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Taxation & Property  
Labour Comment  
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## Breach Of The Peace?

The *Not Guilty* verdict on the 'Columbia Three' came as "*something of a surprise*" to the Editor of the *Irish Times* (April 27), though the reporting of the evidence, even in her own paper, was such that any other verdict would have appeared perverse. Her front page headlines did not even announce that the verdict was "*not guilty*". She declared editorially that "*The Irish people are entitled to an explanation as to why it was necessary to travel on phoney passports*"—an unheard of thing in our orderly world of the present day, is it? And she found comfort in the Report of the "IMC", which would counter any "*temporary respite to Sinn Fein*" that resulted from the Columbia verdict.

Columbia was one of the three major planks justifying the reverse to the peace process launched by the British Government in October 2002 and supported enthusiastically by the *Irish Times*. The other two were the theft, in broad daylight, from Castlereagh high security barracks of high security documents by men who

simply walked in and took them, and "*Stormontgate*", the supposed penetration of the upper echelons of Northern Ireland government by spies acting for Sinn Fein.

All three have now turned out to be bogus. And, unless the appeal in Columbia reverses the verdict, all three will be quietly forgotten as issues, without any acknowledgement that they were bogus. They can be quietly forgotten because they were not actually believed by those who waxed indignant about them. The Castlereagh accusation was strictly incredible. Professor Bew, David Trimble's close adviser, purported to believe it, but in general the rumour was circulated as fact in a mental condition of suspended disbelief.

(When Sir John Chilcott was appointed by ex-Communist Party Secretary of State John Reid to investigate the break-in, Unionist Freddie Cobain complained that one section of the Intelligence service was

being asked to investigate the misdeeds of another (*Inside Politics*, Radio Ulster, 23.3.2002). In the same discussion, Denis Bradley (Vice-Chairman of the Policing Board) was angered that the prerogatives of the Policing Board had been usurped by the Reid appointment.

## Citizenship Referendum

The Referendum on Citizenship will be passed as a confidence trick. It will not reduce the number of immigrants/asylum-seekers living in Ireland, though it is widely believed that it will do so and it is likely to be carried on that basis. It will bring race into the definition of Irish nationality in the Constitution.

The object of the Referendum is to remove the existing automatic right of citizenship of all people born on the island of Ireland, whatever the land of origin of their parents. It will be replaced by a highly conditional and uncertain provision which gives an Irish Minister of Justice the effective right to determine what children born in Ireland of foreign nationals will be Irish. This is because, under the new legislation, one of the parents of a child born in Ireland must have obtained a Certificate of authorised residence from the Minister of Justice and must have held such a Certificate for three years prior to the birth. The parents may have lived in Ireland for twenty years, and the child may have been born and reared in Ireland but—without such a Certificate—it will not be Irish. Presumably the Minister of Justice will not issue such Certificates to people in the Northern jurisdiction, which means that in future no children born to 'foreigners' in Northern Ireland will be able to claim Irish citizenship.

The Referendum will not reduce the numbers of foreigners living in Ireland. First there are huge numbers living in and



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Des Brown defended the Northern Ireland Office initiative on the grounds that the police would also be conducting an enquiry. In response to the demand for an investigation by Nuala Haughey, Police Ombudsman, Brown pointed out that if police involvement in the Castlereagh incident was shown, she would then have a role to play. Mike Brogden, Professor of Criminology at Queen's University, Belfast, in a separate interview held that the Special Branch was the main outstanding policing problem in Northern Ireland (*This Week*, RTE 24.3.02). It was taken for granted by everybody that the theft was another incident in the long line of incidents related to the Stevens Inquiry into Collusion by which the security services caused vital documents to disappear. Chilcott then reported to receptive ears that the Provos did it—there was no Report—and the media, with scarcely an exception, began to treat that bizarre suggestion as established fact. But Chilcott has come up with no evidence to support his informal suggestion, and we doubt that he has looked very hard for it.)

Conor Cruise O'Brien has remained understandably quiet about the Columbia verdict. He had built a great 'scenario' on it, as we reported in February 2004. He took the trial to be a show trial, at the end of which there would not be a verdict but a sentence, and the ramifications of the sentence would put paid to Sinn Fein. He took the trial to be a show trial because it

has long been his understanding (ever since his unfortunate experiences at the United Nations) that the United States runs the world. He disapproved of this arrangement at first but, following the great conversion that he underwent in the mid-1970s, he came to approve of it very strongly. And, when Bush took over the White House and was given his head by the World Trade Centre incident, it felt as if all his birthdays had come together. As he revealed in his book on the Millennium, he is a Voltairean cynic dedicated to the preservation of the West as an elite order, dominating the world, and he knows that cynicism is not itself capable of controlling the masses and it needs people with strong beliefs as its instruments. Bush seemed to be the ideal instrument, and O'Brien began to write RIP over Sinn Fein. He did not seem to notice the appointment of Richard Haas—one of the sanest and most competent operatives in the Bush administration—to Northern Ireland and the continuity between the Clinton and Bush approach in that sphere.

The breakdown in the Good Friday Agreement is not a consequence of Bush's War On Terrorism. It is entirely home-produced. It is a product of the joint effort of all those who signed the Agreement, minus Sinn Fein, with Whitehall playing the crucial role and Dublin tagging along—and sometimes even taking the lead as a tactical measure against Sinn Fein for 26 County electoral purposes: for example,

declaring it to be a criminal organisation, and attempting to "out" Gerry Adams as a member of the IRA. Adams admits to being a member of Sinn Fein. He is, after all, its President. The Taoiseach etc. hold that Sinn Fein and the IRA are one, and yet they demand that he should admit to being a member of the IRA *as well*, thus contradicting their own contention that the two are one.

We recall that when Garret FitzGerald was Taoiseach he declared, on the eve of every election in the North, that every vote for Sinn Fein was a vote for the IRA. But, when the Sinn Fein vote increased, as it did in every election, he went back to the position of asserting that the IRA was an unrepresentative minority. The Dublin attitude to the North has always been shot through with this kind of duplicity.

Today the IRA is simultaneously condemned and depended upon by the Dublin establishment—a phenomenon which is bizarrely displayed by Vincent Browne in his Radio Eireann show, but is also evident in Ahern's approach. They call on Sinn Fein and urge immediate disbandment, and then in the next breath they hope that Sinn Fein is in control of the IRA and remains so—otherwise there will be a powerful resurgence of another strain of Republican militarism.

A recent book by a megalomaniac historian has been appreciatively received in the Republic: *Rebellions* by Tom Dunne of University College, Cork. Dunne thinks that historians are the cause of the trouble in the North and that historians writing a new kind of history will cause the North to settle down.

Catholics in the North know very well that the cause of the trouble in the North is all that is conveyed by the name "*Northern Ireland*" to those who have experienced the reality of it. It is a constitutional entity without parallel in the world, and it inevitably preserves and aggravates the national ("*sectarian*" if you will) antagonism on which it was based. It is not a possible framework of democratic political life. And the reason there has been a steady drift of votes from the SDLP to Sinn Fein is that the SDLP has allowed itself to be remoulded by Dublin and London influences into a party of illusion. (The Hume/Sinn Fein dialogue was never an SDLP/Sinn Fein dialogue, and in the absence of Hume the SDLP hadn't a clue about how to conduct itself in the implementation of the Good Friday Agreement.)

## Labour & Israel

The Ireland-Palestine Solidarity Campaign is sponsoring a petition which calls for the suspension of the Euro-Mediterranean Association Agreement between Israel and the EU.

The Euro-Mediterranean Association Agreement grants Israel favourable trading rights with all EU states. Article 2 of this agreement states that it is based on respect for human rights and International Law.

Michael D. Higgins (Labour spokesperson for Foreign Affairs) has signed the petition on behalf of the Labour Party and its parliamentary members because of the continuing outrageous breaches of International Law and the escalation in breaches of the Fourth Geneva Convention by the Israeli authorities. He considers that it is important that the Council of the European Union take a position of principle and in particular that it be seen to vindicate Article 79 of the Association Agreement in view of the breaches of human rights which have taken place and which have been announced by the Israeli authorities.

We said at the outset that there was no possibility that the GFA would work autonomously as a power-sharing system in the North, and that its functioning would depend on continuous pressure from outside. When London and Dublin began by allowing David Trimble—who signed the Agreement under duress—to delay the start of its implementation for a year and a half, the Agreement was as good as dead.

Britain's strategic position in the world is not understood in Ireland, and its Irish strategy is actively misconceived—as a result of its effectiveness.

Sweden was once a Great Power. It was a major participant in the 30 Years' War which led to the Peace of Westphalia in 1648—an event which England did not participate in and which Tony Blair has recently repudiated. Westphalia established the right of countries to make their own religious arrangement, and has therefore been taken as the source of the principle of national sovereignty. The year after the Treaty was made, Cromwell came to Ireland and the long English attempt to impose a religion on the Irish began. (The Penal Laws lasted for the better part of two centuries.) And Blair has now declared the era of national sovereignty to be over.

After making considerable gains at the Westphalia settlement, Sweden suffered a considerable loss of power during the following century and, after the Napoleonic Wars, settled down within itself in a self-absorbed sort of way.

The moment when Europe made the Westphalia settlement was the moment when England was caught by the itch of intolerant expansionism. It began to interfere here, there and everywhere, and could not stop interfering without ceasing to be itself. Misjudged interference between 1914 and 1945 led to drastic loss of power, but it never readjusted to a more modest position in the world. It appeared to be doing so under Ted Heath and Harold Wilson, but it reverted to its old ways under Margaret Thatcher and Tony Blair.

Britain lives off the world to a degree that no other country does. It began living off the world in the mid-19th century through a combination of military and industrial power, and it now does so through a combination of military and financial power. It is a very affluent country with little visible means of support.

That means that it lives by what was called “invisibles” when balance-of-trade figures used to be broadcast, thirty years ago. At the start of the present British regime 300 years ago it was understood in ruling circles that there was a symbiotic relationship between trade and war, and it is well understood today that the very comfortable economic position which Britain has established for itself *vis-a-vis* the rest of the world would be unsustainable if the State ceased to be a major military force, seeking trouble spots to be active in. It is not going to settle down, Swedish-style, to hard work and high thinking.

Britain operates an ideology of peace for those who prefer to be taken in by it, but the British State in its actual functioning does not believe in the possibility of peace as a prevailing condition in the world. And it certainly did not believe that peace would result from the Northern Ireland entity which it set up 80 years ago.

Peace is a utopian object in the operative British view. The view that life is perpetual struggle was its guiding principle long before it was formalised into Darwinism, and it was re-asserted recently by Blair. And when Douglas Hurd was Foreign Secretary he actually used the words, “*the weapon of peace*”. Peace and war are means to an end, the end being power. From that viewpoint the state of war does not appear to be an intolerable condition. What is intolerable is a condition of peace that lasts too long.

When Britain partitioned Ireland, it did not set up Northern Ireland—instead of governing the Six Counties as an integral part of Britain—for the purpose of engend-

ering peaceful relations between the two communities in the North. It was as certain as anything can be in politics that, in a situation of communal conflict, the setting up of the larger community in absolute dominance over the smaller community, outside the democratic structures of the state, would prolong and aggravate the communal conflict. And, since the deed was done by the most experienced body of politicians ever assembled in government, the assumption must be that Northern Ireland was set up for a purpose beyond itself. And that purpose is not hard to find. It was to give Britain ongoing leverage on the part of Ireland which was escaping from it.

The Irish State, in the damaged condition in which it emerged from the Treaty War (into which it was forced by British ultimatum), was incapable of sustaining equal relations with Britain. By means of sheer political virtuosity de Valera acted the part of an equal for a generation, as did Charles Haughey during the brief opportunity that was allowed to him. And Albert Reynolds might have done so if poor advice had not left him vulnerable to petty feuding.

Fine Gael has not been in power for 70 years. It discredited itself during its last period in power as Cumann na nGaedheal by its attempt to thwart democratic development by use of the Treaty Oath, and its periods in office since 1932 have been mere Coalition interludes. Power lay with Fianna Fail, and therefore the great mistakes, *vis a vis* the North, were made by Fianna Fail Taoiseachs—Sean Lemass and Jack Lynch. Lemass, not troubling to understand what Northern

Ireland was, browbeat the “Constitutional nationalists” into accepting the role of Official Opposition at Stormont, as if Stormont was the Parliament of a democratic state. But Stormont was not a state, and was not a democracy. The function performed by the Opposition at Westminster, and to a lesser extent in the Dail, was not possible in it. And the make-believe of the late 1960s was one of the influences leading to the rupture of August 1969.

Then Jack Lynch made his inflammatory speech about “*not standing (idly) by*”, raising general expectations, and setting in motion arrangements for intervention, before breaking down under British pressure and scapegoating members of his Cabinet and Army.

Whitehall then knew that, as far as Dublin was concerned, it might do as it pleased. (And it dealt with Haughey’s resistance by means of its discreet influence on important parts of the media in the Republic.)

What the *Irish Times* refers to editorially as “*the IMC*” is a case in point. *The IMC* is the International Monitoring Commission set up under the Good Friday Agreement to monitor decommissioning. It is conducted by General de Chastelaine, a Canadian, who has acted independently, according to the terms of the Agreement. Like Judge Cory, also a Canadian, he put himself beyond the reach of Whitehall political influence when doing his job. Whitehall therefore set up another “*IMC*”, the ‘I’ standing for “Independent” in this instance. This is a strictly dependent body made up of Intelligence nominees of the British, Irish and American Governments chaired by Pecksniffian Alliance/Unionist Lord Alderdice who, having led his own party to oblivion, resigned its leadership for services like this. And the Irish nominee on this spurious IMC is prohibited from voting on matters relating to Northern Ireland—even though Northern Ireland is what it is about.

General de Chastelaine, adhering to a reasonable understanding of the terms of the Agreement even though the two Governments were sabotaging it, refused to find that the Republicans were in breach of the Agreement. Lord Alderdice’s IMC, doing what it is paid for, naturally found that the Provos had broken the Ceasefire. The incident on which it chiefly reached this conclusion (on the word of the Chief Constable) was what appears to have been

a fracas at a pub in central Belfast involving members of the same family, which was Republican in orientation. The Chief Constable put it about that Bobby Tohill was kidnapped by the Provos (before CCTV cameras) with the intention of torturing and killing him—and Enda Whatsisname—you know—the Leader of Fine Gael—took the allegation to be gospel truth in a Dail speech—as of course did Justice Minister McDowell. But, as matters stand, Mr. Tohill has been charged by the Chief Constable with conspiracy to murder, the general understanding being that this is punishment for his refusal to bring the charges against the Provos that the Chief Constable wanted him to bring.

Use of the initials ‘IMC’ by the *Irish Times* with regard to the Alderdice report is a deliberate fraud. It is the kind of thing for which James Connolly indicted the Belfast *Irish News* as *Press Poisoners In Ireland*. That article could do with republishing, with an introduction showing how the *Irish Times* has easily outclassed the *Irish News* in that kind of activity.

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Meanwhile the real breach of the peace—our war on Iraq—goes merrily on. We liberated Iraq from “*the regime*”—i.e. the State—a year ago, and we are now desperately trying to liberate it from those whom we liberated from the regime. And the task is made unpleasant by the deplorable freedom of the press in the United States.

Mark Steyn in the *Irish Times* tries to trivialise the torture scenes. Kevin Myers says straight out that a blanket censorship should be imposed on war reporting—he who berates de Valera for the very moderate censorship imposed on the reporting of World War 2. And the Government that made Ireland a party to this war does its best to say nothing at all. But an interesting exchange of views occurred on RTE’s *Questions & Answers* on 19th April:

“*David Horgan* (Managing Director of Petrel Resources): ...I think if you had deliberately set out to screw up the country and the economy you couldn’t have done a better job. It’s a true catastrophe. On any objective measure ordinary people are far worse off than they were under the previous regime... They talk about a handover of sovereignty as if sovereignty was something that you give back to the people. Sovereignty resides in the people. And what’s happened in Iraq is that the Iraqi people have now come together...

Effectively there is a national uprising in Iraq...

“*Chair*: Are you surprised by what’s happened?”

“*Horgan*: I’m surprised at the incompetence of the Coalition. Normally you think of the USA as tough but resourceful and effective, and here they’ve been ineffective. And they’ve simply been in denial... Looking forward, the priority should be fixing the problem but right now...

“*Chair*: How could they do that now? Where are the agents who could fix it now?”

“*Horgan*: Well, they cannot. They cannot hand over power to another set of Quislings, because the mere fact that you get power from the Coalition will render you illegitimate. The only solution now, like it or not, is free elections... They say that you can’t have elections, and yet Tony Blair tells us that he has polls that say 2 out of 3 Iraqis were happy with the invasion... The only real way to establish security now is to bring back the Iraqi National Army. There’s no way in the longer term that any foreign force will be accepted, not United Nations, not Arabs...

“*Chair*: The middle managers were fired, weren’t they—the middle managers of the Iraqi Army were fired, that was the big mistake.

“*Horgan*: The whole 400,000 of them were fired. And they wonder why they have a security problem. They went 400,000 people home without their pensions and back pay but with their weapons and their skills. And these are the guys... Two weeks ago I was driving through Faluja. The Americans had blocked the roads, but you go off the road and you can get through. And there’s kids in their early twenties with home-made national flags with Kalashnikovs. These are the guys who’re doing the fighting. The same guys that were fired...

“*Chair*: How dangerous you to be going through that town, because that’s where the four American construction workers were murdered and then hacked, really, I don’t want to go into the details, but some of it was on television.

“*Horgan*: It’s cruel, but its deliberate. These are sophisticated, intelligent people, and what they did, they did deliberately. They’ve been to Sandhurst and to the Frunze Institute in Moscow. They know how this will play out on the Western media. Basically, everyone who worked for the Coalition has been threatened... None of our people have been threatened... The rule seems to be that if you’re a neutral you can get on with your work.

Now, it changes by the week, and you have to keep your antennae up. But Iraqis are not against foreigners. They like foreigners. What they want is investors, not invaders.”

*Tony Killeen* (Fianna Fail TD) said he had no reason to doubt anything that David has said “and then does his best to evade the issue”. But adds that what has been done for the past years “defies any kind of intelligent explanation”.

“*Brigid Laffan* (Research Director of the European Institute and Monet Professor of European Integration at UCD): Well, Iraq is where it is now, not where it was a year ago. The war has happened. The question is the future of Iraq and the future of its people. I don’t think the Americans can hand over power to anyone. There has got to be an intermediary tier and it must be the UN. David says just withdraw and let the Iraqi people get on with it. I think all that would happen is various militia would have it out and you’d probably get a civil war. Now you’ve the makings of one anyway. The UN, Kofi Annan’s representative, Brahini, is a very astute person in these sorts of circumstances. If there was—if the Americans handed over to a UN-backed... Council of some sort, and then they organised the free elections, because you’re right, because I think there has to be free elections... But to argue that somehow or other it was better under the old regime—I mean, could Iraq have been beggared for another twenty years with sanctions?”

“*Horgan*: Brigid, women can’t work now...”

“*Laffan*: No, no.no. But this is—there’s been a war. But you paint a picture of the former regime that frankly I think is disingenuous. It was a lousy, tyrannical regime, where he had his sons there ready to hand over to. They were waiting. Now you did business with him. I’ve no problem with that. And you might have done business with him for another twenty years.

