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Ó Cuív Launches Moylan Book

Kevin Myers: Cory Criticism

1974 Bombings; Dail Hearings
(Labour Comment back page)

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Northern Ireland

The Process Aborts?

The Good Friday Agreement is now being renegotiated, in definite breach of its terms, under the flimsiest of pretexts that its operation is being reviewed in accordance with its terms. Paisley does not pretend that it is being reviewed. He demanded renegotiation. The experts told him it wasn't possible. He ignored them and he is now engaged in renegotiation with the two Governments who are the guarantors of the Agreement.

The Agreement had no internal dynamic—a fact which we pointed out right at the start. Its functioning depended on continuous pressure by the two Governments compelling it to function. David Trimble only signed under direct intimidation by Blair. Once he signed, the pressure was taken off and he was allowed to waste a year and a half before the devolved Government was set up, and still count that year and a half towards the two-year timetable of IRA decommissioning. The Agreement was then pretty well dead in the water.

Paisley is now intent on making a settlement in a way that Trimble never was. Trimble is a footling person and he surrounded himself with footling expert advisers. Trimble is froth on the wave: Paisley is the wave.

It has taken thirty-four years since the election in which he damaged Terence O'Neill to displace the Ulster Unionist Party. He now looks frail and the game is to wait until he dies or retires so that a deal can be done with the opportunism of his lieutenants. It is a foolish strategy.



Trimble now aspires to do with the DUP what Donaldson did with him—outflank it on the fundamentalist wing. He demanded that the DUP should withdraw from the 'Review' talks because of an alleged IRA kidnapping. Paisley just laughed at him. He has freedom of action, which the lieu-

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The Soul Of Fianna Fail

Martin Mansergh seems to be the acceptable face of Fianna Fail—the face of it which is acceptable to the *Irish Times*. And the *Irish Times* is, of course, the 'Irish' newspaper which is acceptable to Downing Street.

The present condition of Irish journalism is absurd. Fianna Fail runs the country without the support of a single newspaper. The press is against it, and yet, in an era when the media are assumed to control public opinion, it keeps on winning elections. Journalism is entirely out of joint with politics. The opinion formers—C.C. O'Brien, F. O'Toole, E. Harris etc. etc.—fume and splutter, and yet the party which they hate keeps on winning.

But the fact that the dominant political party functions without a newspaper is damaging. It may not be damaging to Fianna Fail electorally, but it is damaging to the political culture of the State when the dominant party lacks a newspaper in which policy can be discussed and formulated.

For two generations Fianna Fail had the best paper in the country—the *Irish Press*. It was a paper that reflected grassroots opinion and facilitated its development. The funny business surrounding its collapse has never been properly exposed. The *Irish Independent* and the *Irish Times*, who broke an agreement in order to precipitate its collapse, undoubtedly expected the decline of Fianna Fail to follow. That has not

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tenants would not have. And lieutenants are only lieutenants: they do not know what they stand for until they stand on their own. And a fragmentary chaos is as likely an outcome of the removal of Paisley as an opportunist accommodation.

Paisley was derided until last year. He has now become hegemonic. His first convert is the Alliance Party, which has now reneged on the Agreement which it helped to negotiate. It now subscribes to Paisley's aim of a restoration of the old Stormont system with minor modifications.

Paisley's strength is that he knows what democracy looks like, and he stands squarely for what would be a democratic arrangement if Northern Ireland were a democratic entity. In democracies majorities govern.

Northern Ireland is not, has never been, and is incapable of being, a democracy. But that is not something either Government will admit, the British because it is Unionist, the Irish because it is weak-minded. Paisley is therefore in a strong argumentative position.

It is tempting to think that things would work out, or that the Sinn Fein position would be strengthened, if the IRA was disbanded. That is an illusion. How does an Army with no visible existence disband to the satisfaction of a political body for whom the demand that it should disband is only a debating point which helps to

ward off a direct discussion of power-sharing. Debating points can always be constructed. And helpful political policemen are always there to help.

A political policeman helped John Reid and David Trimble to pull down the last Executive by saying that an IRA espionage operation had gathered the names and addresses of prison warders. Somebody was arrested. Now, a year and a half later the case has been dropped with no charges having been pursued. And the political policeman put the word around that an IRA group had walked into Castlereagh high-security barrack in broad daylight, without disguise, and helped themselves to high security documents. An American chef who had worked in the barracks was named as the mastermind. He had returned to America when he was named and there was talk of extradition. He has recently made a return visit to Ireland in his own name, and visited Northern Ireland without disguise, and nobody bothered him.

Those allegations served their purpose and the authorities want to forget about them. The game now is to harass Sinn Fein in connection with the 'review'. So the political policeman says the IRA has conducted a kidnapping. Again arrests have been made and no charges brought. The racket has become so blatant that it is beginning to be remarked upon even in anti-Republican circles in Dublin.

But not by the Minister for Justice, MacDowell of the fringe PD party, whose

electoral support is no greater than Sinn Fein's. He responds to the growing support for Sinn Fein by suggesting that it is a kind of illegally-funded criminal body. But he brings no charges so that his allegations can be tested. And the Taoiseach has approved these antics of his Justice Minister, on the ground that Sinn Fein accuses Fianna Fail of political corruption and deserves to be accused of criminal activity until it stops doing so. But *everyone* in the Republic accuses Fianna Fail of corruption. And the Justice Minister's *spiel* to the electorate at the last Election was that a strong PD contingent in Government was needed, to keep Fianna Fail wrongdoing in check. Of course, now his job depends a modicum of silence on the issue.

The basic problem in the North is that it is an anomalous Constitutional entity, neither a region of a state nor an autonomous province, nor an independent state. It is a device maintained by Britain for the purpose of maintaining leverage on the part of Ireland which it was obliged to let go. It is not a structure set up with good government in mind. It would of course be nicer if a kind of make-believe democracy could be operated in it. But that is not possible because the entity, not being a state, does not exert on the political conduct of the populace the kind of influence which states tend to do—and because a cultural disposition established over centuries of Imperial dominance makes it utterly distasteful to the Protestant community that it should be obliged to share power—or even the semblance of it—with Catholics.

That is a conclusion we were driven to after a quarter of a century of close involvement. And what we find utterly distasteful is the self-righteous Unionist humbug in the matter of abhorring violence in politics. Unionist Ulster raised an illegal army to defy an Act of Parliament, and that army was made the local arm of the British state. 'Government' for half a century took the form of routine humiliation of the Catholic community in a particularly irritating mode of informality. Threats of force were freely made in 1972 when Whitehall abolished the Stormont regime as a public nuisance. And it would be naive to expect that unification of Ireland would be allowed to proceed peacefully in response to a mere vote in the future instead of being dealt with as the Home Rule Bill was in 1912-14. And Paisley himself has a little private army to account for in his past—Ulster Resistance—though he is rarely required to address it.

A Hard *Fheis* To Follow

A Sinn Féin *Ard Fheis* was held over the last weekend in February and was well covered by RTE (probably also well covered by Radio Éireann). Having seen Gerry Adams' presidential address on television and read conference documents on the Sinn Féin website I (very unusually for me) bought a couple of Southern Sunday broadsheets to discover what the print media made of a vitally important political event. I should have saved my money.

To be fair to the *Sunday Tribune* its front page carried a substantial whack of the politics of Adams' speech. But its only comment was its apolitical and loaded headline—*McCabe Killers Should Be Freed, Says Adams*. A follow-up item rehearsed the badness of Shinners in general and Adams in particular. Of political argument or comment on conference proceedings not a trace.

The *Sunday Business Post* had sort of a report on the *Ard Fheis* on a back page and it headlined, *SF Denounces Lapdancing, Xylophones And Private Schools*.

Sinn Féin was mentioned elsewhere in the paper as a demonic force which had almost reached the ceiling of its potential support, it being a protest group appealing almost exclusively to working class males who don't vote. Phew, that's it for the shinners then!

The *Post's* sort of report began:

"The programme for this weekend's Sinn Féin's *Ard Fheis* is worth looking at for a giggle. Delegates had over 300 motions to discuss, varying from the prefidious Brits variety to important statements of party policy on matters as diverse as lapdancing and privatisation."

So let's have a giggle then. Let's take a quick look at the programme for Sinn Féin's *Ard Fheis*.

There were 306 motions in 20 headline areas. Those were:—All-Ireland Agenda, EU and the UN, Health, Peace Process, Housing, Agriculture, Regional Development, Transport, International, Environment, Economy, Social Inclusion, Culture, Policing, Justice and the Community, Equality and Human Rights, Political

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Press Release

AN ANSWER TO REVISIONISTS:

Éamon Ó Cuív TD Launches Seán Moylan's Memoir

[EDITORIAL NOTE: Eamon O Cuiv TD, Minister for Community, Rural and Gaeltacht Affairs launched the latest publication from the Aubane Historical Society, *Sean Moylan: In His Own Words—His Memoir Of The Irish War Of Independence*, on the 30th January 2004 to well over 200 people in the Aubane Community Centre.

This was not the usual kind of book launch that seem invariably to consist of canapés, Chardonnay and convoluted conversation. Instead, there was plain speaking, tea and a turf fire located in a building in the corner of a field at the foot of Mushera mountain.

None spoke more plainly and with more passion than Eamon O Cuiv, and the whole event was totally in keeping with the character of the man being celebrated, Seán Moylan.

Minister O Cuiv threw down the gauntlet to those revisionists who have sought to discredit and disparage people like Moylan and his comrades and did so with evidence and arguments provided by Moylan himself in his Memoir. The following are some excerpts from his speech on the occasion, shortly to be published in full by the Aubane Historical Society which organised the event:]

A Chairde,

Cuireann sé an-áthas orm a bheith anseo libh anocht ag an ócáid stairiúil seo. Ba mhaith liom i dtús báire buíochas speisialta a ghlacadh le Jack Lane don obair a rinne sé agus comhghairdeas a dhéanamh leis an Aubane Historical Society as ucht an leabhair seo a fhoilsiú.

Tá daoine an a deir gur cheart dúinn dearmad a dhéanamh ar Chogadh na Saoirse agus ar na h-eachtraí a bhain leis. Ba éagóir é sin, ní amháin ar na glúnta atá imithe ach freisin ar na glúin atá le teacht. Ní mór do gach tír a stair a bheith ar eolas agus is cuid bhrodúil den stair é an troid dochreidte a rinne Seán Moylan agus a chomrádaithe ar son saoirse na hÉireann.

I read with great interest the memoirs of Seán Moylan and I would like to thank the Aubane Historical Society, and in particular Jack Lane for publishing these. Of course, Seán Moylan was an extraordinary man, carpenter, soldier, politician—lover of the Irish language—lover of Ireland. He was Minister of lands, Minister of Education and Minister of Agriculture and the first Minister ever appointed while member of Seanad Éireann.

He was a personal friend of Éamon de Valera, who admired him greatly. Of course Seán Moylan was married to Ms. Nora Murphy from Kiskeam and my good friend the late Pádraic Ó hÍceadha, never tired of telling me stories of Seán Moylan. By all accounts he was a lively forthright man given at times to using rather colourful language. Indeed we would not have had these memoirs if it had not been for the setting up of the Bureau of Military History, set up by the Fianna Fáil Government in 1947. Seán Moylan gave the record available here on the 5th of May, 1953. We can now thank another Fianna Fáil Taoiseach, Bertie Ahern TD, for finally making these records available on the 11th of March, 2003.

Having read the book I marvel at a number of things—such as the incredible endurance shown by men committed to a cause, none more so than by Seán Moylan, who suffered serious illness during the flu epidemic of 1918 and kept fighting and working literally to a standstill in the cause he believed.

This is not the story of the great leaders but a story of the ordinary people rising up against the tyranny and against overwhelming odds, arming themselves with guns dispossessed from their enemies and at all times willing to make the ultimate sacrifice.

Early in the book on page 18, Seán Moylan answers the Kevin Myers of this world in relation to the fighting methods and situations in which they found themselves. Referring to the Army he said,

"it was not an implement for War in the hands of the Nation. It was the Nation;

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Soul Of Fianna Fail

continued

happened. But a general decline in the national ethos has happened. And the West Britishising process has accelerated.

Tim Pat Coogan, Editor of the *Irish Press* in the 1970s, was Fine Gael in outlook, and he went on to become the hero-worshipper of Michael Collins and demoniser of De Valera. Michael Mills was its chief political correspondent, and went on to become the Ombudsman. Both of them, in separate interviews on Radio Eireann some years ago, boasted of having broken the political association between the *Irish Press* and Fianna Fail. Both assumed that it was self-evidently a good thing that the *Press* should be a political freelance and that Fianna Fail should be without a newspaper—both assumed that it was conducive to greater democracy.

But democracy is never a generalised political condition in which political parties come and go. It is a situation structured by the operation of political parties with a long shelf life. And political parties are parties which are seriously in contention to form the Government of the State.

That much would have been known to political commentators in the Republic if they had ever made a serious investigation of the strange Constitutional entity called Northern Ireland. Not one of the parties there aspires to form the Government of the State, and therefore all of them lack the purpose by which a political party is constituted.—Well, one of them doesn't, Sinn Fein, but the state it aspires to govern is not yet constituted—nevertheless the fact that Sinn Fein has the object proper to a political party gives it an authentic quality which is lacking in all the others.

A study of Russian democracy was published last year. Everyone knows that Russian democracy is not in a healthy condition, but this is the only book which admitted the reason—that democracy is not a product of elections but of the functioning of stable political parties. And there are no political parties in Russia—or there are so many of them that it is as if there were none. Every fresh election is contested by a flock of new political parties. The only thing that flourished in

this situation was the financial oligarchs. Chaotic democracy gave them total freedom. They have been stopped in their tracks, at a moment when they were about to sell off the Russian raw material resources to American monopolies, by the head of the KGB, who is now beginning to function as a plebiscitory dictator in the national interest—as Napoleon III did in France between 1850 and 1870.

A democracy without an adequate party press necessarily degenerates. And the danger in Ireland is not to Fianna Fail as a contender for government office, because it has no competent rival, but to the republican democracy of the state, and to the culture of the State as a republic.

Martin Mansergh appears to be the only thinking fragment in the Fianna Fail leadership at this juncture. It is understandable that he should write for the *Irish Times*. Where else is there for him to write? It is also understandable that the *Irish Times* should offer him a column. It has suffered a severe loss of credibility in recent years, through its utter failure to oust Fianna Fail from Government by its over-the-top “*corruption*” onslaught and the Tribunals which it gave rise to—and also because of our discovery of documentary proof that it is conducted in consultation with the British Government. It needs to appear to go a little bit native for a while.

