

IRISH POLITICAL REVIEW

July 2009

Vol.24, No.7 ISSN 0790-7672

and **Northern Star** incorporating **Workers' Weekly** Vol.23 No.7 ISSN 954-5891

The New Bourgeois Revolution

In a by-gone era the middle class of developing capitalism sometimes took a stand against the feudal system and acquired leadership of the mass of a society—of the nation.

During the past year there have been signs of a bourgeois revolution of a different kind—in Thailand and in Iran.

In Thailand the urban middle class rebelled against the Government elected by the general population and overthrew it. Its case was not that the election was rigged, but that the mass of the population was too ignorant and backward to elect a tolerable government.

There is nothing new in this argument. It is only the historic case against democracy. The difference is that in the past it was an argument against enfranchising the populace. But now it has to be made against populations that have been generally enfranchised in accordance with the ideology of the United Nations.

There doesn't seem to be any real doubt that Ahmadinejad won the Presidential election in Iran. The "*rigged election*" slogan was dropped very quickly. The anti-Ahmadinejad ideologues in the Western media (with the famous Islamophobe Martin Amis to the fore) had no real interest in the balance of votes cast. Their essential case was that he had no right to win because he was an affront to progress. He acted in the interest of the masses of ignorant peasants and workers while the cause of progress requires that the state be conducted by the middle class that has been generated in the cities thirty years after the Revolution.

There is some similarity with the situation in Eastern Europe twenty years ago. But, whereas Communist Party ideology collapsed and left the middle class free to accomplish what it took to be its destiny—which turns out to be a pretty miserable destiny—the ideology of Islam is durable.

A closer parallel is with the pretentious middle class element that evolved within the Fianna Fail national development, became *Irish Times* readers, hated the society in which they had grown, and have been looking for ways of breaking it up.

The USA has been probing the Iranian State for cracks during the past generation. It put a lot of effort into cultivating Azairi separatism. For a while it thought this would be a winner. But, when Mousavi played the Azairi Card in the election, it proved to be a dud.

RTE has of course borrowed its language, and therefore its thought, from the BBC. Ahmadinejad is a "*hardliner*". 'Hardline' is an adjective which is meaningless without a noun which it qualifies. But, while it says nothing, it sounds bad.

De Valera was, of course, a hardliner when he acted in the national interest against the Treaty in the 1930s, while the Fine Gael *moderates* went Fascist in support of the Treaty.

Vendetta Justice

The vendetta was a kind of justice. It was replaced for a while by the criminal law process of the state. It is now being restored in the Northern Ireland region of the British State, where everything is debased.

The Government thought it knew who was responsible for the Omagh bombing, but did not have the evidence to prove it. So it suggested to the relatives of the victims that they should bring a civil action for damages against the people they thought were responsible.

Civil actions are private actions between individuals facilitated by the Courts. Cases do not need to be proved, as in criminal prosecutions. The civil action brought against the people the Government thought were responsible for the Omagh bombing was over a criminal matter, but the standard of evidence required for it was what was appropriate to matter that was not criminal.

Elections and Realities

The European election was the usual political beauty contest. European issues were of the least concern to most of the voters and most of the candidates. And nearly 60% of the electorate did not even bother to vote. Insofar as the election had a political content it was an opinion poll on current governments. A well organised party of monkeys would have taken some votes from Fianna Fail in the current climate.

If Fianna Fail's response is to modernise itself, which is code for what Tony Blair did with the British Labour Party, then it should look at the results for that party in this election. Not only did it get lower votes than it has got since the 1920s, it is directly responsible for the electoral success of the British National Party. British Labour has simply wrecked its political base. If we have 'New Fianna Fail' there will be a similar outcome here.

Was there an EU-wide issue that might have been relevant to the current situation that could have engaged the electorate? There was at least one that was relevant—concerning the supervision of banks—but it not figure and its fate will bring out the real nature of the EU:

"British Chancellor Alistair Darling has managed to secure national regulators the upper hand when it comes to implementing new EU rules on financial supervision. Draft proposals for a two-tier supervisory structure for the 27-member bloc released by the commission last month would allow EU authorities to over-rule national regulators in ongoing bank disputes. The new bodies, soon to be set up to police the banking, securities and insurance sectors, would also have the power to impose emergency measures, including a restriction on short-selling during future financial crises, and would control pan-European credit-rating agencies and central party clearing houses. The majority of member states—including Ireland—support the commission's plan, but Britain, backed by Slovenia and Romania, got changes written into the text that specify EU decisions cannot "impinge in any way on member states' fiscal responsibilities".

CONTENTS

| | Page |
|--|------|
| The New Bourgeois Revolution. Editorial | 1 |
| Elections And Realities. Jack Lane | 1 |
| Readers' Letters: Sarkozy Visit To Ireland. Jack Lane | 3 |
| A Bit Of Northern Ireland History. Brendan Clifford | 3 |
| Back To The Present. Editorial | 4 |
| Another Sermon From Fintan. Jack Lane | 6 |
| 1916—Ireland's Original Sin? Jack Lane | 7 |
| Recipe For An Albion Meat Pie. Wilson John Haire (poem) | 7 |
| Shorts from <i>the Long Fellow</i> (Fianna Fail; Fine Gael; Labour; Sinn Fein; Green Party; Libertas; The British Parties; Dublin By-Election; FG & Anglo-Irish Bank; Anglo-Irish Bank's Results; The Next General Election | 9 |
| Tariq Aziz. Wilson John Haire (poem) | 9 |
| Coolacrease And Joost Augusteijn. Pat Muldowney | 10 |
| Did Redmond Reconquer West Cork In 1916? Manus O'Riordan | 11 |
| The Rise Of Left Liberalism. John Martin | 15 |
| Thoughts On The Elections. Seán McGouran | 17 |
| The Perfect Mutiny: <i>The Curragh 1914.</i> Ruairi O'Donnell | 22 |
| <i>Biteback: Judicial Swipes</i> (Part 2). Tom Sheridan | 24 |
| Economic Debate. Report | 24 |
| Does It Stack Up? Michael Stack (Cork Local Elections; No Jail Anymore; Martin Mansergh Faces Tough Times; Mormons And Gays; Shell Oil Piracy?) | 25 |
| Reply From Mercier Press. Report | 26 |
| <p>Labour Comment, edited by Pat Maloney: <u>MI5 And The Omagh Bomb.</u> Report of John Hanley article (back page) <u>Frame Ups.</u> Chris Fogarty (letter) Page 27</p> | |

Due to pressure of space, several items have been held over to the August issue, including commentary on the Elections, articles by Patrick O'Beirne on John Curtin and Australian PM Chifley, and some commentary on the Famine.

The publications advertised in this magazine can be obtained from the addresses on the back page or from www.atholbooks.org

To prosecute an individual for a crime, presentable evidence is needed. The notorious miscarriages of justice during the last forty years, which led to individuals spending many years in prison, show that the standard of evidence needed for successful criminal prosecutions is not impossibly high.

The standard for civil actions is very much lower, because these have to do with mere conflicts between individuals. And all that is needed for starting a civil action is money. If you have the money you can go to law over anything.

What has happened over the Omagh Bombing is that the distinction between criminal law and civil law has been deliberately blurred by the State. The blurring was set in motion by Lord Mandelson. He floated the idea. He backed it with money. And he got the BBC to conduct appeals for money, thinly disguised as news programmes.

We, the public, were given to understand—in the way that these things are done in Northern Ireland—that the reason the Government could not bring a criminal prosecution was also the reason why it knew exactly who was responsible for the bombing: i.e., it had an agent close

to the bombings. This agent would be exposed in a criminal prosecution. And it could also emerge that the Government had prior information about the bombing and might have stopped it—or even that it had some part in messing up the warning about the bomb.

Some of the victims' relatives probed these matters a few years ago, and got very angry with the guardians of law and order as well as with the bombers. But they were persuaded by the Government to pursue the matter as a personal vendetta. And now, after a private action, the details of which were scarcely reported—as befitted something that should never have happened—they have had some vengeance.

Vengeance is the justice of the vendetta. It is not absent from the justice dispensed by the state in accordance with 'due process', but it is sublimated into the appearance of something else.

Michael Gallagher, one of the relatives bereaved by the bombing, gave a press conference after the verdict. This is from the Channel 4 report:

"Reporter (Carl Dinnen): These people have waited to hear a British judge name any of the men responsible for killing

their loved ones. Today they heard just that from Mr. Justice Morgan at Belfast High Court.

Michael Gallagher: It's tremendous. I think that was better than we could ever have expected. I think we have sent a message to terrorists that you know, from now on, you don't need to worry about the authorities. The families of those victims will come after you.

Reporter: Is this any kind of Justice?

Gallagher: It's certainly not Justice that can put people behind bars. But it sends a very strong message that we as families do have some power, that we do have the ability to hit back at terrorism."

Godfrey Wilson, relative of another victim of the bombing, said:

"You can't have 31 innocent people murdered on a street on the 15th of August and nobody brought to justice. Terrorism is getting away with murder."

Jason McCue, solicitor for the victims' families, was asked: "*Have you set a precedent here today?*" He replied:

"We certainly have. It's the first time anywhere in the world that ordinary individuals who are the victims who are the victims of terrorism have won. And proved their case."

The ITV news put it like this:

"The Judge said that the Real IRA leader... and three other men were behind the bombing which killed 29 people... No one has ever been convicted in a criminal Court, but today relatives of the victims won a landmark civil action..."

After a much criticised police investigation no one is behind bars for the loss these people suffered. But today Justice, if not done, was at least seen to be done."

(In some reports the number killed in the bombing was given as 31 and in others as 29. That arose from a difference of opinion over the unborn, whether they are human beings and killing them is murder.)

Reports of the case all suggested that the civil action was brought about by self-help of the victims after the Government had failed. In fact it was instigated and facilitated by the Government—by Lord Mandelson trying to be popular for once—and it is unlikely that it would have got very far but for Government actively supporting it behind the scenes.

If it proves to be a precedent, and if the state increasingly relinquishes Justice to the private sphere, then we are on the way back to the old Irish system of the Brehon Laws where killings were compensated for by fines. But, despite all the hype it was given, we doubt if it will be a precedent. It is just one of those peculiar things that the British Government does in the Northern Ireland region of its state.

The Omagh Bombing was generally described as the worst atrocity of the

Troubles. It wasn't. The worst atrocity was the Dublin/Monaghan Bombing of May 1974. No one was ever convicted of that. It is known, in the way that responsibility for the Omagh Bombing is known, that it was the work of Ulster Loyalist paramilitaries acting in collusion with some part of the British security apparatus. Because of the strong suspicion of British involvement, the Dublin Government of the time—in which Garret FitzGerald and Conor Cruise O'Brien had special responsibility for the North—were eager not to investigate it. The families of those victims kept up pressure on the Government to find out who did it. A kind of Investigation was conducted a few years ago, but Fianna Fail was no more interested in pursuing the matter than Fine Gael and Labour were at the time. And those relatives have not been enabled to launch a civil action.