“*Horgan*: But, Brigid, look at the Allies in the War on Terror. Uzbekistan. The President of Uzbekistan boils dissidents live. He’s our main ally in Central Asia.

“*Laffan*: Let’s talk about Iraq now. Let’s just talk about Iraq. And the problem is, could you have beggared the Iraqi people for another twenty years with sanctions, or could you have allowed Saddam Hussein to get control over the money from full oil production again? These are quite serious issues. Now there is very serious deterioration in the security environment in Iraq at the moment. But

Iraq is where it is now, and in my view you must now get a UN involvement and engagement. And the UN is not highly thought of in Iraq as you know. But for all those forces to simply withdraw now and leave it would in my view be criminal. It would make it much, much worse.”

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The question was “*Does the panel believe the war in Iraq was worthwhile?*” Brigid Laffan, in many ways the voice of the EU in Ireland, clearly believes that it was. But she seemed to think that the “*beggaring*” of Iraq, which somehow

made the war was desirable, was done by Saddam Hussein rather than the UN. And the UN for this purpose was the USA, seconded by Britain. It was the US Veto that prevented a UN majority from enabling Iraq to resume an evolutionary course of development ten years ago, and insisted on enforcing sanctions, although Iraq had been virtually disarmed. And she also seems to be unaware that the Ameranglian Occupation has been operating under UN authority since last Autumn.

## Citizenship Referendum continued

working in Ireland legally. Second, there are asylum-seekers who have sought refuge in Ireland for political and economic reasons. And then there are illegal immigrants. None of these groups will be diminished in numbers by the Referendum.

The public does not appreciate that Irish law has already been changed to prevent families from availing of the birth of a child in Ireland to settle the whole family in the country—and, by extension, in the EU. All that Michael McDowell’s referendum does is to prevent a child with foreign parents from making use of Irish citizenship, gained by birth on the island of Ireland, to go to live in the EU in 18 years’ time when it comes of age.

It is open to other European countries to make the same legal change as has already been made in Ireland: to prevent the families of baby-citizens from claiming residence rights. Such a change would take care of cases like that of the Chen Family, currently before the Northern Ireland Courts, whereby the family of an Irish-born baby is claiming the right to reside in the EU. That is of no concern within Ireland, of course, because that possibility has already been excluded within the 26 Counties by legislation which has survived Supreme Court challenge.

However, many people suspect that the Irish Government is closing the ‘Chen loophole’ to please the British and other European Governments, rather than in the interests of good government at home. If that is so, Taoiseach Ahern and Justice Minister McDowell are not acting out of pure altruism, as Fianna Fail and the Progressive Democrats hope to capitalise

on anti-foreign sentiment in Ireland and to embarrass the Opposition in the June elections with an appeal to electoral prejudice.

It might also be remarked that the numbers of foreigners affected by this provision is small: it is estimated that something like 450 ‘citizenship-babies’ were born on the whole island in 2003—a drop in the ocean of foreign workers/asylum-seekers who have come just to the southern part in search of the good life.

And why shouldn’t they? Ireland is the most globalised country in the world, in the sense that its financial and production structures have been geared to the needs of foreign, rather than native, markets. Economically Ireland has become part of the neo-Imperial world—and the price of sitting at the top table is that it must play host to foreign labour seeking to pick up a few crumbs. After all, labour must follow capital. A couple of years ago Mary Harney as Minister for Commerce felt obliged to scour the world looking for workers to entice to Ireland. Bertie Ahern went to Peking to get Chinese students, who naturally want to be self-supporting once they are in Ireland. And a benign attitude was taken to workers from Eastern Europe seeking work in Ireland.

But that all created a back-lash, for the *laissez-faire* mentality inherited from Britain means that the State has not adopted the pro-active approach which could minimise the disruption of ordinary people’s lives by the influx of people from very different cultures, who themselves have been released from social constraints by transplantation to an environment

where they are not known, where they are not part of a community. There is also the fact that the artificial ballooning of the workforce has kept Irish wages down and put pressure on scarce social resources. It is not surprising that there is a resentment at the facilities provided for people regarded as asylum-tourists by people themselves living in constrained circumstances, who feel their communities threatened by strange lifestyles or personally at risk from increased criminality.

Of the Opposition parties, Sinn Fein has been the only one to act in a principled manner on the issue. It has not run scared, but acted as a potential party of government. Much to the chagrin of the West Britons, it is their own political friends who are pandering to racism, while the so-called 'fascists' in the republican movement are educating their support-base and espousing multi-cultural attitudes. They are able to do this because they haven't dumped the Irish national world-view: they are in a position to promote a context for immigrants to adapt to.

The strange thing is that those promoting this Referendum are often the same people who have argued that Irish birth is what should determine the 'Irishness' of such authors as Elizabeth Bowen and Iris Murdoch. A neat letter in the newspaper polemic on the matter (which features in this magazine) suggested that, in view of this belief, Martin Mansergh will presumably be campaigning for a 'No' vote. In fact, he is campaigning for a Yes.

The issue is further confused by a proposal from John Hume that a 'Certificate of Irishness' should be made available to everyone around the world claiming Irish extraction: a document that presumably will confer no actual rights! (Irish Times 10.5.04.) In view of the fact that the simple principle which has heretofore operated—that everyone born in Ireland is entitled to Irish citizenship and all its rights—is now made conditional, his suggestion of giving people a bit of worthless paper is particularly inane.

Fine Gael has associated itself with the governing parties on the issue. And Labour Leader Pat Rabbitte would have effectively liked to place Labour in the anti-foreigner camp. By all reports he was only prevented from doing so by a determined group led

by Michael D. Higgins and Ivana Bacik. The former Stickie seems to think that the way to win power is to follow the consensus set by an anti-national, anti-Sinn Fein, pro-British media, court electoral prejudice, and tailor Labour policy to the 'Consumer', meaning the aspirant middle classes. It is a sad end for Connolly's party. As a result Labour opposition to the Referendum is minimal and ineffective.

Finally there is the matter of the Belfast Agreement. If it were not already fatally compromised, this Referendum would jeopardise its credibility. I view that Agreement as theoretically having the status of constitutional law enacted by two referendums and functional in two jurisdictions. That law is now to be unilaterally changed by a Referendum in one jurisdiction, Southern Ireland, even though that change will affect both jurisdictions. The June vote in the Southern jurisdiction will have a bearing on the Chen Case—a Northern and British matter.

Altering the Belfast Agreement without a second referendum in Northern Ireland makes nonsense of it as a fixed template for political action: it officially reduces its status to that of an arbitrary arrangement, changeable to suit momentary convenience. That is why Dr. Paisley has been so gleeful at the Southern referendum. And that is also the reason SDLP leader Mark Durkan, who himself has a legal background, has done his utmost to first prevent the Referendum and then to counsel rejection. The Human Rights Commissions under the Agreement, North and South, have also advised postponement of the Referendum to no avail. Fianna Fail and the Progressive Democrats prefer opportunist pandering to popular prejudice. Their policies of encouraging foreign workers to come to Ireland helped cause the problem and now they seek to ride the racist wave they generated. They are despicable.

Angela Clifford

## Faith And Identity

On Wednesday 5th May, Archbishop Seán Brady (a Cavanman) gave the inaugural lecture in a series called *Faith and Identity* (running alongside one on ethnicity and religion). It was entirely about the North. The event was in St Ethelburga's Centre for Reconciliation and Peace in Bishopsgate in The City (of London), which escaped the Great Fire of 1666, and the depredations of the *Luftwaffe*, in the 1940s, but was partially destroyed by the IRA bomb in the Baltic Exchange, just around the corner, in 1993.

Eilis O'Hanlon commented on this talk in *A Catholic Slant On The North? We Should Be Beyond That Now* (Sunday Independent (9th May)). It is an interesting use of the word "we"—*Sindo* columnists have been very eager to tell us that they repudiate everything about Old (Catholic) Ireland—probably it is a substitute word for 'you', meaning Northern (Catholic) Nationalists. The fact that the latter have not morphed into something else (Home Counties Thatcherites?) has exercised revisionist journalists since the Ceasefires. The problem for O'Hanlon and the rest of them is that the Good Friday Agreement has created a situation where people in Northern Ireland are not allowed to be anything other than Papes and Prods. This has its origins in the 1970s and '80s, but

was written into the Belfast Agreement (alias the *Government of Northern Ireland Act 1998*) and was emphasised by the 2002 Census. The latter had six questions attempting to elicit one's birth-religion, and no space to tell the Census-takers that one had repudiated religion. Heaven—so to speak—knows how persons who have undergone a genuine conversion to the 'other' faith were supposed to react. All of the people of Northern Ireland are deemed to be Papes or Prods unless they make strenuous efforts to prove that they are something else. (I am probably a Prod due to my address at the time of the Census.) There is also the small fact that the Archbishop of Armagh and Primate (despite the mildly comic implications of the term) of All-Ireland, is hardly your average Taig-in-the street, being titular head of the Catholic Church in Ireland.

O'Hanlon seems to think the Archbishop (speaking in an ancient Church) should not have used language like "*the implications of Trinitarian ecclesiology for Catholic thought*". But he was addressing a (small) audience brought out by the fact that he is a professional priest, and they would have understood this use of language. There is also the fact that the Catholic Church has an intellectual tradition (or even a number of over-lapping traditions) and it has never expounded

religion as a source of purely private consolation in the manner of some Protestant churches. The Church of England swings between the private-pietist tradition and the more mainstream Christian one, shared by the Lutherans (and Presbyterians and Methodists) and the Orthodox. It may well be that O'Hanlon is writing in pretend-ignorance of such matters, but it would be unwise to assume that that is the case.

O'Hanlon dealt with Ian Paisley Junior's "outburst" (as the *Irish News* of 7th May put it), by saying that it was not illegitimate to for the Archbishop to criticise the UK Government for not expediting inquiries into the assassinations of Pat Finucane and others, and goes so far as to say, "...in my experience, it is more that just a perception that unionist leaders, British politicians and the British media do not treat the existence of the loyalist paramilitaries with the same vigour and determination as that of republican paramilitaries..." which "...reinforces any ambivalence which nationalists might have to the presence of republican paramilitaries on their community as a line of final defence". Paisley Junior said that his remarks made Brady a terrorist sympathiser, who "set down his prayer book and Mass card [?] for a copy of *An Phoblacht*". When tackled about this, he referred to a Statement, presumably issued by the DUP, which did not mention any of the above.

O'Hanlon and others deprecated this sort of language, but it is possible that the Paisley instinct was sure on this matter. I was part of Archbishop Brady's audience, for at least the second and more openly 'political' half of his lecture. I got the distinct impression that he was using the occasion to address Sinn Féin and the rest of the Republican movement. He made a remark about "final defence", which is a quite rational reference to the fact that most Catholics do not really trust the police, nor the British Army, particularly not the Royal Irish Rangers, a successor-body to the UDR, which was a successor-body to the B-Specials. O'Hanlon described his lecture as "bog-standard SDLP", but he was effectively making it clear to Sinn Féin that, so far as he could see, there would be very little come-back from the general Catholic community if they attempted to work the policing system. Because, despite the general consensus among the journalists he did not imply that all Republican policing was unacceptable. He did say that he was getting the word up from the Catholic grass roots that many were fearful of "powerful individuals or paramilitary groups". I may be wrong, but the impression I got is that he was talking about drug-pushers and the INLA (and possibly the

Official IRA); the Provisionals have played a fairly open and straight game in the areas that they control, and have phased out violent punishments and killings.

This sort of thing is not at variance with his assertion, headlined by the *Irish News* (6th May): *All Armed Groups Must Go: Dr Brady*. If the Loyalist paramilitaries were dealt with, and the British establishment owned-up to having been up to no good, then the IRA could lay down its arms without a sense of vulnerability seizing the Catholic community in Northern Ireland. These are not so much large as gigantic 'ifs', but Dr Brady speaking in a reasonable tone in the heart of London is the person to pressurise Downing Street in the lee of its own Stephens, Cory and Barron Inquiries into Collusion. The White House has not been very forthcoming in taking the heat off the UK Government in these matters, despite the services rendered by the UK in Iraq. (In fact the US is asking the UK to put even greater efforts into the adventure in Iraq, at a time when it is becoming a political and economic liability to both Governments. The White House can only regard the Northern Ireland problem as very small beer, and despite the high hopes of Unionists is probably more favourably disposed to the Republican solution to the 'problem' than the New Democrats, who simply, like New Labour, could not think—much less think about political matters that might have to be solved with a touch of violence.)

It may seem to trivialise this matter to harp on about O'Hanlon and Paisley Junior, but the former is a particular ardent journalistic 'revisionist'. That is probably because she is one of the most junior of the phalanx. She is also from the North, Ardoyne, to be exact, but being something of a yuppie and being employed by the *Sindo*, probably felt that she had to take on a certain colouring. She was never too happy with the DUP, but was able to support Unionist intransigence by cooing over Jeffrey Donaldson, who has now let her down by taking himself off to the DUP. But a number of 'Trimbleistas', including Dr. Chris McGimpsey and Bob Stoker (a former Lord Mayor of Belfast), have been involved in a campaign to get 'Taigs Out' of a big yuppie apartments complex just inside the Sandy Row. She probably solidarises with the rich victims of this Orange mini-pogrom, and could be falling out of love with the Unionists. Paisley Junior's outburst is probably to do with the realisation that the Unionists are behaving in such a way that practically anything Sinn Féin does looks statesman-like. The White House is run by people who respect money and even a few rich people being discommoded by the Unionists would anger them.

St Ethelburga's has survived for a very long time because it has very thick walls. It has a 'matt', almost dead, acoustic so, when Dr Brady turned his face away from the microphone, it was difficult to hear what he was saying. He took three questions after his lecture. One was on Schools. He rather hid behind the fact that the Catholic community felt that it 'owned' the schools. I did wonder if the same feeling about church buildings would be acknowledged. (The parishioners and ex-parishioners of St Joseph's in the Docks area of Belfast, have been asserting their claim to have it remain open as a Church, even though more than 90% of them now live elsewhere. Their reasoning is that, as they and their parents and grandparents, and great-grandparents built the place, they have a major say in how it is disposed. The diocese wants to sell the building, the people want it to remain open for use as a church by them and by seafarers—who now have to go a quite long way into the town to find a Catholic Church—and as a social centre for the same sets of people.)

The next was from a woman with an Irish accent who has lived in London for many years. She asked him to comment of the fact that Dublin is, like anywhere else these days, money-grubbing; that "*Douglas Hyde's vision is no more...*"; that it is distinctly un- or irreligious, and is in the grip of "*neo-Liberal capitalism*" with growing inequality. Archbishop Dr Seán Brady blamed all the ills of the Republic on "*secular-humanism*". However interpreted, 'secular-humanism' is a very weedy grown in Ireland, especially as compared with galloping Manchester Liberalism (something that was held in check by Charlie Haughey, who seems to have had a genuinely social aspect to his politics—probably a reason for the bottomless hatred shown by the PDs and the like in Irish society).

A man with a Simon Heffer-like supply of indignation pointed out that the IRA had bombed St Ethelburga's and were fascists. So why was the Catholic Church not attempting to face them down? Brady could have said that his predecessor, Cahal Daly, had attempted to do such a thing, especially when he was Bishop of Down and Connor (essentially County Antrim and Belfast) and made a complete fool of himself in the process). He seemed to be attempting to get this man to consider the fact that the more votes Sinn Féin got the less likely the IRA was to fire bullets. I got the impression that 'Heffer' was not happy at the notion that the Catholic Church in Ireland was not going to excommunicate the Republican movement to a person. But presumably Seán Brady remembers his history and the fact that excommunication did not work in the 1920s on people who were quite ardent Catholics. The event fizzled out at this point.

Sean McGouran

# An Cor Tuatail

## Cré Créice na Féinne

CEISE ΔΣ ΡΑΔΡΑΙΣ, ΣΡΑ ΝΑ ΗΣΑΕΙ,  
ΛΑ ΔΡ ΛΑΟΪ ΑΝ ΛΙΑΪ-ΨΥΙΛΕ,  
CAOILTE MAC RÓNÁIN NA SCÉAL,  
CRÁD IN ÉIRINN IAD-ΨΛAIS.

"INIS DÚINN, A SCÉALAI BINN,  
CRÉAD ÉUS DAIOIB-SE AN TIARNAS?  
NÓ CRÉAD DO COINNIIB SIB SAN MÉAD,  
AN OIREAD MÁIR NA FIANNA?"

"CRÍ CRÉICE DO DÁINSHIIS SINN,"  
D'ÉREDSAIR CAOILTE CIAILLMÁR,  
"SLAINE ΔR ΞCROF 'ΣUS NEARC ΔR ΗΣΕΔΣ,  
IS BEARC DO RÉIR ΔR MBRIAČAR."

Osborn Ó hAimeirgín

## The three traits of the Fianna

A question by Patrick, beloved of the Irish,  
One day, to the grey-haired warrior,  
Caoilte Mac Rónáin the storyteller,  
Once in Ireland of the green meadows.

"Tell us, O sweet storyteller,  
What it was that made ye supreme?  
Or what it was that kept ye strong  
For so long as the Fianna lived?"

"Three traits that fortified us,"  
Answered wise Caoilte,  
"The purity of our hearts, the strength of our limbs,  
And the steadfastness of our word."

This is modern verse on an ancient theme in an ancient poetic style. The dialogues of St Patrick and Oisín (grand-son of Fionn Mac Cumhaill, returned from Tír na nÓg) argued the merits of Christianity and paganism. Caoilte, cousin of Fionn, survived the battle of Gabhra in which the Fianna were wiped out by the High-King of Ireland. Caoilte joined the Tuatha De Danann and became himself immortal, and, like Oisín, engaged in dispute with Patrick. **Osborn Bergin** (1873-1950) was born in Cork, studied in Cork University and Germany and became Professor of Old Irish in Dublin University.

## Captain Kelly

Add your name to the Petition to clear Captain Kelly's name.

You can do so on the Internet:

[www.captkelly.org](http://www.captkelly.org)

This site also has family photos and other information.

This and other initiatives are being organised by a Derry-based committee, which can be contacted by email:

[oct5th\\_vets68@hotmail.com](mailto:oct5th_vets68@hotmail.com)

July 13th, a Tuesday, falls around the first anniversary of the death of Capt. JJ Kelly. A city centre hotel has been booked in Derry (2-4pm) for the Press Conference. Reserve your seat/s early. Admission by invitation only via [oct5th\\_vets68@hotmail.com](mailto:oct5th_vets68@hotmail.com) Key figures, including the Capt's widow,

## SECRET & PERSONAL

[Crown Logo]

BRITISH EMBASSY  
DUBLIN

2 October, 1969

Dear Kelvin,

Your letter of September 24th - Major McDowell and No. 10 Downing Street.

2. I had McDowell to lunch today. It is all about something he mentioned to me before, but now he is hotter under the collar about it.

3. McDowall [sic] is one of the five (Protestant) owners of the Irish Times, and he and his associates are increasingly concerned about the line the paper is taking under its present (Protestant, Belfast-born) Editor, Gageby, whom he described as a very fine journalist, an excellent man, but on Northern questions a renegade or white nigger. And apart from Gageby's editorial influence, there is difficulty lower down, whereby sometimes unauthorised items appear and authorised items are left out.

4. So far (except for last item) nothing new. But McDowell went on to say that he now felt that a certain degree of guidance, in respect of which lines were helpful and which unhelpful, might be acceptable to himself and one or two of his friends on the Board; this was what he had had in mind in telephoning to No. 10.

