

## Man Pardoned 136 Years After Being Hanged for Murder

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### SUMMARY

Relying on this research, the Government advised the President of Ireland that the trial of Myles Joyce in 1882 had been a miscarriage of justice. The President then pardoned Joyce in 2018.

This has impacted upon the descendants, the local community, wider society, the political actors, and academic work on the case.

“Her work has drawn on the evidence amassed by many of those present here and this has informed the government decision to advise me to proceed with a Pardon under Article 13.6 of Bunreacht na hÉireann” (President Michael D Higgins)

### RESEARCH DESCRIPTION

In 1882 a man named Maolra Seoighe, or Myles Joyce, was hanged for murder in Galway. He was one of three men hanged for the murders of five members of the Joyce family in Maamtrasna in 1882. It has long been accepted that Myles was innocent of the murder. However, factual innocence is not necessarily sufficient for a trial to be deemed a miscarriage of justice. Some sort of procedural irregularity or unfairness must be demonstrated.

My research sought to establish whether or not the trial and conviction of Myles Joyce was unfair by the standards of criminal justice existing in Ireland in the 1880s. In July 2017, I conducted a close documentary analysis of the trial transcript and other documents. I analysed and examined the background to the case, the investigation of the case, pre-trial motions, press reporting, the location of the trial, the composition of the jury, the evidence tendered, Myles’s legal representation and the interpretation services provided.

I had to complete the research in a short time-frame, and was able to do so because of my expertise in the area of 19th-century criminal trial procedure. I engaged with the Office of the Attorney General and the Office of An Taoiseach, primarily via phone and email. It would not have been appropriate for me to engage with the other beneficiaries, such as the descendants of Myles Joyce, while conducting the research. I concluded that a variety of factors meant that Myles’ trial was unfair by the standards of the time, and could be characterized as a miscarriage of justice.

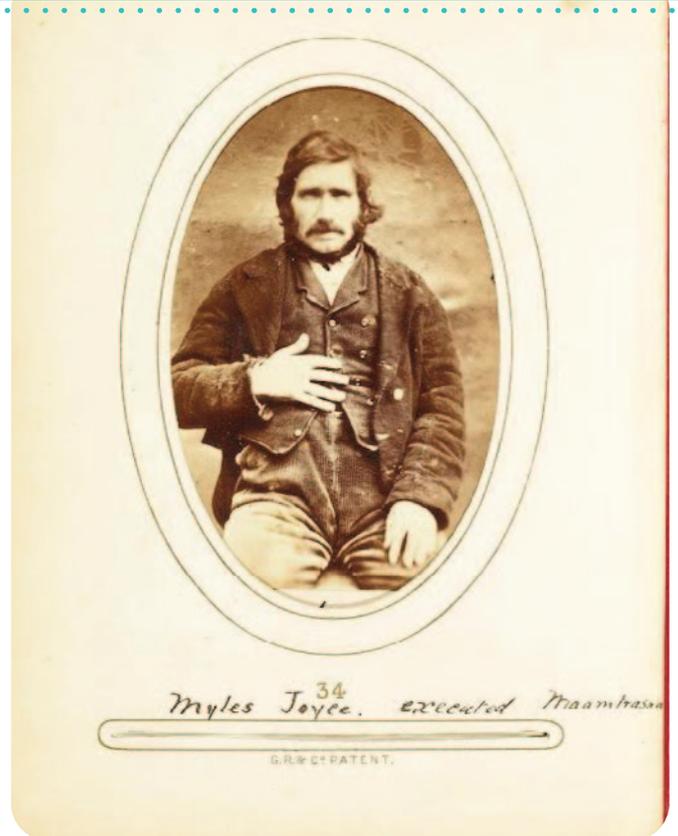


Image Courtesy of the National Library of Ireland

## RESEARCH IMPACT

### Political

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There has long been political will to grant this pardon, but my report provided a necessary, solid basis on which the political actors could proceed. My report was discussed in Cabinet, and was the basis on which the Government advised the President to pardon Myles Joyce, under Article 13.6 of the Irish Constitution. The pardon or 'Maithunas' was signed by President Higgins on 4 April 2018.

I was personally thanked by the Minister for Justice, and President Higgins remarked at the pardoning ceremony: "Her work has drawn on the evidence amassed by many of those present here and this has informed the government decision to advise me to proceed with a Pardon under Article 13.6 of Bunreacht na hÉireann."