"We know that no matter how many fall each life tells a unique story and each death diminishes us all". That is, of course, the right thing to say. Who said it? Condoleeza Rice, about the World Trade Centre Victims. Condoleeza must have been vastly diminished as a consequence of all the unique lives that she caused to fall. But she didn't let it show.

President Hamid Karzai of Afghanistan addressed the British Labour Party Conference on 1st October 2003. He said he met a man who had 7 of his ten children killed in an attack on his house because the Coalition forces suspected that a fleeing Taliban group had hidden in it. That man was later invited to a dinner attended by Karzai. Karzai was apprehensive lest he should be resentful over the loss of his family. But, instead of that, he said he would willingly see the rest of his family killed by the invading Coalition, as long as they died in the course of making Afghanistan free.

That was six years ago. The Coalition forces are still busily freeing Afghanistan from the Taliban, who are increasingly indistinguishable from the population of Afghanistan—and are increasingly using themselves as 'human shields'? Any sizeable group of Afghans seems to be a legitimate target for the Coalition bombers, and many wedding parties have been wiped out. And Karzai has long since stopped saying that Afghans are strange people who don't mind having their families wiped out. He protests.

If you are an Afghan whose family has been destroyed by the Coalition, who do you take civil action against? Perhaps against members of the same Government that instigated and facilitated the civil action against the suspected Omagh Bombers.

But the Coalition forces do not intentionally wipe out innocent wedding

Sarkozy Visit To Ireland

James Hogan says we should tell Mr Sarkozy where to go when he comes. (Letters, 13 June 2009).

Before that I suggest he be given an opportunity to justify or retract his attack on the Irish government's initial plan to help deal with the banking crisis by the deposit guarantee scheme.

Last year when reporting to the European Parliament as President of the Council he said: "... the Irish bank guarantee had led to a situation where money was flowing in and out of countries, depending on which offered the best deal. He claimed the City of London had been left with no liquidity, as money there sought a better deal in guaranteed banks in Ireland. It was, he said, a very serious repercussion arising from Ireland's decision." (21/10/08).

The Irish Government's plan was then unique but soon copied by others and brought an element of stability to the situation for which they deserved full support from EU colleagues and not such carping from Mr. Sarkozy.

Until Mr. Sarkozy explains himself and hopefully accepts that he made a very serious error of judgement on a crucial issue I think we should treat whatever else he says as so much plámás.

Jack Lane

Note: This letter was submitted to the *Irish Times*, but did not find publication.

parties? Maybe not. But they behave so recklessly that too much weight can easily be attached to their intentions.

The Omagh Bombers did not intend to kill anyone. They had carried out a number of bombings in protest against the Agreement—bombings in which nobody was killed—and there is no credible suggestion that the Omagh killings were intentional. That is why the part played by the Government's agent in the affair made it too delicate for criminal prosecution, and caused it to encourage the vendetta procedure.

[The following item, which seems to have been prepared for publication a little over ten years ago but not published, has come to hand. It has not been made irrelevant by the way the Good Friday Agreement, which was subsequently negotiated, is working out. It begins with an extract from a *Newsnight* debate on 11th August 1997 and later refers to a Council for the Union Conference which was held in 1986.]

A Bit Of Northern Ireland History

The *Newsnight* debate, or confrontation, between Ken Magennis (Ulster Unionist Party) and Martin McGuinness (Sinn Fein) began by Magennis giving what he said was the history of McGuinness's career in the IRA. Then:

"McGuinness: ...I reject absolutely what Ken Magennis has said. The only thing I have ever been convicted of within this state was, when I was 19 years of age, an altercation with a British soldier in the Strand Road in Derry, for which I was fined £50 in the local courts.

K. Magennis (interrupting): And you were sentenced to six months in jail in the Irish Republic in 1973 for membership of the IRA, and a year in 1974 for membership of the IRA, and he became officer commanding Northern Command in 1976, and he became Chief of Staff in 1979. [In the course of this sentence Magennis changed from addressing McGuinness in the second person to referring to him in the third person.]

McGuinness: I have already rejected those allegations. When I was 15 years of age I walked into a Unionist-owned business in Derry. I was asked my name. I said Martin McGuinness. It's not spelt the same way as Ken's. They asked me what school I went to. And when I told them the Christian Brothers School I was shown the door. If my name had been spelt the same as Ken's and I had been from a different area of Derry other than the Bogside, I probably would have been a mechanic now.

When I was 19 years of age, going on 20, Seamus Cusack and Dessie Beattie were shot dead by the British Army. Prior to that, Sammy Devenney was beaten in his house by the RUC of his injuries. In Derry there was no IRA...

We've had 27 years of that. Ken's had his say. I've had my say. Let's put the recriminations to the side. Let's look to the future... All of us have suffered and all of us have inflicted suffering. Ken Magennis was a member of the paramilitary B Specials. He was a member of the British Army. Hundreds of Irish nationalists, uninvolved—Hold on, Gavin—have been killed by the British Army. And do you know what's worst for nationalists: the fact that the British Government condoned it and let them get away with it. Not one British soldier other than Lee Clegg and [surname

inaudible due to interruption by the Chair, Gavin Essler] has appeared in Court.

Magennis: ...I've told you what I know about Martin McGuinness. Now let me tell you what I wonder about Martin McGuinness. I wonder whether in fact he is interested in democratic politics. I wonder whether he agrees with the British and Irish Governments that there can be no change in the status of Northern Ireland without the consent of a majority of people in Northern Ireland...

McGuinness: I come from a real democracy. I want to see a real democracy on this island... Ken levels this business about consent, and he asks me do I accept this. Yes, we need the consent of everybody. But I also come from a community that was never asked for its consent when it was locked into a sectarian and bigotted state within the North.

I can equally throw back at you questions like, Do you accept the Anglo-Irish Agreement? Do you accept the Joint Framework Document? I think your answer to those two questions would be, No. So the logic of that has to be that you and I and the leaders of our parties and all the other parties and the two Governments have to go into the negotiating arena and talk about these things. All of us have problems.

Magennis: I've just had, as I expected, a lecture from Martin McGuinness on what I have got to do. Now, if I'm asked about consent, I have always said, Yes, I accept, and my party accepts, that consent through the ballot box is the essential element of democracy..."

That was the core of it.

With regard to McGuinness's convictions in the Republic: he was convicted under a legal procedure which, if it operated in Northern Ireland, would elicit howls of righteous outrage from the entire establishment of the Republic. A Garda inspector need only say to the Court, "*I think X is a member of the IRA*", and that is it. What exists in the Republic for dealing with that matter is not a system of law but a system of authority.

With regard to consent and democracy: Magennis's party was set up for the specific purpose of over-ruling the ballot box, by force if necessary. The only recognised Constitutional entity until 1920 was Ireland. It recognised itself as a Constitutional entity prior to Henry II, though it had difficulty in establishing a central government. It was governed as an entity for 750 years under English rule. It was the Parliament of Ireland that passed the Act of Union in 1800, and it was never suggested that Ireland disintegrated itself by enacting the Union. It was governed as a distinct entity under the Union right through until 1920, when the threat of violence by the Ulster Unionist Party caused the Westminster Parliament to over-rule the democracy of Ireland and

split the country.

In five General Elections Ireland voted by a clear majority for Home Rule under British sovereignty. The Ulster Unionists armed illegally to prevent it. Then Ireland voted for independence in 1918, after Britain had won the war for Democracy and the Rights of Small Nations, and it was made war upon by the Ulster Unionists and the Black-and-Tans. And that was when 'Northern Ireland' was first heard of.

So Ken Magennis's party is for the ballot or the bullet as the expediency of particular situations dictates.

If Northern Ireland had been governed democratically—that is, governed within the politics of the state to which the region belonged—it is probable that all this would be academic. But it is patently obvious that it is not academic.

This journal campaigned for twenty years for the democratisation of Northern Ireland. As part of that campaign the present writer took part in a day-long Conference held in the Stormont Hotel about a dozen years ago under the auspices of a body called 'Council for the Union'. He put the case for democratisation and provoked an outburst from Ken Magennis. The MP was outraged at the proposal that the Six Counties should have been governed through the party politics of the state. And he asked indignantly how he could face his Catholic neighbours down in Fermanagh, towards whom he had the friendliest of feelings, if he helped to deprive them of the prospect of realising their (Republican) aspirations. He took it for granted—mistakenly in my opinion—that being able to take part in the politics by which the Government is elected would put an end to the united Ireland idea. It was my view that it would allow it to evolve.

Anyhow Magennis opted decisively for the *status quo* of communal conflict outside the democracy of the state. And that *status quo*, in its fairly predictable working-out, is what he got. And he is still not satisfied.

Brendan Clifford

Back To The Present

Martin Mansergh, speaking as a member of the Government, told the annual conference of the Institute for British-Irish Studies that:

"there was no stomach among mainstream parties in the South for embarking on a new anti-partition campaign: "The Republic is engaged in a major struggle to maintain, within the EU and indeed the euro zone, its economic viability and sovereignty", he said. "It is hardly the moment to press claims to the North which we have renounced, and it has to be said, the advantages and flexibility of joining up with a small sovereign state in

the present global turmoil are for the moment less than compelling than they were two or three years ago." He said the country was engaged in a serious battle for economic survival to maintain the freedom to make its own economic decisions... "I think we are succeeding in somewhat stabilising the situation but it's too early to be definite about that." The chief challenge ahead was to value the peace that had been achieved, he said, and not to regard it as second best to some other ideal. The barriers of co-operation, communication and understanding within the North and between the North and the South had never been lower, he said.

"The Minister also said the lowering of community tensions and the ending of paramilitary activity were priorities in the North, but the pressures from outside on those working together were considerable. "In politics, one often has to expend one's credit with people in order to act effectively and in their interest, and many parties in Government and elsewhere have experienced that in the last few days", he said.

"Taoiseach Brian Cowen and Minister for Foreign Affairs Micheál Martin were committed to building on the North-South relationship, he added" (Irish Times 10 June).

So that is what it has all been about!

Mansergh was busy for a number of years accumulating Republican credit by attending Republican commemorations of the War of Independence and 'Civil War' (Liam Lynch). Then he expended that credit in jollyng them along into the illusions of the Good Friday Agreement. And now he tells them that he acted in their interest in doing this, and that, having done it, his Government has no further interest in them.

The "*compelling*" anti-Partitionism of two or three years ago, the days of the Celtic Tigger, which asserted claims that had been "*renounced*", is no longer operative in these days when another kind of credit has been crunched! Are we alone in not being able to remember that compelling Southern anti-Partitionism of two or three years ago?

Barriers between North and South have never been lower. But what is to go on across those lowered barriers? Nothing, it seems. The electorate (or electorates) in the North can observe the political life of the Free State, or of the British State, as they feel inclined, but they are not to expect actual participation in the political life of either. And they cannot have a political life of their own, because Northern Ireland is not a state, and cannot become one. All they are to do is "*value the peace that had been achieved and not regard it as second best to some other ideal*"—some way-out visionary ideal, like taking part in the democratic political conflict of a State and having some part in the election of a sovereign Government.