5. Oddly enough I had had McDowell in mind in certain conversations I had in London a fortnight ago. His present approach requires rather careful handling and I shall discuss it in London next week. I am writing this letter merely in case you wish to brief No. 10 and to assure them that we will do what we can to exploit this opening. I am destroying the correspondence.

Yours ever,  
Andrew Gilchrist  
A.G. GILCHRIST

W.K.K. White, Esq.,  
Western European Department,  
Foreign & Commonwealth Office,  
LONDON S.W.1.

SECRET & PERSONAL



# A National Newspaper

In his article of 3rd April 2004 in *The Irish Times* Martin Mansergh says that the letter from the British Ambassador Andrew Gilchrist to Kelvin White of the Foreign office indicated:

“...editorial control slipping away from a deeply conservative old Protestant business class ...”

There is no doubt that he is right. But the real question is: to whom did the editorial control pass?

Mansergh also refers to Major Tom McDowell as an *Irish Times* board member as if McDowell was no more important than other board members.

In paragraph three Gilchrist says:

“McDowall is one of the five (Protestant) owners of the *Irish Times*”.

So again Mansergh is right! McDowall was just another Sirector/Owner in October 1969 or so Gilchrist believed. But again this assertion of Mansergh's raises more questions than it answers. We know that McDowell ceased to be just another Director and obtained a controlling interest. The obvious questions are: when, how and why did this happen?

In paragraph 4 Gilchrist talks about “guidance” and “helpful and unhelpful lines” from Downing Street which “might be acceptable to himself and one or two of his friends on the board”...

Again, this indicates that in 1969 McDowell didn't control the paper. He “might” have one or two Directors who would appreciate guidance, but there were five Directors on the board. This, of course, also explains why he went running to Downing Street.

Paragraph 5 indicates that, even before McDowall made his approach, Gilchrist had planned to use him, so it was a happy coincidence for Gilchrist that McDowall made the first move.

There is also the reference to “careful handling” in paragraph 5 and earlier in paragraph 2 there is the phrase “hotter under the collar” about McDowall. It is clear that Gilchrist regarded McDowall as a loose cannon. Fortunately for Gilchrist, McDowall himself recognised that he needed guidance. But what was the guidance?

Britain's policy in Ireland since the Treaty has always been to re-integrate the 26 Counties into the UK. It has never accepted the independence of the Republic of Ireland. Northern Ireland is used as a lever to achieve this objective. For this

reason Northern Ireland has never been integrated fully into the political life of the United Kingdom. The British political parties have never organised or stood for election in the Six Counties. Its uncertain status within the UK is used as a bargaining counter to influence the politics of the Republic of Ireland.

John Hume used to say that the Provo campaign was an obstacle to the achievement of a United Ireland. There is no doubt that he was right. But a United Ireland that the British would contemplate conceding would be West Britain in all but name. The Provo campaign allows the possibility that moves towards a United Ireland will be on Irish terms.

A British newspaper in Ireland would, of course, oppose the Provos and Sinn Fein, but it certainly would not support the Unionists in Northern Ireland. A settlement of the Northern problem along partitionist lines is not the objective of Britain. Support for the Unionists would not help achieve the objective of re-integrating the 26 counties back into the UK.

A British newspaper in Ireland would therefore concentrate on the State in the Republic of Ireland. It would promote the British aspects of Irish history and denigrate native Irish developments. Above all it would undermine the Irish State.

What has been the role of *The Irish Times* in the last thirty years? For many years it has supported the idea of commemorating the Irish soldiers who fought for Britain in the First World War. Recently it has defended the idea that Elizabeth Bowen was an “*Irish writer*” even though her allegiance was to Britain. Her spying activities during the Second World War are either denied or put in the same class as John Betjeman's. But no one is under any doubt that Betjeman was English. The North Cork *Aubane Historical Society* believes that Bowen was also English in that that was the cultural milieu in which she operated. However, if she was Irish, her spying activities on behalf of Britain at a time when Churchill was threatening to invade the country must be seen in a different light. If she was Irish then she was a traitor.

*The Irish Times* has also gained a reputation for being the liberal newspaper in Ireland. But it is quite noticeable that the liberal agenda espoused by the *Irish Times* was not on the basis of the existing culture. The reasons it supported Divorce, Contraception etc was to entice the

Unionists into a United Ireland: in other words to make the 26 Counties more British. One of the most scorned phrases in the *Irish Times*'s lexicon was “*an Irish solution to an Irish problem*”. But when Haughey was asked about this phrase in a TV documentary after he had retired he said something like “the French have French solutions to French problems so why shouldn't we have Irish solutions to Irish problems”. The *Irish Times*, I believe, would prefer British solutions to Irish problems.

The other noticeable thing about *The Irish Times* is its denigration of Irish economic developments. The break with Sterling in 1979 was opposed because it separated us from Northern Ireland (one suspects the real reason was it separated us from the UK).

In *The Irish Times* view, the spectacular success of the “Celtic Tiger” has been tainted by corruption. The fact that the scourge of emigration and unemployment has been practically eliminated in recent years is of no account. Of course there has been corruption, but that should be dealt with by the proper authorities. *The Irish Times* has been the most enthusiastic supporter of the Tribunals. It is difficult to imagine any other state in the world that would tolerate such long term self flagellation. Recently, Peter Mandelson appeared on the Dunphy chat show. He joked about the Tribunals and their cost. But no one in the audience was laughing. It felt as if the joke was on Ireland from a member of the British establishment.

So the “*careful handling*” was to discourage McDowall from taking a Unionist line and to instead take a position in relation to the Southern State. Gageby's line was probably quite acceptable to Downing Street.

In the final paragraph Gilchrist wishes to assure Downing Street that:

“we will do what we can to exploit this opening”.

Given that it would appear that the British were already thinking of influencing *The Irish Times* through McDowall before the latter had made his approach, and given that the person in the *Irish Times* who was amenable to that influence became the most powerful person within that institution, it is almost impossible to come to any other conclusion than that the British succeeded in exploiting the opening.

Of course I could be wrong. But if there is another explanation as to how McDowall came to dominate *The Irish Times* it is up to that institution to explain it. In the meantime any criticism by *The Irish Times* of any person or institution in IRELAND must be dismissed as hypocrisy and ruled “*out of order*”.

John Martin

# More On That Infamous Letter

Despite the best efforts of the *Irish Times* to prevent it, a debate of sorts is taking place on the infamous British Ambassador's letter re Major McDowell making plans to have the *Irish Times* directed from Downing St. The *Irish Times* is not alone in these efforts. Plenty in the media have been aware of this letter for well over a year now and none have shown the slightest interest in its implications. The *Sunday Independent* has concentrated on the abusive language in it but have not touched the fundamental issues raised.

The only reason the debate exists at all is that Roy Greenslade came across the letter some weeks ago and reacted as any normal person would—how and why has this letter been left unreported and not discussed for over three years? He reported this in the *Guardian* (19.4.04). Greenslade is not part of the Irish self-censoring media set and is a self-respecting journalist. As he is also an ex-editor of the *Daily Mirror* his reporting cannot be as easily dismissed by the Irish media as the reporting of the letter in this magazine. So the Irish media, being the craven thing it is, had to follow where Greenslade led them.

The first reaction was that Conor Brady was jolted temporarily out of his 'emeritus' retirement because he was editor of the *Irish Times* at the time the document was released (*Irish Times*, 30.4.04). It was not to thank Greenslade for raising the issue or add to what Greenslade had reported, but to criticise him and to deny that he, Brady, had suppressed the letter. The only issue that exercised Brady was his own reputation and not the implications of the letter. He pleaded that his reporter and other reporters did not find it when the papers were released in 2000 even though these reporters had privileged access to the papers before their formal release to the public. (*Note to editor of the IPR*: Brady styles himself *Emeritus* Editor which simply means he retired rather than was fired from his former job. As I have had the same relationship with farming, in future I want to be styled *Emeritus* Farm Labourer.)

This Ambassador's letter is from papers of the period of late 1969 that deal with the critical period in the recent 'troubles' and yet this pertinent document apparently lay unseen for over three years.

How many researchers, reporters and historians must have trawled these papers in that time? And none saw this missive on blue embossed notepaper or reported on it?

But as usual with the media in Ireland all is not as it seems. When Brady wrote his letter he knew, as did others, that the Ambassador's letter was seen when it was released. Someone did have the necessary talents (eyesight, ability to read English, etc.) to see the letter, copy it and show it to Gageby and others. That was no other than the Professor of Modern History at UCD, Ronan Fanning, who apparently can conveniently alternate his historian's hat and his journalist's hat as it suits him. It seems he went to the PRO at Kew as a journalist, and apparently the practice is that the journalists share out looking at the files and compare their researches afterwards so they all say the same thing. But Ronan apparently metamorphosed into a historian when he found the letter: he did not therefore feel obliged to share it with his colleagues. Let's hope one of the journalists concerned who were thus betrayed will tell the public of this unique 'investigating' procedure. The role of Garret Fitzgerald might also be raised: he apparently enabled Ronan Fanning to become a Professor of History after someone else had been appointed to the post! But we will not hold our breath.

Rumour has it that the letter was something of a party piece for Ronan over the years. But all who saw it sang dumb, as the implications of the letter were too serious to be made public. It will be interesting to see how long it takes the Irish media to ask him why he suppressed it. Again, we will not hold our breath. We know our media too well.

The only section of the Irish media that has dealt with this issue in any serious way has been *Indymedia* and we commend their Irish website to readers who want more information and discussion on the issue: [www.indymedia.ie](http://www.indymedia.ie).

## MARTIN MANSERGH BITES THE DIRT

A notable casualty of this debate has been Martin Mansergh and his carefully crafted reputation for urbane, even-handed pluralism. We have witnessed grown men weep at the sight of someone they respected descend into the gutter of mudslinging

against the Aubane Historical Society with scurrilous accusations of denigrating him with conspiracy theories and spy allegations (*Irish Times* 3.4.04). As they knew that the AHS has never suggested that Martin Mansergh is a spy, these men were amazed by the slanders. These were people who had agreed with him a lot more than they had agreed with us over the years. But Mansergh's behaviour has made it clear to them that he is only for the new 'pluralist' Ireland on condition that this Ireland and its history is seen through the eyes of Anglo-Ireland. To help him in this endeavour, he has made endorsement of the role of Elizabeth Bowen and of his father the litmus test—which means that would-be pluralists who cannot agree that Elizabeth Bowen and Nicholas Mansergh were motivated by Irish interests are immediately excluded from Martin's 'pluralist' Ireland.

But surely allegiance is the test of national identity, and war provides the ultimate test of allegiance. Bowen spied for England in Ireland during the war. One can hardly have allegiance to the people and the state spied on. But Martin insists she was really doing this for the good of the Irish, if they would only realise it! Martin is thereby treating the Irish State and people with contempt—the classic Anglo-Irish attitude. The Aubane Historical Society challenged this and Martin lost his rag proving how fragile his whole little edifice really is.

Readers will know of a short letter I sent to the *Irish Times* (see *May Irish Political Review*) denying his accusations, along with an Opinion article explaining the background as I saw it (also in the same *IPR*). I also submitted another letter on 23rd April (see compilation below). None were published or even acknowledged. I wrote to Martin to help me clear his name by helping get the first letter published. But no, he claimed he would not seek to influence the Editor. But he thereupon had the *Irish Times* publish a long letter from him (*Irish Times* 3.5.04), piling up further accusations against the AHS, which were in part a reply to my unpublished letter: a new dimension in journalistic ethics by the paper. Here he withdraws the spy slander about us but suggests that it was made against his father, "the next best thing" as he says. But Martin got it wrong again. What I said was that Nicholas Mansergh had played a supervisory role, rather than operating as a spy in the field like Bowen—with all the personal deception, betrayal and 'dirty tricks' that that entailed. Nicholas Man-

sergh seems to have been above that type of behaviour and I was giving him credit for that. If I did not make that clear before, I do so now as strongly as possible.

Martin's purpose in life seems to be his father's son. If he publishes *all* his father's writings including all those from the Ministry of Information, where he held a senior position during World War Two, then readers can judge for themselves whether my view of him accords with the reality or not. But be warned—you will need special qualities because Martin tells the world in his letter of 3rd May that not everyone will understand his father's work and "*I would prefer that to be judged by people who understand his work*". The typical arrogance of Anglo-Ireland is alive and well and shines through: those who disagree with Bowen or Nicholas Mansergh's role in Irish history are simply too stupid to understand it. Commonsense must be abandoned when judging these elevated personages and the only people qualified to do so are those on a par—that is, those who agree with them!

If Martin insists on bringing genealogy into all this, I feel obliged to point out that I am the grandson of two grandfathers who, 100 years ago, both fought with William O'Brien in the All-for-Ireland League for the policy of '*Conference, Conciliation and Consent*' towards Unionists and Protestants in the teeth of opposition from the then all powerful Redmondism and the AOH. This was not fought out in Oxbridge theses and books, or in letters to the papers (and certainly not to the *Irish Times*), but on the hustings, in the streets and homes of Munster for two decades. Some representatives of Anglo-Ireland played a notable role but I don't ever recollect coming across a Mansergh participation.

The political descendants of William O'Brien therefore have nothing whatever to learn from Oxbridge or Anglo-Ireland as regards pluralism and sensible attitudes towards Unionists and Protestants. We have forgotten more about these things than Mansergh Inc. ever learned, despite all their industry.

This is the inheritance that gave us 'the two nations' theory, the only basis for a comprehensive Irish solution to this particular Irish problem. By comparison with this Martin has simply played the role of a mascot for those grappling to find a solution on the nationalist side. His own projection of that role reminds me more and more of the fly on the mudguard of Plekhanov's wheel of history.

**Jack Lane**

# The Irish Times Trust Ltd.

Towards the end of the year 2001 *The Irish Times* began the process of reforming itself. In an environment of increased circulation and advertising revenue its financial problems had prompted questions of "*corporate governance*". Where was all the money going and to whom? This in turn prompted questions as to who controlled *The Irish Times*.

*The Irish Times* has been quite forthcoming as regards its current structure, but questions remain about the running of the paper in the periods from the date of the "Gilchrist letter" in October 1969 to the new structure in April 1974 and from April 1974 up to the year 2001. Its arrogant refusal to deal with these matters is disturbing.

*The Irish Times* columnist Fintan O'Toole wrote an article about the management structure of the paper on 29th November 2001. As with most of the articles by Irish Times writers on this subject it begs far more questions than it answers. The article has also factual errors. So, it would appear that even senior journalists such as Fintan O'Toole, who have written extensively on financial matters re: Larry Goodman, Charlie Haughey etc, were unaware of the structure of their own newspaper. Nevertheless, in its own limited way the article is quite informative.

"*The Irish Times Ltd*" is the company which owns the newspaper. However, in April 1974 the directors/shareholders were bought out by a newly created company called "Irish Times Trust Ltd". This company is "limited by guarantee" and is the sole shareholder of "The Irish Times Ltd". It is not a "trust", still less a "charitable trust", as stated by O'Toole in his article. This company, "limited by guarantee", was able to finance its purchase with a 2 million pound loan from the banks.

In my view this is a remarkable fact which provokes at least two questions:

- 1) Who controlled "The Irish Times Trust Ltd"?
- 2) How could this company obtain a 2 million pound loan without guarantors and if so who were those guarantors?

But O'Toole's razor sharp journalistic

instincts seemed to have deserted him. He provides no answers to these questions, except that the dominant member was one Major Thomas Bleakley McDowell. This is the same character that the British Ambassador, Andrew Gilchrist, spoke of in his letter of 1969.

He then admits that unlike "other Trusts" such as those of the *Guardian* and *Farmers Journal*, the *Irish Times* "trust":

"was constructed in such a way as to give the trustees as a whole a dominant role in the management of the company".

The Board of Directors which ran *The Irish Times* consisted of up to 17 members. "The Irish Times Trust Ltd" was entitled to nine Directors or a majority of the Board. The remainder of the Directors consisted of Executive Directors such as the Editor and Managing Director of *The Irish Times*. However, there was no chance that the Executive Directors would outvote the controlling company's Directors because while the Executive Directors had only one vote each the controlling company's Directors had 5 votes each. In addition, in the unlikely event of a tied vote, the Chairman had the casting vote if he was a "*Trust director*", but did not have this vote if he was an Executive Director.

Gilchrist's friend, Major McDowell, also had the special position of being "*the A member*". McDowell's special status was protected. O Toole says that the rule was that:

"any change in the right to remain as a governor for life of the A member will be put to a vote in which the A member is entitled to one vote plus such number of further votes as shall be equal to the total number of votes conferred on all other members of the company".

What can one say! If the Romanian dictator, Ceausescu, was alive he would have been taking copious notes.

Unfortunately, O Toole does not give details of the powers of this "*A member*", or what is meant by "*governor*".

O Toole goes on to say:

"The articles of association also underwrote Major McDowell's position as chairman of the trustees for

as long as he wishes or until the other trustees ask him to step down”.

There seems to be a contradiction between the phrases “*as long as he wishes*” and “*until the other trustees ask him to step down*”. For example, what is the situation if he “wishes” to remain but the “other trustees ask him to step down”? Whose rights take precedence? But given that he remained chairman for so long, the “as long as he wishes” phrase was probably the more important part of the sentence.

Elsewhere O Toole says that the Chairman position, which McDowell occupied until quite recently, had:

“the power to appoint and remove other directors and to remain as chief executive until he resigned”.

On his resignation as Chairman McDowell remained the “*A member*”.

At the beginning of his article O Toole says that the *Irish Times*'s editorial line is:

“independent, not just of political parties, but also of private advantage”.

But no one is suggesting that *The Irish Times* is aligned to a political party, although it has never been a friend of Fianna Fail. Neither is anyone suggesting that its editorial line is orientated towards private advantage. The charges against the paper are far more serious than that.

O Toole then goes on to say:

“Successive editors of *The Irish Times* since the establishment of the trust have testified to the absolute editorial independence which it has afforded them”.

So, O Toole is asking us to believe that, despite the control which McDowell had over the board of *The Irish Times*, he made no attempt to influence its editorial line. But the evidence of the British Ambassador's letter of 1969 suggests that McDowell took a keen interest in the editorial line and wanted clear guidance from Downing Street as to what *The Irish Times*'s editorial line should be.

O Toole himself says in the article that McDowell was:

“...an extremely able manager with a track record of hands-on control within the newspaper industry in general and *The Irish Times* in particular”.

This certainly doesn't indicate a passive interest in the running of *The Irish Times*

let alone the “newspaper industry in general”.

He also says that:

“Key decisions—the appointment of an editor and a managing director, new acquisitions, strategic investments—obviously affect the nature of the paper itself and need to have the approval of the trust”.

While O' Toole's article is revealing it only tells us about the power that the “The Irish Times Trust Ltd” had over *The Irish Times*. There is very little information on the controlling company itself. What were its rules? How did it appoint its *Irish Times* directors? Who were the members of the controlling company? What were their respective powers? What were the rules for appointing new members of the controlling company and replacing deceased or retired ones?

“Fearless Fintan”, not only fails to give answers, he doesn't know the right questions!

**John Martin**

Letter to the Editor

## Decoding the Irish Times Trust?

The purpose of a Trust is to keep things secret and confidential. Even the names of the Trustees do not have to be disclosed to the public. And when the names of some or all of the Trustees are voluntarily disclosed, they do not have to disclose for whom they are acting in trust.