Mansergh began to write for it at a moment when its established writers—all of them self-righteous denouncers of Fianna Fail corruption—could no longer conceal from themselves the fact that the *Irish Times* was the most corrupt institution in the State. It had conspired with a foreign Government, it had campaigned one-sidedly against the main party in the State, and, under the form of an Educational Trust, it was owned by the individual who had conspired with the foreign Government: he had a ‘*golden share*’ which enabled him to over-ride the ‘Trustees’.

It would have been understandable if Mansergh had kept a discreet silence about these facts, which had been brought to light by others and were notorious, and had expounded other values without making an issue of *Irish Times* values. But he did not stay silent. One of his first acts was to whitewash the *Irish Times* by comparing its bogus Trust with the authentic Trust which owns the French newspaper, *Le Monde*, and with the Trust which owns *The Guardian* in England. And that made one wonder what he was up to.

When John Bruton unexpectedly became Taoiseach, he asked Mansergh to stay on as his adviser. Mansergh refused. That refusal was a highly irresponsible action in the circumstances. Bruton knew that his attitude towards the North, which mattered little when he was in Opposition, would not do when he became Taoiseach at a delicate moment in the Peace Process. He sought to maintain continuity of approach, invited Mansergh to advise him, and was refused.

In Britain, Maurice Hankey, a political civil servant, was adviser to a series of Governments over a quarter of a century in a situation of political flux which began in 1914. Mansergh was in a position rather like Hankey's, and what Dublin has badly needed over the past decade is an element of continuity in Northern politics such as Hankey provided in the British State during the generation when the Liberal Party was breaking up and the Labour Party was being cultivated to take its place. He seemed to be cut out for that part but he refused it.

In recent weeks he has taken to philosophising in his *Irish Times* column. He writes: “*we would benefit greatly if we could deepen our knowledge of contemporary Germany and its long cultural heritage*” (Feb 21). We would indeed. But there was a time when the Irish had a special relationship with German culture, and the strongest development of intellect in Ireland occurred in conjunction with it, in the minds of James Clarence Mangan and Canon Sheehan—both of whom were marginalised by the Anglicisation of thought in the Home Rule era. And, if Ireland is to reconnect with its German heritage, it must go back to the moment of breach with it—to August 1914, with its Anti-German League, its hounding of Kuno Meyer, its German book-burnings etc. And Mansergh can be of no help there. In an earlier article, arguing against neutrality as a principle, he writes that—

“most of the relevant international law pre-dates the first World War”, and that it “has never fully recovered from the violation of Belgian neutrality by imperial Germany in 1914... In August 1914, the German Chancellor Bethmann-Hollweg protested at Britain making war ‘just for a word, neutrality, just for a scrap of paper’. He insisted Germany was ‘in a state of necessity and necessity knows no law’.”

The “*scrap of paper*” remark was

broadcast relentlessly around the world by the British war propaganda all through the Great War and for generations after. And, against the German State, that propaganda held up a beautiful image of the true Germany—the Germany of Kant and Mozart, the Germany of poets and dreamers in fifty separate petty states, whose dreaming had been spoiled by the formation of the Germans into a German State. And Mansergh's 21st February article is entitled, *Kant's Legacy, The Imperative Of Democracy*.

It is the war propaganda all over again.

Nicholas Mansergh, Martin's father, was a British civil servant and historian who owned land in Tipperary. His education was English. His career was made in England. He has about 50 titles in the British Library catalogue, pretty well all of them having to do with the Empire and Commonwealth. His first book was published in the mid-1930s when the Empire had gone into serious decline as a result of over-extension and disorientation in the Great War. Nicholas's task was to retrieve as much as possible of the Empire in a situation in which the Imperial will had been severely undermined. His first book was about the Irish Free State as a member of the Commonwealth. A number of other Commonwealth books on Ireland followed, though his chief concern was India. And it shows how thoroughly the Irish academic mind has become trivialised that Joseph Lee—an *anti-revisionist!*—has hailed Nicholas as the great Irish historian.

During the Second World War, Nicholas Mansergh was a senior civil servant in the Ministry of Information, which was an Imperial propaganda and espionage organisation. It was to this body that Elizabeth Bowen sent her spy reports. Irish neutrality, which was the form that Irish independence took, might easily have been brushed aside by Britain, since Ireland was not allowed to have a substantial Army under the Treaty, and that was an aspect of the Treaty which Fianna Fail had been unable to breach. Dev found it prudent therefore to engage in ambiguous relations with Britain through Mansergh and others.

Nicholas delivered a series of lectures on the Great War in Dublin during World War 2, and they were published in London in 1949 under the title, *The Coming Of The Great War*. They are in substance only a rehash of the British war propaganda of 1914-18, and Martin's articles echo

them—And why shouldn't they? seeing that Republican Ireland never produced a history of the Great War which elaborates the view of that war which it took when it was happening.

I have seen numberless articles and books from 80 years ago, declaring that Germany destroyed international law by attempting to march an army through Belgium. On the other hand, I have read Woodrow Wilson, as Princeton Professor, before he became President and went to war, explaining that—

“International Law... is not law at all... It is not... the will of any state; there is no authority set above the nations whose command it is. In one aspect... it is simply a body of rules, developed out of the common moral judgments of the race, which *ought* to govern nations in their dealings with each other. Looked at from another... point of view, it is nothing more than a generalized statement of the rules which nations have actually recognized in their treaties with one another, made from time to time, and which by reason of such precedents are coming more and more into matter-of-course acceptance” (*The State*, 1889 edn.)

This was greatly altered in the 1919 edition, after Wilson had become President and had gone to war. But, until he decided to make war on Germany in 1917, he did not realise that Germany had broken international law in 1914 and needed to be punished. And the United States had reasons which had nothing to do with law for going to war in 1917. The Royal Navy had stopped German sea-borne trade in 1914. The United States, willing to trade with all the belligerents, was only able to trade with Britain and France. Neither of these was able, after the first few months, to produce the munitions required. Britain brought them from the US, and also borrowed the money to buy them. That gigantic debt would have become a bad debt if Britain collapsed under the strain of the war it had launched. In making war on Germany, and winning a war that Britain and France were unable to win, the US kept its debtors solvent as well as enhancing its own world power.

As far as I recall Wilson does not deal at all with the many breaches of treaty for which Washington was responsible in its dealings with the Indian nations it had dispossessed.

In August 1914 Bethmann-Hollweg professed astonishment that Britain should

be willing to precipitate the death of millions over “*ein Fetzen Papier*”—a rag of paper. And of course it wasn't. The rag of paper was the prepared excuse, not the reason.

Germany was not an expansionist state. It had no territorial demands on anybody. It was caught between two powerful states, each of which was expansionist. The Tsarist State was in no sense a nation state, and it was in its nature expansionist. France was a nation state, seeking a secure eastern frontier on the Rhine. By its 1870 aggression it had lost the mixed region of Alsace/Lorraine to the new German State and wanted it back, expanding its colonial possessions in the meantime. Britain was in conflict with the Tsarist State in India and Persia, and France was its historic enemy. When German unification was followed by phenomenal industrial development, Britain re-arranged its priorities. It encouraged Japan against Russia, and then made an agreement with Russia over Persia in order to divert its expansion westwards. And it encouraged France to persist in its irredentism over Alsace/Lorraine by means of the *Entente Cordiale* and the detailed military arrangements made in secret for a joint war against Germany.

The Belgian state was brought into being by British diplomacy in the 1830s, as a Catholic secession from the Netherlands. It was a fixed principle of British policy that this part of Europe should never be allowed to come under the control of any major European state. (See, for example, the speeches of the Younger Pitt on “*the navigation of the Scheldt*”, or the biography of Marlborough by the poet Edward Thomas.) As the dominant State of the time, Britain obliged the others to sign a Treaty guaranteeing Belgian neutrality. This was directed in the first instance against France.

Belgium was in the 1830s a small harmless state in itself. By 1914 it had become the most monstrous of all the European states, including even the Tsarist state, having come into the possession of a vast territory in Central Africa in which it was working people to death by the million when it wasn't killing and maiming them out of hand.

It has been suggested that Britain commissioned Casement's Congo investigations and published his report in order to exert pressure on the Belgian Government to comply with its wishes with regard to Germany. It was well

known that the German plan, if caught in a war on two fronts—attacked by France and Russia—was to attempt to outflank the powerful French defences by marching an Army through Belgium. Britain required Belgium to reject the German demand for a right of transit, and to refuse to connive at it as an accomplished fact. Belgium was required to engage the German Army when it crossed its frontier.

If the preservation of Belgian neutrality had been Britain's object, it might have been achieved simply by informing the German Government that it would treat a German march through Belgium as a cause of war. The German Government tried to ascertain British intentions in the matter, and was given reason to suppose that Britain did not see such a move as a cause of war. And the only reasonable interpretation of the course of events is that the British interest in Belgian neutrality was to have it violated in order to make a great moral hullabaloo about it and stampede the Liberal non-conformist backbenches into a war frenzy.

That was how James Connolly understood it as it was happening. And it is what Roger Casement expected to happen.

Once the war was got going, "*Prussianism*" was invented. Prussianism connoted an aggressive military caste which dominated the civil state instead of being controlled by it. This is the kind of thing that began to be said—and said in the first instance by Home Rule propagandist T.M. Kettle in the London Liberal press—five months after the Curragh Mutiny!

Prussia was represented as the expression of German barbarism which had survived over the millennia. The Germans had remained barbarians, having resisted civilising by defeating the Roman Legions in the Teutoberg Forest two thousand years ago.

And yet Prussia had been Britain's ally in Europe in Britain's first World War—the Seven Years' War—and again in the Napoleonic War. How was it that the English had then failed to see that they were promoting barbarism in Europe? There was much explaining away to be done, and it was undertaken in the *Oxford War Pamphlets*.

I came across a very different view of Prussia on the eve of the unification of Germany. This is from the editorial of the

London *Times* of 6th November 1860, when that newspaper was much more than a newspaper:

"Prussia is always leaning on somebody, always getting somebody to help her, never willing to help herself; always ready to deliberate, never to decide; present in Congresses, but absent in battles...; ready to supply any amount of ideals and sentiments, but shy of anything that savours of the real or actual. She has a large army, but notoriously one in no condition to fight... No one counts her as a friend; no one dreads her as an enemy. How she became a great Power history tells us; why she remains so nobody can tell. That, acting on her present principle, she can long remain so, nobody believes."

Four years later Prussia fought a short war with Denmark over Schleswig Holstein. In 1866 it fought another short war with Austria. It repelled the French invasion in 1870. And that is all the war it fought between 1815, when it saved the British Army at Waterloo, and 1914, when it responded to the Russian mobilisation.

Britain had been waging wars of aggression all over the globe during that period, the latest of which was the Tibetan trade negotiation of 1904, when it overcame Tibetan reluctance to trade by invading and killing six hundred Tibetans. And yet the Irish Home Rule press brought out a book of war propaganda called *The German Doctrine Of Conquest*. But, Home Rule sensibilities were not affected when Britain tried to overthrow the Greek Government to bring Greece into the war as an ally, or when it drew Italy into the war by encouraging its irredentists and giving Mussolini his first success, or when it launched the conquest of Mesopotamia as a straightforwardly Imperialist venture!

(The *Times* made another editorial comment on Prussia in 1860 (Nov 1): "*Let it be known beforehand how each Power will act, and a war is scarcely possible in Europe. It is Governments like that of Prussia which cause nations to drift into hostilities, by making it uncertain on which side the balance of strength will lie.*" It was Britain that contributed the uncertain element that led to war in 1914. In view of this good advice it must be assumed that it did so deliberately. And the *Times* at least had the decency not to go along with the pretence that the war was over Belgium.)

When Ireland repudiated Home Rule,

it repudiated the Imperialist world-view along with it. Nicholas Mansergh sought to restore the Imperialist view as somebody with a relationship of external association with Fianna Fail, but with little success. De Valera wasn't playing. Martin is now doing it within Fianna Fail and with much better prospects of success. (Bertie stands for nothing.) It is all implicit in the "*scrap of paper*" and the view of Kant as a beautiful person.

I read Kant as a Creamery labourer in the old rural Ireland in which it was possible for anybody to do anything and the understanding of the world I developed in conjunction with his ideas made it impossible for me to be carried away by the sweeping fashions in Sociology and Marxism which reduced so much of the Left to mindlessness from the sixties to the eighties—before beaching them as imperialist pragmatists in the nineties. His 'enlightenment' idealism was of the realistic kind developed by Rousseau, the obscurantist who found himself at odds with the rather simple-minded French enlightenment, and who has been roundly denounced in recent years by C.C. O'Brien, Eoin Harris and David Trimble—none of whom show any signs of mental engagement with him.

Even in the article advocating Enlightenment, Kant observes: "*New prejudices will serve as well as old ones to harness the great unthinking masses*"; and "*almost everything in human affairs is paradoxical... Civil freedom appears advantageous to freedom of mind in the people but places limits on it which cannot be escaped; a lesser degree of civil freedom provides room for every man to extend himself*".

The idea that war is intimately bound up with progress, denounced as Prussianism by the 1914 war propaganda, comes from Kant.

Perpetual Peace is as much a warning as an exhortation. The unification of mankind is an insuppressible ideal whose achievement must always be premature. He suggests a right of hospitality, "*the right of a stranger not to be treated as an enemy when he arrives in another country*". But: "*China and Japan, having experienced such guests, have wisely reused them entry*". This was fifty years before Britain broke China open in the Opium Wars and sixty years before the US sent warships to persuade the Japanese that they must play a part in world affairs.

And globalism:

“a credit system that grows beyond sight and which is nevertheless a safe debt for present requirements constitutes a dangerous power of money. It is the ingenuous invention of a commercial people and has become dangerous in this century because it is a treasury for war making which exceeds the treasuries of all other states... This facility in war making, together with the urge to do so on the part of the rulers, is a great obstacle to perpetual peace. The banning of this credit system must be a preliminary article of perpetual peace, all the more so because it must inevitably entangle many innocent states in the inevitable bankruptcy... They are therefore justified in allying themselves against such a state and its measures.”

And:

“Of the three forms of the state, that of democracy is necessarily a despotism because it sets up an executive

power in which ‘all’ decide.”

Weapons of mass destruction were invented by the greatest democracy the world has ever seen. It used those weapons on the civilian populations of two cities far beyond the war zone, in a state which was close to surrender, in order to force the enemy Government into an immediate surrender. Only that democracy has used the weapon of mass destruction—because there is really only one. And its people have a very good conscience about it.