But, if all that is open to them is to be peaceful, and to possess their souls in patience, why subject them to these electoral contests in which Protestants and Catholics present themselves for counting, and which inevitably stir up their animosities, and are therefore not conducive to peace?

The political process of electing the Government of a state stirs up conflict. The defeated party puts up with defeat because it is only for a few years, and they can hope to win the next election by adopting appropriate policies. But that does not, and cannot, happen in the strange constitutional entity called Northern Ireland, which was dreamed up by Westminster as a means of enacting Partition while engaging in a public washing of hands in the matter.

Nicholas Mansergh, a servant of the British State, published a big book about Northern Ireland in the late 1930s. It is evident that he knew the Northern Ireland system was bogus, but he did his duty by his State and did his best to obscure the fact. His son, Martin, follows in his father's footsteps with regard to general political orientation, but he came from England with the object of doing so within Irish politics.

Brendan O'Leary, a Professor of Political Science, has moved from the London School of Economics to the University of Pennsylvania. He took part in an Irish-American Conference at the Hilton Hotel in New York in mid-June to discuss ways of achieving Irish unity. He suggested that it might be achieved as a kind of all-Ireland *Northern-Irelandism*.

There was a time when O'Leary agreed with the analysis of this journal: that the exclusion of the 6 Counties from the democratic system of the British State meant that it was governed undemocratically. Then he had second thoughts, which were published under the name of Kevin McNamara, who was Labour's Shadow Minister for Northern Ireland at the time. The title of the publication was *Oranges Or Lemons?*

It is entirely reasonable that a Political Science academic with a career to make within the democratic system of the British state should decide, on mature consideration, that his first rush of understanding of the Northern Ireland situation was unprofitable, and should remedy it. So he remedied it. That is to say, he refuted the view with which he had previously agreed. We were interested in the refutation, because if it made sense it would have relieved us from a bothersome chore. We were neither Unionists nor Nationalists but merely democrats. We applied what we understood to be the principles of functional democracy to the Northern Ireland region of the UK and found that it was excluded from the democratic system

of the state.

British democracy operates through a system of party-politics. The party that wins an election governs through Parliament on the authority of the Crown. Parliament itself has no authority to control a governing party which holds a majority in it. And there is not Constitution authority separate from Parliament that lays down the law for it. That is the meaning of Parliamentary sovereignty.

The electoral system is designed to limit the proliferation of parties, and to secure the stability of a two-party system. Almost all the political energy of the region of the state where this system operates goes into operating it. The national events in the political life of the State are (or were until very recently) the Annual Conferences of these parties, which drew people together from all regions of the state for bonding and the working out of compromises. The Party Conference intent on the pursuit of power was the melting-pot of principle.

Political life in Northern Ireland was stultified by exclusion of the region from this system. There was a formal breach of democracy, in that the parties seeking an electoral mandate to govern the state did not contest the constituencies in the Six Counties. The substantial breach was that politically-inclined people in the North, who would have taken part in the politics of the state if they could have, and would have become Socialists and Tories under its influence, were locked into the communal system of Catholics and Protestants.

In Britain people do not develop fully-fledged political ideas as individuals outside the system of party-politics, and then enter the system. The system is the medium in which they develop, and in which their ideals are stimulated or compromised.

It might be that the system is not admirable. But it is what exists. It was pioneered in Britain. This system of achieving stability through perpetual conflict is what we call democracy. The difficult thing about it is to get parties engaging in unsupervised and apparently unrestrained conflict which consolidates the state instead of smashing it. Most states in the world do not have it. Britain has it in its most effective form but excludes Northern Ireland from it. There is therefore a *prima facie* case (to put it mildly) that the trouble in Northern Ireland is connected with that exclusion.

Professor O'Leary saw the force of this reasoning. When he came to understand that he must reject it, his refutation of it was that, although the actual British parties did not operate in the Northern Ireland region of the state, "*facsimiles*" of them did. There was, for example, once a kind of Labour Party in Northern Ireland, and it had a "*facsimile*"—a fax machine

reproduction—of the policies of the Labour Party of the State. The NILP was not engaged in the political affairs of the state, and did not contest elections with a view to forming the Government of the state, and everybody knew it. It lived a "*facsimile*" existence outside the power structures of the state.

But Professor O'Leary decided that it was good enough to refute the case that Northern Ireland was an undemocratically governed region of the state. And now he has moved on to a consistent Northern Irelandism, and beyond that to advocacy of an all-Ireland system modelled on Northern Ireland:

"He suggested that, if power-sharing is good for nationalists in the North today, it might be appropriate for Unionists too in a future federal Ireland. "I'm suggesting it might make sense to preserve Northern Ireland as a unit and leave the South to decide whether it wishes to disaggregate into two or three units or just have a two-unit federation. This, to my mind, is consistent with the principle of pluralism rather than assimilation", Prof. O'Leary said..." (IT 15.6.09).

While leaving it to the South to decide, his preference seems to be for a disaggregation of the South into three. That was the initial programme of the Provos in the seventies.

"*Tories Out, North and South*" was the nonsensical slogan of one tendency of the Civil Rights movement in 1968-9. There were echoes of it in Gerry Adams's speech to the New York Conference: "*We certainly don't want a 32 county version of the 26 counties*".

As of this particular moment, the anti-State movement in the Republic (the *Irish Times* stable of patronised would-be intellectuals) thinks it is on the brink of victory. It thinks it has broken Fianna Fail. It says that Fianna Fail will never recover its old status as a national party. If that is the case, then the Republic has no national party—no party which staked its existence on realising and maintaining what the national electorate voted for in the founding act of the 1918 Election.

Fine Gael is the continuation of the party that went back under the Crown under pressure of Britain's 'Treaty' ultimatum, and that went Fascist in support of the 'Treaty' in the 1930s, when Fianna Fail re-asserted independence. And the last Fine Gael Taoiseach, John Bruton, has said it would be better if independence had not been achieved. And the opportunist alliance of the Labour Party with Fine Gael seems to have hardened into an addiction under the Stickey leadership of Eamon Gilmore.

If the situation is as the excited *Irish Times* proteges of the British Council etc. suppose it to be, then the disaggregation

of the Republic into three Northern Irelands becomes at least imaginable. But constitutional fragments like that, which are not states, cannot exist without a state. They could have in the Middle Ages, but not in the era of universal nationalism inaugurated by Britain. (While Britain has oppressed many nationalities, it is also the source of general nationalist ideology in the world.)

Northern Ireland has never been a free-standing constitutional fragment. It is, and always has been, a piece of the British State governed in a peculiar way. If Ireland was disaggregated into four constitutional fragments of the Northern Ireland kind, that arrangement too would only work under the authority and supervision of a state—and there is only one State in the offing to perform that role.

If the Republic is not disaggregated but remains a sovereign state, a federal relationship between it and Northern Ireland is not possible, any more than a federal relationship between Great Britain and Northern Ireland is possible. Federations are made between equals.

The proposal was made long ago, by De Valera, that the North should become part of an all-Ireland State on the same terms as it was part of the British State—i.e., that the powers of the British State in the North should be transferred to the Irish State, with a guarantee that Six County devolution should continue.

The Unionists rejected that proposal then, and they would reject it now.

Unionist politics are still anti-Agreement politics. The UUP—after causing a long delay—allowed the GFA to operate for fear of something worse. It was punished by an electoral swing to the DUP. The DUP then had to operate the GFA for fear of something worse. A new Anti-Agreement movement then arose and made inroads into the DUP vote in the European Election, in tacit alliance, with the 'moderate' UUP. Imagine what the response would be to a proposal to transfer sovereign authority over the North from London to Dublin.

But supposing that this change was enacted, the North would not be a secluded part of the Irish State, as it is of the British State. There would have to be 6 County representation in the Dail then, as there is at Westminster now. But, while the parties that govern the British State persuaded the Ulster Unionists to accept exclusion from the party-politics by which the state is governed, and to sit in Parliament as spectators, disowned by the Whips, that could not be the case with the representatives of the Ulster nationalist community in the Dail. And that would make a formally comparable relationship a very different one in substance.

Another Sermon From Fintan O'Toole

A few sermons from Fintan O'Toole were inevitable from that secular preacher following the child abuse scandal. Fintan felt obliged once again to give us another good talking-to about ourselves and our history.

"Lessons In The Power Of The Church: The overwhelming control of the primary education system that the Catholic Church has held since the Famine results not from charity but from the exercise of power, writes Fintan O'Toole". He goes on:

"The great myth that hangs over so much discussion of the Catholic Church's domination of the education and health systems is that the church stepped in to offer services that the State refused to provide. Had it not been for the church, the story goes, the plain people of Ireland would have been left without schools or medical services. While there is some truth to this belief in relation to the conditions of the early 19th century, it is largely wrong. Indeed, the opposite is nearer the truth—the church consistently undermined State services, fought to limit their expansion and consistently put the maintenance of its own power ahead of the interests of vulnerable people..." (Irish Times, 6 June 2009).

We are presented with a State seized with a great desire to give totally impartial and disinterested education to the Irish Catholic masses around the time of the Famine. The first question is why the same State at that same time was not so inclined to prevent the same people from starving in their millions because of a vegetable disease? And why did it suddenly change from an obvious proselytising and anglicising policy in every form of education since Tudor times? Is the State, because it is a State, some automatically benign instrument of good for all?

We are painted a picture of a powerful Catholic Church, despite the fact that it was actually minuscule at the time in Ireland, compared with the power of the greatest Empire ever known and which was reshaping the world in its image by every means possible. Yet this Imperial power was apparently stymied by some Irish bishops and priests though they had just being allowed to have a legal public existence.

For over a century the Church was presumed not to have such an existence. During that time Church properties had been confiscated by the State—which generously provided financial support for a variety of its own educational establish-

ments including Trinity College Dublin, Parish Schools, Church of Ireland Diocesan Free Schools, Royal Free Schools, Charter Schools, the Hibernian Military and Marine Schools, the Kildare Street Society Schools and other endowed schools.

Where did priestly power suddenly come from to challenge all this? These are the questions that O'Toole's assumptions beg. These priests must have been super-human geniuses of some sort. Maybe they were able to work miracles. They pushed the State aside and took over education yet they did not have the right or the means to publish any educational books. At that time there were no Catholic Teacher Training Colleges. No Catholic Universities of course. How did they do it?

Maybe it had little to do with religion *per se*? Let's look at examples of the content of the main Reading Book for the State National Schools, that Fintan lauds. The second edition, published in 1838 had these infamous lines for children to learn by heart:

"I thank the goodness and the grace
That on my birth has smiled
And made me in these Christen days
A happy English child"

Did the population at large need a priestly ogre to incite them to object to this? I don't think so.

The same textbook went on to explain that:

"On the east of Ireland is England where the Queen lives; many people who live in Ireland were born in England, and we speak the same language, and are called one nation." This gives the flavour of the education provided. Again, not exactly a factually correct description of the world to present to young children in Ireland: their parents hardly needed priests to incite them to object.