The intentions of the owners/settlers of the Trust are usually given to the trustees by what is called a ‘Letter of Wishes’ which is not supposed to be legally binding on the Trustees, but which in practice the trustees will obey.

In the case of the Irish Times Trust, it appears that outward control is exercised by the present holder of the “A” Shares in Irish Times Limited and the present holder is apparently Major Thomas B. McDowell.

In cases like this—it would be normal for a person in Major McDowell's position, to himself hold the “A” Shares under a separate trust (again secret and confidential) under which he holds this “A” Share in trust for the Irish Times Trust, and under which he has bound himself to

carry out the instructions of the Irish Times Trust and also to hand the “A” Share back to the Irish Times Trust or to another person whenever instructed to do so.

If the trusts had been set up to be really impenetrable, as they possibly are, there is likely to be a third trust above the Irish Times Trust and that third trust would appoint and instruct the Irish Times Trustees who then would not themselves know who they are acting for and, more importantly, who could state on oath that they do not know who they act for other than the third trust.

The third trust may be based in an offshore island like Bermuda, Cayman Islands, the Seychelles, Hong Kong etc. and may have wholly separate firms of solicitors and accountants.

Some multi-millionaires and some companies could have a multi-tiered series of trusts just for secrecy and impenetrability.

***In reality, in most cases a Trust operates for concealing ownership.***

If a trust has income or if a trust applies for charitable status then the trust may have to account for its financial activities to the Revenue Commissioners and for this reason, secret trusts do not engage in any activities other than the exercise of power and as a result are impenetrable.

And a note on obfuscation: it is a tactical ploy, if obfuscation is the objective, to refer to a name, such as in this case The Irish Times, without use of the other essential word which would clarify what is being referred to – whether The Irish Times newspaper, the Irish Times Limited, the Irish Times Trust or even The Irish Times Trust Ltd.

**Michael Stack.**

**Due to pressure of space  
the finale instalment  
of John Martin's review of  
*Das Kapital*  
has been held over  
to the July issue**

# Martin Mansergh And *The Irish Times*

## A Polemic

**Editorial Note:** The story starts with Martin Mansergh's article, *Why I'm Not A Spy In Spite Of All You Hear* (*Irish Times*, 3.4.04) which was reproduced in the April *Irish Political Review*, with two replies sent to the paper: one from David Alvey and the other from Jack Lane. The former did eventually appear in the paper on 19th April, but Jack Lane's letter was ignored. Below are other salient letters and articles which have appeared on this issue at time of going to press, 17th May.

### 9h April 2004 *Mansergh Not A 'Mick'*

Martin Mansergh penned the strangest column in *The Irish Times* last week in which he suggested that an article in *The Phoenix* (26/9/03) had supported, or even initiated, a conspiracy theory about the senator being a British spy. This is nonsense, as any reading of the original *Phoenix* article would immediately indicate.

Mansergh says, among other things, that *The Phoenix* had accused him of writing in "hardly the most republican forum in the media". In fact, Goldhawk had merely quoted Mansergh's farewell to *Sunday Business Post* readers before he defected to the *IT*. There he described the *Post* as "a forum in which the best ways forward for an Irish republicanism with legitimate, constitutional aims can be freely discussed". It was left to Goldhawk to note that the *IT* hardly fell into this category—a category referred to by Mansergh himself.

The rest of our article pointed to the historic incongruity of Mansergh's ingratiating remarks in his new *IT* column about Sir Garret Fitzgerald and Major Tom McDowell and Bertie Ahern's enthusiasm for "the *IT*'s unrelenting anti-FF line [to] be countered" by Mansergh. This commentary hardly implies that Mansergh is some ace of spies for MI5...

[From *Phoenix*]

### 22nd April 2004 *Irishness Of Elizabeth Bowen*

I reject David Alvey's assertion (April 20th) that Elizabeth Bowen was not an Irish writer. Her work is infused with that peculiar Anglo-Irish sensibility which left her feeling a foreigner in both Ireland and England, at home only in "the middle of the Irish sea".

The Last September and A World of Love are shot through with Irishness and nowhere is the landscape of north Cork more lyrically described than in Bowen's Court.

I do hope that attempts to exclude Bowen from the list of Irish writers is not due to her having been (whisper it!) a Protestant.

[Aidan Harman, Cork. *Irish Times*]

### 23rd April 2004 *British Ambassador's 1969 Letter And The Irish Times*

May I apologise for certain remarks I made about your newspaper on Newstalk 106 on Monday evening?

I was wrong to say that *The Irish Times* had not published any of the allegations made in 1969 by the then British ambassador, Sir Andrew Gilchrist, about a conversation he had with your paper's former chairman and current president for life, Major Thomas McDowell.

I now know that the substance of these allegations was carried by your paper on January 27th, 2003 in a story headlined "Major McDowell rejects UK envoy's claim".

As a teacher of journalism students I stress the importance of factual accuracy, so I am embarrassed by having made such a mistake.

That said, however, I stand by my belief that *The Irish Times*'s record in this matter is hardly beyond criticism. When Gilchrist's letter was released by the British Public Record Office in January 2000, the paper was guilty of self-censorship by failing to publish its contents, especially the claim that Major McDowell referred to his editor at the time, Douglas Gageby, as a "white nigger", and that he was happy for Downing Street to direct or, at least, influence your paper's coverage of the North. Surely this was of importance to your staff and readers.

These sensitive claims remained secret until discovered by Jack Lane of the Aubane Historical Society three years later. He reported his discovery to you, but nothing appeared until the allegations in the Gilchrist letter finally appeared in the *Sunday Independent*. Next day, you then published the McDowell denial story mentioned above which, in the light of the previous cover-up, was surely an inappropriate way to report the matter.

The implication of the blanket denials is that the ambassador was lying to his chiefs at the British Foreign Office and the matter can therefore hardly be said to have been resolved to anyone's satisfaction.

I have long been an admirer of *The Irish Times* and, in my capacity as a media commentator, I have often made public statements which hailed your paper as one of Europe's best. But I have to say that this episode has stunned me.

By any objective journalistic criteria, the involvement of a newspaper controller in affairs of state, especially in talks with the representatives of a foreign country, required much greater candour from a paper of record. [Roy Greenslade, Co. Donegal. *Irish Times*]

### 23rd April 2004 *British Ambassador's 1969 Letter And The Irish Times*

I would like to correct a possibly unintentional error in a letter from David Alvey, publisher of the *Irish Political Review* (April 19th).

Mr Alvey wrote that a letter in 1969 from the British Ambassador to a Whitehall official concerning the then owner of *The Irish Times*, Major Thomas McDowell, was "released into the public domain in 2003". In fact the letter was released into the public domain in the British Public Records Office in January 2000. It would be correct to say that that it was first published in 2003 in the *Irish Political Review*.

The *Irish Times* apparently deliberately ignored this letter. *The Irish Times* published a story on other letters in the PRO file concerning the ambassador and Major McDowell in January 2000. The letter that was suppressed

contained racist references, attributed to Major McDowell, directed at a former editor of *The Irish Times*, Douglas Gageby, and contained a request from Major McDowell for guidance from 10 Downing Street on editorial control of *The Irish Times*. Gageby was referred to as a "renegade or white nigger".

After attention was drawn to the letter in the *Sunday Independent* in late January 2003, *The Irish Times* responded once and once only with an anonymous article that attempted to kill off interest in the story. Further discussion was, it would appear, closed off.

The censored letter is reproduced on Indymedia.ie. *The Irish Times* has yet to adequately discuss the import of the letter and, more seriously, explain why disclosure of the letter was suppressed in January 2000.

Readers of Ireland's newspaper of record demand answers.

[Niall Meehan, Dublin 7. *Irish Times*]

*The contents of the letter in question were published in The Irish Times on January 27th, 2003, as soon as its existence was drawn to my attention.—Ed., IT.*

### 23rd April 2004 *UNPUBLISHED LETTER*

It was refreshing to read Roy Greenslade's letter this morning (23 April) explaining the situation on how the *Irish Times* have dealt with the infamous letter of the British Ambassador of 2nd Oct 1969 and correcting an impression he had given about your reporting of the allegations in that letter on 27th Jan 2003.

Mr Greenslade had little to apologise for, as you well know, because that item on 27th Jan. '03 was not a report on the Ambassador's letter but a report on McDowell's (incredible) denial of all its contents. But Mr Greenslade's letter was an example of scrupulous honesty as befits a responsible professional journalist and ex-editor. Do you recognise this behaviour?

This was an example of a professional setting the record straight as soon and as clearly as he could. Could you please copy his example and set the record as straight about what Senator Martin Mansergh alleged about me in your paper on 3rd April? You have a letter from me for nearly 3 weeks rejecting his allegations. I cannot understand how you refuse to help me clear his name, mine and your reputation by simply publishing my short letter. You also have a full report of the

whole issue by me, another copy attached, and there seems no prospect of that being published either. Perhaps you might have the courtesy of at least telling me why.

In today's paper you plumb even deeper into the depths of misrepresentation. You say in a note "*The contents of the letter in question were published on January 27th, 2003, as soon as its existence was drawn to my attention.*"

You know very well that the letter was drawn to your attention on 10 Jan. 2003 by me and you replied on the 15th January saying you were "*unable to confirm the veracity*" of it and you did NOT publish anything about it. How could you have published it if you doubted the veracity of it? This correspondence with you has been in the public domain for nearly a year now and the facts are irrefutable. Many people will therefore know the facts of the case. You cannot suppress them by more pathetic censoring and misrepresentations on your part. However, you can salvage your reputation by coming clean.

After the Sunday Independent later made a national issue of the letter you had no choice but to respond and you did so by publishing Major McDowell's total denials. You did not publish the full letter and therefore 'the contents' as you claim. Please present these facts of the case in your paper, 'a journal of record' remember, as a matter of urgency. What remains of your integrity demands it.

By way of contrasting you with your peers I should remind you that I was criticised by the Irish Times under your predecessor and he had the decency to publish ALL letters I sent for publication. See the Irish Times of 23/5/97 and 11/9/97. In addition the then editor, Conor Brady, also OFFERED me a feature article to explain myself, which he published on 29/7/97. Earlier this week I wrote a letter the Guardian to clarify a point and they published it 2 days later. And the Guardian had not even mentioned, never mind tried to defame, me. And now we have Mr. Greenslade setting another example for you on how to behave.

Why can you not copy your peers? Why are you lowering the standards of your paper and yourself? Do you have some sort of death wish for your own personal reputation? Please pluck up the courage to act as befits a responsible editor like your peers and redeem yourself.

[Jack Lane, Aubane, Co. Cork.  
Submitted to *Irish Times*]

#### 26th April 2004 *Irishness Of Elizabeth Bowen*

David Alvey (April 19th) suggests that

Elizabeth Bowen should not be regarded as an Irish writer on the grounds that she spied for a foreign power against this State.

The notion of national literatures will probably be with us for as long as the nation-state is with us. Whether this helps the understanding of literature itself is another question. To the extent that one does make use of the notion, the test for including a novel in a country's literature is not the politics of its author, but the extent to which it engages with the lives of people within it.

In her fine novel *The Last September*, set in an Anglo-Irish big house, Elizabeth Bowen does engage deeply with Irish society at a crucial moment in its history. That alone is a reason to regard the novel as part of Irish literature.

As it happens, most of the Anglo-Irish people in that novel seem to be crypto-nationalists, at least in their personal sympathies, and there are even indications of startlingly high levels of anglophobia among them. And as for Bowen's spying activities, these do not seem to have amounted to anything very much more sinister than sitting in the public gallery of the Dáil during a debate, and taking tea with Archbishop McQuaid.

But even if she had been less ambivalent in her political sympathies, the view that a section of her work forms part of Irish literature would not make the definition of national tradition any less coherent than it usually is.

[From *Anne Nolan*, Gresham House,  
Dublin 1. *Irish Times*]

#### 27th April 2004 *Irishness Of Elizabeth Bowen*

Aidan Harman's letter on Elizabeth Bowen's Irishness (April 22nd) prompted me to look up David Alvey's earlier diatribe, which I hadn't seen.

It is pointless to argue that Bowen wasn't Irish. She was born in Dublin and, unless Mr McDowell's regrettable referendum has retroactive effect, will remain Irish forever.

That she might have given political allegiance to another power in a time of peril is neither here nor there:—Irish people have given political allegiance to many different powers over the centuries. William Joyce was undoubtedly Irish and gave his political allegiance to Hitler (though I believe it was his British passport that eventually hanged him).

I am fed up with the notion that there is such a thing as an "Irish writer". There are Irish people who write. They do so and have done so in many different traditions. In some cases, such as Joyce, they found the need to start their own traditions.

Mr Alvey needs to rethink the notion that there is such a thing as a "national tradition". If, by that, he really means "nationalist", let him say so. There is a nationalist tradition. It is but one of many, all of them Irish in their different ways.

[Paul Kenny, Dublin 12. *Irish Times*]

#### 28th April 2004 *Irishness Of Elizabeth Bowen*

Elizabeth Bowen may have felt like "a foreigner in both Ireland and England", as Aidan Harmon argues (April 22nd), but she nonetheless gave her allegiance to England. During the second World War she showed

where her sympathies lay by spying against Ireland for the British intelligence services. In political terms, therefore, it makes no sense to celebrate her as an Irish writer. That she was an Irish Protestant is irrelevant to the point at issue.

From a literary point of view the case against her is even stronger. A clear-headed critic, Ernest Augustus Boyd, author of Ireland's Literary Renaissance, maintained that to designate Anglicised writers such as Swift, Berkeley, Sheridan, Goldsmith and even Shaw and Wilde as Irish was to debase the idea of a national Irish literature. Their works should be appreciated for what they are: works of English literature, a literature that has, incidentally, generally been popular in Ireland.

Elizabeth Bowen wrote at a time when national independence had been achieved. She could have joined the endeavour to forge a new national literature here. She chose not to. For her services to English literature she was awarded the CBE and made a Companion of Literature by the Royal Society of Literature.

Designating her as an Irish writer is like describing the English novelist, Joseph Conrad, who was born in Poland, as a Polish writer. Assuredly the Poles do not claim Conrad. They have a measure of cultural self-respect.

[David Alvey, Publisher, Irish Political Review, Dalkey, Co Dublin. *Irish Times*]

#### 29th April 2004 *British Ambassador's 1969 Letter And The Irish Times*

Roy Greenslade has rushed to judgment in his letter of April 23rd, compounding his earlier, acknowledged inaccuracy. There was no "cover up" (his term) in The Irish Times's reportage of the 1969 British government papers, released to the public in January 2000 under the 30-year rule.

The facts are that in late December 1999, Ms Rachel Donnelly, a reporter from the London office of The Irish Times, was assigned to examine the 1969 papers (embargoed to January 1st, 2000) at the Public Record Office in Kew.

She identified one letter, written on December 29th, 1969 by the head of the Irish section at the Foreign Office, Mr Kelvin White, to the British Ambassador in Dublin, Sir Andrew Gilchrist.

In this letter Mr White wrote of Major T.B. McDowell's willingness to act as a link between the British and Irish governments and to have The Irish Times play a role in organising a conference of "prominent people".

Major McDowell was then one of a number of directors of The Irish Times Ltd. Later he became chairman.

Over recent days I have confirmed with the London Editor of The Irish Times, Mr Frank Millar, that Ms Donnelly's examination yielded only this one letter. She did not come across another letter, dated October 2nd, 1969 from the ambassador to Mr White.

In this letter, the ambassador quoted Major McDowell as having described my predecessor as editor, Mr Douglas Gageby, as a "renegade or white nigger". Major McDowell has since denied ever using these terms.

At the weekend, Mr Millar furthermore confirmed with Ms Donnelly, a conscientious and experienced journalist, that she saw and reported on the contents of only one letter and that she had not encountered the terms "white

nigger” or “renegade” in what she read on the file.

The letter which she saw formed the basis of the report published in *The Irish Times* in January 2000. This detailed Major McDowell’s contact with the Foreign Office and his offers of assistance.

To allege a cover-up is gravely defamatory of me in my role as editor, as well as of the other journalists involved. I do not know why or how the letter of October 2nd, 1969 did not come to the attention of our reporter. The fact is that it did not.

Nor did it come to the notice of any of the other journalists who examined the files when they were made available on December 22nd and 23rd, 1999. Other journalists assigned to this task, as I understand it, included Mr Bernard Purcell of the *Irish Independent* and Mr Aidan Hennigan, representing the *Irish Examiner*.

Surely it is not without significance that not only did *The Irish Times* not report on this letter, neither did any other news medium.

Does Mr Greenslade or anyone else seriously believe, if such a letter had been uncovered by Irish journalists at this time and “covered up” by someone else, that this would not have become instantly known throughout the various newsrooms? There would have been uproar—most especially in *The Irish Times*. If he believes otherwise, Mr Greenslade does not understand the values that imbue the journalism of this newspaper.

The *Irish Times*—along with other newspapers—may have been guilty of an omission or oversight.

For that, as editor, I have to take responsibility. But neither I nor any of my colleagues was guilty of any suppression or distortion.

Mr Greenslade was himself a newspaper editor. He knows that errors, omissions and failures of judgment do occur. Ours is a very imperfect craft, executed under severe time constraints.

In conclusion, let me add that I had my differences with Major T.B. McDowell while I was editor (1986-2002), mainly about the organisations’ pace of change and its capacity to face future challenges.

But in those 16 years I had an absolutely free hand in relation to editorial content and policy and never encountered the slightest pressure of any kind.

I have no doubt it was the same in Mr Gageby’s editorship.

[Conor Brady, Editor Emeritus, Monkstown, Co Dublin. *Irish Times*]

### 30th April 2004 *Irishness Of Elizabeth Bowen*

David Alvey (April 28th) says the Poles do not claim Conrad. Does anybody claim him? Yes, the world. That should be sufficient.

Who claims someone like Isaac Bashevis Singer—one of the most haunting voices of the 20th century—who wrote in Yiddish? The Poles? The Jews? The Americans? We can all claim him. When Beckett was asked was he an Englishman he replied, “Au contraire”. That didn’t imply he was French. Politically, he was more interested in the French Resistance than in the Irish Resistance, but politics isn’t everything.

Surely it’s a matter of where the heart is and it is not always easy to define the heart’s place geographically. The artist’s imagination

does not recognise fixed national boundaries. Singer’s heart belonged to more than one place and—indeed—more than one time.

David Alvey’s letter appeared in the same edition in which Eileen Battersby reported on Cúirt, welcoming new and old voices from eastern Europe. Some contemporary Estonian writers have been looking East, as it happens, not West, and their writing is all the more interesting because of that. Will future Irish writers find the labels Irish, Anglo-Irish or English to be meaningful or will they be happy to be classified simply as European, whether they write in Irish or English? What elements in their writing will qualify them to use the label “European”? It is, perhaps, far too early to say.

[Gabriel Rosenstock, Co Átha Cliath. *Irish Times*]

### 30th April 2004 *Irishman’s Diary*

Each spring, the *Times* of London has letters about the first cuckoo. Here in *The Irish Times*, at around the same time of year, we have letters questioning the Irishness of Elizabeth Bowen. The subjects tell us a great deal about the priorities of the respective readerships, writes Kevin Myers.

The English, who notionally have four seasons, are interested in the weather. The Irish, who—up until recently, anyway—had just one season entitled a grand soft day thank God, are more interested in identity.