If Martin Mansergh’s advocacy of Kant was indicative of a reversion by the Fianna Fail leadership to the De Valera era, that would be one thing. In fact, he is perversely using Kant for the opposite purpose, for a globalising purpose. What one gets from an actual reading of Kant and Rousseau is an agreement against mass manipulation in large centralised states in the name of democracy—and a warning against what the United Nations now is.

Brendan Clifford

Volunteers have enlisted—a decidedly larger proportion of the Roman Catholic population than the 10,112 enlisting Ulster Volunteers formed of the Protestant population; not that it is the slightest reflection on the devotion of the Belfast Unionists to have come in a good second in this honourable competition” (Freeman’s Journal, 8 December 1914).

If only Britain could revive this spirit of competition between the Falls and the Shankill to serve its world ambitions, our Troubles would surely be at an end!

Or would they?

Why did it all go wrong? Why did Nationalist Ireland fight a war against Britain only five years after those militaristic scenes in the Falls Road in support of the British Empire?

The central problem was that the British Empire itself was in two minds about how it should develop. The Tory/Unionist Party had one conception of the future while the leadership of the governing Liberal Party had another. Each Party sponsored one of the sides in Ireland and incorporated it into its own Imperial vision of the future.

The conflict of the two great Empire parties in Britain was fatal to the stability of the Empire in the long run.

The outcome of the struggle between them also spelled the end for the Imperial nationalist John Redmond.

The Tory/Unionist Party, while in government, made war on the two Boer Republics in 1899-1902. Then the Liberal Party came to power in 1905, appeased the defeated Boers, and developed them into active participants in the Empire that had defeated them. Smuts and Botha, Generals in the defeated Boer Army, became Imperialist statesmen in the new State of South Africa.

The Liberal Government then thought it could do with the hostile Irish nationalists what it had done with the Boers.

The base of the British Empire in Ireland had always been the Anglo-Scottish Protestant settlement, which had acted as a garrison to keep the native majority in check. Emigrants from that native majority had become increasingly influential in America and Australia and were generating anti-British sentiment across the world. Oppressive measures in Ireland had failed to diminish anti-Imperialist feeling. The Liberal Imperialist Government therefore decided to try a large measure of conciliation. It brought in a Home Rule Bill in 1912 with the

Remembering When The Falls Fought For The Empire

EDITORIAL NOTE: The *Belfast Telegraph* invited this article last October, but ‘pressure of space’ has prevented publication to date!

Around this time every year there is the usual conflict of opinion about Remembrance Day. Despite the efforts of some SDLP, and even Sinn Fein, politicians to embrace aspects of the day its association with militarism and the British Empire, are still resented within large sections of the nationalist community.

But 91 years ago it was all very different.

In 1914 and 1915 the Falls was in competition with the Shankill to raise recruits for the Empire. The Falls Road was bedecked with Union Jacks. Irish nationalists sang God Save The King with enthusiasm. And young men went off in their thousands to die for the British Empire.

One newspaper reported in October 1914:

“The line of route of travelled by Mr. Redmond’s party was lined by Volunteers... Numbers carried rifles and some had fixed bayonets... Vast crowds lined the footpaths and streets

along the route... and cheered the Irish leader and his friends with intense enthusiasm as they passed along. A notable incident as indicating the changed feeling which the passing of the Home Rule Bill has brought about was the singing of ‘God Save the King’ by the crowd in the Clonard Picture House (The Freeman’s Journal, 31 October 1914).

The Home Rule leader, John Redmond, urged the young men of West Belfast to go out and fight for Ireland and the Empire, saying: “*What was said by a great poet about the soldiers of the ordinary army will be absolutely true for you: ‘Theirs not to reason why; theirs but to do or die’.*”

And they did. The Nationalist community in Belfast supplied more recruits, proportionately, to the British Army for its war on the ‘Hun’ than the Protestant community did:

“From Belfast alone 3,515 National

object of basing the Empire in Ireland on the native majority, and making Ireland a willing and active participant in the Empire.

This strategy was spectacularly successful. Anti-British Ireland was transformed into Imperial Ireland. Redmond enthusiastically backed this vision and urged people to go war for it.

But the old Imperial minority in Ireland was hostile to the new Imperial majority and declined to submit to the re-organisation of Irish government for the greater good of the Empire. The Tory/Unionist Opposition at Westminster supported the Ulster Unionist defiance of Parliament for party-political reasons. Physical force was re-introduced into the equation, with senior unionists smuggling guns into the country through Larne. And the officer corps of the British Army at the Curragh threatened mutiny if the Government attempted to establish Home Rule government in Ulster.

And so, in the autumn of 1914, the Catholic National Volunteers enlisted under the influence of the new Imperialism, while the Ulster Volunteers enlisted in the cause of the old Empire. They killed Germans together, but they were politically in conflict with each other. And with the Curragh Mutineers in the Tory/Unionist camp, the new Liberal conception of the Empire was quietly killed off in the course of the war. In 1915 the Liberals were obliged to form a Coalition with the Tory/Unionists. In 1916 the Tories took over the Government with Lloyd George as a figurehead. Home Rule was dead in the water.

Within Ireland, it began to seem that the new Imperialism was a swindle whose only purpose was to recruit cannon fodder for the war on Germany. Disillusionment led to a spectacular revival of Republicanism. By the end of the war it was very much stronger than it had ever been before. Before 1914 there had never been a Republican elected to the Dublin Parliament. In December 1918 Republicans took three-quarters of the seats.

Redmond, meanwhile, was consigned to political oblivion.

Pat Walsh

The Rise And Fall Of Imperial Ireland by Dr. Pat Walsh
is published by Athol Books

An Cor Tuatail

Laoi Cáince an Combac

Deir uaimse an combac bréan,
Ní raicéir sé in mo béal go bráic;
Mílúró sé anal is déad,
Is lazaíó sé céadfaó céc.

Sorúó sé an cuinne 's an éall,
A agus baimeann sé an lúc as an scois;
Fásann sé dursan 'sa scionn,
A agus cóiseann sé fionn ar an rois.

An luib úó éis éugainn ar cuinn,
'S nac ucasann i scríó Cuinn go ceare,
Dá mba fiosaic do na mnáib 'éur i suim
Mílpreadó sé fonn na brear.

Sí an luib is measa buató,
Ar élar Banba Cuinn;
Sréúeann sí airgead 's ór,
Is caiceann sí an scór ó'n sclóinn.

Sac don ar mian a beic buan,
Ní beas do mar gráin 's mar éuis;
Is surab é Lúsaifer na meang
Do éionnsain an crann ar ucús.

A poem against tobacco

Take the stinking tobacco away from me,
It will never enter my mouth!
It rots breath and tooth,
And weakens the senses of all.

It steals away mind and reason,
And takes agility from the foot;
It leaves a buzzing sensation in the head
And causes cataract of the eye.

This herb that comes to us across the sea,
And does not truly belong in the land of Conn (=Ireland)
If the women knew, that take an interest in it (?)
It would destroy the ardour of the men.

It is the herb of worst quality
On the plane of Banba (Ireland) of Conn;
It scatters (wastes) silver and gold,
And dissipates family wealth.

Anyone who wants a long life,
Should take heed to hate it resolutely;
It was Lucifer the treacherous
That began this misfortune.

This anonymous tirade against tobacco is probably a reply to hymn of praise to tobacco previously printed in this column, and is probably also early 18th century. Conn is Conn Céadchathach (Conn of the Hundred Battles) after whom the province of Connacht is named, and Crédoch Chuinn could be Leath Chuinn (Conn's Half, the northern half of Ireland), but more likely all Ireland is meant.

POLITICIDE?

On the afternoon of Saturday, February 21, an altercation took place in Kelly's Cellars, Belfast's oldest bar. (It fronts onto a very big paved area: this is not irrelevant information, because the argy-bargy in the pub has been made an issue in what is the effective re-negotiation of the Good Friday Agreement and a big stick with which to beat Sinn Féin in regard to the IRA's commitment to the Ceasefire, declared in 1994.) Allegedly, four men dressed in masks and white boiler suits (according to some reports, as opposed to unremarkable navy blue, brown or even black), and armed with police-issue 'nightsticks', rushed into the bar and attacked a man called Bobby Tohill.

Tohill is a 'dissident Republican' (the Real IRA, apparently) and was in the company of another 'dissident Republican' (whose affiliation was not reported in the half dozen papers I have consulted) and of Anthony McIntyre—who has criticised the Provos, as Tohill described them, from a diffuse point of view. Maybe McIntyre's politics is becoming clearer, but the fact that he was present but appears not to be regarded as a major witness is very odd. So is the behaviour of the attackers—who told Tohill, in the course of a struggle which lasted ten minutes (between one man who had had a few drinks and a foursome with a particular mission in mind) that they were going to take him over the border to torture and kill him. No indication is given of how the rest of the drinkers in Kelly's Cellars behaved while this was going on—implicitly late on a Saturday afternoon—probably the busiest time for a downtown boozier. The police arrived in time to get Tohill to hospital and the attackers "at least one of" whom "was a prominent Provisional from the Turf Lodge area of west Belfast" according to Henry McDonald (*Observer* Sunday, 22.02.04) into police cells.

Hugh Orde, the Chief Constable of the PSNI (Police Service of NI) claimed, almost immediately that the Provisional IRA was behind this incident. Various UUP and DUP representatives weighed-in to claim that this meant that Sinn Féin ought to be excluded from the Peace Process (a process which would be pure fantasy if Sinn Féin were not involved:

given that the Loyalist paramilitaries have reverted to reacting to nods and winks from 'respectable' Unionists).

Despite being a 'dissident' (meaning still-militarily-active) Republican, Tohill became almost the hero of the hour for the anti-Sinn Féin forces. He is (judging from a photograph in *The Irish Times* on Tuesday, 24.02.04) a 'hard-looking chaw' in his late forties. But most papers, including the (hyper-Unionist) *News Letter* (Monday 23.02.04), used a quarter-century-old picture of a soft-faced youngster with lots of dark curly hair and a big, floppy 1970s bow-tie. The *News Letter* story, by Karen Quinn and Gemma Murray, mentioned the 'knockout gas' used by Tohill's would-be abductors (as did all the other stories). But they make the point that Tohill, described by the rest of the press as having signed himself out of the hospital (the City, in the south of the city), was still under observation.

Tohill had given interviews to *Andersonstown News* and also the tabloid *The Sunday World* in the days prior to this attack (which entailed getting over a hundred stitches in his head). But he was still fairly lucid, despite the fact that he had thought that the blows with the nightsticks "sounded like gunshots" (*Observer* and *NL*). He told them that he was in danger of attack from the Loyalists due to having been mentioned on a "loyalist paramilitary website" (Henry McDonald, *Observer* 22.02.04). Tohill also claimed that the Provisionals were after him for the murder of a man called Danny McGurk in 2003. He neither admitted nor denied being involved in the McGurk killing.

Martin McGuinness said that we should all wait and see what was at the bottom of this event, which is a remarkably modest request. This incident, involving a known RIRA paramilitary, is being used to attempt to wind up the process begun ten years ago, on foot of the IRA Ceasefire. This is despite the fact that the case has more loose ends than a lace curtain that has been got at by a particularly active kitten. I am not in awe of the PIRA, nor particularly in favour of the organisation. But does anyone really believe that the group, which snarled-up the traffic in the whole of the

north of England by means of a simple telephone call to the organisers of the Derby, would engage in the sort of messy affair we are told happened in Kelly's Cellars late on a Winter's Saturday afternoon in 2004? Four men, in boilersuits (complete with masks) and US police-issue nightsticks, rush into a crowded bar and tell Tohill that they are going to take him away for a spot of light torture followed by a killing, "across the border"—is this not the language of fantasy? (Shades of the character in Brendan Behan's *The Hostage* who shouts "I'm a secret policeman, and I don't care who knows it!".) And is the fact that the case will remain *sub judice* for years not very handy for those who want to destroy the Good Friday Agreement?

Willie Cameron of the Ulster Political Research Group claimed (in the *News Letter* article) that the IRA "was allowed to flout ceasefire regulations openly". The UDA (Ulster Defence Association, of which the UPRG is a small and not particularly well-regarded element), is being hypocritical about this matter. It has intimidated hundreds of people out of their homes, and has murdered a number of people since the Ceasefire, mostly because they were Taigs or were Taig-friendly, or just happened to be in the wrong place at the wrong time—or were just handy for a killing. The postman, Danny McColgan, could hardly have been more of an innocent: the violence has extended beyond his death as his grave has been vandalised.

There is also the question, apart from the credibility of the action in Kelly's Cellars, of whether or not the PIRA was "flout[ing] the ceasefire regulations" (assuming there were such things). It was clear that the various paramilitary groups were implicitly allowed involvement in the policing of the areas they dominated. The Provisionals and elements of the UVF have taken this most seriously, introducing 'restorative justice' in some areas and involving the local communities in policing their own areas. The UDA has taken the situation as a ticket to ride (mostly roughshod over the unfortunate people in their power) and engage in grossly anti-social behaviour like selling drugs to youngsters in Protestant working class areas.

The Provisionals, internationally, persuaded their allies ETA to engage in a Ceasefire, despite the fact that dropping ETA and sucking-up to the Spanish State (which has a desire to reclaim Gibraltar)

might have paid a better political dividend. They probably see it as a duty to contain the likes of the 'Real' IRA (villains of the piece in the Omagh bombing which is still being noised about as the greatest atrocity since ... well... Dresden and Nagasaki come to mind, but one assumes that they ought not to...). That may have been the origin of the 'threats' Tohill complained about. The Provisionals' attitude to the Official IRA is contemptuous, but it allows them to go about their business unmolested, presumably on the grounds that violence within the Catholic community would be counter-productive, and create openings for the 'securocrats'. 'Official', 'Continuity', 'Real' IRA, and INLA (Irish National Liberation Army—in origin a breakaway from the Official IRA) with its various splinters and off-shoots, are sources of danger to the IRA and Sinn Féin and to the Peace Process. They all seem to feel that the breakdown of the process is in their interest: that they would gain from any set-backs that the Provisionals might experience. They would not, and probably neither would their (effective) allies, the Unionists. Westminster and Dublin would probably take to running the Six Counties as a sort of joint colony—the last item on any given agenda, unless it was more violent than usual.

Another item which has been in the news lately has been a number of suicides in Ardoyne. This is a relatively small area in north Belfast, occupied by Catholics and hemmed-in on all sides by Protestant / Loyalist areas—the latter being paranoid about the Catholics 'taking over' Protestant territory—thus the hysterical reaction to the parents of the Holy Cross school taking their children the quickest way to the school, by way of the front gate, rather than take a twenty to twenty-five minute walk to the nigger-entrance on the main road.