These are illustrations of the education that was being promoted by the State of the day. It was erroneous as education; it was blatant propaganda and the people saw it as such. All the Church needed to do was to provide a more accurate and honest education that was credible to the people. That was the simple secret of its success. The Gaelic Irish were easy-going Catholics and did not regard their religion as a matter of life and death. But they did have an awareness of themselves and they were very well aware of their educational

tradition and they objected to the use of education for ulterior motives, i.e. as a means of anglicising them. They had lost a lot but not their self-respect.

And where the Church did not provide education, the people did it themselves with Hedge Schools, which provided the best of classical and modern education. The people were not "vulnerable", empty-headed 'peasants' on which any system could be foisted.

Fintan goes on to claim that

"After the foundation of the State, the church's control of first- and second level education became all but absolute. It not only dominated secondary schools (which remained as private, fee-paying institutions while other developed societies were making them free), but used them as recruiting grounds."

I got secondary education in rural Ireland in the 1950-60s in a school that was set up by a local man and his wife totally in the spirit of the Hedge Schools and it has since supplied Dublin and Oxford with various luminaries. I knew of many such schools. I went through the whole Irish educational system without ever seeing a Christian Brother, priest or nun in a classroom. Fintan with his Pale-tinted glasses may find this difficult to believe but it is a fact.

It is amazing that anyone can do a review of education in Ireland for the last century and half as Fintan does and not refer to the significance of Patrick Pearse. His perfect description of the inherited system as 'The Murder Machine' is a seminal text for today. If he had become the actual Fenian President of the Republic he proclaimed, would we have today's scandals? If the 'excommunicated party' had won the Treaty War would we have today's scandals? Such hypothetical speculation is normally pointless, but pertinent today as there is absolutely no doubt that the reactionary forces that helped in every way to defeat those truly Republican forces did help to maintain the Murder Machine. Fintan does not have far to look for some of those reactionary forces and we from the other tradition do not take kindly to lectures from that hypocritical source.

Jack Lane

Church & State No 97

Irish Catholicism and the Road to Industrial Schools
The Adventures Of A Bishop
The Evolution Debate
Shipyard History
and much else

Price Euro 2 (£1.50)

Election & Realities

continued

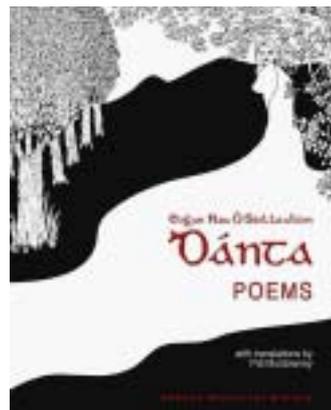
Mr Darling, who called his opposition a "matter of principle", said after a meeting of European finance ministers in Luxembourg on Tuesday that the EU had no authority to impose its will in budgetary matters, such as requiring one member state to bail out a subsidiary bank in another..." (Irish Times, 10 June 2009).

The EU has a currency, the UK has a currency. They are based on different social and economic models. They are in competition with each other. One has plainly shown its catastrophic nature.

The EU currency is not fully developed. There is an urgent need for this to be done and this proposal for co-ordinated supervision scheme would be one small step in that direction. Yet the EU allows the representative of its competitor-currency to stymie its plans for this improvement.. That is a pathetic and farcical situation. Why cannot the EU go ahead with the Regulation scheme for the Eurozone? Let Sterling do what it wants to do.

This type of situation shows clearly that the EU does not have the political purpose or will to look after its own interests. Tons of energy is given to displacement activity like Lisbon and elections to its talking shops in Brussels and Strasbourg. Meanwhile the real issues that will determine the future of the Union are hardly mentioned in political discourse.

Jack Lane



Book Launch by Pádraig Ó Fiannachta

Friday, 7th August, 7.30 pm

Eoghan Rua Ó Súilleabháin
DÁNTA/Poems

MALTON HOTEL, KILLARNEY

1916 – Ireland's original sin?

Ruth Dudley-Edwards debated with Sean Matgamna (life-long Trotskyite and now of the Alliance for Workers' Liberty) on the morality of the 1916 Rising on 18th June in London. Matgamna put the Rising in a historical context. But to her the Rising was the first of four civil wars in Ireland: the other three were the War of Independence, the Treaty War, and the Northern Ireland War. All were inspired and caused by the no compromise policy of the seven people who organised the Rising. And another civil war was forming as she spoke: McKevitt was being replaced by more extreme elements—and all because of the power of the appeal to 1916. Everything nasty that happened and will happen in Ireland (and there seems to be nothing but nasty things always happening in Ireland) was down to 1916.

The gist of the audience reaction was that Ruth's approach was an intellectual insult, as it explained precisely nothing. She was reminded of the excellent book she wrote on Pearse and the Rising, recently republished. But she seemed to see no need whatever to explain her *volte-face*. She made the analogy (maybe more than once) that replying to the comments and questions was like trying to get through a fog. I think this was a tell-tale analogy, as Irish history seems to have become something of a fog for her: she clings desperately to one bright light that picks out death and horrors. This is sure ground for her and perhaps she feels that she can never go astray in interpreting Irish history while she follows this light.

As with Harris and others, it is quite clear that it is not a search after truth or facts that drives Ruth—these things only create create fogs.

It is some sort of self-loathing demon that spurs them on and it is a wonder to behold. There must be a proper name for it. JL

RECIPE FOR AN ALBION MEAT PIE

Take one professor, formerly TCD,
four honorary knights re: an English queen,
two OUP billygoats, one a dean.
Cut out the guts of Irish history,
the heart of '16 into the waste bin,
rip out the foetus of 1918.
Turn up the gas and make it haute cuisine.
Sophisticates now rule says Dr. Spin.
When the pie was opened out roared
NATO,
chased by the Commonwealth of Mills
and Boon,
Ireland's bride forlorn, Whitehall her
bridegroom,
making neo-colonies, wife in tow.
Stop the honeymooning, mop up the blood.
How is she equal married to a thug?

Wilson John Haire.
25th February, 2009

Shorts

from
the Long Fellow

FIANNA FAIL

Democracy is a system in which two or more political parties compete for the votes of the most unprincipled, fickle and irresponsible section of the population, otherwise known as the floating voter.

In the European and local elections the floating vote (i.e. unprincipled, fickle and irresponsible) increases dramatically compared to a General Election because the electorate is not asked to select a government.

The voters decided that they were unhappy and voted against the Government Parties. Fianna Fail dropped to its lowest ever level of 24% in the European Election (25% in the local elections). This is a disaster when compared to its General Election vote of 41%. However, the drop was less dramatic compared to the European and local elections in 2004, when the party achieved only 29% and 32% respectively. Fianna Fail bounced back from the 2004 results to win the 2007 Election; it remains to be seen if it can do the same trick at the next General Election.

But, even if Fianna Fail manages to pull off that trick and lead another Coalition Government, it is unlikely to stem the party's long term decline. The party has become over-dependent on the shifting moods of the electorate. And in the prevailing conditions of a severe economic crisis its prospects are not good.

If the Irish people are being asked to make sacrifices, they are entitled to know what these sacrifices are for. The increase in the aforementioned floating vote is no accident. It reflects the decline in republican values and the rise of individualism. And no party is more responsible for this than Fianna Fail. It allowed its national newspaper to be taken away from it long before the paper became insolvent in 1995. It has allowed a British view of Irish history to prevail within our universities and has refused to defend republican values when they are under attack from the State broadcasting service. A low point was reached in 2003 at the Mansion House when the Taoiseach Bertie Ahern launched a biography of Harry Boland by David Fitzpatrick, a Trinity academic. Ahern used the opportunity to denounce historical revisionism—which elicited sniggers from the academics present. Was it possible that Ahern did not know that Fitzpatrick was revisionism's high priest!

FINE GAEL

Fine Gael received more votes and

greater representation than Fianna Fail, which has been the largest party since 1932. The breaching of this massive psychological barrier masked a mediocre performance by Fine Gael. It would be difficult to think of a more favourable political climate for the main Opposition party and yet it only increased its share of First Preference votes from 27% to 29% in the European elections. The gains in the local elections were only marginally better (from 27% to 32%). Fine Gael is still some distance away from the 39% it received in the November 1982 General Election.

LABOUR

Labour did not experience a dramatic breakthrough in terms of First Preference votes. The 15% it received in the local elections and 14% it received in the European Elections represent a marginal increase on its 2004 results, which were 11% and 10% respectively. It equalled the number of seats won by Fianna Fáil in the European Elections and is the largest party in Dublin, but the evidence of an electoral breakthrough for that party is inconclusive. Dublin is the most volatile electoral region so what can be won can just as easily be lost.

SINN FEIN

Sinn Fein remained at its 2004 level of about 7%. It looks like it has reached its peak. It benefitted from the volatility of Dublin votes in 2004 to win a seat for Mary Lou McDonald but this year that vote went elsewhere.

The *Long Fellow* was unimpressed by Sinn Fein's campaign. The party appears to have been influenced by *The Irish Times*. Sinn Fein's literature denounced crony capitalism. But the whole point of nationalism is that your own "*cronies*" achieve political and economic pre-eminence. That is why *The Irish Times* resented Charles Haughey so much. He represented the rise of a native capitalist class. The "*corruption*" of this class was as nothing compared to the means (ethnic cleansing, land grabbing and famine) by which its predecessors—the Anglo Irish—achieved and maintained centuries of dominance in Ireland.

Of course it could be said that Sinn Fein is a socialist party and all capitalism, whether native or of colonial origin, should be denounced. But that is not quite Sinn Fein's position in reality. In a radio interview Toireasa Ferris, the Kerry and Munster Sinn Fein candidate, expressed the view that it should be easier for businesses to access funds from the State in order for them to survive the current economic crisis. But if "*crony capitalism*" is really a problem, loosening controls over State funding to businesses is the last thing that should be advocated.

Some of the contradictions of Sinn Fein's approach to politics in the South

may be reflected in the resignation of Christy Burke its representative in Dublin Central. The *Long Fellow* cannot claim to have any inside knowledge on the reason, but he has heard two opinions which are not incompatible with each other.

The first opinion is that, with the failure of Mary Lou McDonald to retain her seat in the European election, Burke thought that she would be parachuted into the Dublin Central constituency again at the next General Election.

The second opinion is that a political rift had developed between Burke and Sinn Fein. Burke's close ties with the working class had made him liable to say things on immigration, for example, which offended the political correctness of the Sinn Fein leadership.

Whatever about the correctness of the above two opinions Christy Burke has decided that his strong showing at the recent by-election is a "Christy Burke" vote and not a "Sinn Fein" vote. The *Long Fellow* thinks the former Sinn Fein councillor is right to believe that Mary Lou will stand in the area.

GREEN PARTY

The Green Party had a disastrous election, but the *Long Fellow* was impressed by the manner in which its leaders dealt with adversity. Its Dun Laoghaire TD Ciaran Cuffe, who has been in the party for more than 25 years, remarked that in the past the party was greeted with condescending goodwill, but now it is taken more seriously. It is learning to take the rough with the smooth. *The Long Fellow* believes that the Party has a long-term future.

LIBERTAS

Libertas created the illusion that it was the substance behind the Lisbon No vote. The millions spent on its No campaign was enough to convince the petty bourgeois media who are easily impressed by money.