Actually, I had come to believe that the issue of “Irishness” was as old hat as James Bond’s pork pie, but clearly not. A recent letter from David Alvey, publisher of the *Irish Political Review*, declared that in political terms, it makes no sense to celebrate Elizabeth Bowen as an Irish writer, because she spied against Ireland for the British. So Irishness is not a matter of where you’re from, but how you think. This presumably means that Irish unionists, north and south, who were in favour of Ireland entering the second World War, were less Irish than Irish nationalists.

Ah. So did the leaders of the IRA, who actively sought a Nazi victory, cease to be Irish because of it? Did Paddy Devlin, later of the SDLP, whose IRA unit shone lights to guide Luftwaffe bombers onto Belfast—a far more heinous deed than anything Elizabeth Bowen did—thus cease to be Irish? And what about France? What about the collaborationist milice, many of whom ended the war with a Gauloise and a wall? Did they cease to be French because they served Germany? Did the Scandinavians of Das Viking SS Division forfeit their national identities merely because of a single decision they had taken?

Conversely, was Willie Brandt, who served with the Norwegian resistance during the war, a lesser German because of it? And what about all those brave men who conspired against Hitler, and wanted an Allied victory? Were they accordingly less German than the Austrian whom they were trying to kill?

David Alvey declared that designating Bowen as an Irish writer is like describing “the English novelist Joseph Conrad, who was born in Poland, as a Polish writer”. An interesting observation. Has he ever tried telling a Pole that? Any Poles I have spoken to are, properly, very proud of Conrad. He wrote in English, to be sure, but it is a strange English; and the mind at work behind those curiously though

magically assembled words is clearly not an English mind. He was as much English as James Joyce was Swiss, or better still, Samuel Beckett was French.

Moreover, Conrad personifies the ambiguities of identity. He described himself as Polish, though he was from the Ukraine, which is both a geographical entity, and a tribal one: ethnic Poles, Russians, Ukrainians, Belorussians, Jews, Moldovans all live there. Moreover, there are “Ukrainians” in Poland and the Czech Republic—the latter being the only example that comes to mind where the country is not defined by the land itself, as in Ireland, France, Germany, but by the tribal polity which resides there. And perhaps appropriately, for its capital was the birthplace of Kafka, the Jewish-Czech-German who wrote in the language of the country that gave the world the Third Reich, and which had a theory or two about what constituted nationality.

All of which doesn’t tell us a great deal, save this: the association of land with political, national or tribal identity is of relatively recent origin over most of Europe, and the sort of simple loyalty which romantic nationalists embrace is quite beyond the capacity—or better still, the breadth of vision—of many. Which makes nonsense of Ernest Augustus Boyd’s suggestion, quoted approvingly by David Alvey, that “to designate anglicised writers such as Swift, Berkeley, Sheridan, Goldsmith, and even Shaw and Wilde as Irish was to debase the idea of a national Irish literature”. It debases nothing, but merely makes the definition of Irishness more catholic and complex. For empires invariably create anomalies.

Albert Camus played soccer for Algeria, but was not Algerian; yet neither was he French. Swift and Goldsmith were not English, but were products of institutions that were both peculiar, and peculiarly Irish, long before the notion of a fully separate Irish national polity had emerged. To make their Irishness contingent upon a modern definition of identity, one which would have made no sense to them, is simply anachronous.

They located their narratives in England because of its cultural eminence amongst writers in English, and because England was where money and respect lay. As a matter of course, Sheridan often used the word “English” when he meant British.

The Irish journalist Russell, writing from Crimea, regularly spoke of “English troops” when he clearly meant Scottish or Irish. Arthur Conan Doyle set his novels not in Edinburgh, where he first mastered the arts of deductive reasoning, but London, and with English heroes.

Was he less Scottish because of this? And was Elizabeth Bowen less Irish because she would have seen this country occupied by the Allies in preference to a Nazi victory, with the concomitant ruin of Christian civilisation across the world? And is that what Irishness means: that the defence of national sovereignty in the darkest hour in world history must take precedence over the protection of all civilisation, even if such a defence ends both that civilisation and Irishness itself?

In truth, the argument is circular. “Is Elizabeth Bowen Irish?” is a uniquely Irish question.

Even to ask it means the answer is Yes.

[Kevin Myers. *Irish Times*]

## The Gilchrist Letter And The History Of The Irish Times

The editors of *The Irish Times* from 1969 to the present, together with everyone involved in the management of the newspaper during that time, owe Irish society an explanation. They need to explain why their newspaper has been running scared from questions about a letter that shows the British Government being invited to take *The Irish Times* in hand. They also need to explain the letter itself.

The letter was written on October 2nd 1969 by Sir Andrew Gilchrist, the British Ambassador, and was addressed to W.K.K. White of the Foreign and Commonwealth Office in London. It is marked Secret and Personal and its final sentence reads, "I am destroying the correspondence". In the letter Sir Andrew relates how one of the owners of *The Irish Times*, Major Thomas McDowell, had asked the British Government for "a certain degree of guidance". He concludes by asking Mr. White to assure No 10 "that we will do what we can to exploit this opening".

The manner in which *The Irish Times* has responded to this extraordinary letter raises questions. Why was it missed by all of the Irish journalists who went to the Public Record Office in Kew in late December 1999? And why did the present editor of the paper, Geraldine Kennedy, not make it known to *Irish Times* readers when sent a photocopy of it by Jack Lane prior to its publication in the *Irish Political Review* in early January 2003?

The various ploys used by *The Irish Times* to duck the issue have been described by Roy Greenslade, a respected English media specialist, in a letter to the newspaper on April 23rd. He said that as a long time admirer of the paper he was stunned by its stance. He considered that the involvement of a newspaper controller in talks with the representative of a foreign country required a more candid response.

Surprisingly, that statement elicited, not an editorial response from *The Irish Times*, but a letter from a former editor, Conor Brady, who chided Mr Greenslade for making a mistake on a detail of the story and otherwise said very little.

When a closed institution is determined to keep silent on a sensitive matter concerning itself, it can be difficult to get to the truth. Difficult but not impossible. In the circumstances it is usual to piece

together a scenario of what has been happening based on the known facts. So, we need to piece together a history of *The Irish Times* in the light of the Gilchrist letter. What follows is my tuppence halfpenny worth.

The period around 1969-1970 was a critical time in Irish politics due to the outbreak of political violence in the North and later the Arms Trial in the South. It was also a critical time in the evolution of *The Irish Times*. The transition of the paper from being a relatively small newspaper orientated towards the Protestant minority to becoming the national newspaper of record was almost complete. The mould of *The Irish Times* as a major newspaper was set at this time, exactly the time when the Major had his little chat with Sir Andrew.

Throughout the seventies, eighties and early nineties, *The Irish Times*, as a nationalist newspaper, competed with another daily newspaper, the *Irish Press*, a paper historically connected with the Fianna Fail Party. Perhaps *The Irish Times* provided some services that justified Roy Greenslade's high opinion of it. But the end result was that the *Irish Press* went into liquidation in 1995.

Since the early nineties an anti-national bias has steadily gained ground in Irish society. Some commentators have seen this as positive movement towards internationalism, a shift away from the constricting narrowness of national culture. But it is not a departure from national culture. It is a displacement of Irish national culture with English national culture.

It can be observed in the way that an insipid version of Irish history has won out completely in the universities and is now being taught in the schools. And it can be observed in the way that Irish literature has been provincialised: transformed into a regional branch of English literature, hence the very English novels of Elizabeth Bowen must be regarded as Irish literature. These trends have been cultivated every step of the way by *Irish Times* writers.

Two of the paper's columnists who each command considerable influence deserve especial mention: Kevin Myers and Fintan O'Toole. Kevin Myers is an unashamed anglophile who sees nothing wrong in the futile sacrifice of hundreds of thousands of British soldiers in the trench warfare of the Great War of 1914-

18, yet condemns the blood sacrifice mentality of the leaders of the 1916 Rising, an insurrection which caused a few hundred casualties and successfully sparked off the Irish national revolution. His column is published on several days of the week and on Sunday he writes for the *Sunday Telegraph*, a newspaper aligned with the British Conservative Party. Irish national values are excoriated in the weekday columns but English values are not criticized in the Sunday column.

Fintan O'Toole on the other hand devotes his column to giving society in the Republic a bad conscience about itself. We are an irredeemable people as instanced by the antics of our largest political party. What we need is foreign influence and plenty of it!

All things considered Major McDowell must be happy enough with the way things have turned out.

We are owed an explanation about the Gilchrist letter. At this stage nothing less than a detailed, objectively verified, history of *The Irish Times* since 1969 will suffice.

[Editorial Note: David Alvey was encouraged to submit the article above by the 'Opinion Page Editor' of the *Irish Times* in response to polemical items criticising this magazine and its contributors. Publication was then rejected.]

### 3rd May 2004 Conspiracy Theorists Display Narrow Notions Of Irishness

In reply to David Alvey, editor of the *Irish Political Review* (April 19th), I freely acknowledge that the Aubane Historical Society and authors Brendan Clifford and Jack Lane do good work in keeping alive the memory of many notable people from north Cork and in publishing valuable historical documents.

What I take issue with is their treatment of some people and institutions, coming from (suspect) cultural minority origins, with any exposed lapse or evidence of dual loyalties being extrapolated to justify blanket condemnation without appeal.

I am frankly incredulous that anyone in 2004 should seek to impugn the Irishness of *The Irish Times* and treat it as an agent of British influence in Ireland. Certainly, as a successful paper for modern Ireland, it does not reflect the values of de Valera's Ireland any more than it reflects the old values of Anglo-Ireland.

Have the conspiracy theorists overlooked the fact that its editor during most of the Troubles, Douglas Gageby, as a former Irish intelligence officer, was surely a match for any counter-influences? How about asking those who have worked for the paper over the years, or just reading it?

One should not confuse opinion columns, editorials or letters pages with mainstream news coverage. No newspaper these days can afford to be politically aligned. Nor has lack of



a party paper kept Fianna Fáil long out of government.

The days are gone when Daniel Corkery could dispute the Irishness of J.M. Synge, or Patrick Kavanagh, subsidised by Archbishop McQuaid, deny the Irishness of Yeats. No self-appointed cultural guardians have any right or authority to strip Elizabeth Bowen of her Irish nationality, background and birthright, or to deny her contribution to Irish as well as English literature. Lane and Clifford have done a service in publishing her actually quite sympathetic confidential wartime reports as a writer and journalist on public opinion in Ireland and its attachment to neutrality. They were sent not to an intelligence service but initially to the junior Minister of Information, Harold Nicolson.

That episode in her life is treated as grist to the mill of Brendan Clifford's view of landed families, resident or not for however many centuries, and regardless of their involvement with Ireland post-independence, as irredeemably and exclusively English. Lane and Clifford's gloating over the destruction of Bowenscourt, and the suggestion that Elizabeth Bowen chose to be buried in Farahy, North Cork, only because she regarded the graveyard as a little piece of England, represents an incorrigible form of cultural hatred that deserves to be repeatedly and vigorously challenged as long as it is maintained.

All of this is set in a context of a bizarre revisionism, as that term is applied to recent German history, that Britain caused the second World War and by extension was responsible for the extermination of the Jews. The view of Rev William Ferris in 1948, frankly not worth republishing — that “the English are the great war-lords of modern times”, who “have played for several centuries the grand Satanic role of mischief-maker to Europe and the world. Around England's name centres practically the whole terrible story of modern warfare” — is enthusiastically endorsed as a widespread view then and not invalidated today.

While I am not accused of being a spy, my father, who was a British wartime civil servant in the Ministry of Information, which dealt with press and public relations, is so accused, which is the next best thing. To correct other errors by Clifford, Nicholas Mansergh went to school in Ireland, not in England. He was not an imperialist, but an anti-imperialist, as he told this newspaper in 1984, and he wrote with a deeply sympathetic understanding of Irish and Indian nationalism. In his most important lecture in 1947 he told an audience including British Ministers and officials that a mistake had been made in 1921 in ruling out external association. India became a republic in the Commonwealth shortly afterwards. As for his qualities as a historian, I would prefer that to be judged by people who understand his work.

The spirit of Fianna Fáil invoked by Clifford is not infused with political bigotry or virulent anglophobia or a nationalism that excludes a priori any part of a tradition that identifies with Ireland. Nor were such attitudes those of Eamon de Valera. In fact, he recalled Charles Bewley, Irish ambassador to Germany in 1939, for rampant anglophobia and anti-Semitism.

Few people share the desire to see reinstated the sometimes aggressive ideological dogmatism that was more prevalent in a less confident Ireland of 50 or 60 years ago and that has no contribution to make to peace and reconciliation or any greater future unity.

[Martin Mansergh, Seanad Eireann.  
*Irish Times*]

#### 6th May 2004 *Irishness Of Elizabeth Bowen*

Senator Martin Mansergh (May 3rd) is keen to rebut attacks on Elizabeth Bowen's identity as an Irishwoman. In the light of current controversies, his emphasis on the place of her birth as conclusive of the question is interesting.

No doubt he will be campaigning for a No vote next month.  
[Fergus O'Rourke, Co. Cork. *Irish Times*]

#### 7th May 2004 *Irishness Of Elizabeth Bowen*

Perhaps the moment has come to restore literature in Ireland to the status of a regional British literature. That appears to be Kevin Myers's object. But surely it would be best done straightforwardly rather than by such devices as those he used to make Elizabeth Bowen an Irish writer. In his Diary of April 30th he rejected the view that “Irishness is not a matter of where you're from but how you think.”

Rejection of the view that the character of writing is determined by birthplace rather than thought-content leads to strange conclusions. It may determine that Elizabeth Bowen was an Irish writer, but it also determines that George Orwell was a Burmese writer, even though he is universally taken to be one of the premier English writers of the mid-20th century. It also determines that Apollonius [Apollinaire ?] is not a French poet. And of course it determines that Mr Myers himself is not an Irish polemicist.

At a moment when our progressive Minister for Justice is proposing to break the connection between birthplace and nationality, it would surely be more sensible if Mr Myers dropped these nationalistic musings and asserted openly that literature in Ireland is merely a provincial branch of English literature, and that any Irish writing which cannot be included in English literature is not worth preserving as literature. That is the meaning which is implicit in his piece.

[Pat Murphy, Dublin 3. *Irish Times*]

#### 8th May 2004 *Belittling A Big Irishman From The Big House*

My saddest holiday reading was a denial by our neighbour Martin Mansergh of Friarsfield, Tipperary, that he is a British spy. The charge of espionage is self-evidently ridiculous and hasn't been made in so many words. But sinister insinuations have been circulating ever since he started writing for *The Irish Times* six months ago.

In his first article he had the temerity to praise *The Irish Times* Trust, “which keeps at bay wealthy proprietors with the power to hold governments to ransom.” The case against him seems to be that 34 years earlier a member of the newspaper's board reportedly complained to the then British ambassador about the then editor's policy line on the North, “while seeking guidance from Downing Street on lines to follow.” All of which, of course, couldn't have had anything to do with Dr. Mansergh.

So why has he been fingered? He answers the question himself: “If one comes from that

diminishing Protestant sub-class, those of Anglo-Irish background, was born in England and educated at a public school, decades of Irish public service will not dispel every lingering suspicion.”

He recalls a prominent Gaeilgeoir historian being asked by friends in relation to the Senator: “Can we trust him?” Then a former minister went on record as saying: “He was educated at Oxford University, right? Well then, you'd have to ask, who does he work for?” And two low-minded holders of high office told a former government press secretary they had reason to believe the Senator was a British agent and asked him to find out more.

In the face of all such defamations, however, Dr. Mansergh doesn't regard [sic] his decision to return home over 30 years ago to serve Ireland. And no, he isn't paranoid. He acknowledges that in Ireland he has enjoyed great trust.

Indeed he has. And justly so. There's no need to repeat yet again his comprehensive and historic contribution as adviser to successive administrations, especially in the sphere of Irish/British relations: suffice it to say that, largely thanks to him, the situation has been immeasurably improved and countless lives saved.

His perspective is extraordinary if not unique. He isn't only an heir to the better traditions of the Big House. He is the definitive contemporary interpreter of constitutional Irish republicanism.

It is surely sad that at this stage he finds it necessary to defend himself against McCarthyite attack. But isn't it sadder still that apparently no-one, not even here in North Munster where he is one of our own, should have sprung to his defence?

[Brendan Halligan, *Limerick Leader*.]

#### 10th May 2004 *Competing Notions Of Irishness*

Martin Mansergh's accusation (May 3rd) that certain writings of Brendan Clifford and Jack Lane represent “an incorrigible form of cultural hatred” cannot be allowed to go unanswered.

Brendan Clifford, Jack Lane and others who contributed to the Athol Books publishing group propagated the “two nations theory” in the early 1970s. By publishing historical material they showed that Ulster Protestant society constituted a distinct national community.

They argued their case in opposition to all and sundry and sustained it through the entire period of political violence. Let others be the judge of what influence those ideas had on the conflict.

They were also responsible for founding and developing a magazine called *Church and State*. Historical and analytical work produced in *Church and State* laid the basis for the successful agitations of the Campaign to Separate Church and State in the 1990s. These matters are well known and documented.

That they should have engaged in these projects while harbouring a bigoted view of Protestants is impossible. As hundreds of people who passed through Athol Books know, it is a space where people from diverse backgrounds discuss ideas in a spirit of robust humour.

Martin Mansergh sees Brendan Clifford's

description of the demolition of Bowenscourt by a farmer who owned it as “gloating”. I do not. I see it as a writer describing a historical process in plain language.

The people charged with giving leadership to the society, the Anglo-Irish landlords, failed to make provision for the social development of the people, and when the people eventually attained a measure of social power they quickly forgot about their former landlords. Describing historical processes in plain language is conducive to coherent thought about those processes. The converse, I believe, is also true.

Martin Mansergh concludes his long letter with a reference to the “aggressive ideological dogmatism that was prevalent in a less confident Ireland of 50 or 60 years ago”. The implication is that materials written by Jack Lane and Brendan Clifford for the Aubane Historical Society are a throwback to such dogmatism.

He really has got the wrong end of the stick here. There is an overlap of membership between Athol Books and the Aubane Historical Society. Much of the material published by the Aubane Historical Society is produced for a twofold political purpose: to prevent the Irish national tradition from being maligned, and to emphasise the part of that tradition that is rooted in cultural diversity and tolerance.

The challenge for political writers in contemporary Ireland is to address the vacuum created by the decline of Catholic nationalism. When Kevin Myers, Martin Mansergh and others designate the novels of Elizabeth Bowen as a part of Irish literature, consciously or not, they are treating Ireland as if it was West Britain. There is no surer way of undermining what is unique about Irish culture.

Clearly the issues raised in this exchange are too large to be properly aired in the letters page of *The Irish Times*. Information about Athol Books and the Aubane Historical Society can be had at [www.atholbooks.org](http://www.atholbooks.org).

[David Alvey, Publisher, Irish Political Review, Dalkey, Co Dublin. *Irish Times*]

17th May 2004 *Martin Mansergh, Nationalism And Elizabeth Bowen*

*Letter to be published in full or not at all.*

Your publication of extravagant Denunciations of me by Martin Mansergh and Kevin Myers is probably unanswerable in your paper, nevertheless here is a response equal in length to Senator Mansergh’s second Denunciation (May 3rd).