The [London] Independent reported on the matter of the statistical 'blip' of north Belfast's youth suicide rate, in its *Review* section (Wed. 25.02.04). The article was *Scared To Death* by David McKittrick, who homed-in on the deaths of Anthony ("Cheetah": a nickname given to him by the RUC / PSNI on the grounds that they could never catch him) O'Neill and Barney Cairns by their own hands (the latter hanged himself from the scaffolding around the Cross and Passion Church which dominates Ardoyne. He did this on the day that his mate O'Neill was buried. These two junior 'hoods' were given severe hassle by the INLA in

Ardoyne, over a long period of time (especially by the standards of 17 and 18 year olds). O'Neill was beaten and crammed into a sewer, in the manner of an *oubliette* in the Bastille. There was a distinct undertow in the reporting of these incidents by the BBC and by the London press that the PIRA was not asserting its authority by somehow dealing with the INLA. The attitude of Sinn Féin in Ardoyne is to urge people to be more social, to include the youngsters like Cairns and O'Neill.

The problem with this sort of thing is that, as a woman explained, the place is held together by "*Smirnoff and Prozac*" (reported by Susan McKay in *The Sunday Tribune*, 22.02.04). Ardoyne is more similar to a working class Loyalist area, than West Belfast / Andersonstown. People seem to have decided that the place will never improve; the young people decide that once the 11 plus is over with (and failed) that life is simply not going to get better.

With no qualifications there are no jobs. With no jobs there is no money. With no money there is no way of actually getting out of the area safely (travelling in a black 'People's Taxi' late at night or early in the morning can be a risky business). There is "*hooding about*", meaning low-level crime, and taking drugs (sold from a house in Ardoyne which was picketed on the evening of Cairns's burial. It is implied in some of the stories in the Irish papers that the INLA is also behind the supply of drugs. But nothing is made explicit, probably because it would be too neat to be believable).

This sort of situation means Sinn Féin has a lot of work to do on the ground—quite apart from the efforts required to cope with the threat of exclusion from the discussions on the Peace Process and getting it back on-stream. The problem is that Sinn Féin might be politically weakened by the combination of the Unionists, the Progressive Democrats and Bertie Ahern (who seems to pay more attention to the PDs than to his own—Fianna Fáil—party) and the UK Government. (Though the SDLP and the White House seem not to be over-perturbed by SF's current difficulties.) Do all of these 'responsible' persons want Catholic working class communities in the North to be made in the image of Ardoyne or of Andersonstown? Probably the former, as lurid hatred of anything the 'Northern Nationalists' get up to is part and parcel of being a modern-minded person in the

Republic (and the Unionists just hate Taigs.)

But Ardoyne may recover itself. (It used to be a bright, energetic place, partly due to the mills in the area providing work, and mainly due to the fact that it was not in any sense of the word a 'ghetto', despite being almost physically self-contained, surrounded as it is by 'peace walls'.) It decidedly has problems after over three decades of violence, in which one hundred and twenty locals were killed in a very small area. But there are stirrings of self-activity, much of it to do with getting people out of the way of drink and drugs and into something more rewarding. Among them are PIPS (*Public Initiative for the Prevention of Suicide and Self-harm*), set up by Phillip McTaggart as a result of his son Pip having committed suicide. There is also a *Survivors of Trauma* group, dealing with the widespread feeling of hopelessness about the loss of loved ones. For the present these are inward-looking groups, but others will be built on their foundation.

Many political bodies would like Ardoyne to remain a social black hole for a very long time. They don't care about the suicides and are engaging in what one might call *politicide*, the killing off of politics. The question is what will politics be replaced with? Probably the Unionists want a lovely little apolitical Stormont complete with 'majority rule'. The INLA and the Loyalist paramilitaries probably want to be able to build up their wealth by distributing drugs at a hefty profit. Anybody interested in the future of the working class (or even of a viable society) in Northern Ireland, needs, at this point to row-in behind Sinn Féin. It is the only substantial political force that really believes that there is, and ought to be, such a thing as society. One could engage in entertaining, but futile, examinations of Sinn Féin's socialism—but it is a working class party because it is based in the (Catholic) working class—and wants those people to enjoy life. And not live in a swirl of criminality, drink and drugs. Does anybody out there need to think hard about these alternatives?

Seán McGouran

Due to pressure of space various features, including part 2 of a report on the Casement Foundation Conference and February Northern Ireland News Digest, have been held over to the next issue.

Fheis continued

Prisoners, Organisation, Constitution and Rules, 26-County Referenda. Plenty of scope for comedians there!

The All-Ireland Agenda part of the programme contained 14 motions, the general tenor of which was a move away from doomed attempts to reform the unreformable, not to mention failed, political entity to the north of the Black Pig's Dyke. (I've been meaning for some time to say that before it failed that political entity was successful in just one thing—terrorising taigs—so now I've said it.)

Let motion 4 stand for the rest:—

“This Ard Fheis urges the Irish Government to expedite:

(1) The commitment to make arrangements to allow MPs elected in the North to speak in Dáil debates.

(2) The commitment to formalise representation from the North in the Seanad.

(3) The commitment to allow MEPs from the island as a whole to speak in the Seanad.”

Really bloody hilarious, isn't it?

Speaking to that section of the agenda on Friday, 27th February, Martin McGuinness said:

“...of all the Parties on this island Sinn Féin is best placed to speak to these issues from the point of view of experience on the ground in every part of our Country. We are the only Party with strategies and policies that are designed to assist people in every town and village in the 32 counties. We are the only national party on this island. Our policies don't stop at the British imposed border...

...
“... I call on Bertie Ahern to implement his claimed intention to provide for representation in the houses of the Oireachtas for the people of the North. But I call on him to introduce the relevant measures now before the European and Local government elections. Or is his comment only rhetoric designed to keep the lobby for Northern representation quiet until after the elections when he will forget this promise just as he forgot all the promises his party made to the electorate prior to the last election.”

Plenty for the tally-touts to giggle at there as results in the Local Government and European elections roll in and their demography has to yield to democracy smashing the ceiling and raising the roof.

And I didn't see any sign of it, but Gerry Adams must have had them rolling in the aisles wherever the tally-touts of the yellow press congress to confer. He had a lot to say, and in every line a gem.

“I want to welcome all of you here to this very unique gathering, the Ard Fheis of the only all-Ireland political party on this island...

...
“Two of the great challenges facing us nationally are to get a British government to embrace a strategy to bring an end to the union and to work with the representatives of the people of this island to bring about a united and independent Ireland.

“But why should a British government move on these democratic objectives or even on the Good Friday Agreement when others will accept less?

“The Irish government in particular should know that nationalists and republicans look to them to persuade the British government on these matters.

“The Irish government is a co-guarantor of the Good Friday Agreement and that Agreement is both an international treaty and a part of the Irish Constitution.

“Citizens want delivery on those issues, which are directly the responsibility of the Irish Government.

“This includes the status of the Irish language and proper funding and resourcing for it.

“There is also the issue of prisoners within this jurisdiction who should have been released under the terms of the Good Friday Agreement.

“And most importantly the right of Northerners to have representation and participation in political institutions in Dublin continues to be withheld...

...
“We recognise and respect the mandate of the DUP; they must recognise and respect our mandate.

“So too must the parties here in the south.

“Remember, in the Assembly elections we didn't compete only with the unionists and the SDLP. Fianna Fáil, the PDs, Fine Gael and the Labour Party opposed us.

“In what was a great national effort

by our activists from all over this island we roundly defeated them all.

“So the battle lines have been drawn for the next contest. Between now and June and the local government and European Union elections we can expect more nonsense from Minister McDowell.

“The Taoiseach and Fianna Fáil should not be part of this short-sighted anti-republican agenda.

...
“I want to appeal to voters who traditionally vote for the other parties to look at the record of those parties.

“I want to appeal to them to vote for the only all-Ireland team.

...
“Campaigning on all of these issues is the core of Sinn Féin activism. It is the key to bringing about change now. “By acting locally, while thinking nationally we tie together the great historic elements of our philosophy.

...
“We are seeking energetically to build the peace while vigorously debating and campaigning on social and economic questions.

“We are endeavouring to bring an end to the union, while constructing a political party that will both improve conditions now and be ready to take power in the future, to shape a new Ireland, in collaboration with its people, into a truly national and egalitarian republic on this whole island.

“We have a lot to do.

“*Ar aghaidh linn.*

“Lets go out and do it.”

All extracts are selective and open to a charge of misrepresentation. What was said over the last weekend in February and picked out for quotation here may not mark the strategic change I see at the heart of it all. But it was all undeniably presented at the intense white heat of political change. And the listeners were cheering, not giggling.

Joe Keenan

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why not sample the electronic version of this magazine?

Merchant Capital And Loan Capital

Part 9 of a
review of
Das Kapital

Marx like Adam Smith before him tended to believe that value was only created in Agricultural and Manufacturing industries. No value was created by merchants in their work of selling products. Presumably, Marx would have shared Smith's view that no value was created in service industries and by extension employees working for the State.

Gwydion Williams in his book on Adam Smith is of the opinion that these views of Smith were ideologically based. He suggests that Smith was trying to undermine the contribution of people who did not work within the market system and that these views reflected his political prejudices rather than an objective analysis.

Williams makes the point that a lot of worthwhile work is done by state employees while it is sometimes the case that frivolous products are manufactured for the market.

I don't feel particularly well qualified to comment on the writings of Adam Smith, but it is certainly the case that many of his modern day disciples have a very strong ideological motivation. Such people believe that anything produced through the market is "good" and anything produced outside the market is "bad". Unlike Adam Smith, no distinction is made by these people between manufacturing and agriculture on the one hand and service industries on the other hand. The only thing that matters is the price obtained in the market place. Indeed many such people see Britain's declining manufacturing industry and rising service industry as being a positive thing reflecting its modernisation. The "over reliance" of Germany and Japan on manufacturing is perceived as a "problem" for such economies.

Whatever about Smith, Marx cannot be accused of having an ideological motivation for saying that "value" is only generated in the Agricultural and Manufacturing industries. Of course this does not rule out the possibility that he made an honest mistake. Nevertheless in my opinion Marx's view is substantially correct.

I don't interpret Marx's view as casting aspersions on the work of civil servants or people working in the service sector. The word "value" in the way Marx uses it is an economic rather than a moralistic concept. In Marx's view the wealth of the economy is generated in the Agricultural and Manufacturing sectors. The surplus generated in these sectors makes it possible for the financing of other sectors such as the commercial (wholesale and retail), banking, service and state sectors.

Such a view would have been shared by the Irish Government as reflected in its tax system. Up until quite recently there was a Corporation Profits tax rate of more than 10% for manufacturing companies and a rate of 40% for other companies. It was recognised that some companies generate wealth by what they produce and other companies merely facilitate the consumption of the goods that have been produced by others. This was why manufacturing companies such as Waterford Glass and Cement Roadstone could avail of the 10% tax while retail companies such as Dunnes Stores and SuperQuinn could not.

The two biggest supermarket retail companies in the world are the American company Wall-Mart and the French company Carrefour. These companies operate in a number of countries, but it is highly unlikely that they have a presence in a poor Third World country because such a country would not have the surplus necessary to spend on consumer goods. But it is by no means inconceivable that a manufacturing company could set up in such a country. It does not need a surplus to exist before it sets up.

Admittedly, it can sometimes be difficult to distinguish between a service company and a manufacturing company (e.g. is a software company a service or manufacturing company?). Also, globalisation has made it possible to sell services such as financial services across state boundaries. As well as this, if the owners of a factory in the Third World live in a European country, the profits repatriated to the European country can support a service industry in that country.

So in theory a country can diminish its indigenous manufacturing sector without dire economic consequences. But it is still true to say that Commercial and Service sectors still need a surplus to be generated by Agricultural or Manufacturing production wherever that production is located.

THE COMMERCIAL SECTOR

The Service sector was not as developed in Marx's time as it is now. But Marx knew all about the Global economy. He was also well aware that there existed a system of distribution which enabled the manufactured product to leave the factory gate and arrive at the location of the end user.

Sometimes the Industrial Capitalist organised the distribution of the product from the factory gate to the end user, but it would be more usual for this latter function to be performed by the Commercial or Merchant Capitalist. The business of distributing a product from the factory gate to the end user includes warehouse costs, finance costs, selling costs and transport costs. All of these costs with the exception of the transport costs are overheads. Marx believed that transport was the one service that could be considered as adding value to the product. It would be normal for this service to be provided by a separate company to that of the Merchant Capitalist.

The Merchant Capitalist can be a middleman between two capitalists or between a capitalist and a final consumer. He facilitates the Industrial Capitalist in reproducing his means of production without the product being converted into money by its final user. The Merchant Capitalist acts as a kind of financier by giving the Industrial Capitalist money for his product even though it has not been sold to the end user.

This means that the Industrial Capitalist has less capital tied up. However, by being at one remove from the market place, he needs to be careful to distinguish between Merchant sales and sales to the final user. If his own sales merely result in a build up of stocks on behalf of the

merchant with no onward sales to the end user, he might experience a sudden dramatic cessation of orders. For this reason most Industrial Capitalists insist on “sales out” or at least information on stock levels held by their Merchant Customers.

There is, in effect, a division of labour between the Industrial Capitalist and the Merchant Capitalist. The Industrial Capitalist specialises in the production of commodities. The Merchant Capitalist specialises in the very different skills of buying and selling. His objective is to find a buyer for the products of the Industrial Capitalist as quickly as possible.

He is not dependent on the production of one capital. He can buy the products of numerous different manufacturers and also the products from numerous different spheres of production. The consolidation of Merchants’ capital helps to reduce the costs of realising the value of commodities. The quicker the Merchant turns over his capital or sells the products he buys the less of his capital will be tied up. In Marx’s opinion the velocity or speed of circulation of the Merchant’s capital depends on two factors:

- a) The speed the process of production is renewed and different processes of production linked.
- b) The velocity of consumption.

As indicated in previous instalments of this series, Marx was particularly long-winded when it came to analysing the turnover of capital. What Marx means by part a) above was that the longer it took to produce a commodity the more capital will be tied up. But in my view this is more a problem for the Industrial Capitalist than the Merchant Capitalist. Unless the Merchant Capitalist is ordering custom-built product and has to pay on order, the capital tied up is that of the Industrial Capitalist.

However, there might be also an element of truth about part a) in the case of a customer who has a long production process and is buying from a Merchant. For example a House Builder who might take many months to complete a site of houses will often insist on generous credit terms from his Merchant supplier.

The “velocity of consumption” can only mean the speed at which products are consumed. Again, there is some truth in this. For example a customer who might consume a car over a period of five years

or more would often not pay for it out of his own money at the time he receives it. But in this case it would not be the Merchant or “Car Dealer” that provides the credit, it would typically be a Finance company.