The poor performance of Libertas in the European election both in Ireland and elsewhere shattered that illusion. Declan Ganley has a strong personality and he performed credibly if unsuccessfully in Connacht Ulster but the retention of Philippe de Villiers' seat in France can hardly be chalked down to Libertas.

The substance behind the discontent on Europe comes from the working class and farmers and not from the ideologues of free market capitalism. It is the concerns of these classes that the Government will have to address if it is to win the second referendum later in the year.

THE BRITISH PARTIES

It was a good election for the British parties in Ireland: the *People before Profit* party (a subsidiary of the Socialist Workers' Party) and the Socialist Party.

The most spectacular breakthrough was the election of Joe Higgins of the Socialist Party in the European Election.

According to its Northern Ireland website the Socialist Party is in favour of:

"...a socialist Ireland as a free and voluntary part of a socialist federation of Ireland, England, Scotland and Wales"

On its website for the South it dilutes the essential message by adding the words:

"... and, on a wider scale, of a socialist European federation."

It was ironic that transfers from Mary Lou McDonald helped Higgins's election. However, anecdotal evidence suggests that many of McDonald's transfers to Higgins were fourth or fifth preferences. Higgins was fortunate that de Rossa had already reached the quota before the distribution of McDonald's votes. Therefore anti-Government transfers could only go to Higgins, resulting in the elimination of Fianna Fail's Eoin Ryan. Higgins was lucky but it would be churlish to deny the achievement of winning a seat with very limited resources in a constituency which had been reduced from 4 seats to 3.

THE DUBLIN CENTRAL BY-ELECTION

The working class voters of Dublin Central are not as "*unprincipled, fickle and irresponsible*" as the middle class of Dublin South. They were unimpressed by the media profile of Labour's Ivana Bacik or the money of Fine Gael's Paschal Donohue. Instead they voted to retain the seat for Tony Gregory's organisation.

The *Long Fellow* wishes the newly elected TD Maureen O'Sullivan well. But it remains to be seen if she has the substance of her predecessor. Her gauche performance at Gregory's funeral was not a good sign. The fact that many of the politicians at the funeral were political opponents of Gregory is completely irrelevant. Tony Gregory had made a contribution to the State and it was entirely appropriate that the representatives of the State should pay tribute to him by their presence. If O' Sullivan had not the magnanimity, she should have had, at least, the political *nous* to recognise this.

FINE GAEL AND ANGLO IRISH BANK

The election was notable for the vote of George Lee in the Dublin South by-election. He should enjoy his success while it lasts and take nothing for granted. Dublin South is littered with poll toppers such as Ann Colley and Eithne Fitzgerald who failed to be re-elected.

Lee's maiden speech in Dáil Eireann was most unimpressive. He implied that the Government can walk away from Anglo-Irish Bank with impunity and therefore it was unnecessary to provide 4 billion euros to recapitalise the bank. This is a view that is not shared by former FG leader Alan Dukes, who believes that if

the bank was let die over 50 billion euros in borrowings would crystallise, which the State would be obliged to pay immediately.

Of course, the State would have been able to walk away from the debt if it had not introduced the bank guarantee, but that piece of legislation was supported by Fine Gael (as it was by this magazine). If Fine Gael is to retain any credibility it will have to accept the consequences of its policies.

75% of Anglo-Irish's funding comes from abroad. In order to prevent a sudden flight of capital with damaging consequences for the bank the State had to preserve stability by providing funds.

ANGLO-IRISH BANK'S RESULTS

The most recent results from Anglo-Irish are very bad. A loss of 4.1 billion euros in the six months to March 2009 can never be good. To give some idea of the extent of the loss, the Royal Bank of Scotland, which was the biggest company in the world, suffered a loss of 28 billion sterling last year. The obvious question is how a relatively small bank like Anglo could clock up its losses in only six months.

Donal O'Connor, the executive Chairman, was not in a position to put a positive spin on the results when he appeared before the Finance Committee of the Oireachtas. Indeed, given the past performance of Anglo, he would have looked very foolish if he had attempted to do so. He said that there was a risk of a further 2.6 billion in bad debts if economic conditions deteriorated.

However, the *Long Fellow* thinks that Anglo's financial situation is not quite as bad as might first appear! The Bank actually made an operating profit of 295 million euros before charges for bad debts of 4.3 billion euros are taken into account. The 4.3 billion hit that it took in the recent accounts did not properly belong to that period. As Shane Ross has pointed out, the previous set of accounts prepared under the *ancien regime* were fairy tales. The losses should properly have been accounted for in previous periods.

O'Connor's flagging of a possible extra 2.6 billion loss is worrying. However, this appears a very pessimistic prognosis. The existing provision of 4.9 billion against current debts looks adequate. Also, if there is any kind of an upturn in the economy in the next two years the 4.9 billion provision might be more than adequate. The total number of impaired or past-due loans is 24 billion. Given most of these are asset-backed it is unlikely that the write off will be anywhere near 100%.

Included in the 4.9 billion provision for bad debts is 31 million relating to former Directors and 308 million relating to 10 individuals. Although these are provided for, it does not mean that they have been written off. Donal O'Connor assured the

Finance Committee that all debts would be pursued regardless of who the debtor was. The *Long Fellow* has no reason to question this person's integrity.

Anglo-Irish was a corrupt institution which did enormous damage to the Irish economy. However, it would be wrong for the State to dissolve it on purely moralistic grounds. Dissolution makes no sense on economic grounds. Once the bank is cleaned up, there may very well be a viable business generating income for the State.

THE NEXT GENERAL ELECTION

The *Long Fellow* thinks that the Government has handled the financial crisis quite competently. However, over the last 15 years Fianna Fáil can be faulted for doing nothing to dampen the raging property market. But would the main opposition parties have done any better?

During the 2007 General Election Fine Gael was the first party to hop on the *Sunday Independent* bandwagon urging the abolition of Stamp Duty, a policy which would have added fuel to the fire if fully implemented. After the most recent elections Leo Varadkar was licking his lips on RTE radio in anticipation of an early General Election. He thought that the Government could fall on the implementation of a property tax, a likely recommendation of the Taxation Commission. The impression given was that Fine Gael would vote against.

It will be interesting to see how the Labour Party performs in the coming months. Joan Burton on RTE's *Questions and Answers* (8/6/09) refused to rule out coalition with Fianna Fail. At the next General Election the minds of the voters will be more focussed on the policies of a potential alternative government. Labour would be wise to keep all its options open.

TARIQ AZIZ

Burglary, grievous bodily harm, murder, the household head taken by the hangman. Mesopotamia, house of the damned. Water, sewerage, electric, smashed to order.

Did they run abroad with the family gold like dictators Batista and Marcos. No, their choice was country before kudos, secular beliefs remained proud and bold.

Now the puppet masters control the house, pulling strings, deciding who is to die. Puppets dance, turning justice DIY. Next a statesman, victim of the sell-out.

Fifteen years jail from a half-wit hoodie. Ill-judged by Punch and sentenced by Judy.

Wilson John Haire.
17 March, 2009

Coolacrease And Joost Augusteijn

History Ireland rejected the following reply of the Coolacrease Book

Three train travellers admiring the countryside noticed a grazing cow. One exclaimed: "Look at that! The cows around here are all black." The second said: "Maybe it's just this particular cow." The third chips in: "All we can say for certain is that the visible side of that particular cow is black."

At the start of RTÉ's Coolacrease documentary (Oct 2007), the historians announced the programme's dogma. Dr. Terence Dooley of Maynooth said: "*The revolutionary period was used essentially as a pretext to run... Protestant landlords and farmers out of the local community, for locals to take over their land.*" Professor Richard English of Queen's said: "*[The Pearsons] were seen as aliens ... and ... were taking land from the rightful possession of the community...*"

This goes a lot further than our first train traveller.

It would be most interesting and useful to establish one way or the other whether sectarianism, land grabbing and ethnic cleansing were an intrinsic, widespread, local, occasional, isolated, incidental or absent element in the War of Independence. In this, doctrinaire assertions are worse than useless.

After the programme's conclusions had been solemnly pronounced on the dogmatic authority of the of the academic history professional elite, and in anticipation of evidence for their dogma, the Coolacrease documentary went on to present its cow.

Unfortunately, this cow turned out to be white.

The Coolacrease documentary was a revisionist train wreck. Joost Augusteijn's review in *History Ireland* (March-April 2009) gives a different impression, only suggesting that those involved "*should have been better informed*". His review is studiously silent about the most disgraceful aspect of the whole affair—RTÉ's Big Lie; its brazen invention of documentary "*evidence*".

The story of Coolacrease is easily told. In June 1921 the Pearson brothers fired on the forces of the elected Irish Government who were engaged in a war of defence of that Government against the forces of the unelected Imperial power in Ireland. A week or so later, under the authority of Richard Mulcahy, Chief of Staff of the Irish forces and a Minister for Defence in the elected Government, the Pearson brothers were executed following a military investigation. A relatively uncomplicated matter.

Shooting at the Army of the elected

Government was the reason for the Coolacrease executions. It trumps speculative motives, such as land grabbing, sectarianism and ethnic cleansing. It also demolishes the notion that the Pearsons were pacifist.

Joost Augusteijn accepts that the Coolacrease book is a successful refutation of the RTÉ documentary. He makes a case instead that the political party which won the 1918 General Election in Ireland had (1) neither the obligation, nor even the right, to seek to implement its democratic mandate for sovereign independence, and (2) that the Imperial Government was entitled to ignore the ballot box and to suppress the elected Irish Government with armed force. He also says that "*less than 48% of those voting supported Sinn Féin*", implying that "*a majority of the Irish population ... [was] loyal to [the British] authority that there was no reason to reject*".

This is an each way bet. He alleges that there was not majority support for independence; and in any case imperial legitimacy was not contingent on electoral support.

Augusteijn writes that peoples do not confer legitimate government on themselves by voting for it. He says that legitimacy is conferred by recognition by other Governments. The Declaration of Independence made by the elected Irish Government in 1919 was ignored by Westminster, and Westminster did not allow it to be put on the agenda of the Conference of victors at Versailles.

The destruction of three major European states in Britain's Great War left the British Empire as the effective determinant of "*international law*" at the moment when the League of Nations was being formed under British veto. For instance, Italy had to conciliate Britain in the hope of being allowed to seize the whole "*irredenta*" agreed with Britain in 1915. And the US President had to conciliate Britain in the hope of saving his war programme.

At the moment when Irish independence was declared Britain had an effective world veto on recognition of it.

British policy in Ireland was taken in hand in 1913-14 by the British military caste, which was largely Anglo-Irish, was intensely hostile to nationalist Ireland, and had played a key role in initiating and organising the UVF revolt against the British Government. The Curragh Mutiny was effective because the core of the officer caste had, unknown to the British body politic as a whole, made detailed preparations for war with Germany. The Liberal

Government, which had ordered the secret preparations for war, could not do without the military caste. The Liberal Government crumbled in the course of the war and the military caste came centre stage in the Unionist-dominated Coalition Government, and in 1919 decreed that the League of Nations should not deal with the assertion of independence by the Irish democracy.