One might spend a lifetime asserting basic truths about the Ulster Protestants against the trend of enthusiastic nationalism (which included Dublin 4 in 1970), campaigning for the separation of Church and State while the Catholic Church was institutionally dominant, and indicting Britain for refusing to incorporate the Six Counties into the functional democracy of the British state, and yet be an anti-Protestant bigot and an Anglophobe, according to the strange reckonings of Mansergh/Myers, if one does not hail Elizabeth Bowen as a North Cork writer. Bowen is their test of unreason. I suppose every faith needs one.

In her last memoir Bowen describes how as a girl of 8 she soaked historical England into her system, and she rejected classification as a regional writer. As a mainstream national writer, she can only be English.

In Senator Mansergh’s 1st Denunciation I

am charged with describing him as a spy. It never occurred to me that he might be a spy, though he reveals that some of his colleagues thought him one. Although the response from Aubane was not published, he concedes in the 2nd Denunciation that no such allegation was made about himself, but claims I made it about his father. But his father was an open functionary of the British Empire. He did not go around under false appearances spying out the country as Bowen did. His book on Ireland was honestly published as a Commonwealth document. And its evasions are what one expects from a writer in the British interest: the 1918 Election and the Treaty ultimatum. And his book on the Great War, which began as lectures to a college for Protestant young ladies in Dublin in 1944, is little more than a recycling of the British war propaganda of 1914, completely at variance with the views of Connolly, Casement, and Fianna Fail.

Bowen, though a spy and an English writer, was actually included in the “North Cork Anthology” so that people might sample her, since she had occasionally lived in her Cromwellian mansion there, as isolated from the populace as any of her ancestors. But Mansergh’s inclusiveness is such that he wants William Ferris excluded because he wrote that “the English are the great war-lords of modern time”. Are we required to describe the state which has fought many more wars than any other in modern times as a peace-loving state? One might argue that it was good for the world to be made war upon by Britain, but it is perverse to deny that it has been making war almost continuously from a position of safety for over 300 years.

Mansergh’s summary of my views on the 2nd World War would be worthy of “Pravda”. I held that Britain prevented France from making a workable settlement with Germany in 1919, and facilitated the growth of Nazi power for six years, before encouraging Poland to reject a moderate German proposal for settlement of the Danzig issue by offering it a military guarantee, and then failing to deliver when the German/Polish war broke out. It then declared war on Germany but failed to prosecute it, wasting many months trying to get into the Soviet/Finnish war instead, and leaving Germany to take the initiative in France. Following the debacle in France it refused a settlement though unable to give battle, hoping to gain the Soviet Union as an ally, although Churchill (and Bowen) saw Communism as a far greater evil than Fascism. The extermination of the Jews was conducted in the obscure hinterland of the German/Soviet war, and it is improbable that it would have been attempted otherwise.

As to “the Irishness of the Irish Times”, I am perhaps biased in that the first issue of it I saw advised Irish emigrants of the dangers of race-mixing, which was then a very English attitude. Our discovery that Major McDowell sought advice from Downing St. reinforced that bias. And Mansergh’s placing of “Anglo-Ireland” on a par with “De Valera’s Ireland” rather gives the game away.

I had not previously thought of him as a chip-on-the-shoulder Protestant. But what else blinds him to the fact that the North Cork Anthology covers the entire social spectrum without regard to creed or economic status? It is genuinely inclusive. It does not include on one side while cutting off at the other, as Irish

Times columnists do.

[Brendan Clifford. *Irish Times*]

17th May 2004 [*A Little Man From A Little House*]

Brendan Halligan’s item “Belittling a big Irishman from the Big House” (8/5/04) has been drawn to my attention as I and other members of this tiny local history group were the only people actually named by Martin Mansergh as accusing him of being a spy.

He provided no evidence for this charge, as there is none. I wrote immediately to *The Irish Times* to reject this accusation but they did not publish my letter and I asked Mr. Mansergh to help me ‘clear’ his name by having it published but he refused to do so.

However, the *Irish Times* then published a long letter by him where he withdrew this particular accusation against us but made more allegations. See the *Irish Times* Letters page of Monday, 3rd May 2004.

I would be grateful therefore if you would give as much prominence in your paper to Mr. Mansergh’s withdrawal of this particular accusation as that given to his original charge. I am sure your newspaper would not want ‘to give legs’ to this particular piece of nonsense when the author himself has withdrawn it.

As I was born and reared in a labourer’s cottage in North Cork can I suggest the title “Belittling a little Irishman from a Little House” for such an item?

Of course, if Mr Mansergh wants to debate with us in your columns on any of the issues that he has raised in connection with this red herring we would be delighted to do so. It has not proved possible to have such a debate in the columns of the *Irish Times* and you would do a great public service if you provided such an opportunity.

You refer to his “historic contribution as adviser to successive administrations, especially in the sphere of Irish/British relations” but you should also have pointed out that he refused to serve the Bruton administration which, arguably, needed his services more than the others.

You express your sadness at no one springing to his defence. I did, as explained above, and I was rebuffed by him and *The Irish Times*.

I hope therefore that you and your readers will appreciate that there is another side to this story and that you will facilitate its telling. Its telling might help explain why Mr. Mansergh indulged in such bizarre allegations about members of this small local history group.

[Jack Lane, Letter To *Limerick Leader*]

# The Apprenticeship of Bomber Bull

## The Irish Times Defends Terror Bombing—Part Two

Last month we noted how a week before *The Irish Times* was condemning the bombing of Madrid it was justifying the bombing of Dresden—which resulted in the deaths of five hundred times more people than the bombs in Spain. The *Irish Times* of 6TH March had contained a review of Frederick Taylor's book, *Dresden: Tuesday 13 February 1945*, penned by Derek Scally, whom the paper stated: "writes for the *Irish Times* from Berlin".

In Part One we criticised the *Irish Times* view that the bombing of Dresden—according to its headline—was a "master-stroke" against the Nazi war effort and a "firebombing that went horribly right". And we laid out the evidence, using good old indisputable British sources, to prove that Dresden was nothing more than a vindictive terrorist murder of innocent civilians on a mass scale by Britain that did not shorten the war by a minute.

This month we tackle the historical apprenticeship of Bomber Bull in Iraq and the Afghan frontier during the 1920s and 1930s which served him so well when he went to destroy the civilian populations of Dresden and other German cities in 1945, when his second war against Germany was practically won.

According to Scally: "Taylor... presents a history of air war and the bombing of cities from Warsaw and Coventry to Hamburg and Dresden". But, if Taylor presents "a history of air war" with any desire to inform, he would have had to start a lot earlier than the comparatively meagre German bombing of Warsaw in September 1939.

The bombing of civilian populations was originated and perfected by Britain in "policing" operations on the frontier of India/Afghanistan and Iraq in the inter-war years, in a kind of apprenticeship for things to come. In civilian bombing Britain led the world. It taught Mussolini a thing or two when he copied the British methods in Abyssinia in the mid-1930s. (His air-force supplied with oil from the British possessions in the middle-east by British companies—despite the League of Nations sanctions which the British were publicly supporting.)

And Britain taught other, more recent,

"dictators" it had groomed and fallen out with. Saddam Hussein was not the first to use chemical weapons against the Iraqi population. When the tribesmen of the Euphrates rose in rebellion against military rule in the summer of 1920, General Sir Aylmer Haldane who commanded the British forces—which effectively ruled Iraq after its conquest by the Allies during the Great War—used gas shells "with excellent moral effect".

The 1920 rebellion in Mesopotamia was crushed with the loss of nearly 9,000 Arab lives. And, freed to impose its political will in Iraq, Britain then created a client kingdom-state, under Faisal ibn Hussain, the son of the Sharif of Mecca. The British did not want Faisal to appear a puppet, so they organised a referendum in 1921 and fixed the result—to give a veneer of legitimacy to his 'appointment'.

Arthur 'bomber' Harris—of Dresden and Hamburg fame—in his book *Bomber Offensive*, written in 1947, described what happened in Iraq in 1922 when the Air Ministry took over the defence of the new client-kingdom:

"When I got to Irak, or Mespot as we called it, in those days, Sir John Salmond had just taken over the air control of the country and most of the very large army forces which the British taxpayer refused any longer to support there had departed. A rebellion had broken out in 1920, because the Arabs there had been led to expect complete independence and had got instead British army occupation... The military control of a Irak was transferred to the RAF entirely in order to save money... the decision to hand control of the country to the RAF—which was of course Winston Churchill's—was made in 1921 and took effect on 1 October, 1922...

"The truculent and warlike tribes which occupied and still largely controlled after the rebellion, large parts of Irak... had to be quelled, and in this our heavy bombers played a large part. We were hundreds of miles up river near Baghdad and in the centre of thoroughly turbulent and wholly unpacified tribes on whom we were endeavouring to impose government of local Baghdad Effendis whom the tribesmen have naturally held in utter contempt for time immemorial. When a tribe started open revolt we gave warning to all its most important

villages by loudspeaker from low flying aircraft, and by dropping messages that air action would be taken after 48 hours. Then, if the rebellion continued, we destroyed the villages and by air patrols kept the insurgents away from their homes for as long as necessary until they decided to give up, which they invariably did" (p21-2).

Britain displays great continuity in its military affairs, across land, sea and air. As the fields of conflict extended to different spheres Britain maintained the same principles of warfare. It applied the logic of the methods of the Boer War concentration camps and the Great War naval blockade of Germany to Iraq by destroying the women and children of the fighting men in order to defeat the combatants.

After one bombing raid on Iraq in 1924, Harris wrote:

"they now know what real bombing means, in casualties and damage; they now know that within 45 minutes a full-sized village can be practically wiped out and a third of its inhabitants killed or injured by four or five machines which offer them no real target, no opportunity for glory as warriors, no effective means of escape." (This quotation is from a book by David Omissi, *Air Power And Colonial Control: The Royal Air Force 1919-1939*, which is a very informative source of information on the origins of terror bombing.)

The blueprint for the Ameranglian bombing strategy of the late 20th/early 21st century against Iraq, Serbia, Somalia, Afghanistan and Iraq again was developed by Britain as soon as she saw the possibilities of the aeroplane as a weapon of war.

In Iraq, the RAF flew most of its missions against the Kurds—who have always resented rule from Baghdad. For ten years the RAF waged an almost continuous bombing campaign in the oil-rich, mountainous northeast region of Iraq against the Kurds—to whom they had earlier promised autonomy. The Iraqi air force—which the British established, built up, trained and equipped—carried on this work from Baghdad after the Iraqi client state became nominally independent in 1932.

Churchill apparently asked the RAF to use mustard gas during these raids, despite the warning by one of his advisers that "it may ... kill children and sickly persons, more especially as the people against whom we intend to use it have no medical knowledge with which to supply antidotes". In the event the RAF did not use gas—for technical rather than humanitarian reasons. But even without the gas

the campaign was conducted with brutality. Iraqi villages were destroyed because their inhabitants had not paid their Imperial taxes, although the authorities always maintained in public that people were not bombed for refusing to pay—merely for refusing to appear when summoned to explain non-payment.

According to David Omissi, when commanders proposed using bombs with delayed action fuses—because delayed-action bombs prevented tribesmen from tending their crops under cover of darkness—one senior officer protested that this would result in “*blowing a lot of children to pieces*”. Nevertheless, the RAF went ahead, without the knowledge of the civilian High Commissioner for Iraq, Sir Henry Dobbs.

These “*police*” operations were too much for some air force officers. In 1924 Air Commodore Lionel Charlton resigned his post as a staff officer in Iraq after he visited a hospital and saw the victims of bombing recovering from their injuries. The RAF recalled him quietly to England and effectively ended his career.

Other officers like Arthur Harris thrived in their work and served their bombing apprenticeships against the Kurdish villages in Iraq furthered their careers and went on to greater things in Palestine and then Dresden and Hamburg.

During the inter-war period the British employed “*police bombing*” elsewhere in the empire: in the client state of Transjordan; against the Pathan tribesmen on the northwest frontier of India; in the Aden Protectorate (now southern Yemen); and against the Nuer pastoral farmers of the southern Sudan. Schemes of aerial “*policing*” similar to that practised in Iraq/Mesopotamia were set up in the Palestine Mandate in 1922 and in the Aden Protectorate in 1928. Bombers were active at various times in policing British rule in Egypt and nomads in the Somali hinterland.

According to Omissi, the Chief of the Air Staff, Sir Hugh Trenchard, had great ambitions for his bombers. In a paper written early in 1920, when some politicians feared a social revolution in Britain, he suggested that the RAF could even be used to suppress “*industrial disturbances or risings*” in Britain by bombing working class districts. Churchill, who had experience of suppressing industrial disputes himself with armed force, decided such a thing was impolitic to say and told Trenchard never to refer to his proposal again—at least not in writing anyway.

None of *this* history, of course, is

mentioned in the *Irish Times* “*history of air war*.”

In 1920s and 1930s Ireland the *Catholic Bulletin* published sferce propaganda against the *Irish Times*. It viewed the *Irish Times* as an ascendancy remnant with a malignant influences on a society struggling to establish an independent democracy. It desired the wiping out of such noxious remnants which worked at the mind of the Irish people, encouraging them to accept the British view of things and not to be bothered with an independent perspective—a view that might question the right of Bull to police the world so that native peoples should pay it taxes.

Reading the revisionist histories of this period today, one would conclude that Ireland was a free democracy after the Treaty of 1921 and all the *Bulletin*’s efforts against ascendancy influence was a kind of narrow Catholic sectarianism intent on wiping out the last vestiges of Protestantism in the 26 Counties.

But Ireland was not a free democracy in the 1920s and 1930s. It had voted overwhelmingly in 1918 for independence. But, after a 3-year British military campaign to crush the Republic established by the Irish democracy, it had been forced by Britain to remain in the Empire at the threat of “*immediate and terrible war*”—in which Churchill had been prepared to use bombers. It had then been weakened by a British-inspired so-called “*civil war*”. Part of its historic territory and people had already been removed and placed in the hands of its enemies. Its strategic ports were retained by Britain. It was also held economically to Britain through the rancher system of agriculture whereby Irish agriculture produced for the English market and was dependent upon it. And control of the Irish banks and money was in British hands to keep Ireland ultimately in check through the purse strings.

In these circumstances, with Ireland being pulled closer and closer into line with the Empire, can the *Catholic Bulletin*’s campaign against ascendancy influence be viewed as anything more than a continuation of the struggle for independence, waged over the minds of the Irish people, to keep alive the belief in the possibility of future independence?

The *Irish Times* supported British Imperial policing of tax-evading rebels from the air, whilst the *Catholic Bulletin* condemned Bomber Bull and his terrorism against native peoples. The *Irish Times* is still going strong and the *Catholic Bulletin* is no more. And unfortunately that says it all—because the *Irish Times* is far more appropriate to the world of today and to the Ireland of today than the *Catholic*

*Bulletin*. So who can say today that the *Catholic Bulletin* was not justified in waging war against the ascendancy and their influence, when the independent Ireland of the *Bulletin* has been eroded, over the last 30 years or so, by the Anglo-Ireland of the *Irish Times*?

The *Catholic Bulletin* has a bad press these days—the days of the new Anglo-ascendancy in Ireland. No one has a good word to say for it. And it cannot speak for itself because it is unavailable to all but those academics who disparage it and whose institutions have it and give them alone access to it.

The present writer came across the *Bulletin* about twenty years ago when studying in the library at Queens University. I was not very disposed to it—being a socialist and the *Bulletin* being very insistent that socialism was not a good thing for Ireland (or anywhere else for that matter!). But I became strangely drawn to it, particularly in the quality of its coverage and analysis of foreign affairs during the 1930s. I kept reading it when I should have been studying the books that I had been directed to. It seemed so knowledgeable, so brilliantly sure of itself, so confident in its view of the world. So different to the Ireland we now live in.

But the problem was always to get at it. If you were not a student you had to pay about £50 to see it and you could not get it out of the library to read it at length.

I think I only quoted from it once or twice in my PhD but it caused a major bone of contention with the examiner, Professor John A. Murphy—who dismissed it and its first editor, J.J. O’Kelly, as an irrelevant extremist, not representative of nationalist Ireland at all. This really surprised me. The *Bulletin* expressed the worldview of my parents and everything they had communicated to me about themselves. So how could it be extremist and an irrelevancy? When I read it I saw Ireland, or at least the Ireland I understood to be Ireland.

But I was naïve in those days—believing that knowledge stood on its own merits, that it was not a property or product constructed by academics with other agendas. So I did not see that the *Bulletin* was dynamite for the revisionist historians who wished to coax the Irish away from their vulgar suspicions of Britain and re-establish the British view of things in Ireland when all the fuss had died down over Irish independence, and under the cover of an “*anti-terrorist*” agenda over events in the North.

The *Catholic Bulletin* is dynamite because it is independent Ireland, before

Ireland lost its mind—lost its *own* mind about things and conceded to the *British* view of the world. And that view of the world is very much the thing that has produced what we have today in the world—in Afghanistan, in Iraq, in Palestine and in Madrid.

So the very least we can say of the *Catholic Bulletin* is that it is very relevant that its alternative view of the world is put before Ireland today to shake it out of its acquiescence to what is presented as the only possible view.

The *Catholic Bulletin* kept a vigilant eye on the activities of those whom it accurately described as “*Bomber Bull*” in the early 1930s. In its *Gleanings* column in its edition of August 1934, for instance, it reproduced extracts from a series of articles on the subject of air bombing published in the *London Times*. The *Times*’s aeronautical correspondent at Peshawar revealed how civilian bombing had been developed into a systematic science by the Royal Air Force in India/Afghanistan:

“When the first of last year’s troubles broke out among the Mohmands and the Bajours of the North-West Frontier, the R.A.F. was hampered by the inaccuracies of existing maps. The process of making a tribal directory had already been begun, and the tribal directory for the Mohmands and the Afridis practically complete. Built on a basis of R.A.F. photographs—in two sections respectively labelled ‘Where’s Where’ and ‘the Landed Gentry’—it enables any village or subdivision of a tribe to be found on the map and pictorially at the shortest notice. The card index of the first section gives at a glance the name of every village, its map reference, photograph number and all details and if a village has to be bombed, the directory supplies the relevant particulars to the pilot. The *second* index shows all divisions of the tribes, their habits, the districts used by them in Summer and Winter, and a list of their most important men together with their places of residence.”

The current operations around the mountains and caves of Bora Bora by Sam the Bomber were, therefore, predated and originated by Bull the Bomber three-quarters of a century ago:

“One of the Mohmand lashkars took refuge in a series of big caves which might have made by nature for the purpose. They were reputed to have given shelter to 3,000 men... The determination of these tribesmen to go on fighting was broken by the bombardment of their empty villages. In other cases opposition has been worn down by continuous -air assault. Once a settlement has been reached, the tribesman knows he must fulfil its terms

or suffer the rapid renewal of air activity.”

The *London Times* correspondent then outlined the value of aerial bombing for the post-Great War inflated Empire of over-stretched cash-strapped Bull:

“The revolution in Frontier control is not that bombs are taking the place of shells but that the punishment of wrongdoing has become so cheap, and unprovocative, and so unpleasant to the tribesman, that he hesitates to behave in ways that would incur it. There is thus room to hope for eventual administration without military occupation, as has happened in Iraq, Aden and elsewhere. There is ample room for the expansion of the little Air Force of the Frontier. If ever the whole Frontier were inflamed at the same time, help from elsewhere would certainly have to be sought.”

