

Under the Starry Flag

In a new book, Lucy Salyer explores the history of expatriation rights

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LUCY SALYER, ASSOCIATE PROFESSOR OF HISTORY

Under the Starry Flag

How a Band of
Irish Americans
Joined the Fenian Revolt
and Sparked a Crisis
over Citizenship



Lucy E. Salyer

"UNDER A STARRY FLAG: HOW A BAND OF IRISH AMERICANS JOINED THE FENIAN REVOLT AND SPARKED A CRISIS OVER CITIZENSHIP," BY LUCY E. SALYER (BELKNAP PRESS, 2018).

Between 2010 and 2016, more than 5.6 million people swore their allegiance to the United States in naturalization ceremonies and became American citizens, effectively renouncing citizenship in their countries of origin. Though a common ritual today, changing one's citizenship 150 years ago was not so easy. An Irish-American group of freedom fighters called the Fenians found that out the hard way when Britain tried them for treason.

[Lucy Salyer](#), associate professor of [history](#), stumbled upon the struggle of the Fenian Brotherhood when she conducted research on the history of American citizenship, trying to understand why Congress passed the Expatriation Act in 1868.

“The Expatriation Act of 1868 says immigrants have a fundamental right to leave their native lands and become a citizen somewhere else,” Salyer explains. “Today, the act is largely forgotten but at the time, Americans thought of it as revolutionary.”

Wanting to know more, Salyer began to research its origins which led her straight to the Fenians, uncovering a new story that raises important questions about immigration and citizenship.

“In Ireland and Canada, everyone knows about the Fenians,” Salyer says, “but in the U.S., hardly anyone knows who they were.”

The Fenian Brotherhood was a popular organization in the United States, with as many as 250,000 members by the end of the Civil War, who sought to free Ireland from British rule.

“They failed to free Ireland,” Salyer says, “but they sparked an international controversy over citizenship that brought the U.S. and Britain to the brink of war.”

Hoping to capitalize on fractured ties between the U.S. and Great Britain after the Civil War, the Fenians invaded Canada and traveled to Ireland to spur rebellion. “Under the Starry Flag” focuses especially on the experience of John Warren, a newspaperman and liquor store owner in Charlestown, Mass., who fled to the United States from Southern Ireland during the Great Famine. After serving in the Civil War, Warren led a gun-running expedition to aid the Irish rebellion that erupted in March 1867, but he and others were soon captured by the Irish Coast Guard.

When arrested, Warren demanded to be treated as an American citizen, but the British government insisted that he and the other Irish-born Fenians were British subjects. Warren turned his trial into a political challenge of the idea of “once a subject, always a subject,” Salyer says, insisting on the American view — that individuals had a right to choose their citizenship.

“John Warren knew precisely what he was doing when he pitched his trial for treason as a trial against the British,” says Salyer.

Today, as countries turn inward once again, ferociously debating new barriers to immigration, the right of expatriation remains more of an ideal than an accomplished fact.

Clashes over conflicting citizenship laws had existed since the American Revolution. Between 1840 and 1860, more than 4.5 million immigrants — 70 percent of them from Ireland and Germany — came to the United States, but many left their homelands unlawfully, without the required permission of their governments. The British

government was happy to let the Irish go, especially during the Great Famine, but it joined other European governments in insisting that its natives could not change their allegiance, as they would an old coat, Salyer explains.

“So, when American Fenians wrote angry letters to the American consulate, ‘choking with rage’ that the U.S. would ‘allow [the British] to treat them as British subjects,’ they stepped into an international controversy that had been brewing for years,” Salyer says.

In “Under the Starry Flag,” Salyer looks at the chain of events that led the United States to negotiate treaties with more than a dozen countries between 1868 and 1872, including Great Britain, that recognized the rights of migration and expatriation. At last, England gave up its doctrine of perpetual allegiance; however, the right to migrate soon clashed with governments’ policies to keep immigrants out.

“Today, as countries turn inward once again, ferociously debating new barriers to immigration, the right of expatriation remains more of an ideal than an accomplished fact,” Salyer says.

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