The USA dates its legitimacy from its Declaration of Independence, and not from the moment when it fought England to the negotiating table. Ireland should do likewise. It should treat democracy as the determinant of legitimacy, in the light of Britain's declaration of why it launched the Great War in which countless millions died. A blood-sacrifice of 50,000 Irish lives was offered up in that cause.

Let those who still see Imperialism as the source of legitimacy explain away the British recruiting propaganda as best they can. They may see the British declarations as legitimate deception to raise cannon-fodder in a still greater cause. But nationalist Ireland, having been made use of as cannon-fodder, took the deception in earnest in its voting, and in its actions, when its vote was brushed aside by the Empire which at that moment was close to ruling the world.

The "*international community*" today is in effect five Governments. And, for twenty years, one of those five Governments was excluded from UN legitimacy even though it governed the biggest state in the world. The actual Government in Peking was vetoed by the USA after the change of regime in 1948, and the UN was compelled to recognise the island of Formosa as China. Kosovo and South Ossetia are contemporary examples of the arbitrary nature of "*international recognition*".

Formality and reality parted company under the Great Power structure of the UN, as it did previously in 1919 under the League of Nations.

In arguing that "*a majority of the Irish population ... [was] loyal*", Augusteijn is ignoring the electoral pact between the Irish Party and Sinn Féin, which meant that in more than a quarter of the constituencies they fought the election as a coalition, a political body united against loyalism, having come together on 18th April 1918, with Labour and the All-for-Ireland League, in opposition to Britain's "*Declaration of War*" on Ireland—the enactment of Conscription on 16th April 1918, by which Britain could, at any moment of its choosing, arrest 150,000 Irishmen, send them to France, and shoot them dead if they refused to kill citizens of countries with whom they had no quarrel. John Redmond was dead at this point, but he had earlier warned (*Freeman's Journal* 7 October 1916) that, in that event, his

National Volunteers would go to war against Britain. (For comparison, the Polish "January Rising" (1863-1865) was initiated by Russian conscription policy in Poland.)

Britain's war policy in Ireland is demonstrated by: (1) the appointment, on 10 May 1918, of Field-Marshal John French as Lord Lieutenant of Ireland as a military viceroy at the head of a quasi-military Government; (2) French took steps to send an extra 12,000 troops to Ireland (25,000 were already there) and planned to establish four "*entrenched air camps*" which could be used to bomb Sinn Féiners; (3) following a proclamation by Field-Marshal French on 16th May 1918 in relation to an alleged German plot, more than 100 members of Sinn Féin were imprisoned without trial under the Defence of the Realm Act, which, under an amendment of 25th April 1918, had been extended to include, as enemy aliens, Irish people in addition to Germans, Austrians and Turks.

Field Marshal Lord John French came from a Loyalist background in Ireland, had helped in the organisation of the UVF against the British Government, was a leader of the British Army's revolt (the Curragh, March 1914) against the Government's policy of Irish Home Rule, and had led the British Army in the first phase of the Great War. Before he left for Ireland, French was instructed by Prime Minister Lloyd George to "*put the onus for first shooting on the rebels*". Britain remained poised for re-conquest on the scale of the Boer War, if not of Cromwell, King William or General Lake.

Loyalist domination of the British Government's Irish policy from 1915 is the context for the defeat of the Irish Party's project and its loss of influence.

Augusteijn's statement that up to 53% were "*loyal*" implies that the electorate of constituencies in Counties Cork, Tipperary and other constituencies where voting did not take place in 1918—and where British forces were subsequently fought to a standstill—should be assessed in a way which boosts the estimates of support for the loyalist position. This makes no sense.

Within an 18-month period in 1917-18 there were 9 by-elections, three of which were won by the Irish Party. (Significantly, the Irish Party awarded a constituency to Sinn Féin when it withdrew from a by-election on 19th April 1918, the day after both parties announced that Britain had made a "*Declaration of War*" on Ireland. It is also significant that the British Government contested none of the elections. Why should it? The British position (its "*legitimacy*") in Ireland was based on force, not consent, as was acknowledged many times in Parliament, including by John Redmond. Augusteijn's suggestion

that Britain based its position on "*international recognition*" is not believable.)

The Irish Party had given a fairly good account of itself in the by-elections, in which a dominant party is often "shown the yellow card" by voters. So it might have been thought to be in good shape for any electoral test, even if, in previous general elections, most of its seats were won without a contest.

Therefore it is not likely that, if even 10% support for it was expected in a constituency, the Irish Party would have shirked any electoral challenge from Sinn Féin in the 1918 general elections.

As things turned out, in 9 of the contested 26-County constituencies the level of support for Sinn Féin in the General Election was over 80%, and in one of these constituencies its support was more than 90%. Therefore it is reasonable to estimate Sinn Féin support in the uncontested constituencies at more than 90%. So 90% is a conservative estimate.

Average turnout in the contested 26-County constituencies was 68%. If we now combine 90% of 68% of the electorate in the uncontested constituencies, the

figure we get for Sinn Féin support in all of the 26-County constituencies is 74%.

In the 6-County constituencies, Sinn Féin received 19% of votes cast, some of which would have gone to the Irish Party if there had been no electoral pact between them and if both parties had contested all the 6-County constituencies. Correcting for this, a conservative estimate of Sinn Féin support in the 6-County constituencies is 15%.

Combining this with the 26-County extrapolation of 74%, a conservative estimate of Sinn Féin support in all Irish constituencies is 56%.

The 1918 voting figures are given by ARK in <http://www.ark.ac.uk/elections/h1918.htm>.

28 May 2009

Coolacrease. The True Story of the Pearson Executions in Co. Offaly, an Incident in the War of Independence by *Paddy Heaney, Pat Muldowney, Philip O'Connor and others*.

427 pp. ISBN 978-1-903497-47-0. Aubane Historical Society. 2008. **€20, £18.**

Did Redmond Reconquer West Cork In 1916?

The revisionist school of Irish history systematically ignores or discounts the significance of the annihilation of the Redmondite Party—outside of Ulster and Waterford—by the forces of Irish democracy in the 1918 General Election. This is a theme frequently addressed in this magazine by Brendan Clifford and Jack Lane, as well as occasionally by myself. But the speed of the transformation in public opinion post-1916 was highlighted by Count Plunkett's victory in the North Roscommon by-election of February 1917, masterminded by that "two nationalist" Sinn Féin leader and subsequent Spanish Republican supporter, Father Michael O'Flanagan. In July 2006 and May 2009 articles I have referred to Denis Carroll's 1993 biography of O'Flanagan where he drew attention to the *Irish Times* conclusion on 8th February 1917 that, in the next General Election, the Redmondite Party "*would be swept out of three quarters of their seats in Ireland that by the same forces that carried Count Plunkett to victory in North Roscommon*".

What was noteworthy about that Roscommon by-election campaign was the absence on all sides—even then—of any invocation of the name of the Redmondite MP whose death had caused the vacancy, James J. O'Kelly. Far from my hostility to Redmondism resulting in a failure to ever give credit where credit is due, I recently took the initiative to seek out O'Kelly's grave in order to propose

probably the only wreath-laying ceremony in the more than nine decades since his gravestone was first erected. But that was on account of a promise made by the pioneer of Afro-Cuban studies, Fernando Ortiz, when he wrote in a 1930 prologue to a new Spanish-language edition of O'Kelly's 1874 book on Cuba's first War of Independence:

"His remains lie in Dublin's Glasnevin cemetery, under a monument erected by his political associates. Some day the people of Cuba will place a bouquet of flowers on that grave, remembering him with both affection and gratitude."

And so, in a ceremony organised by the SIPTU Solidarity with Cuba Forum this June 4, Cuba's first resident ambassador to Ireland, Noel Carrillo, finally fulfilled that 1930 Cuban promise. And that is why SIPTU has also published a selection of O'Kelly's writings, edited by myself, in a book entitled *Irish Solidarity with Cuba Libre—A Fenian Eyewitness Account of the First Cuban War of Independence*: see www.siptu.ie/PressRoom/NewsReleases/2009/Name.10884.en.html for details.

But the reason why James J. O'Kelly's name had already fallen into oblivion in Ireland so soon after his death in December 1916 was summed up in the 1929 *Recollections Of An Irish Rebel* where, under the heading of "His Espousal of England's Cause in the World War a Sad Finale", the veteran Fenian leader John

Devoy wrote of O'Kelly:

"It was a sad ending to all his splendid work for Ireland. I had been out of touch with my boyhood friend for many years. The last I heard of him was in a published communication between himself and the renegade 'Long John' O'Connor, replete with fulsome eulogy of the gallantry of the English at Ypres which utterly disgusted me. O'Kelly and I had never before been on opposites sides."

But North Roscommon was not the first post Easter Rising by-election. That took place in West Cork in November 1916. Do we need to take a closer look? A few years ago it was suggested to me that I should do so, but I never bothered. The context was a discussion of the Aubane Historical Society book *The Cork Free Press—The Restructuring Of Ireland 1890-1910*. In his November 1997 introduction Brendan Clifford had written:

"The electoral overthrow of John Redmond's Home Rule Party is usually depicted by historians as a consequence of the Easter Rising and the shooting of prisoners-of-war by the British authorities after the suppression of the Rising. But Redmond's Party had lost all but one of its Cork seats long before 1916. It lost them in the General Elections of 1910. Redmond's candidates were defeated by Independents in the Election of January 1910. The Independents constituted themselves into a party, the *All-For-Ireland-League*, and defeated the Redmondites again in the Election of December 1910, which was the last Election before the First World War, the Easter Rising, and the general overthrow of Redmondism in 1918. The *Cork Free Press* was the daily newspaper of the All-For-Ireland-League. It was launched in June 1910 and continued publication until 1916, and during these years its circulation rivalled that of the Redmondite *Cork Examiner*."

In the Preface to that book, Jack Lane also wrote:

"It destroyed the Redmondite Home Rule Party in 1910, winning 8 out of the 9 Parliamentary seats in the city and county of Cork... The liberating spirit of the movement paved the way for the physical liberation after 1918 and it explains why the most serious campaign of the War of Independence was fought in the same area. It is no accident that 'the boys who beat the Black and Tans were the boys from County Cork'. This book explains why."

That friendly critic, who on other issues has himself been a sturdy opponent of revisionist history, maintained that the book's thesis was an exaggeration and that it was invalidated by the subsequent return of a Redmondite MP in the West Cork by-election of November 1916. I disagreed with his contention, primarily on the basis that one swallow does not a summer make. Without going any further into that by-

election itself, there were two further insights reinforcing that initial reaction. But it is a recently accessed third insight which has now encouraged me to look at that by-election in greater detail and come to an even more definitive conclusion: that the Redmondite "swallow" was actually a dodo.