It was believed during the early 1930s that Britain had, of all the European powers, the most to gain from the abolition of aerial bombing. Britain had always been secure in its island fortress behind the Royal Navy—the most powerful military force in the world. But the development of the air weapon had meant that Britain had ceased to be an island and London, the centre of her power and communications, was very vulnerable from the air.

During the early to mid 1930s there was a great desire in Europe to outlaw civilian bombing as a form of warfare, or at least draw up conventions about the possible uses of aeroplanes in war. But Britain, despite commentators’ predictions about having the most to gain from such a development, obstructed such an agreement when all the other European powers—including Mussolini’s Italy and Hitler’s Germany—were all in favour of it.

Before we look at them more closely, here is the editorial report of these forgotten events from the *Catholic Bulletin* of December 1935, headlined, *The Scandal Of The British Bombing Plans*:

“Right in the middle of the recent British Election—the election in which Baldwin’s majority has become 250... —came out, in its full measure, the giant scandal of English International Policy concerning War and its Ways. We had long known that England was the one obstacle to the total abandonment, by all nations, of the gross abuse of Bombing of whole cities and peoples from the Air. We had also to bide our time, for it was very desirable to put Bull in the position of being shown up by his own representative personages, for the bold lying and blatant hypocrisy that have ever and always characterised him. Our opportunity has come. The *London Times* of November 8th, 1935, in the

middle of all the reports of election speeches and of election letters, provides us quite fully with what we may call perfect material for the exposure of this most scandalous performance by Bull, a performance done on a most public stage, and in the very fullest official form. The former-in-chief concerning Bull as International Air-Bully and as Advocate of Bombing from Aeroplanes is, we make haste to say, that champion of Ascendancy in Ireland, the Most Noble the Marquis of Londonderry. Behind him, as we shall see is placed as Advocate in Reserve, Antony Eden of Geneva and Moscow, English Emissary-at-Large over Europe and all around. A clumsy champion, this ex-Minister of the Craig Compound, the man who planned the iniquitous Belfast Education Act of 1923, the heir of the title given to Castlereagh. For Londonderry actually provides plain palpable proof, in the very words on Air Bombs, 7th November, 1935, that the elaborated pleas that he made were simply destitute of truth, devoid of common decency.”

What appears next in the *Bulletin* is 12 pages of evidence taken from British sources to back up the *Bulletin*’s view of Bomber Bull. We can only summarise it here. What appears to have happened is as follows:

In May 1933 the League of Nations disarmament conference at Geneva seemed almost agreed as to the abolition of military aircraft and agreement might have been reached had Britain abandoned her reservation of the use of military aeroplanes for “police purposes in outlying regions”. Lord Londonderry, Air Minister, stated in the Commons that amid the public outcry he had immense difficulties preserving the use of the bombing aeroplanes even on the frontiers of the Middle East and of India. The policy of total air disarmament was supported by France, Germany, Russia, Italy (with reservations), Spain, and all the other European powers and had also been accepted by the United States. Only Anthony Eden and the client government of Iraq and Siam were opposed. At this point there was an outcry in Britain as a result of which the British Government ultimately consented to waive its demand for the retention of aeroplanes for “police purposes in outlying regions” if it proved the only obstacle to a general agreement. But this shifty tactical withdrawal came too late. After June 1933 the international situation grew worse and the disarmament conference was suspended. Lord Londonderry immediately announced the Government’s decision to expand the air force forthwith and this ended all possibility of the disarmament conference reconvening.

The *Catholic Bulletin* explained the motives behind Bomber Bull's actions:

"Bull wanted to bar all military use of Bombing Planes, all, absolutely, everywhere. England has no relish at all for another sequence of what happened to the London area, 1916-1918. That was military use: it was unpleasant to London. Cut it out altogether. Hence the fine, strong, sweeping phrases against it, which Lord Londonderry made such play with in his oration at Southampton—another exposed position placed much as London is. Total abolition of Military Air Bombing is Bull's aim, his professed aim. But always Bull wants to be the sole possessor of the Bombing Aeroplanes. How will he contrive that? By having in all the Colonial and Imperial Borders abroad, Civil Bombing Machines! He will use them only for POLICE purposes, if you please! He will, with these very civilised instruments of mere internal or civil administration, be the only possessor of the Bomber in the whole world! And he will compel those hill tribes in Asia and in Africa, tribes on the Imperial and Colonial "outlying regions", "on the frontier", of course, — how convenient these chosen phrases are, how nicely vague! — keep the peace, keep order, and thus keep his Bombers!"

Britain stymied attempts at the abolition of aerial bombing by insisting on the inclusion of a clause allowing retention of bombers for "*police purposes in certain outlying regions*" in any agreement between the European powers. The other powers could not agree to this—knowing that in the event of another European war they would be all defenceless against a formidable and experienced British bomber fleet transferred from the North West frontier and Iraq. Then, when British public opinion learnt of this, Eden played for time until the international situation took a turn for the worse. Londonderry announced re-armament and all hopes of future agreement were scuppered.

In November 1935 Lloyd George revealed that Mussolini's aircraft bombing Abyssinia were being driven on petrol supplied by the Anglo-Iranian oil company in which the British Government had more than half the shares—although Britain was supposedly supporting League sanctions against Italy at the time.

And so the way was open for Britain to wage aerial war on the civilian populations of Europe when the time came a few years later. Bull, the apprentice, had served his time bombing natives for "*police purposes in certain outlying regions*" and Bomber Harris was brought back from the Middle East for the new job in hand.

**Pat Walsh**

Press Release from **Finian McGrath**, Independent TD for Dubin North-Central

## **McGrath Challenges Inflammatory And Prejudicial Interventions By Some Irish And British Politicians On The Colombia 3 Case**

Deputy Finian McGrath has warmly welcome the verdict on the Colombia 3 case. He also challenged those Irish politicians who attacked and criticised the international team of observers. McGrath gave a detailed report on the case and he urged all supporters of human rights not to be 'bullied off the pitch'. He also paid tribute to the campaigners and the families.

Justice was achieved by a close examination of the facts stated McGrath. The background is as follows and our report speaks for itself!

Arrested illegally in El Dorado Airport Bogota on the 11 th August 2001, Niall Connolly, Jim Monaghan and Martin McCauley were held without charge for six months in constant fear of their lives. They were charged in January 2002 with the use of false documentation and training the Revolutionary Armed Forces of Colombia (FARC) in rebellion. Their trial began in October 2002 and concluded in August 2003.

A delegation of international observers including lawyers, politicians and human rights activists from Ireland, the U.S. and Australia attended each hearing of the trial in Bogota and a hearing on Commission in the city of Medellin, in the North of Colombia.

In a press conference on the 4th October 2002 at the beginning of the trial the men's lawyers stated that they did not believe the men could obtain a fair trial in Colombia given the political nature of the case. This report confirms that belief.

As a detailed accounts establish, the observers discovered deep inconsistencies in the prosecution case, flaws in the forensic evidence used against them, interference by senior political and military figures in Colombia in the case and fabricated evidence by key prosecution witnesses.

During their visits to the three men, who have been held in six different prisons in varying degrees of danger, the observers were informed by senior prison officials that the Colombian authorities cannot guarantee their safety in the Country.

(In Part Three, next month, we will look at how and why it was democratic Britain, rather than Nazi Germany and Fascist Italy, which possessed the disposition, organisation, resources and intent for conducting war through mass anti-civilian bombing when the war came in 1939.)

They also heard directly from the men their reasons for visiting Colombia, the manner of their illegal arrest and detention and the horrific conditions they have been forced to endure since their arrest in August 2001. The three men explained their reasons for refusing to attend the trial hearings until the concluding stages in July 2003.

In their address to the court in July 2003 the men stated that their presence in Colombia was in support of the nowstalled, peace process in that country. The men spent a number of weeks in a demilitarised zone in the south east of Colombia which had also been visited by many international delegations, including senior politicians, diplomats and business people as well as human rights and political activist from Europe and the US.

They stated that their possession of documentation with assumed identities reflected nothing more than a desire to travel unhindered. Under Colombian law this is a minor offence punishable by deportation.

The public interference in the case by Colombian President Alvaro Uribe and his predecessor, Andres Pastrana, as well as the head of the army, General Mora, and the former Attorney General has confirmed that the case is politically motivated and is being used by the military in Colombia as a way of seeking resources from the USA and the UK to fight the guerrillas.

It has also been used by political, military and intelligence forces seeking to undermine the peace process in Ireland.

The inflammatory and prejudicial interventions by elements of the media and by some Irish, British and US politicians and military figures have compounded the serious procedural and evidential failings in this case.

Crucially the observers have found that there is no evidence presented at the trial which proves the prosecution case that the men were engaged in illegally training FARC guerrillas is a lie.

The evidence of prosecution witnesses who claim to have seen the men at various times in Colombia between 1999 and 2001 was refuted under cross examination. Alibi, including video evidence, was presented which showed that the men could not have been in Colombia at the times alleged by these informer witnesses.

Further, there is no evidence presented by the prosecution for the activities of the men when they were known to have been in

Colombia for some weeks prior to their arrest in August 2003.

The forensic evidence connecting them to explosive materials was discredited by international expert, Dr. Keith Borer, who also destroyed the claim by Colombian Military witnesses that the IRA and FARC employed similar technologies.

The observers found that the men have been kept in dangerous conditions and that there is no safe place of detention for them in Colombia. They also noted the threats to their defence lawyers, to their visiting families and to the delegation itself. These included harassment and direct intimidation by the Colombian authorities of members of the observer delegation.

They concluded on a wide number of grounds that the three men have not had a fair trial, remain in immediate and constant danger, should not be convicted on the serious charges and should be sent back to their families, who have also suffered greatly~over the past two and half years, without further delay.

Among the key conclusions of the international delegation are that:

- The original arrest and detention by the Colombian military was illegal.
- The Colombian prosecutor did not carry out his function and failed to gather exculpatory evidence;
- The men have been deprived of their liberty for over two years on the basis of fabricated evidence;
- The defendant's access to their lawyers has been unduly restricted;
- Defence lawyers have been prevented from gathering evidence in support of their clients;
- The defence counsel have been unduly restricted in cross-examination while the prosecutor has been given greater and unfair latitude in his cross-examination of defence witnesses;
- The forensic test carried out by the United States Embassy has been discredited by a leading forensics expert during the hearing and should never have had legal standing in Colombia;
- The argument that technical expertise has been passed to the FARC by the IRA has been definitively refuted. Expert testimony shows mortars used by the IRA differ from those used by the FARC in design and functional detail;
- Video evidence presented by the defence supports the men's contention that their presence in Colombia was peaceful and related to conflict resolution'
- The intelligence given by UK intelligence to the Colombian authorities

was inaccurate or 20 years out of date.

- The circumstantial evidence brought by the prosecution had no credibility in relation to times and places of the alleged crimes;
- The men were not in Colombia at the times alleged by the prosecution witnesses;
- The men have accepted that they used documents under assumed identities but this is an offence punishable by deportation.

This is the reality for the 3 men and their families. I urge all people interested in Human Rights to support the campaign to get these men home.

(email: mcgrath@oireachtas.ie)

## THE CLONBANIN COLUMN

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“ANTICIPATING the order, O'Brien had his rifle trained on the leading lorry, and as Moylan threw the mine switch, his comrade pressed the trigger. Nothing happened. The rifle did not fire and the mine did not explode. Unmolested and unaware that death had stalked so near, the troops passed into Kerry aboard their lorries. Commandant O'Brien lowered his rifle. It was at half-cock, an occurrence which is remarkably rare and which, it need hardly be said, prevents the striker of the rifle from functioning. But what of the mine? A prompt examination proved it to be a dud, because high tension detonators were being used with low tension batteries. The Eastern mine was found to be in the same useless state.” (*Rebel Cork's Fighting Story* by Pat Lynch, Anvil Press, Tralee)

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“AS PART of the massive security sweep for George Bush's visit at the end of June, gardai are calling to each of the 2,800 houses in Shannon, taking the names of everyone living in them and recording the registration of every car.” (Irish Independent, 10.5.2004).

They are also asking householders for the names of visitors expected at the time of the visit.

Garda checkpoints have also been stepped up and passes are being distributed to local people preparatory to sealing off Shannon town and airport.

American E-3 Sentry AWAC planes, able to monitor 250 miles of airspace around Shannon and track up to 600 aircraft, will be used to monitor air traffic and co-ordinate air defences. A ring of steel around the airport will use thousands of gardai, troops backed up by armoured vehicles and RBS-70 surface-to-air missiles, while armed Air Corps planes will enforce an air exclusion zone over the airport and Dromoland Castle.

Under the law, residents are not obliged to give gardai such information, only their name and address!

In Cork, a new ballad has been released, which will coincide with President Bush's visit:

*“George Bush and his boys,  
Ah, they'd make your blood boil,  
Would they give the Iraq-ee people  
Back their soil, and when all is  
known,  
All he wants is their oil,  
O' Lord, he's a ferocious Langer,  
Langer, Langer,  
O Lord, he's a ferocious Langer.”*

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“AT the end of May, 1870, Cork tailors sought an increase in wages from three to three pence halfpenny an hour. The masters refused, the men went on strike and were joined by other workers. The strike proceeded in an orderly fashion until 22nd June, when the tailors attacked and wrecked the homes of the masters.

“Mounted police, armed with sabres, attacked the men and many combatants, workers and police alike, were injured. Day after day, night after night, the attacks and counter attacks continued, the police and military launching cavalry charges, the workers ambushing them in the narrow laneways; sabres and bayonets against stones and bottles. Other workers in the city—hackney drivers, women workers, iron foundry workers and seamen—supported the strikers, taking sympathetic action and joining them in their forays.

“On 28 June, 1870, the striking workers marched to where St. Fin Barre's Cathedral was being built and prevailed on the construction workers, labourers and skilled operatives, to down tools and join them in the strike.” (Day By Day—A Miscellany of Cork History, Sean Beecher, The Collins Press, Cork).

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TRANSFER MARKET: Conor Cruise O'Brien has reapplied for membership of the Labour Party. We do not know if he

has resigned from the United Kingdom Unionist Party, nor are we aware of his having been accepted as a member of Labour. According to David Leach, Labour Party Financial Secretary and member of the General Council of the party, Cruise O'Brien "*is welcome back to the Labour Party*" (Irish Independent, 10.5.2004).

One of the North's wealthiest businessman, Edward Haughey, is to join the Ulster Unionists' team in the House of Lords.

Haughey, who owns the Newry-based giant Norbrook Laboratories, will become the first person to have served in the Upper Houses of both the United Kingdom and the Republic of Ireland.

He was awarded an OBE by Maggie Thatcher; an honorary doctorate in Malaysia; appointed the honorary consul in Northern Ireland for Chile. His company contributed £1 million to William Hague's coffers before the last UK election.

Haughey said he was looking forward to making a "*wider contribution to society*".

Fianna Fail Senator, Michael Brennan from West Limerick has defected to the Progressive Democrats.

In 1997, Brennan ran as an Independent candidate in the General Election and cost Fianna Fail its second seat for the first time since 1948, allowing Fine Gael to take two seats.

All the above are Free Transfers!

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"ROBESPIERRE AND DANTON"  
"SENATE CHAIRMAN WARNS MR.  
DE VALERA"

"DICTATORSHIP AND  
REVOLUTION"

"DANGER TO THE CHURCH"

"Single Chamber Government And  
Examples Of Russia, Mexico and Spain"

"The Second stage of the Bill to abolish  
the Senate was debated in that house  
yesterday.

"Mr. de Valera said the Government  
had come to the conclusion that not merely  
should the Senate, as at present constituted,  
be abolished, but that, in fact, no argument  
had been put forward for the retention of  
a Second Chamber.

"The Chairman, Senator Westropp-  
Bennett, who addressed the House from  
the floor, said no honest man could doubt  
that for years past that House had been the  
victim of almost every kind of calumny  
that the Government, their followers and

their propaganda experts could devise.

"Referring to the mandate claimed by  
the Government for the abolition of the  
Senate, he asked, '*of what value is a  
mandate given as a result of false  
statements*'. Of course, he said it had no  
moral value at all. The poison gas of  
calumny had been directed against that  
House by Mr. de Valera and his followers.

"Single Chamber Government in this  
country would, in his opinion, inevitably  
lead to a dictatorship of the Left, and that  
meant revolution.

"A revolution of that type, he said was  
fraught with grave danger to the Church.  
It had happened in Russia, Mexico and  
Spain.

"*I fear*', he declared, '*Mr. de Valera  
may find that some one will play  
Robespierre to his Danton, or Lenin to his  
Kerensky.*'

"Mr. de Valera, he asserted, was out  
for uncontrolled power, and that was why  
he regarded the abolition of the Senate as  
a necessity.

"The gage had been thrown down by  
Mr. de Valera, he concluded, '*and I  
formally pick it up on behalf of this House.  
The people are the final arbiters, and  
when the issue is put before them in its true  
light, as I am sure it will be, I have  
personally no doubt as to the result.*'"  
(The Cork Examiner, May 31, 1934).

"Remarkable interest was shown in  
the Senate today when the bill seeking to  
abolish the Second Chamber came up for  
the second reading. The Visitors' Gallery  
was crowded, and Press accommodation  
was restricted considerably. Two girls,  
wearing blue blouses, and two young men,  
wearing blue shirts, were noticed in the  
Visitors' Gallery.

"They were admitted to Leinster House  
for the first time to-day, on instructions of  
the Minister for Defence, Deputy Frank  
Aiken following the findings of the recent  
Committee on Procedure and Privileges.  
The Committee, it will be remembered,  
found the Minister for Defence guilty of  
breach of privilege in refusing admission  
to the Senate Visitors' Gallery of two  
young men wearing blue shirts." (ibid.).

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"JUST one Joe Higgins is immensely  
more effective than all five Sinn Fein  
TDs, according to Labour leader, Pat  
Rabbitte.

"Attacking Sinn Fein's track record,  
Mr. Rabbitte said the party works hard at

getting elected but had no policies to speak  
of, apart from issues to do with the North.  
He also questioned whether the  
Republicans posed a threat to his party.

"Mr. Rabbitte said if he as a constituent  
he would rather have one Joe Higgins  
fighting his corner than all five Sinn Fein  
TDs." (Irish Examiner 12.5.2004).

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## MANSERGH & SPYING

In his letter to *The Irish Times* of 3rd  
May 2004 Mansergh implies that Elizabeth  
Bowen's war time reports for the British  
did not constitute spying because they  
were not sent to an intelligence service.  
Here is what he says about the reports:

"They were sent not to an  
intelligence service but initially to the  
junior Minister of Information, Harold  
Nicolson".

Is Mansergh suggesting that the she  
was not spying because her reports went  
to one organ of the British State as distinct  
from another? Perhaps in his next article  
for *The Irish Times* he will explain the fine  
distinction between "*the Ministry of  
Information*" and an "*Intelligence  
Service*". Fianna Fail members might also  
want to know.

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"*THE BURNING OF CORK: An  
eyewitness account*" by Alan J. Ellis.  
Aubane Historical Society. 10 Euros, 7.50  
Pounds.

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THIRD EDITION off the Press:  
"*SEAN MOYLAN* in his own words: His  
memoir of the Irish War of Independence"  
221 pp. Price 15 Euro, 12 Pounds. Aubane  
Historical Society.

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THE BATT O'CONNOR BOOK!  
"*With Michael Collins In The Fight for  
Irish Independence*" by Batt O'Connor.  
Aubane Historical Society. 142 p.p. 12  
Euro, 10 Pounds.