However, nowadays it would be more usual to describe the capital that the Merchant Capitalist has to commit to in the following terms:

a) Fixed Capital

Other things being equal, the larger the business, the larger will be his investment in warehouses, forklift trucks etc. But the increase in the fixed capital outlay tends to be proportionally less than the increase in the trading business. In other words there are economies of scale.

b) Stocks

Again the larger the business the more will be the investment in stock. Investment in stock is related to fixed capital because the more stock that is held the more warehouse space that is required.

A lot of time is spent by Merchant companies trying to control stock levels. This involves trying to anticipate customer demand and matching it with orders from suppliers. Sometimes a reserve stock is held to cater for unexpected surges. But often the Merchant is prepared to run the risk of “stock outs” or not being able to supply his customers with low selling stocks because the cost savings of not holding such stocks permanently outweigh the risk of the loss of business.

Large Merchants have an advantage in trying to control stock levels because large numbers are easier to predict than smaller ones.

c) Debtors and Creditors

The amount of credit that a Merchant gives to his customers less the amount of credit he receives from his supplies represents a capital outlay to the Merchant.

d) Operational costs

The Merchant also incurs operational costs such as maintenance of the warehouse, security costs, office administration etc. Unlike the a), b) and c) above these are overhead costs or expenses. They represent a “flow” of expenditure rather than “capital outlay”. However, the Merchant will need capital to finance this expenditure.

COMMERCIAL PROFIT

Unlike the Industrial Capitalist the Merchant Capitalist sells the same product

as he buys. His products are not altered by a process of production. Marx reasoned that, with the exception of the value added by transport, the value of what was sold equalled the value of what he bought. But if the Merchant capitalist is not adding value to the product how can he make a profit?

Marx believed that the Merchant makes profits by not paying for a proportion of the unpaid labour of the Industrial Capitalists’ workers. In other words the profits which have been generated by the Industrial capitalist are shared with the Merchant capitalist. But why would the Industrial capitalist do this? There are two reasons:

a) The Industrial Capitalist’s company may not have developed the selling skills that the Merchant Capitalist has. Arguably, the Merchant Capitalist is likely to know the customers and the market in general better than the Industrial Capitalist.

b) If the Industrial Capitalist does not allow the Merchant Capitalist a share in the profits he will have to raise the extra capital himself to finance the distribution of his product to the end user.

The next question is how much of the profits should be distributed to the Merchant capitalist. The amount of profits that the Merchant can expect is in line with the general principles of the capitalist system. The profits he will receive will be in proportion to the amount of his capital outlay. Just as the rate of profit (profit divided by capital outlay) regulates the allocation of resources between different spheres of production, so also does it determine the allocation of resources between the Industrial and the Commercial sectors within each sphere of production.

If the rate of profit in the Industrial sector is greater than that of the Commercial sector, capital will leave the Commercial sector until both sectors have the same rate of profit.

In the simple example below we have assumed no fixed capital by the Industrial Capitalist, one turnover per annum in Production and an average composition of capital (i.e. value equals price). The following is the breakdown of the value created:

$$800c + 100v + 100s = 1,000$$

The Industrial Capitalist has a capital outlay of 900 (800 + 100) and has generated

profits of 100. However, if the Merchant has had an average annual capital outlay of another 100 he will expect 10% (i.e. $100/(900 + 100)$) of the profits because he has had to contribute 10% of the capital outlay to realise the 1,000. Therefore the Industrial Capitalist will receive 90 and the Commercial Capitalist will receive 10 from the total profits of 100.

The Industrial Capitalist sells the product for 990 to the Merchant. His annual capital outlay has been 900 so the rate of return on his investment is 10% (a profit of 90 divided by 900). The Merchant buys the product for 990 and sells it for 1,000 so how can his rate of return also be 10%? The rate of return refers to the return in one year of a unit of capital. We know that the Industrial Capitalist takes one year to produce his product (i.e. an annual turnover of one). However, the Merchant may realise his sale in a shorter period of time. If however he does take one year to sell the product he bought, his capital outlay is 990. Therefore, if his capital outlay is to be reduced to 100, the time he will need to realise his sale is $100/990$ ths of a year or just under 37 days. His rate of profit will now be 10% per annum.

At this point the system is in equilibrium. Both the Production and Commercial sectors have the same rate of profit or return on capital employed. Let us now examine what happens if the system is out of equilibrium. For example, take the case of the Merchant having a 5% rate of profit because he takes 74 days instead of 37 days to realise his sale and the Industrial Capitalist retains his 10% rate of profit.

There are a number of things that the Merchant can do. He can go back to the Industrial Capitalist and look for a price reduction. The latter might feel that the Merchant has a case, but on the other hand he might think that a 10% rate of profit is the minimum that he is prepared to accept. If the average social rate of profit is 10% the Industrial Capitalist might feel that he should reduce his production of his existing products and invest his capital elsewhere.

If the Merchant receives a refusal from the Industrial Capitalist, he can attempt to increase the price on the market. But if he does this the demand for the product is likely to diminish. This in turn will affect the production of the Industrial Capitalist. He might also decide to concentrate on selling to quick-paying customers and reduce his credit to other customers thus reducing his capital outlay and increasing his rate of profit. Again, it is likely that the

effect of this will be to reduce the demand for the product which will ultimately affect the Industrial Capitalist.

The above analysis shows that, if the combined rate of profit of the Merchant and the Industrial Capitalists is below the average social rate of profit, the likely consequences will be a decrease in the production of that product. The opposite is the case if the combined rate of profit is above the average rate.

Since the dawn of capitalism there has been a conflict between the owner of the means of production on the one hand and the Merchant on the other for the distribution of the surplus value. When capitalism was at an undeveloped stage the Merchant tended to dominate the Producer because transport was expensive and production was dispersed. As capitalism developed Marx believed that the Industrial Capitalist came to dominate the Merchant because production became centralised and transport costs diminished. This is substantially true. The Merchant sector has become subservient to the Industrial sector. However, consolidation within the Merchant sector in some industries and the phenomenon of "own branding" has enabled the Merchants to dominate small industrial capitalists.

Nowadays, the large Industrial Capitalists tend to have a Distribution Company to sell on their products to the Merchants. This company would typically hold stock for the merchants to draw on. It would also have sales and service departments to support the product and to make sure that the Merchants were continuing to stock its products.

This writer worked for a distribution company in a situation in which some of Marx's ideas regarding the distribution of profits between the commercial sector and the industrial sector would have been helpful. As a result of restructuring, the company which manufactured most of the products sold by the distribution company ceased to own the distribution company. Whereas, before the restructuring, it didn't matter what price the Industrial Company sold to the Distribution Company, after the restructuring it was of crucial importance because a different set of shareholders owned each company.

Not having read our Capital Volume 3, the negotiations were quite acrimonious because it was difficult to agree on a rational basis on which the discussions could proceed. Negotiations eventually

resolved themselves around what the appropriate "gross return on sale" (profit before overheads divided by Sales) for a distribution company should be. While this did not have the theoretical coherence of Marx's rate of profit, it was probably the most practical solution. Details on capital outlay for both companies would have had to be shared which was not going to happen. Even if such details were shared, it would have been difficult to apportion overheads and capital outlay to the different products.

Although ultimately there is a tendency for the rate of profit to be equalised throughout the system, this is only reached blindly. The capitalist or the capitalist's managers do not have all the information. They cannot predict the future. Sometimes, even if the information is available, it might be too costly in terms of time and money to obtain it. In order to avoid such well known business afflictions as "paralysis by analysis" or "hardening of the categories" a Manager must seek a balance between obtaining and analysing information on the one hand and the necessity of making timely decisions on the other. Even in this era of sophisticated information systems many important business decisions have to be made on the basis of "gut instinct" and "rule of thumb".

Another problem is that there will usually be a delay in making adjustments. In the case of a declining industry the Capitalist has to satisfy himself that the rate of profit is permanently below the average social rate and is not just a temporary crisis. Even if he has satisfied himself of this fact it is not a simple matter to make the necessary adjustments. He will already have bought the machines to produce the products. Those machines will now be worthless. Much of his capital outlay will have already been "sunk" in the business and will not be retrievable. It might very well be the rational business decision to limp along in production for a period of time even though the rate of profit is below the average rate.

In short the tendency for equalisation of the rate of profit throughout the different branches of industry happens "post festum" or after the event. After errors in investment, business failures, and the winding down of unsuccessful enterprises, capital is reallocated to industries with a rate of profit at or above the average rate of profit.

LOAN CAPITAL

There is a class of capitalist that lends to other capitalists for a rate of interest.

Sometimes these loans are made directly to Industrial or Merchant companies, but more usually the loan is made in the form of a deposit in a Bank. The Money Capital in the bank is an undifferentiated mass. It is indifferent to which sphere of production it is invested in. It is controlled by the bankers, who are in effect the representatives of Social Capital. They are intermediaries who enable idle capital to be transferred to productive uses. Banks also lend for consumption purposes as we shall see in a later instalment.

We will also look at the specific determinants of the rate of interest in a later instalment, but in general there is no “natural rate of interest”. The rate of interest is determined by competition and is therefore arbitrary. Marx believed that the “qualitative” difference between “labour power” and “capital” was the source of the “quantitative” difference between how produced value is shared out. There is no such “qualitative” difference between the lender and the borrower to determine the interest rate.

The general rate of interest is dependent on the general rate of profit and the proportion in which profit is divided between the borrower and the lender. In other words surplus value must exist for part of it to be distributed as interest to the lender of money.

In general the rate of interest should be less than the average rate of profit. Otherwise why would the Industrial Capitalists borrow from the Lender? On the other hand it might be asked, why would the Lender lend at a rate of interest below the rate of profit?

An investor in Loan Capital, as distinct from Share Capital, is prepared to accept a rate of return less than the average rate of profit for a number of reasons. Firstly, there is less of a risk in Loan Capital. If he invests directly in a company his loan or debenture has first call on the profits of the company. He has to be paid before profits are distributed to the shareholders. His return on his investment does not fluctuate with the vagaries of business. Also, if the company becomes insolvent he will be paid before the shareholders out of the proceeds of the sale of the assets.

If the loan is made through a Financial Intermediary (i.e. a bank) the risk is reduced even further. Since the interest is guaranteed by the bank the investor only has to worry about the unlikely event of the bank becoming insolvent. However,

because the risk is in part borne by the bank, the interest it pays on borrowings from the lender is less than the interest it charges to the Industrial or Merchant Capitalist.

A second reason why the investor in loan capital might accept a rate of interest lower than the average rate of profit is that he may not know or have the time to assess whether a given company is a sound investment or not. A bank on the other hand specialises in assessing the credit worthiness of the companies it lends to.

Thirdly, a bank might offer greater flexibility in terms of being able to redeem the loan than the Industrial or Merchant Capitalist.

Of course, the same logic in reverse applies from the perspective of the Industrial or Commercial Company. From a Company’s point of view Share Capital

is less risky since the shareholders have a reduced return when profits are down. However, Loan Capital is more risky since the Company has to pay interest each year regardless of whether profits are high or low. On the other hand, since less risk applies to Share Capital, the company has to offer a greater return than Loan Capital to attract such investors.

I once remember discussing this point with a Financial Director of an Agricultural Co-operative which had recently floated on the Stock Exchange. He said that the Farmers thought that they were getting “free money”. It was only after it had floated that many of them realised that the new Share Capital was more expensive than the Loan Capital because their ownership had been diluted and the new shareholders expected a higher return than the rate of interest.

John Martin

THE CLONBANIN COLUMN

“Shortly before 10 a.m., and just as the mine was being laid at the eastern end, a signal was received that lorries were approaching from the east. Most of the Sections were already in position and the Section Leaders were with Sean Moylan near the eastern mine. A hurried consultation resulted in the decision to attack this approaching convoy, despite the fact that the party for which the ambush had been laid was expected from the west. Section Leaders hastily rejoined their Sections with orders to hold their fire until the western mine had exploded, while the operator in charge of the eastern mine was instructed to allow all the lorries to pass through with the exception of the last which he was to ‘blow’” (*Rebel Cork’s Fighting Story* by Pat Lynch, Anvil Press, Tralee).

“THE United states government and the giant American joint venture company Raytheon/Lockheed-Martin yesterday said they were ‘very pleased’ that the Department of Defence here has chosen a sophisticated US missile system for the Defence Forces.

“It’s the biggest ever US weapons sale to Ireland. The sale of Javelin, which saw service by US forces in Iraq, was approved by the US Congress and the overall sale is believed to be worth 20.5 million Euros.

“The Javelin will replace the French Milan missile system in Irish service.

“It is the first sale to a neutral, non-aligned nation. To date, seven international customers have selected Javelin.

“As is usual with Irish defence contracts, no offset deal was involved.

“The deal will require a US government and company team to remain in Ireland for two years to assist in the delivery and deployment of the missiles.” (Irish Independent, 8.1.2004).

"I read in the newspapers that citizens are being asked to 'shop' their fellow drivers for various offences. This is not a nanny state, yet we are becoming more like the world George Orwell described in 1984 and Animal Farm" (Letter to Irish Independent from Fianna Fail MEP for Dublin, Niall Andrews, 7.1.2004).

"The 'vast majority' of private sector workers choose not to be in trade unions and new legislation should recognise this, IBEC said yesterday.

"Mr. Brendan McGinty, IBEC's director of industrial relations told his organisation's annual human resources summit in Dublin that the law should reflect the 'direct employment relationship' that most employers have with their employees. *'Legislation that gives priority to a collective ethos or which assumes that everyone is in a union does not reflect the Irish workplace of the 21st century. A greater balance in the framing of employment legislation is required'*, he said" (Irish Times, 5.11.2003).

IBEC have issued a New Year warning to trade unions that they will seek legislation to outlaw strikes if the peace provisions in the Sustaining Progress pay deal do not deliver a strike-free situation.

Mr. McGinty, the Industrial Relations Chief of IBEC, warned that new codes to outlaw disruption of essential services need to be monitored closely. He welcomed the decline in days lost to industrial action over the past six months but added that—

"the fact that such agreements in areas of essential service provision have taken over 11 years to be arrived at since the original Code of Practice was agreed in 1992 suggests a lethargic and reluctant engagement by the trade unions in tackling this serious issue".

"If after eleven years the codes of practice fail to deliver the industrial peace that the public and the taxpayer deserves, then legislation precluding industrial action in these key areas of essential service provision will have to be considered," concluded Mr. McGinty

The most recent figures available on industrial disputes from the Central Statistics Office (CSO) show that for the first three months after the Sustaining Progress deal came into operation, just 1,000 days were lost.