### Social

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Descendants of Myles Joyce and of the other convicted men and victims have expressed relief that the presidential pardon was granted. Johnny Joyce, a direct descendant of Myles, said: "I had hoped to see this during my lifetime, and I am so glad." The case has long been a source of tension in the West of Ireland and it is to be hoped that this sense of relief, that the most troubling aspect of the case has been laid to rest, will percolate throughout the wider local community.

The research has also had a wider social impact. Correcting the historical record and attempting to right a historical wrong has a potentially powerful cathartic effect. The symbolism of the pardon was noted by President Higgins.



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### Cultural

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The case of the Maamtrasna Murders has had significant cultural resonance over the years, having been depicted in books, articles, plays, documentaries and dramas.

The presidential pardon now forms part of the narrative of the murders, and is likely to feature in future depictions of the case.

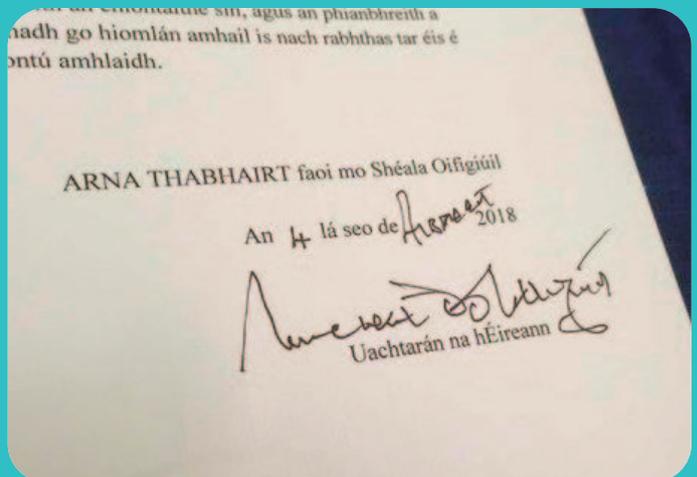
The national and international media coverage of the story in March-April 2018, while not an impact in itself, is indicative of the cultural significance and broad reach of the Maamtrasna Murders generally, and the conviction and ultimate pardon of Myles Joyce more specifically.

### Academic

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The Maamtrasna murders have been the subject of study by lawyers, historians, linguists and scholars from other fields such as literature and Irish studies. My research will impact upon other academic work on the trial.

Presidential pardons are rare occurrences – this was only the fifth since the foundation of the State in 1937. The circumstances around the pardon will be the subject of study by constitutional lawyers.



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## REFERENCES

### My Report and Related Sources

Niamh Howlin, Report into the Trial of Myles Joyce (Department of Justice, March 2018),

[justice.ie/en/JELR/Report\\_by\\_Dr\\_Niamh\\_Howlin\\_Maamtrasna\\_Murders.pdf/Files/Report\\_by\\_Dr\\_Niamh\\_Howlin\\_Maamtrasna\\_Murders.pdf](https://justice.ie/en/JELR/Report_by_Dr_Niamh_Howlin_Maamtrasna_Murders.pdf/Files/Report_by_Dr_Niamh_Howlin_Maamtrasna_Murders.pdf)

Press Release by the Department of Justice, with thanks expressed for N Howlin's report, [justice.ie/en/JELR/Pages/PR18000112](https://justice.ie/en/JELR/Pages/PR18000112)

Podcasts / radio interviews on RTE (The History Show, 8 April 2018) and CBC (As It Happens, 10 April 2018).

Video of pardon ceremony, 4 April 2018, [youtube.com/watch?v=uGHIwqwahEY](https://youtube.com/watch?v=uGHIwqwahEY)

Text of President Higgins' speech on 4 April 2018, acknowledging the work of N Howlin, [president.ie/en/media-library/speeches/oraid-an-uachtarain-ar-ocaid-do-phardun-mhaolra-seoighe](https://president.ie/en/media-library/speeches/oraid-an-uachtarain-ar-ocaid-do-phardun-mhaolra-seoighe)

Selected Media Reports on the Presidential Pardon: New York Times, Irish Times, the Irish Independent, The Times, RTE, as well as German, Canadian, Hungarian, Indonesian, Swiss and Belgian news reports.

### Further Reading on the Maamtrasna Case

Seán Ó Cuirreáin, Éagóir (2016), [coislife.ie/leabhar/166/eagoir](https://coislife.ie/leabhar/166/eagoir)

Jarlath Waldron, Maamtrasna, The Murders and the Mystery (1992)

Myles Dungan, 'Maamtrasna' in Conspiracy: Irish Political Trials (2009)