"Batt O'Connor of Brosna, Co.  
Kerry was one of Michael Collins'  
inner circle in the War of Indepen-  
dence. His recollections of that War  
read more like an adventure story than  
history. All the more surprising,  
therefore, that his memoir has been  
out of print since 1929."

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# Communism in France

In April the French communist daily newspaper, *L'Humanite*, celebrated its one hundredth anniversary in typical French fashion: a meal for more than 5,500 people in Paris. Smaller gatherings were organised around the country which also included concerts, exhibitions and a book launch.

There have been mostly sympathetic articles and TV programmes about the history of the paper. Founded in 1904 by Jean Jaures, it came under the control of the Communist Party in 1923. It was banned in France during the Second World War from the Nazi-Soviet pact in 1939, through the Nazi occupation, until France's liberation. Despite this it managed to produce over 300 editions of the newspaper during this period.

In contrast to Guy Mollet's Socialist Party, the newspaper supported the independence movement in Algeria during the 1950s and was duly censored by the French state.

If it has been mostly on the side of the angels, its dogmatic support of the Soviet Union has been more difficult to defend. In particular, the media have focussed on its fulsome tribute to Stalin following his death. Roland Leroy, the president of the centenary celebrations, defended this on a television programme by saying that they were praising what Stalin represented rather than the person himself. In reminiscing on that time he remembered how Public Transport workers effectively closed down France for a day as a mark of respect. The interviewer persisted by asking about the Gulags. Leroy responded by admitting that this was not communism. Although, his reply sounded suspiciously like the old Khrushchevite line that Stalin was a deviation from Lenin.

Nevertheless, for all its failings, it is difficult to disagree with some of the comments of the same Roland Leroy in his speech at the celebrations:

"One can love the newspaper or detest it, support it or fight it. But one cannot ignore it. One cannot deny its existence and its deep roots in the life of the country. Without *L'Humanite* the French press would not be pluralist. Democracy could not be guaranteed. Without *L'Humanite* France would not be France . . .

"*L'Humanit*" could not avoid

dogmatic blindness, but this was blended with brave openness. If it contributed to the suppression of ideas, it also contributed to creativity....

"One hundred years of *L'Humanite* is also one hundred years of culture, of literature, of cinema, of theatre, of painting of music. It is also the seventy fifth anniversary of "Fete de *L'Humanite*": the largest annual artistic, cultural and political exhibition. *L'Humanite* has been and is the newspaper of Anatole France, Octave Mirbeau, Jules Renard and of Aragon and so many writers of today."

There were many other tributes, including some from unlikely sources. Yves de Chaisemartin the chief executive of the rival right wing newspaper, *Figaro*, had this to say:

"The presence of *L'Humanite* is useful and necessary. It contributes to liberty and thus to democracy. It is necessary for everyone, everywhere to find the newspaper that corresponds to what he thinks. For this reason I support the existence and development of *L'Humanite*.

More predictably, Bernard Thibault, the General Secretary of France's largest Trade Union, the CGT, said:

"This beautiful title is an exemplary, warm and authentic translation of the republican, socialist and workers movements of its time. After one hundred years 'humanity' remains a challenge for the human race. The profession of faith of its founder was 'happy to welcome all communications which show the life of the worker'. Whether one agrees or not with its political orientation everyone must recognise that it has always been at the forefront of social struggles and has been one of those rare publications that opens its columns to the least industrial conflict, giving a voice to those that the majority of others ignore."

Finally, the General Secretary of the Communist Party, Marie George Buffet described *L'Humanite* as:

"an indispensable and precious tool for adding to the daily debate of communists and those who thirst after a different world. *L'Humanite* gives an alternative to the politics of the

government. In the months and weeks to come it will have the opportunity to state its irrefutable role. On the issues of the European Constitution, the struggle against reforms of the pensions, health insurance and on the European election this newspaper will contribute to the debate."

So much for the last hundred years, but what is the current state of *L'Humanite* and the Communist Party? *Liberation*, the Socialist Newspaper, described the publication as "*convalescing*": unkind but not untrue. The communist newspaper has an accumulated debt of 7 million euros and recently had to lay off a quarter of its staff. However, its long term decline seems to have been halted. Last year its audited sales were on average 48,000 a day which was a 4% increase on the previous year. Its Editor claims that this year it has experienced similar modest increases. Its readership amounts to 320,000. Perhaps the Editor wishes that, for once, communist principles of sharing would be suspended and each comrade would buy his own copy! Apparently, 53,000 copies is the "breakeven" sales figure.

There is a general perception within *L'Humanite* that the reasons for its decline have been rigid dogmatism and a too close relationship to the Party. In recent years it has abandoned the Hammer and Sickle on its masthead. It also claims to be independent of the Party, but proudly proclaims its allegiance to communist values.

The Communist Party itself also seems to have halted its decline, but it was a long drop. Its share of the vote is now about 5%, compared to the 17% of the National Front. If its dogmatism has sometimes been a handicap, it has also fortified it against changing political circumstances. Unlike other communist parties it never changed its name. In recent years two new Trotskyist parties had eaten into the dwindling communist vote. The leaders of this new political tendency were courted and feted in the media. However, in the recent regional elections I can report with a certain grim sectarian satisfaction that the Trotskyists were wiped out.

For the second round of the regional elections the Socialist Party was proud to share its list with the Communist Party. The leader of the Socialist Party, Francois Holland, declared that the Communist Party represented something substantial in French national life.

Although it has no longer has a dominant influence in the Trade Unions, it has not gone away. Just before the regional elections I happened to find myself in a company which was recovering from a successful strike by the CGT. Communist Party members were distributing outside the factory gates a one-page statement by Marie George Buffet urging support for the Socialist/Communist/Green list in the second round.

The least that can be said about the Communist Party is that it's not likely to go away. However, its role seems to be defensive and conservative rather than changing society for the better. There was a rather wistful cartoon in *L'Humanite* of an old man reflecting his thoughts to a young girl while looking at a photograph dated 1968. The man says: "*In that time we fought for a better world. Now we fight so that it does not become worse*".

But perhaps the last word should go to Roland Leroy who I have quoted earlier. In concluding his speech on *L'Humanite* he said:

"...it is no longer the organ of a party. But it is always the bearer of the communist idea, of communist values, of equality, of solidarity, of fraternity, of peace, of dignity, in short of humanity."

**John Martin**

## Laughing Into A Void?

BBC Radio 4 UK, broadcast *Taking The Mick* on Saturdays 3rd and 10th of April. It was (allegedly) about the experience of Irish comedians, or simply Irish people, in 'Britain' (which probably means just London—as opposed to the whole of England and Wales, which is what 'Britain' properly-speaking means, or the whole of Great Britain. As every schoolboy (used to) know, Scotland makes Britain Great, but 'Britain' can also mean the whole UK or even the whole of the British Isles). They, the Irish, have gone from being the objects of quasi-racist jokes to being flavour of the month in the media.

(This was presented as if the Irish were always the object of jokes portraying them as stupid. But such jokes were a response to the bombing campaign in England by the IRA. If Irish people were the objects, or the subjects of jokes prior to the 1970s they tended to be presented as witty or at least good-humoured, and good-natured: even at the height of the 'thick Irish' period, the objects of the jokes were still generally portrayed as rather good-naturedly doing things they did not really understand.)

This programme was produced by Owen McFadden who worked for BBC Radio Ulster. As it was not described as a product of Radio Ulster, presumably he has 'moved on'. His input may have been a reason why performers from Northern Ireland were included under the 'Irish' label. This tended to complicate matters as the 'Irish' who were the objects of the jokes, in the 1970s, tended to be portrayed as 'stage-Irish' with vaguely southern accents—though it was largely operatives from Northern Ireland who were doing the bombing in England.

A number of comedians from the North, led by Frank Carson were successful on British television and in the (working men's) Clubs, at this period. It is difficult to understand this oddity, especially as Carson made his Belfast background part of his act: jesting about being a "*rear-gunner on a bread van*", for example. Carson made the only laugh-out-loud jokes in this hour's worth of programming. (E.g. the woman next door was lamenting the loss of her pet: "...had it ten years, practically a member of the family." "Why don't you put a wee ad in the local paper?" "Sure, what good would that do—the dog can't read". Well, I thought it was funny!)

Pauline McLynn, who wrote and read the script, seemed quite nervous every time she introduced an item about Northern Ireland, with a obligatory mention of 'The Troubles' (the latter seemed to irritate people like Patrick Keilty and members of the *Hole In The Wall Gang* troupe. The pair of programmes ended with a piece from one of the Gang's sets which showed Tony Blair getting the intellectual better of Gerry Adams. A most unlikely event; and a suitable punch-line for the programme.)

McLynn played Mrs Doyle, the housekeeper in the *Father Ted* series, and the writer of most of that series, Arthur Mathew, contributed quite heavily to the over-all thesis (if that is not too heavy-duty a word to use) of the programme. This was to the effect that the divisions between Ireland and England had been bridged and that Dublin was like Glasgow or Manchester ('British' Belfast was not mentioned), rather than the foreign place it had been before the stultifying Old Ireland had imploded. (The first section was entitled *Planet Ireland*—the implication being, presumably, that there was something odd about Ireland having, in effect, a culture of its own.)

Mathew and McLynn seemed to think this deracination was a very good thing, and no dissent was expressed, by the quite large numbers of contributors. Or, at least, no direct dissent was broadcast. Tommy Tiernan (who is from Navan) explained that he had been asked to go on

## TAX continued

Rate. Corporation Tax is 25% of the income.

When Real Estate is disposed of by sale or gift (i.e. otherwise than by death) Capital Gains Tax is payable by the disposer at 20% of the gain, that is the capital profit.

### RESIDENTIAL PROPERTY TAX

From April 5, 1983, Residential Property Tax was assessed at 1.5% per year on the market value over a certain exemption limit—general exemption limit was £101,000. There was also an exemption based on personal income.

This tax was abolished from April 5, 1997.

### GENERAL

Northcote Parkinson (of Parkinson's Law fame) said that in a lawless land, the normal person may pay up to 20% in protection money to a bandit. Over 20%, there will be too much incentive to conceal the income or to avoid the bandit. Parkinson suggests that a similar rule probably applies to taxes.

There certainly was a time, not so long ago, when tax rates were over 50% (48% plus PRSI), it used to be a case that higher paid individuals had a perceived disincentive to work. There were apocryphal stories of senior managers taking unpaid leave to paint the house rather than paying a painter out of taxed income!

Gay Byrne's *Late Late Show* about ten years ago. He did not know how to approach the gig until he heard that Dana was to be a guest. He decided to do an anti-religious set. (Meaning anti-Catholic religion—Irish liberals are too cowardly to pick on Muslims, Jews, or Protestants, other than the Free Ps.) This led to people driving to RTE's Montrose headquarters to protest, practically before he had finished his set. He also got publicly denounced and "*shoved off pavements*". Despite this, he ruminated on the fact that the New Ireland is a bit soulless and is obsessed with money, nobody appears to have passionate feelings about anything. He clearly felt that something important and resonant has been lost and replaced with a void.

Money-grubbing 'Ireland plc' is unsatisfiable because it has no substance.

**Seán McGouran**

## TAX continued

### RATES

The Rates on private homes were abolished by Jack Lynch and Martin O'Donoghue and the income lost to Local Authorities was made up by way of a Grant-in-Aid based on the total residential Rateable Valuations in the area but inevitably, like most things over which central government has control, the Grant-in-Aid did not keep up with the Local Authority costs with the result that a greater proportion of the taxation fell to be paid by those who were left to pay the Rates. These were the occupiers of commercial and industrial premises. The rate has gone up £55 per £1 of Rateable Valuation in Cork and a typical small business might have a Rateable Valuation of £100 which means paying rates of £55,000 per year.

Rates are also paid on farmland, warehousing land, etc. but there is an exemption from Rates for small farms and for residences.

Even if a loss or nil income is made from a commercial or industrial premises, the Rates must still be paid. If Rates are due on a property the Rate must be paid—in the event of a sale, the Rates must be paid out of the selling price or by the next occupier in the event of the property passing by gift or inheritance.

Thus Rates are a pure Property Tax. Payment does not rely on the underlying business profitability. It is argued that Rates, because they are payable anyway, ensure for society that property is put to profitable use.

If the wider issue of taxation of capital is to be examined the situation is quite interesting and quite a lot of tax is paid by property owners in one form or another.

First of all, the accumulation of money is itself taxed. For the ordinary person to buy a home or a shop for say 150,000 Euro, it will be necessary for that person to pay at least 37,500 Euro in income tax. This is because the capital of 150,000 Euro has to be earned, either saved up before the purchase or repaid to a Mortgage lender after the purchase and to do that, the person must earn at least 187,500 Euro, pay tax on it because it is income, so as to have 150,000 Euro left. To be sure there is relief for Mortgage interest but that only helps with the interest—it does

not help to accumulate the capital. Higher-rate taxpayers pay more tax, of course, as they tend to accumulate the capital faster and they pay 42% tax plus PRSI 6%, a total of 48%, which means a higher income taxpayer will have to pay up to 138,000 Euro on tax to buy a 150,000 Euro piece of property.

Most property in Ireland is bought by ordinary people in this way—paying large amounts of tax as they buy. (There is also the Stamp Duty, VAT, etc. of which more later).

A property may be acquired by way of gift or inheritance. Here also tax is payable at 20% of the value acquired if the value is over £15,840 (where no relationship exists) over £31,680 (where there is a brother, sister, nephew, niece relationship) over £316,800 (where a child-parent relationship exists).

### PROBATE TAX

Probate tax was also payable on Estates valued at over £40,000 but this was abolished from December 6, 2000.

Stamp Duty is payable on transfer of Real Estate. It is payable by the buyer on the market value of the property. There is a sliding scale which is:

Values up to	£ 5,000	Not Liable
Values £5,000 to £10,000		1%
Values £10,000 to £15,000		2%
Values £15,000 to £25,000		3%
Values £25,000 to £50,000		4%
Values £50,000 to £60,000		5%
Values over	£60,000	6%

Note: \* One Punt equals One Euro and 27 cents.

### STAMP DUTY

The Stamp Duty is payable whether the transfer is by way of sale/purchase or by gift. Transactions between relations are charged 50% of the rate applicable. Transactions between spouses are exempt from Stamp Duty as are transfers made between parties to a divorce under an order of the Family Law Court. There is special relief from Stamp Duty for young farmers under certain conditions provided the young farmer retains the land as agricultural land for five years after the transfer.

Commercial woodlands are part of the Real Estate but are exempt from Stamp Duty—the underlying land is valued and Stamp Duty is payable on the value of the land only.

### RESIDENTIAL PROPERTY

Residential Property is treated separately from other Real Estate for Stamp Duty purposes from 1997. The rates of Stamp Duty on Residential Property are various.

### RATES OF STAMP DUTY FOR RESIDENTIAL PROPERTY

(Finance Act, 2001)

<i>Market Value</i>	<i>1st time buyers</i>	<i>Other Owner Occupiers</i>	<i>Investors 2nd hand houses/apartments</i>	<i>Investors New houses/apartments</i>
Up to £100,000	Nil	Nil	9.00%	3.00%
£100,001 - £150,000	Nil	3.00%	9.00%	3.00%
£150,001 - £200,000	3.00%	4.00%	9.00%	4.00%
£200,001 - £250,000	3.75%	5.00%	9.00%	5.00%
£250,001 - £300,000	4.50%	6.00%	9.00%	6.00%
£300,001 - £500,000	7.50%	7.50%	9.00%	7.50%
Over £500,000	9.00%	9.00%	9.00%	9.00%

Value Added Tax is payable on dealings in Real Estate at 12.5%.

The VAT is charged on the development of land and the disposal of a freehold or leasehold interest (lease over 10 years) and on the disposal of an underdeveloped site in connection with which a taxable person enters into a contract with the purchaser to carry out development in relation to the site.

VAT is payable on building materials and on drainage works, etc.

### INCOME TAX

Income Tax, or in the case of a Company, Corporation Tax, is payable on the income from property e.g. on rent, in addition to Rates. In calculating the income chargeable the amount paid in Rates is allowable as a deduction so that tax is not paid twice on the income. Rates or Income Tax are the normal rates of 20% and 42%

continued on page 26, column 3



# Taxation On Property

CORK CITY COUNCIL “Refuse Collection Charges” have increased from 277 Euros in 2003 to 355 Euros in March of 2004. It is apparent that the “*Refuse Charges*” are now being implemented by the political establishment as a direct substitute for Domestic Rates. You can be guaranteed the increases will continue at an extortionate rate.

Say what you like about the Domestic Rates—and they badly required reform and adjustment in 1977—but they were a score times more equal, just and progressive than this fraud of “*Refuse Charges*” which is being imposed at the moment, where the rich pay the same rate as working people and pensioners.

It is a measure of how bankrupt the whole ‘democratic’ process and local government is at the beginning of the 21st century.

As for the sleeping giant of Labour, he must be on a constant diet of Ecstasy.

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FROM A legal point of view, there are two distinct types of property and separate rules apply to each type. Property for legal and for taxation purposes is divided into Real Estate and Chattels.

Roughly speaking, Real Estate refers to land and buildings and anything fixed to the land and buildings. Chattels are movable property, e.g. furniture, machinery, trucks, cars, etc.

In this article, we are concerned with taxation on the owners/occupiers of Real Estate.

Historically, it is true to say that the possessors of Real Estate had to pay dues

or taxes to some higher (i.e. stronger) authority. In pre-Norman times, this was true and then the Normans introduced the feudal system which is based on the holding of land. Each landholder had to pay tribute to his/her overlord.

The Normans also formalised the holding of Urban land although the Norman system, which in theory has lasted right up to the present day, is anything but an exact science as anyone who has had to sort out older deeds can verify. Streams moved from their sources, bowling alleys are long since closed down and built over and stables have disappeared and so deeds which delineate boundaries by reference to such landmarks are anything but clear. The introduction of Ordnance Survey maps in 1852 did not affect Urban property boundaries until recent years and even now the majority of Urban properties are not based on Ordnance Survey maps and the boundaries are still not too reliable in a lot of cases.

All the land which passed through the Irish Land Commission, most of which was bought from the large Anglo-Irish

estates, was redistributed by way of sale to farmers on the basis of the Ordnance Survey maps and so the boundaries of most farms are now registered land with the Land Registry and particulars are available to public inspection on payment of a fee.

It is probably not a coincidence that the major taxation on Real Estate in modern times—Rates—was introduced in 1852 at the same time as the Ordnance Survey. Griffith’s valuation in 1852 for Rates purposes was based on the Ordnance Survey maps for farmland.

The valuations in the towns and cities were based on the individual properties occupied. For example, a building occupied by one person could be valued at one figure while an identical building next door occupied by four people, say on four floors, would have a separate Rateable Valuation for each floor and the sum of the valuations in the one building could be more or less than the single valuation of the entire building next door.

The difference in valuations was explained as being due to different uses, or possible uses, to which a building or part of a building is put. Rateable Valuations were and are a complex and highly subjective matter.

Then, there is the matter of what is Rateable. For example, an oil refinery is mostly plant and machinery, so is it Real Estate? And what about a brewery? The old vats and pipes were not real estate but the new highly visible vats and pumps are structures and so are part of the Real Estate—or are they? It is a matter of degree and a matter of opinion when it goes to Law or Appeal which these matters do frequently.

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