This compares to 4,613 for the same July to September period in 2002.

A REFERENDUM to decide how the right to housing should be balanced with the constitutional rights of property owners **may** be recommended shortly by a powerful Dail Committee.

Chairman, Denis O'Donovan, the West Cork Fianna Fail TD said Ireland was one of the worst countries in Europe for building major infrastructural projects on time, primarily because of the amount of "hoops" that had to be "jumped through" before planning permission was received.

"Some people have reaped rich rewards in the last eight or 10 years in Ireland and I'm not sure that the common good is being totally served by it," he said.

His committee was tasked almost a year ago with carrying out the most fundamental review of property rights, as guaranteed in the Constitution, ever carried out here.

The committee took on board the views of 150 special interest groups, including housing agencies, CORI, the Law Society, auctioneers, builders, architects, surveyors and political parties in compiling the report.

Among the recommendations being proposed is a constitutional referendum to decide on the rights of land ownership versus the right to housing, but "innovative legislation" might also be considered to surmount the problem of the high price of development land.

"NO PEOPLE—not even the Irish—know their own history as thoroughly as the Poles. Every visitor or resident in Poland remarks upon that. Ruairi Duffy, a design engineer from Co. Mayo who has been working in Wroclaw for the last three years, say that "during conversations with my Polish colleagues I'm continually amazed by their knowledge of each part of Poland's past history". Neal Ascherson writes in *The Struggles for Poland* that "more, perhaps, than any other European national, Poland is consciously connected to its own history, living in and through that history. What happens now is sure to have happened before; the figures on the stage are only fresh actors playing the limited number of familiar parts" (Mary Kenny comments on Poland's entry to the EU, Irish Independent, 3.1.2004).

"To the memory of the striking Bolshevik printers of St. Petersburg who, in 1905, demanded to be paid the same rate for punctuation marks as for letters,

and thereby directly precipitated the first Russian Revolution" (The dedication in the best-selling book by Lynne Truss: *Eats, Shoots & Leaves*, Profile Books, 2003: a book devoted to the neglected art of punctuation).

"THE Six-County Labour Party, at its annual conference in Newtownards (Co. Down) yesterday, passed by 17,700 votes to 2,400 a resolution declaring that the rearmament of Germany would be a grave threat to peace, and urging the British Labour Party to resist the proposal.

"Moving the resolution, Mr. E. Harvey, said: *'The rearmament of Germany is madness. I think it is better to have Germany as a vacuum than to have another Korea.'*

"Mr. E.J. Morrow, seconding the resolution said: *'I cannot think that Russia is going to risk her all by shambling into Germany. It's silly, it's stupid, it's revolting.'*

"Mr. A.C. Cinnamond declared: 'In my opinion the Germans never change—they will always be the same. The Jew-baiters and *herrenvolk* are still in Western Germany and the re-armament of that Germany is a very dangerous thing for the rest of the world'" (Cork Evening Echo, 21.4.1954).

INVITATION to a weekend of Creative Dialogue at the Cork Social Forum. March 27/28, 2004 in the Community Hall, Ballinhassig, County Cork with the theme: "Who Governs? Let's Take Responsibility"
Admission: Day One: Euro 15. Two Days: Euro 20.
To Book please call 026 47352 or
e-mail - cork
socialforum@utvinternet.com
"Another World Is Possible . . ."

NEW PUBLICATION:
SEAN MOYLAN in his own words: His memoir of the Irish War of Independence. 234 pp. Price 15 euro. Aubane Historical Society.

Judge's Severe Assessment Of Kevin Myers' Lack Of Credibility

2.68 ...allegations stemmed from the book written by Toby Harnden and the article written by Kevin Myers, the officers interviewed both journalists in the course of their investigation. The interviews revealed how little these gentlemen relied upon fact and how much they relied upon suspicion and hypothesis. It will be helpful to review these interviews and the statements made by the authors. It should be remembered that there was no probing cross-examination of the authors; rather they were simply interviewed in a straightforward manner in comfortable surroundings.

I. THE INTERVIEWS WITH MR HARNDEN

2.68 In the first edition of the book "Bandit Country" the author, Toby Harnden, alleged collusion in the murders of Chief Superintendent Breen and Superintendent Buchanan: He wrote that: "Senior RUC and Garda officers told the author that they were certain that information passed by a Garda officer enabled the IRA to ambush them as they returned from a meeting with Chief Superintendent John Nolan at Dundalk Garda Station". Harnden was interviewed in Washington DC by Garda officers on two occasions: 6 April 2000 and 12 May 2000. When he was asked to identify his sources, Harnden stated that a lot of what was told to him was circumstantial and that he did not believe that he was in possession of evidence that could result in any charges.

2.69 The Garda investigation included inquiries of the RUC. These inquiries revealed "That no evidence existed nor could any documentation be located, which indicates Garda collusion with subversives". Assistant Commissioner Edward O'Dea was appointed by the then Garda Commissioner to conduct all necessary inquiries in Dundalk. Every single Garda member from Dundalk station who was working on 20 March 1989 when the RUC officers were murdered was interviewed and a statement taken from each officer. Assistant Commissioner O'Dea concluded that no member of An Garda Síochána leaked or passed on any information to any person outside the force concerning the visit of the two RUC officers to Dundalk on 20 March 1989...

2.84 In the revised edition published in late 2000, at pages 216-222 Harnden outlined the same allegations of collusion along with some additional ones, namely, that in addition to one leak by "Garda X", there was another officer "Garda Y" that was also providing information to the IRA. During the interview with Harnden he told the

officers "There were suspicions about Garda B before this when the leak from the Garda station became an issue. I suspect Garda B was involved but have no evidence. There was suspicion in the RUC about Garda B. Garda A has recently been mentioned to me in the context of a matter that, if established, would have been a disciplinary offence of relevance. Looking at it in hindsight, he must now also be a suspect". When Harnden was asked if he had discovered any new information since he wrote the book, he answered "Not really in terms of specific detail. The two names have been generally thrown about - Garda B and Garda A - but nothing specific".

2.85 The Garda report indicates that the additional allegations in the second edition seemed to be based upon the discovery of the existence of Garda A's alleged involvement in the matter that, if established, would have been a disciplinary offence of relevance and the more expansive theories expounded by Myers in his article "An Irishman's Diary".

2.86 At this stage I should observe that the matter that, if established, would have been a disciplinary offence of relevance refers to events that took place in 1993 some time after the murder of the Gibsons and Breen and Buchanan. It is not relevant to those murders except in a peripheral manner by indicating that some Garda officers appear to have been prepared to assist members of the IRA.

II. THE INTERVIEWS WITH MR MYERS

2.87 Myers was interviewed by the Garda investigating team on 10 and 24 May 2000. He was asked to provide any information or evidence in his possession that provided the basis for his statement that a member of the Garda was directly responsible for the murders referred to in his article. These murders included those of Chief Superintendent Breen and Superintendent Buchanan and Lord Justice Gibson and Lady Gibson.

2.88 Myers responded that he had information but no evidence. When he was asked to identify the retired member of the Garda that he referred to in his article, Myers stated that he did not wish to name the retired officer. He went on to say that since writing the article he had learned that more than one Garda was involved in leaking information to the IRA. He referred to an "active cell operating in the Dundalk Garda Station".

2.89 He used the word "cell" because he believed that there was more than one Garda involved and the Gardai were not working alone. When he was pressed with regard to this, he stated that it was his belief that there were "a very tiny number of Gardai inside Dundalk Garda Station who were leaking information to the IRA and that they may or may not have been working together".

2.90 With regard to his allegation in the article that a Garda officer "passed vast amount of intelligence to the IRA and even recruited for the IRA from within the force" Myers stated that he based this statement on the "Bandit Country" book and then made further inquiries of other journalists, RUC officers and Gardai.

2.91 When he was asked to identify the intelligence referred to, Myers stated that the entire Narrow Water investigation had been compromised by an individual or individuals within the Dundalk station. This was a reference to an IRA bomb attack in 1979 which killed 18 British soldiers. Two men were arrested by the Gardai but released and the items seized during their arrest could not be located when the RUC asked for them.

2.92 While Myers attributed a sinister motive to the disposal of the items, the Garda investigation report observed that all indications were that they had been inadvertently disposed of by the Gardai.

2.93 In his second interview Myers acknowledged that there was a long time span between Narrow Water and the other incidents and that there may be no connection between them. He acknowledged in his interview that his instinct then was that it was not a conspiracy to destroy forensic evidence; rather that it may be more in the line of incompetence and he did not have any reason to suspect a Garda mole.

2.94 When asked about the matter that, if established, would have been a disciplinary offence of relevance, Myers stated that he was dealing with the story before the matter came to light and could not recall when the information came to him.

2.95 Myers was asked to provide the Gardai with any evidence he had to support his statement that ex-Gardai passed on precise information to the IRA regarding the movements of a Brinks Mat security van in May 1985 and the handover of the escort of that vehicle from the Gardai to the RUC.

2.96 Myers responded with a very general statement that he had been told by his informant that all border transactions which had gone wrong had been compromised.

2.97 The same response was given when he was asked for evidence to support the claim that there had been a Garda mole who was active in connection with the murder of the Gibsons.

2.98 The statement Myers made that "but as was revealed within a year; the Garda mole was vital" was simply his hypothesis that it was not a mole within the travel agents that brought about the murders, but information that came from elsewhere.

2.99 With regard to Myers' statement that ex-Gardai had told the IRA of the precise handover point from the Gardai to the RUC of an escort for Lord Justice Higgins,

resulting in the murder of the Hanna family, he once again responded with the general statement that he had been told that all handover to the RIC had been compromised.

2.100 In his second interview he stated that “nobody spoke to him in relation to all of the incidents referred to in the article, that each one was compromised in a particular way”.

2.101 Myers stated that there were elements of “conjecture, hypothesis, etc. and that he wrote about the pattern”.

2.102 When further pressed with regard to this, he confirmed that he had no specific information in relation to each incident referred to. He added: “I wrote from my overview. I may have stated it in a more authoritative way than I should. I probably wrote it as a fact, where if I wrote the article now I probably would not write it as fact”.

2.103 When he was asked about his references to a mole in the Dundalk station and if this was a matter of conjecture, Myers stated that sources had stated it to him. He said he did not question or interrogate them about this, but they knew things. He did not question them about the details of their knowledge. He stated: “I was told that handovers at the border were compromised but did not question this perhaps I should have. I presumed that these persons were telling the truth and that they had no reason to lie. I would have asked they were sure about what they were saying.”

2.104 When asked about his allegations that Breen and Buchanan were set up by the Garda mole, Myers stated that he relied on Harnden’s book which he took to be hard information. He had also made inquiries north and south and obtained information that was “anecdotal but sufficient for me to say and justify this statement in the article”.

2.105 In the second interview he once again said that he had relied upon Harnden’s book. In relation to other sources, he said that he did not think that any of them had lied “but they may have told me untruths believing them to be the truth. But I do not believe this”.

2.106 When asked, he stated that he did not have any evidence to present which supported his statement that an ex-Garda mole had passed on information to the IRA regarding the movements of Breen and Buchanan.

2.107 With regard to the murder of Tom Oliver and allegations of a Garda mole in Dundalk, he stated: “This is what Toby Harnden told me. I say RUC intelligence—it could be M15/M16. While I mention not even a minor Garda inquiry did not take place, I don’t know, I could be entirely wrong.”

2.108 The report carefully observed that,

and because the ideas come of prejudices, training and background of so many men, working independently of any immediate central control, contributed to its creation, development and effort, it followed, of course, that the development, efforts and results in the various districts were unequal and its activities open to criticism if judged in accordance with the theories that had discarded by all Nations in times of War.

“But, in considering the evil a man does and mistakes he makes, one’s judgement is less liable to error when the man is faced against the background of his time and country. The intransigent who, when his country was invaded and over-run during the last Great War, took up arms against the invader and in secret, and in civilian guise, killed, burned and destroyed the forces and equipment of the invader is lauded as a hero—in Poland *tuigeann tú*—But here in Ireland everyman who took up a gun, who with the dice completely loaded against him, went on to fight for his country liberty in the only fashion possible, was deemed a murderer by those who controlled all organs of publicity”.

I was particularly interested in Seán Moylan’s meticulous description of the setting up of the Republican Courts. The setting up of the courts, of course, were an incredibly important aspect of the War of Independence as it exemplified the transfer of allegiance and the administration of justice from the British Authorities to the fledgling Irish State. I was amused at the way he described the treatment of the Sempiternal Litigant. There is, he said,

“in every community some discordant human element, crank or troublemaker, who has a genius for the manufacture of grievance and an insatiable desire for litigation. He discovered in the Courts a fresh field for his activity, but it was a disastrous field for him.”

It is clear that some traits of human character never change.

One very interesting episode towards the end of the book that I would like to bring to your attention. Kevin Myers and others have made serious allegations regarding the treatment of prisoners by the IRA. As you are all aware Seán Moylan was arrested towards the end of the War of Independence. He was brought before a British Military Court, composed of three Officers of the British Army. When brought before the court again for sentencing, the President of the Court, in summing up the evidence, referred to his chivalrous treatment of prisoners and said that, in view of his attitude towards these prisoners, instead of sentencing him to death, that he would serve 15 years penal servitude. It is interesting that it is the judgment of British Officers in a court that so clearly exonerated Seán Moylan and his colleagues from the charges laid against him. As Seán Moylan himself says,

“this talk about chivalrous treatment of prisoners was meaningless. No British prisoner falling into the hands of the I.R.A. anywhere was ill-treated. Irishmen with arms in their hands captured by the British were always executed. The British soldiers so captured had always been freed”.

The anonymous poet said talking about the capture of General Lucas.

“And now to conclude and finish, I hope it will not be long
Till we see old Ireland free again and the R.I.C. men gone,
And when they free our prisoners and tell them they may go
We’ll do the same for Lucas where the Blarney Roses grow.”

Go raibh míle maith agaibh.

while Myers attributed this information to Toby Harnden, there were no allegations of Garda collusion in the murder of Tom Oliver referred to in the first edition of Harnden’s book “Bandit Country”. There was a reference in the second edition, although this was published after Myers’ article and appeared to refer to a different officer than the one identified by Myers.

2.109 The following is a summary of the conclusion of the Garda report which appears to be appropriate in light of the statements made by Harnden and Myers during their interviews.

III. SUMMARY OF THE CONCLUSIONS OF THE GARDA INVESTIGATION REPORT

2.110 Assistant Commissioner O’Dea in his report concluded that he “was satisfied that no member of An Garda Síochana leaked or passed on any information concerning the visits of the RUC officers to Dundalk on 20 March 1989 to any person outside the force”.