First came the account of the last Editor of the *Cork Free Press* itself, Frank Gallagher, as given in his 1953 book *Four Glorious Years*, and published under his *nom-de-plume* David Hogan. Gallagher related how he had appealed to William O'Brien MP not to declare for England on the outbreak of the First World War, but to no avail:

"I urged on him the wisdom of not committing himself.... His movement, the All-for-Ireland League was, I told him, capable of becoming an important section of the freedom movement, many of its members were already in the Volunteers... If he made a recruiting speech, the life of his paper would be over, its circulation would fall at least by a half; his All-for-Ireland clubs would swing away and become branches of Sinn Féin. 'I don't believe a word of it', he said. He made his speech—and his leadership was over. The circulation of his daily paper fell, not by a half, but by three-quarters, and it had soon to become a weekly. His All-for-Ireland movement melted away and its place was taken by Volunteer companies and Sinn Féin clubs. Later I was called back to Ireland to run the paper, and I found the staff was Sinn Féin too. Tadhg Barry, who was our GAA specialist [and Cork ITGWU Secretary—MOR], was later shot dead by (British) troops in Ballykinlar Camp (in November 1921)..."

"On Easter Monday, 1916, came the Rising and at once the deluge of propaganda... In London, William O'Brien, exposed unprotected to the whole blast of the anti-Sinn Féin hurricane, wired an editorial, which deplored this 'heart-breaking folly'... (But at a later meeting) on our side it was agreed that the paper was not to become Sinn Féin... and on his side that it was not itself to attack Sinn Féin... For nearly six months, when the voice of insurgency was throttled, the *Cork Free Press*, though it could not openly support Sinn Féin... was condemned in the Commons as being a paper that might be published in neutral Holland or Denmark and when it ceased its career by a sudden decision to close it down, there was pleasure in London."

Secondly, my view that the All-for-Ireland League had more than likely been affected by post-Rising Republican abstentionist sentiment in West Cork was further reinforced by an unlikely source: In the midst of all the false 'history' of Peter Hart's *The IRA And Its Enemies* there is one valuable piece of research—a profile of the Hales family of Ballinadee,

Bandon. Robert Hales had been a stalwart of the O'Brienites and had represented the All-for-Ireland League on Bandon Rural District Council. But when O'Brien declared for England in 1914 Hales broke with him completely, as did his sons. They brought the young men of Ballinadee *en masse* into the Irish Volunteers throughout the course of 1916, and Tom and Seán Hales were subsequently to the fore in constituting the backbone of the IRA's Third West Cork Brigade during the War of Independence.

Thirdly, reinforcing my view that it was more a case of O'Brien defeating himself in post-Rising Cork than a Redmondite "victory" of any significance, and now forcing me to look into the matter in greater detail, was an email from Jack Lane on April 26th, entitled "*read and weep*". It referred to a catalogue of War of Independence documents and artefacts up for auction, and among the items since sold abroad was one described as follows:

"Tadhg Barry of Cork. A very good autograph signed letter, 2 pp (single sheet), dated 21.10.(19)16, to the Cork nationalist and barrister Frank Healy, then in detention in Britain, concerning his candidacy in the West Cork by-election of 1916. Barry says that Healy has been mentioned as a Sinn Féin candidate, but William O'Brien has taken the wind out of their sails by nominating him (Healy) as a candidate for O'Brien's All-For-Ireland League, 'and now the trouble is that people are dead on the oath taking, and unless we have some guarantee from you (that he will not take the oath) you will have J.J. Walsh up as official Sinn Féin candidate. Personally I would prefer you to secure the seat. Your connection with the I.A.A. (Irish American Alliance) and the fine way in which you fought the Kent and Mac Swiney cases hardly needed the Government recognition of your worth, and your refusal to take allegiance to your gaolers would now give you a place in history as the first Sinn Féin MP ...' In the event Frank Healy contested the by-election for the All-for-Ireland League, and was narrowly defeated. He later supported Sinn Féin. The Irish American Alliance was a separatist faction of the Ancient order of Hibernians, of which Healy was Grand Master. Later Healy represented Terence MacSwiney and Tomas Ceannt (Kent) at their trial for making seditious speeches; MacSwiney was fined one shilling. Tadhg Barry, a leading Cork IRB member, Volunteer and Sinn Féiner, was shot dead by a sentry at Ballykinlar Detention Camp while an unarmed detainee in 1921. Provenance: Family of the Cork barrister Frank Healy, by descent."

This reinforced my view that there must have been a Sinn Féin reaction against the All-for-Ireland League in the November 1916 by-election, and that in no serious

way could the result be construed as a recovery on the part of the Redmondites from the fatal blows suffered in 1910. And still less could it be viewed as a verdict on the Easter Rising, resulting in a Redmondite reconquest of West Cork!

Even though the Wikipedia free encyclopaedia presents that 1916 by-election result as a narrow Redmondite victory, it is also very confusingly written and poses more questions than it answers:

"James Gilhooly (1847–1916) was an Irish nationalist politician and MP in the House of Commons... as member of the Irish Parliamentary Party, and from 1910 the All-for-Ireland Party, who represented his constituency (West Cork) from 1885 for 30 years until his death, retaining his seat in eight elections (four of them contested)... In 1867, the authorities believed him to be a Fenian 'Head Centre' in the Bantry area. During the Land League's Land War and the later Plan of Campaign in the late 1880s he was imprisoned several times under the Coercion Act, which permitted imprisonment without trial, and served a three month sentence for his role in the *No Rent Manifesto* of 1881. He was first elected to parliament in the 1885 general election as a member of the Irish Parliamentary Party (IPP)... After the 'Split' in the IPP over Parnell's leadership he joined the anti-Parnellite Irish National Federation majority group, then joined the re-united Irish Party again in 1900, for which he was elected in the 1900 general election. He was however one of William O'Brien's closest political supporters, joining his secession from the IPP in 1903, then elected in the 1910 general election as a member of O'Brien's All-for-Ireland Party (AFIL), of which he was Chairman... He died on the 16 October 1916 and was buried at Abbey Cemetery, Bantry, the town closing down for his funeral... The ensuing bitter West-Cork by-election has a place in history as the first after the Rising and the last in which the Irish Party narrowly captured a seat and as the self-induced demise of the AFIL. At stake in the bitterly fought by-election was not just one of the 103 seats in the House of Commons, the great issue was William O'Brien's AFIL versus John Redmond's Irish Party. In November three candidates were nominated, the third also an AFIL member and strong supporter whom O'Brien had passed over as candidate and then in protest stood, thereby splitting the AFIL vote to the detriment of O'Brien's party."

Gilhooly had been returned unopposed in both the 1900 and 1906 General Elections. In the January 1910 General Election O'Brien's candidates ran as Independent Nationalists while Redmond's United Irish League had the official designation of Nationalist candidates. The sitting Independent Nationalist MP James Gilhooly now faced the challenge of a Redmondite candidate, Daniel O'Leary. Polling in West

Cork took place on January 31 and on February 1 and the *Irish Times* surmised: "*There is a large Protestant vote in the constituency, and these, it is supposed, will be cast in favour of Mr. Gilhooly.*" In view of the fact that O'Brien had broken with Redmond on account of the latter's Catholic secretarian entanglement with the Ancient Order of Hibernians' Board of Erin, this was not an unreasonable assumption, although the Protestant voters would certainly not have been monolithically Unionist by political affiliation but would also have included long-standing and prominent Protestant Home Rulers, such as Gilhooly's own election agent, Jasper Wolfe of Skibbereen, as well as the latter's brother, Willie Wolfe.

The total number on the electoral register was 5,727, of whom 4,537 cast their vote. Gilhooly held his seat with 2,155 votes as against 1,382 for O'Leary—an O'Brienite majority of 773. On February 2 the Unionist *Irish Times* somewhat schizophrenically editorialised:

"Yesterday the last two elections in Ireland were decided. Mr. Gilhooly has held West Cork by a large majority; in North Cork Mr. Guiney has easily defeated the official Nationalist candidate. The South and West of Ireland have issued an emphatic and effective protest against the 'pledge-bound' tyranny of the United Irish League. The Independent Nationalist Party is small in numbers. Politically it is strong, and it will occupy a position of peculiar significance in the new Parliament... a party of ten members, led by two of the ablest and most fearless politicians in Ireland... Some Unionist newspapers in England have included the Independent Nationalists with the Irish Unionists in their calculations of the forces against the Government. We dissociate ourselves from this arrangement. Irish Unionists cannot forget that there is an even wider difference of principle between themselves and the Independent Nationalists than exists between Mr. Redmond and Mr. Dillon on the one side, and Messrs. Healy and O'Brien on the other. The Independent Nationalists are Home Rulers. They only differ from Mr. Redmond in holding that the Liberals are a broken reed, and that self-government can never be established on a basis of class hatred and political intolerance. Irish Unionists are opposed to Home Rule... Nonetheless, apart from this one question on which their opinions and instructs are absolutely divergent, Irish Unionists and the Independent Nationalists can join in much common service to their common country. Mr. Healy and Mr. O'Brien are eloquent advocates of political and religious toleration. A Nationalist Party representing 45,000 Irish electors may be a powerful agent in undoing much of the bad and bitter work of the United Irish League. It may also combine with the Irish Unionists to secure a settlement of the land question, which Mr. Dillon's

influence in the late Parliament has brought to such a deplorable pass..."

An indication of the forces Gilhooly had to overcome two days before polling was given in the *Irish Times* on February 5th under the heading of "*Stormy Scenes at Kilcrohane*" (a village 16 miles west of Bantry):

"When Mr. Gilhooly arrived at Kilcrohane he found the Rev. Father Callnan in possession addressing the congregation {on behalf of the Redmondites—MOR} after twelve o'clock mass. Mr. Gilhooly's party passed through and cheers and groans were raised on all sides. The band played backwards and forwards, and broke up Father Callnan's meeting. The rev. gentleman remonstrated with the police for allowing the wagonettes belonging to Mr. Gilhooly's party on the road near where his meeting was being held... A large section of the Kilcrohane crowd appeared to be hostile to Mr. Gilhooly, and both sides threatened each other. The police came between them. Father Callnan told Mr. Gilhooly's party to get out of the way with the cars, and came up to where Mr. Gilhooly was sitting in the car. He was followed by a crowd and Mr. Gilhooly's party closed in about him. The two parties faced each other in a threatening fashion, and shouted defiance and threats at each other. Mr. Gilhooly whipped the horse to get him through the opposing crowd, and told Father Callnan he would have no dictation from him..."

On April 11th the *Irish Times* reported Gilhooly's presence on the platform of a Cork City rally of the All-for-Ireland League in which O'Brien attacked the Redmondites in the following vein:

"Will he (John Dillon) attempt to deny that in the secret fraternity (the AOH Board of Erin) which is thus placed in charge of the national organisation (the United Irish League) no Protestant can, under any circumstance, be admitted, if it were Henry Grattan or Robert Emmet, or Charles Stewart Parnell himself? (cheers)".

At a follow up rally in Gilhooly's own constituency in Skibbereen, the *Irish Times* of May 16th further reported O'Brien as denouncing the Redmondites as "*the new patriots of today who assumed to be disgusted with the conduct of Mr. O'Brien and his followers, and shocked at the notion that they should welcome into their ranks the co-religionists of Grattan, Emmet and Parnell*".

