. On Monday October 5th. Guy Aldred held a meeting on the Green and sternly rebuked McGovern and McShane for stirring up the people with no other purpose than to appear to be their leader and further their own personal agenda. January 18th. 1932 saw McGovern, McShane and ten others appear in court charged with assault, mobbing and rioting. McShane was acquitted, the police stating that he had complied with their instructions. McGovern was also acquitted as he was in custody before the violence erupted. The ten others, all ordinary members of the public, each received

three months in prison. The appeal against the conviction of Guy Aldred, John McGovern and others for speaking on Glasgow Green on July 5th 1931 came before the High Court of Justiciary on October 17th. 1931. Though the appeal was unsuccessful, observations made by the Lord Justice General were brought to the notice of the Parks Committee, these observations and the events of October 1st to 6th. 1931 brought the Parks Committee, on March 3rd. 1932 to repeal bye-law 20 and an amended bye-law gave the right to public meetings, literature sales, and collections on places set aside by Notice for that purpose. The amendment was confirmed on June 8th. 1932 by Sheriff Principal MacKenzie. The old Bandstand part of the Green was set aside for Public Speaking. Guy Aldred maintained that the amended bye-law applied to every park in the City and that the Corporation was failing in its duty if it did not set aside by Notice parts of all the City Parks where citizens could meet and freely debate.

The right of Freedom of Assembly only returned to Glasgow Green because of the determined and always courageous struggle of those involved. The events of Glasgow Green prove that all rights we sometimes take for granted have to be vigilantly guarded or they disappear and to have them returned can be a hard and bitter struggle.