2.111 In the investigations carried out by Chief Superintendent Camon and Detective Inspector Kirwan, it was observed that the two members of the Gardai whose names

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Blair. Yet, all the while our own security forces keep pretending that their files on the 1974 Bombing massacre are missing.

“Yesterday Mr. Justice Barron wryly remarked that the files on the UVF and the UDA for 1974 and 1975, the period that takes in the bombings and the subsequent Garda investigation of the atrocity, were missing.

“A lawyer for the relatives, Greg O’Neill, found it hard not to believe that the files had been deliberately removed, although Mr. Justice Barron was at pains to say he did not believe that anyone deliberately withheld them from his inquiry.

“Mr. Justice Barron said the files were not available in 1993 and senior gardai have been reported as saying that whether or not they still exist, they will not be released as the information in the files go to the heart of the Garda’s intelligence gathering operations” (Irish Independent-4.2.2004).

Gardai had interviewed none of the original 15 people suspected of carrying out the Monaghan bombing in May, 1974, at the close of the investigation, two months after the massacre. Even though five of the men were eventually questioned in the 1990s by a television crew investigating the atrocity, gardai attended just one interview.

Mr. Justice Barron also claimed that a former garda interviewed about the Monaghan atrocity failed to give all the information he had to the inquiry team.

Add that to the Taoiseach’s indication that a sworn public inquiry is unlikely and it is easy to understand why the heavens cry out for justice for the victims and relatives of the biggest mass murder in the history of the state!

Did MI5 steal the Garda files? Or were they just handed over to London for safe-keeping?

A former British Army explosives expert, Lt. Col. Nigel Wylde, told the sub-committee it was his opinion that loyalists would not have had the expertise to carry out the bombings without help.

Furthermore, he argued they did not have access to the explosives used—ammonia nitrate fuel. This was probably seized from the IRA by security forces in the North, he said.

“A man who believes he saw one of the bombers park the Parnell Street

car-bomb said he was never shown any photographs of those suspected.

“Mr. Seamus Fitzpatrick said he was never treated by gardai as someone who might have had information that could have made a ‘special’ contribution to the investigation into the attacks.” (Irish Times, 25.2.2004).

“John Molloy was 21 years old and studying for his Leaving Certificate at the time of the bombings.

“Some months later a cheque for £50 arrived in the post from the Criminal Injuries Compensation Tribunal to compensate for his leg injuries. ‘I had been brought up humble. I was living with my mother at the time, she had just been burgled. I was just glad I had something to give her.

“But before he could cash it, he had to sign a waiver that would prevent him from seeking further compensation.” (Irish Independent-21.1.2004).

EUROPEAN CONVENTION ON HUMAN RIGHTS

The victims and victims’ relatives of the bombings will take legal action against the State if a full public inquiry into the atrocities is not established, Mr. Michael Mansfield, QC, acting on behalf of a number of the victims argued that the incorporation of the European Convention on Human Rights meant the Government had “*little or no option other than to order a public inquiry*”, Mr. Mansfield said the right to life—as guaranteed in the Convention’s Article Two—was violated by a failure to carry out an effective and thorough investigation following the unlawful killings.

He said one could not prejudge a properly constituted inquiry on the basis of what it might come up with.

He was confident that the British government would hand over files to a public inquiry that it had refused to the private Barron inquiry.

“If the British government refused to co-operate with a public inquiry, it could be found to be in breach of the European Convention”.

Mr. Eoin McGonigal, SC, also for the families, agreed that the British would make documents available to a public inquiry. He and Mr. Mansfield recommended a public inquiry be chaired by a judge from neither Britain nor Ireland. They suggested a chairman might come from the United States.

“If an international judge of

authority, and standing chaired the inquiry, it would send a message to the British that the documents will be treated with the respect that the government sending them expects, said Mr. McGonigal.

“A rich irony,” is how Sam Smyth described it: “when it was the Irish government which successfully pursued a conviction of the British government’s breaches of Human Rights in the European Court in the 1970s.” (Irish Indep, 29.1.2004).

Dr. Colin Warbrick, a professor of law at Durham University, said any failure to call a public inquiry could leave the Government open to a challenge in the Irish courts under the European Convention on Human Rights.

Professor Warbrick said that neither the Barron inquiry nor the original Garda investigation satisfied the standards for an effective inquiry set out by the European Court of Human Rights.

The Irish Council for Civil Liberties states that: “*...delivering justice can no longer be subservient to political expedience*”. The first week of March and the recommendation of the Oireachtas Justice Committee will see whether such lofty principles apply to Dail Eireann!

SEE: *The Dublin & Monaghan Bombings* by Don Mullan—Wolfhound Press, Dublin—2000—336 pages.

Cory Report continued

had been mentioned—Garda B and Garda A—were interviewed and both had denied the allegations. I note in passing that the denials would not of themselves suffice to allay suspicions regarding their activities. One document I have obtained could be found to indicate that Garda B did pass information to the IRA and telephoned a member of the provisional IRA to advise that Officers Breen and Buchanan were at the Dundalk station on 20 March 1989.

2.112 Detective Chief Superintendent McBurney was appointed by Chief Constable Sir Ronnie Flanagan to carry out, on behalf of the RUC inquiries into the allegations of collusion by Garda officers. The Garda report indicated that it had been advised that the RUC had not found any evidence or documentation which pointed to Garda collusion with subversives....

1974 continued

presented political difficulties, as it may have set a precedent for RUC officers to begin interviewing suspects in the south.

If a suspect had been identified, and clear evidence existed linking them to the atrocities, *“we would have sought the extradition. But we were unlikely to have succeeded on the basis of what was going on down here”*, he said.

Mr. Cooney also said he had received a list of suspects soon after the bombings and has *“probably”* mentioned this to a special cabinet sub-committee responsible for security.

“That list should be available from Garda records. I was aware from day one who the likely people were from information given by the RUC, but there was no evidence to prosecute them. That, unfortunately, remains the position today.”

Mr. Cooney said there was no evidence to suggest possible collusion between British security forces and the loyalist bombers, and *“no hard evidence”* on which the Government could have taken action.

He said the gardai never requested the Government to make representations to the British government for greater co-operation from the Northern security services.

“WE are, Mr. Cooney said, ‘light years from the fraught times of 1974’”
(Irish Examiner, 31.1.2004)

SEAN DONLAN

A former senior diplomat, Mr. Sean Donlon, told the Oireachtas sub-committee that he believed there was British security force collusion in the 1974 bombings. *“The British Army has always had units and elements in it that engaged in dirty operations”*.

Mr. Donlon—who was never interviewed by Mr. Justice Barron for his official report on the incident—claimed he was dismayed with the Barron report’s findings in relation to collusion because it did not appear to delve into the area to any significant degree.

Mr. Donlon said that people at a senior level in the British justice system during the 1970s were aware of collusion going on, and yet did nothing to stop it. He often met a *“solicitor in Dungannon”* who could bring him for a meal or a drink and point out RUC men talking to other men *“who weren’t there for the drink”*.

Mr. Donlon said that if the British security forces, even rogue elements, had colluded with those who planted the 1974 bombs, the Republic’s sovereignty would have been breached by the British.

“It’s tantamount to declaring war. Governments should be able to control rogue elements. For the sake of our national interest this should be investigated.”

Mr. Donlon worked on the Northern Ireland desk at the Department of Foreign Affairs from 1971 to 1978. He told members of the Justice Sub-committee he was appearing before them after responding to a newspaper advertisement seeking any relevant parties to come forward.

While getting the truth about the bombings would prove difficult during any public inquiry, he said, it would not be impossible.

On the possibility that an Anglo-Irish cross-jurisdictional inquiry could be set up, he said: *“I would not give up hope.”*

The Taoiseach and British Prime Minister enjoyed a very good relationship. *“The nature of Anglo-Irish relations would withstand Ireland taking the rough and tough path on this. Unless it’s tried we will never know”*.

He had believed the Barron report would focus on collusion and that the actions or inaction of the gardai and government of the day would prove secondary. But the opposite was the case. However, part of the reason Mr. Justice Barron had not reached stronger conclusions on collusion, and other issues, was because he had been denied access to 68,000 files held by the British.

NORTHERN IRELAND OFFICE

No evidence has been uncovered by the authorities in the North linking members of the RUC, UDR, British army or intelligence services to the Dublin/Monaghan bombings, Secretary of State Paul Murphy has claimed.

In a letter to the Oireachtas sub-committee hearings into the Barron report, Mr. Murphy said if any evidence had been found, it would have been passed on to Mr. Justice Henry Barron.

After requests to the British for information, the judge received a 10-page letter from the Northern Secretary and a further six pages detailing the workings of the security services at the time. The Northern Ireland office said there are 68,000 files of possible relevance and millions more in London’s Ministry of Defence.

Mr. Justice Barron received no original files from the British authorities. Mr. Murphy declined an offer to attend the justice sub-committee hearings. The letter was in his name and those of his immediate predecessors, John Reid and Peter Mandelson.

In a letter to the Monaghan Sinn Fein TD, Caoimhghin O Caolain, the British Government has said that it gave *“all relevant information”* from its files to the Barron inquiry.

The assertion by the Minister of State for Northern Ireland, Ms Jane Kennedy, is in direct contrast with the conclusions of the report on the bombings by Mr. Justice Barron, in which he said that the British authorities had failed to provide sufficient information to his inquiry.

Mr. O Caolain, said it was an *“extraordinary statement”* considering that 68,000 files existed and Justice Barron received a 10-page document followed by a *“further missive”* and no original documentation.

The Sinn Fein deputy also questioned the level of effort involved in trying to locate the missing Department of Justice files linked to the bombing, and said that if files relevant to any other tribunal or investigative process in the State were missing there would be a *“national scandal”*.

Labour leader Mr. Pat Rabbitte said it was extraordinary that files had gone missing from the Department of Justice *“given that this was the greatest act of mass murder in the history of the State”*.

Fine Gael leader, Mr. Enda Kenny said that even a sworn public inquiry would not provide the truth about the bombings unless the British Prime Minister *“guarantees that all witnesses of which his government is aware are compelled to attend and all evidence in its possession is made available”*.

This is bloody rich considering that our own security forces are playing ducks and drakes with the democratically elected government!

THE MISSING GARDA FILES?

It is evident that the Garda do have the ‘missing’ files! What a joke, no, what a travesty. The single strongest argument by the Government and the political establishment is that a sworn public inquiry would be fruitless as MI5 and MI6 are ‘a law unto themselves’ and refuse to hand over the relevant document to poor Mr.

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INQUESTS

The inquest into the deaths of the 33 people killed in the 1974 bombings is set to open on 27th April 2004, by the Dublin City Coroner, Dr. Brian Farrell.

The timing was decided by taking into account the fact that the 30th Anniversary of the bombing falls on May 17th. Dr. Farrell said he hoped the inquest would be over before that date. Family members were present in court for the hearing.

On 7th April counsel for the parties will make submissions on the scope of the inquest, including the chain of causation, the scale of evidence extending beyond the jurisdiction, and also an issue of anonymity of one witness.

The Coroner's office was already reading 1,600 statements and seeking other relevant information.

In Dublin city, inquests are normally conducted by the Coroner and the Registrar on their own. There is no procedure for counsel to present evidence on behalf of a Coroner.

Mr. Michael Mansfield, Q.C., for some families, said he estimated the inquest would take three weeks or more. There needed to be discussion on the scope of the inquest.

"The nature of the submissions should relate to the chain of causation and the sequence of witnesses, most obviously how the cars became converted to bomb cars, not just the geographical route, but the motivation route and who was responsible", he said (Irish Times, 24.1.2004).

Other inquests are also being held. The deaths of three young men killed in separate bomb blasts more than 30 years ago will be re-examined during the summer, an inquest ruled on 30th January 2004.

Two workmen were killed on 1st December 1972, when a car bomb exploded in Sackville Place in the centre of Dublin.

Less than two months later, another workman was killed at the same place by a second blast on 20th January 1973.

Dublin City Coroner's Court ruled on 30th January 2004 that the inquests would begin on 29th June 2004. To date nobody has ever been held accountable for the horrific killings.

The deaths of the three men, who had all worked for CIE, predated the Dublin and Monaghan bombings of May, 1974.

"I lost my sister, her husband and her two children in the bombing. My sister was only 22 and had two children. "Doors were slammed in our faces and our concerns ignored. More sinister than this was that members of the Garda special detective unit monitored our mass every year at the Pro-Cathedral. We could not even have a mass without the police force intimidating us when we were the victims at the time" (Irish Examiner, 21.1.2004).

PADDY COONEY

The Barron Report into the 1974 Dublin and Monaghan bombings was based on "erroneous" assumptions and was "wrong, totally wrong" in saying the government of the day failed to show concern, former Justice Minister, Patrick Cooney said before the sub-committee hearing.

Mr. Cooney said that allegations from Mr. Justice Henry Barron that the Government had cut short the garda investigation into the bombings was "wildly damaging and hurtful", and that the judge had a "fundamental misunderstanding" of the relationship between Government and gardai.

Only a public inquiry could address the shortcomings in the Barron Report, Mr. Cooney told the Oireachtas Sub-Committee on 28th January 2004. But he said such an inquiry would meet "insuperable obstacles", as Department of Justice officials and the chief investigating gardai had died.

Some of the findings in the report were "not worth the paper they were written on", he said. He said there were "well-nigh insuperable obstacles" which left Mr. Justice Barron with an "almost impossible" task.

Mr. Justice Barron he said, has "showed a lack of knowledge on a basic principle of law" in suggesting that the Attorney General could have taken an active role in the Garda investigation into the bombings.

He said the shortcomings of the final report included:

- * The absence of interviews with key personnel in the investigation, as many were dead
- * Missing Department of Justice files about the bombings
- * The absence from the report of a list identifying witnesses interviewed
- * The "limited" number of staff,

lack of technical expertise about explosives, and absence of a right to cross-examine witnesses

* "Inadequate and incomplete" recordings of interviews conducted by Mr. Justice Barron with "hundreds" of witnesses over three years

* Breaches by the judge of his terms of reference, where in some instances he "joined hypothesis without evidence".

Judge Barron, he said,

"thought I should have been sitting in on the garda's shoulders telling them what to do. That would have been highly improper. This showed a serious lack of knowledge of what was practice at the time in criminal law. I vehemently reject the allegation that the government was indifferent—that is a travesty.

"That erroneous conclusion is based on the assumption that the government of the day were entitled to interfere with the operations of the guards, which ignores the system of checks and balances that ensure we live in a democracy and not in a totalitarian state. They were wrong, totally wrong, and I reject them with all the vehemence I can."

Mr. Cooney said he would welcome access to witnesses and documents used in the report, and the only way for this to happen would be in a public inquiry.

However, such an inquiry would still meet the "insuperable obstacle" that key witnesses were dead, Mr. Cooney said.

On the question of 'missing files', Mr. Cooney said that, while files relating to the bombings may have gone missing from the Department of Justice, that "did not happen under my watch", he said. The files were still in the Department as late as 1987.

He added that while "every conspiracy theorist in the world clicks into action" upon mention of missing files, most of the missing documents were copies of originals which should still be held at Garda Headquarters, Dublin.

EXTRADITION

Mr. Paddy Cooney, the former Minister for Justice, said that the question of extradition never arose because gardai never secured enough evidence to seek an application of those involved in the Dublin/Monaghan bombings

Mr. Cooney said gardai travelling to the North to interview suspects could have

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The Barron Report harshly criticised the Government of the day, accusing it of demonstrating little interest in bringing the bombers to justice.

Dr. FitzGerald rejected the report's criticism of the Government. He said Mr. Justice Barron had arrived at some of his conclusions because he did not understand the working of government and did not appreciate the nature of the relationship between Dublin and Downing Street.

Here is a judge who sat on the highest court in the land, the Supreme Court, adjudicating on numerous occasions vital matters of a constitutional nature and his former Taoiseach accuses him of not "*understanding the workings of government*".

The Barron Report also criticised the 1974 Government for neglecting to follow up a comment by the then British Prime Minister, Mr. Harold Wilson, that those responsible for the Dublin bombings had been "*picked up*", or interned.

Mr. Wilson made his remarks at a British-Irish Governmental meeting on 21st November 1974.

Dr. FitzGerald, who was Minister for Foreign Affairs at the time, said Mr. Wilson had made his comments in order to demonstrate the effectiveness of internment, which the Irish Government was opposed to at the time.

"*This was simply a try-on by Wilson... he had his own particular angle*", Dr. FitzGerald said. Had he risen to the prime minister's baiting, the then Taoiseach, Mr. Cosgrave, would, rightly, not have been pleased."

"But Margaret Irwin, secretary of Justice for the Forgotten, said she does not understand how a Cabinet minister was unable to recall any details of what was at the time the equivalent of, in terms of per head of population, the numbers killed on September 11 in the U.S.

"Ms. Irwin, speaking after the meeting, claimed it reinforced Mr. Justice Barron's view that the Government of the day showed little interest in the bombings. The Judge based his claims largely on the lack of any mention of them in the minutes of cabinet meetings" (Irish Examiner, 28.1.2004).

"But recently released records in the UK, previously classified as secret and confidential, show that Sir Garret rushed into the domain of the Gardai

when British soldiers faced the threat of prosecution in this jurisdiction" (Phoenix magazine, February 13, 2004).

"The soldiers were arrested at 1.40 a.m. on May 25, 1973, in Clones, Co. Monaghan and when questioned claimed that they had been on vehicle checkpoint duty but had lost their way and strayed into the Republic... the "Irish authorities" released the men at 6 a.m.... But it was only on foot of strenuous efforts by Sir Garret, above and beyond the call of [Irish Government] duty, that the six soldiers were released. The British Foreign and Commonwealth Office (FCO) later had to make a real effort to help Fitz Gerald in what he told them was 'proving an embarrassing incident'. Embarrassing because several locals had subsequently informed Fianna Fail TDs that the armed soldiers had surrounded a house straddling the border in pursuit of a republican suspect and that their vehicle had been seen several times well inside the border."

According to a memo from HMG's man in Dublin at the time, Sir Arthur Galsworthy:

"When Sean Donlon (the Iveagh House diplomat in charge of Anglo-Irish affairs) delivered to me a piece of paper about the Clones incident on Friday night, he told me that he and the minister had been up most of the night when the incursion took place and our troops were held by the Gardai in Monaghan.

Having failed to contact the Minister for Justice, Patrick Cooney, Dr. FitzGerald took it upon himself to instruct the Garda to release the six British marauders.

"There is no record of Paddy Cooney remonstrating with Sir Garret for usurping his role or objecting to the interference by the Foreign Minister with the Gardai. This is strange as Cooney placed even greater reliance on the doctrine of separation of government and garda powers when defending the government's apathy about the Dublin and Monaghan bombs when he appeared before the Oireachtas Committee inquiry." (SEE BELOW).

"Not even its harshest critics would have argued that the 1973-77 government of which Cooney and FitzGerald were members was that bad. But there certainly was interference with the

police by ministers when the situation warranted; i.e. when the British government wanted their soldiers released on this and several other occasions. But not, apparently, when Irish citizens were murdered on a grand and unprecedented scale" (Phoenix, 13.2.2004).

BRITISH BRIBERY

"A retired Army bomb disposal expert has said he received intelligence just months after the 1974 Monaghan and Dublin bombings suggesting an explosives expert in the British army had armed the device in Monaghan.

"Comdt. Patrick Trears, now retired, told the hearing that the same British officer had tried to bribe him in 1974 to supply information on bombs to the British security forces.

"Comdt. Trears said a garda associate introduced him to the man. The garda brought the British soldier to Comdt. Trear's Dublin home in August, 1974. He said it was at this meeting that the British officer put it to him that he, Comdt. Trears, could benefit financially if he passed information to the British.

"The British soldier worked as a bomb-disposal expert in the North at the time, but his position also involved the gathering of intelligence on bombs. Comdt Trears said he was particularly interested in receiving information which might help him and his colleagues trace the movement of explosives across the Border.

"*The offer of a bribe was put in an 'informal way, that there'd be out of pocket expenses'* and that '*I might make a few bob*'. However, he never heard from the man again. Some months after the meeting he received information that the same British soldier had armed the device in Monaghan.

"*I couldn't have done a better job myself*", he said of the bombs. The level of expertise at the time among loyalist terrorists on explosives was to '*light a fuse and run*', he said.

"During Comdt. Trear's evidence, the Chairman of the Committee, Mr. Sean Ardagh, T.D., took proceedings into private session. When the Committee members returned, Mr. Ardagh reminded Comdt. Trears that it was outside the remit of the committee to apportion blame for, or reinvestigate, the bombings" (Irish Times-19.2.2004).

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would cost tens of millions of Euro over several years.

“However, and the Taoiseach was at pains to point this out, when he says ‘British authorities’, he does not mean Prime Minister Blair, who is a very nice man. Neither does British mean the Secretary of State for Northern Ireland, who is a very nice man. Nor does he mean Her Majesty’s Government, which is very also very, er, nice.” (Miriam Lord, Irish Independent, 30.1.2004).

“It now seems inevitable—and it did from the moment they first sat three weeks ago—that the Oireachtas Committee will not recommend that the Dail initiate a sworn public inquiry into the 1974 bombings in Dublin and Monaghan. It was the biggest mass murder in the history of the State—34 died and scores were maimed and injured, nearly all of them working class people with no particular influence or pull.” (Sam Smyth, Business & Finance, 12.2.2004).

A number of families of those killed and injured in the 1974 Dublin and Monaghan bombings informed the committee on January 30, 2004, that they would not be participating in the hearings—dismissing them as another delaying exercise that would achieve absolutely nothing for justice.

In a statement read out at the opening day of the hearing, lawyers for the O’Neill and the O’Brien families, and for Bernie Bergin, described the hearing’s remit and scheme as, at worst, insulting and suspicious, or at best, naive and foolish. They referred to the precedent of the Abbeylara judgement which, in effect, constrained the committee from making findings adverse to the reputations of persons who are not members of the Oireachtas.

The families claim the hearings, like the Barron Report, had only served to delay their search for meaningful justice.

They called on the hearings to be halted immediately and for a public inquiry to be set up.

“If you continue with these hearings on the back of [Barron Inquiry] you will consign yourselves in history as part of a shameful and illogical process that has achieved a lot to be forgotten

and absolutely nothing for justice,” they contended.

“We have tragically got used to being ignored, demonised and criticised by all organs of the state for the last 30 years and in effect we have been marginalised,” a statement read into the record said.

The hearing was also questioned by the *Justice for the Forgotten* group which, in a letter to the Oireachtas Committee, challenged its remit and scheme.

However, the group agreed to participate in the hearings. 26 people who were injured in the blasts or were relatives of those who were killed, gave personal testimony about the events of the day and the degree to which it had affected their lives.

All who gave evidence, without exception, called for the setting up of an independent public inquiry.

The Committee Chairman, Sean Ardagh TD, said part of the committee’s remit was to consider if a public inquiry would be required to be held.

However, he would not say whether he believed such an inquiry was necessary. “*I am not going to preempt what the committee is going to decide. It would be totally unwise to make a decision.*”

NO PUBLIC INQUIRY

“The heavens may cry out for justice but it will probably require divine intervention for the relatives of the victims of 1974 bombings in Dublin and Monaghan to secure a sworn public inquiry into the outrage” (Sam Smyth, Irish Independent, 21.1.2004).

“In other words an inquiry is, in theory, highly desirable but unless there is a realistic hope of such an inquiry reaching clear cut conclusions, instigating it is likely to be more divisive and damaging than stalling such a momentous decision.

“All of the parties are agreed that there is no point in setting up a sworn public inquiry without the full co-operation of the British Government. And on Monday, the Taoiseach ‘requested’ the assistance of the British Government for a public inquiry if required when he met Prime Minister, Tony Blair.

“And then there are the political considerations: will the Labour and Fine Gael members of the Oireachtas sub-committee be enthusiastic about an inquiry which will rekindle the suspicions of old adversaries?

“Is the current coalition government prepared to see the Gardai, already under fire in a series of other inquiries into past scandals, face another sworn public inquiry into their investigation of a 30 year old mass murder.

“And this observer felt that the politicians on the sub-committee were wondering not if there will, or will not be a public inquiry—but the least painful way to tell the grieving and suffering relatives and victims that there will not be a sworn public inquiry” (ibid.).

LIAM COSGRAVE

The former Taoiseach, Mr. Liam Cosgrave, refused an invitation to attend meetings of the Oireachtas sub-committee. He wrote on 19th January 2004, saying that he had retired from public life in 1981.

The former Fine Gael leader was responding to an invitation issued by the sub-committee of the Joint Oireachtas Committee on Justice, Equality, Defence and Womens’ Rights on 22nd December 2003.

“I informed Judge Barron on 8th February, 2001, that I had taken no files or copies of documents when I left office. I have nothing to add to what I said to Judge Barron in meetings with him and in the correspondence with Judge Barron and Mr. Michael Buckley.”

GARRET FITZGERALD

Former Taoiseach, Dr. Garret FitzGerald in his contribution to the hearing said that the question of collusion between British forces and loyalist paramilitaries was never considered by the Government in the aftermath of the 1974 Dublin-Monaghan bombings.

Dr. FitzGerald, who was Minister for Foreign Affairs in the Fine Gael/Labour coalition at the time, also said the Government at no time questioned the status of the garda investigation because it was not a matter for the Government to query garda operational matters.

Dr. FitzGerald told the Sub-Committee on 27th January 2004, that he would have had “*great reservations*” about interfering in garda matters, adding that there was “*no reason*” to believe there was a lack of co-operation from the British authorities.

It was never suggested British forces operating in the south had been involved in the bombings and, if he has suspected this, Dr. FitzGerald said, he would have pursued the matter.

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LABOUR

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BARRON REPORT: Part 3

1974 Bombings: *Dail* Hearings

“THE question is, given Dublin Government fears of the inevitable findings of British Government sponsorship of the biggest act of mass killing on the island in recent years, will there be one?”

This was the question posed by *Labour Comment*, January, 2004. The answer is that a sworn public inquiry will not be held!

This is a cover-up on a huge scale.

The sub-committee of the Joint Oireachtas Committee on *Justice, Equality, Defence and Women’s Rights*, concluded its public hearings into the *Barron Report* on 24th February 2004 with a presentation by the Taoiseach, Bertie Ahern.

The Dail Committee will meet in public in the first week of March with Judge Cory before considering whether it should call on the Government to initiate a public inquiry into the bombings which killed 33 people on Friday, 17th May 1974 in Dublin and Monaghan.

The Committee will discuss Judge Henry Barron’s report in five modules before reporting its own conclusions to the Dail on 10th March 2004.

In his presentation the Taoiseach said that a full public inquiry into the Dublin and Monaghan bombings would not compel the British Government to share more of its security files on the atrocity.

However, he said, it would be ‘*well worthwhile*’ to explore the route that led to the establishment of the Cory Inquiry, which investigated the circumstances surrounding the six murder incidents north and south of the border.

But, while exploring the possibility of a Cory-type Inquiry—which has access to police files in both jurisdictions—the Taoiseach maintained he had no

information to suggest that the British would agree to such an inquiry.

When asked if he thought there was any more information being held back by the British Government that related to the bombings, the Taoiseach said he did not know.

“I simply do not know whether there is more information out there that might have been of assistance to Justice Barron, or would be of assistance to a further inquiry.

“It is my personal view that we have received as much information from the British authorities as they have, or are prepared to share.”

“*It is my belief that a public inquiry will not change this position*”, he told members of the committee tasked with assessing whether a full public inquiry into the 1974 atrocities would be of further benefit.

Mr. Ahern told members that, over the course of the Barron Inquiry into the 17th May 1974 bomb attacks, which began in 1999, he had met with British Prime Minister Tony Blair on more than 30 occasions.

When asked who he thought was to

blame for the failure of the British Government to cooperate fully with Mr. Justice Barron, Mr. Ahern said he was not aware of a deliberate policy of non-cooperation and he reiterated his belief that the senior British officials had cooperated fully.

However, when pressed further by members, he referred to “*coded language*” that was contained in a number of the responses sent by British officials to Judge Barron and the committee.

This type of language, Mr. Ahern said, often meant that MI5 and MI6 had been involved in its preparation.

He went on to say that from his knowledge of the British secret service it would be highly unlikely they had not prepared assessments of the incident, and he found it hard to believe they found nothing to report on.

After reiterating again his belief that Judge Barron got full cooperation from the British government, Mr. Ahern eventually conceded that, if there were any further documents on the incident, that had not been released to Judge Barron, then they were probably held by MI5 or MI6.

He said that MI5 and MI6 were “*almost impenetrable*” and their records were unlikely to be revealed.

But what about his own police force, it would seem that the Garda Siochana are equally ‘impenetrable’. The big difference of course is that the Garda Siochana are answerable to Mr. Ahern as the leader of a democratically elected government. Here is a sovereign leader endeavouring to penetrate MI5 and he cannot get from within his own police force the facts of a mass murder by external forces.

The Taoiseach also said an inquiry

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