The snap General Election of December 1910 was even more bitterly fought. The *Irish Times* of December 12th reported an All-for-Ireland rally in Bantry where Gilhooly said his Redmondite opponent O'Leary would have no chance of success in his own merits and "*would not get 200 votes in the entire constituency only for the influential backers they had in the*

priesthood, especially in Castletownbere. He said to these priests that he would not like to take their responsibility of creating confusion and turmoil in the district by forcing a hopeless contest on it". Gilhooly did indeed retain his seat, increasing his vote to 2,218. But O'Leary increased his own vote by a greater extent to 1,959, so the All-for-Ireland majority was a narrower one of 259. Having now been made a Justice of the Peace, the Protestant Home Ruler Jasper Wolfe was no longer Gilhooly's election agent and in fact served as Deputy Returning Officer in that December election. The *Irish Times* of December 21st underlined the sour grapes character of O'Leary's outburst at the poll declaration, when he stated that "he noticed that there was not a single Conservative or Orangeman in the district that did not come in and vote for Mr. Gilhooly, and he knew that every one of them was active in canvassing on his behalf. (Hear, hear)." And he also attempted to tar the Protestant Home Ruler Wolfe himself with the same brush.

The Hales family had already shown the way for other West Cork All-for-Ireland radicals to break with William O'Brien, following his support for the British War effort, and still later his condemnation of the 1916 Rising. It was O'Brien's erstwhile followers who now disrupted a meeting he held in Cork City Hall, as vividly described by Frank Gallagher in *Four Glorious Years*. On 1st July 1916, under the heading of "Disorderly Meeting in Cork—Demonstrations in Favour of the Irish Republic", the *Irish Times* noted the cries of "recruiter, recruiter" being directed at O'Brien. As predicted by Gallagher, all that was best in the All-for-Ireland League had now gone Sinn Féin. That is why ITGWU Branch Secretary and *Cork Free Press* correspondent Tadhg Barry thought it was possible that Frank Healy might now stand for Sinn Féin in the by-election to fill the West Cork vacancy occasioned by the death of Gilhooly. But, when Healy instead succumbed to O'Brien's overtures, Sinn Féin turned on him with a vengeance. Under the heading of "West Cork Election—Sinn Féiners and the O'Brienite Candidate", the *Irish Times* of 13th November 1916 reported:

"The situation with reference to the contest for the Parliamentary representation of West Cork has undergone a change which has brought much concern to the supporters of Frank Healy, the All-for-Ireland candidate, and pleasure to the Redmondite. The Sinn Féin party in the constituency is exceptionally strong, and no attempt has been made to disguise the fact that Mr. O'Brien and his friends adopted Mr. Healy in order to capture their vote. From what has transpired today it seems that the maneuver is doomed to failure. Mr. T. McCurtain, Commandant

of the Cork Corps of the Sinn Féin Volunteers, who is now a prisoner in Reading Jail, has written to the President of the Sinn Féiners in Cork, on behalf of himself and other interned Irishmen in England, repudiating in strong terms the role which Mr. Healy has adopted, of representing them in this contest. Some of the leaders of the Sinn Féiners here express regret that they cannot go to West Cork to canvass and speak against Mr. Healy, as the military authorities will not permit them to go outside the rural district of Cork; but they have taken steps to carry their views to members of their party in the constituency. An advertisement appears in a Cork journal today stating that, 'by direction, and on behalf, of the Irish prisoners of war in England, we desire to inform the public generally, and the electors of West Cork in particular, that neither Mr. Frank Healy nor any of the other candidates for Parliament in West Cork represent the views of either the interned prisoner or Sinn Féin.'

Healy's problems were further compounded by a more parochial split in the O'Brienite ranks, with the announcement in the same issue that Dr. Michael Shipsey was also standing as an Independent Nationalist candidate:

"Dr. Shipsey, having referred (in Skibbereen) to Mr. William O'Brien's refusal to his request to call a convention of the people of West Cork to select an All-for-Ireland candidate to succeed the late Mr. Gilhooly, said he protested against such conduct. Mr. O'Brien's candidate (Mr. Frank Healy) was a stranger in West Cork and West Cork did not want him."

Under the heading of "West Cork Election—Redmondite Candidate Elected", the *Irish Times* of November 17th gave the following results: "Daniel O'Leary (Redmondite) 1,865; Frank Healy (All-for-Ireland League) 1,750; Michael Shipsey (370)." It would, however, be quite misleading to present this outcome as a Redmondite "victory" in anything other than a Pyrrhic sense. O'Leary's vote was actually down on his December 1910 result by 94 votes, and the combined total of the official and dissident O'Brienite votes in fact exceeded his by 255 votes. A complex rearrangement of voting patterns also seems likely to have occurred: Given Healy's packaging as a "near Sinn Féin" candidate, while he might still have retained the Protestant Home Rule vote, he would certainly have now lost not only the votes of newly-declared Sinn Féin supporters who resented his usurpation of their mantle, but also the votes of Unionists disturbed by such "Sinn Féin" appearances. O'Leary would also now have gained many of those same Unionist votes, due to the very strong "support our boys at the Front" role he was playing in respect of Britain's war.

At the poll declaration William O'Brien

said "he regretted the result, and feared very much that result would have, ere long, a disastrous effect on the Constitutional movement in Ireland". And the disintegration of O'Brien's own All-for-Ireland League was underlined by the case of Tadhg Barry. The *Irish Times* for November 27th reported on a large 1,500 strong Manchester Martyrs Commemoration parade in Cork, boycotted by the Redmondites but dominated by Sinn Féin banners, at which "Mr. Tighe (sic) Barry, a leading Cork O'Brienite" gave the oration. Under the heading of "Court-martial in Cork—Alleged Demand for an Irish Republic", the *Irish Times* of January 10th, 1917 reported on the subsequent prosecution of "O'Brienite" Barry for that self-same oration: "In further police evidence documents found at the house of the accused were put in evidence. One was headed 'Sinn Féin', and stated the objectives of Sinn Féin. Others were an appeal to citizens of Cork to repudiate Members of Parliament from Ireland, a circular issued by 'Fianna Fáil' [a paper edited and published by Terence Mac Swiney—MOR]..." And who was the Crown Solicitor who prosecuted the former-O'Brienite-turned-Sinn-Féiner, Tadhg Barry? None other than the former O'Brienite election agent for James Gilhooly, Jasper Wolfe. The West Cork by-election of November 1916 finally convinced William O'Brien that the All-for-Ireland League had indeed been superseded by Sinn Féin, for whom he himself would later go on to declare his support in the December 1918 General Election.

One historian not subscribing to the mirage of a Redmondite "victory" in West Cork was Michael Laffan. In his 1999 book, *The Resurrection Of Ireland: The Sinn Féin Party, 1916-1923*, Laffan narrated:

"The vacant (West Cork) seat has been held by William O'Brien's All-for-Ireland League against the Parliamentary Party in the general elections of January and December 1910. The 'parliamentary truce', which had existed since the beginning of the War, was a convention whereby vacant seats were normally uncontested. The party in question nominated a candidate who would then be returned unopposed. Redmond followed this custom, and in any event he may have feared defeat; he was reported to have argued that any contest would display to the British Government the extent of Sinn Féin strength in the constituency. The spread of separatist views was also illustrated by developments within the All-for-Ireland League. It was generally assumed that the main reason why O'Brien selected Frank Healy as his candidate was the fact of his deportation after the Rising, and that this record, reinforced by his friendship with Griffith

and his reputation for being a Sinn Féin sympathiser, would win over the extremist vote if he faced any challenge. Healy sat out the campaign in the sedate comfort of Bournemouth.... O'Brien misled his champion with the reassurance that 'the feeling among our friends in West Cork is wonderfully united and buoyant', but the selection of an outsider from far distant Queenstown provoked resentment among the local party workers. An independent All-for-Ireland candidate, Michael Shipsey, ran against Healy. This split in the enemy's ranks convinced West Cork Nationalists {the Redmondites—MOR} that they could win the seat, but Redmond still refused to approve a contest. At the last minute Daniel O'Leary, who had been defeated in the 1910 elections, ran as an unofficial UIL candidate. He began his campaign only nine days before the poll."

"Both All-for-Ireland candidates sought the votes of separatists, Healy stressing his internment and his subsequent deportation, and Shipsey announcing that he had been 'interested' in the Sinn Féin movement. (This was true; three years earlier he had written a series of articles for Griffith's newspaper). T.M. Healy, canvassing on behalf of his namesake, promised the voters that 'if they elected O'Leary it meant conscription for Ireland; if they elected Frank Healy it meant no conscription, but amnesty for the prisoners..."

"Three days before the poll the Sinn Féin executive... issued a manifesto attacking the All-for-Ireland League and quoting Parnell's advice that his followers should 'vote for open coercionists against rotten Whigs'. It claimed that if the League were to be routed, 'Sinn Féin will have virtually won West Cork at this election, and will possess West Cork at next election'... O'Brien had hoped to win separatist support, but his maneuver backfired. His choice of Healy split the party; he alienated the unionists, estimated at between 500 and 700, who had voted for his party in the past; and in the end his 'extremist' candidate was rejected by those whose assistance he had sought at the cost of provoking his other problems. O'Leary won the seat by 116 votes, but his poll was 252 less than the combined votes for Healy and Shipsey, so everybody managed to draw encouraging conclusions from the result. The Parliamentary Party succeeded in gaining a seat where it had never expected to do so—and the *Freeman's Journal's* ungrateful reaction betrayed its astonishment: 'in the circumstances of the hour the result is less heartening than surprising'. But this victory tended to engender an unwise complacency, a feeling that, at least, the country, was 'coming to its senses again'; or that, in the words of the *Cork Examiner*, West Cork had returned 'to the National fold, to sanity, and to what is best in Irish politics..."

This was a pyrrhic "victory" for Redmondism, but a *de facto* victory for Sinn Féin, as anticipated in the latter's own pre-poll manifesto. But, believing that he was actually a swallow rather than a dodo, the newly-elected Daniel O'Leary MP descended on North Roscommon two months later in order, or so he fooled himself, to ensure a similar victory in that by-election for the Redmondite candidate, Thomas J. Devine. The result, of course, was otherwise, and on 7th February 1917 a despairing *Irish Times* editorialised:

"At its meeting in the House of Commons today the Nationalist Parliamentary Party will take stock of a wretched situation. The cause of Count Plunkett's large majority over the official candidate is two-fold. He is a person of no importance, but the Sinn Féiners found in his family's association with the late rebellion an occasion to advertise their disloyalty, and the constitutional nationalists voted for him—would have voted for anybody—in order to advertise their discontent with the official party."

And to that we may again add the *Irish Times* conclusion on the following day, that in the next General Election the Redmondites "would be swept out of three quarters of their seats" by a Sinn Féin whirlwind. The official result in North Roscommon was 3,022 for Count Plunkett; 1,708 for the Redmondite Thomas J. Devine; and 687 for the Independent Jasper Tully. But in this case the third candidate's vote should now be added in to enhance the Plunkett majority still further. For, as the *Irish Times* reported on February 10th:

"Mr. Tully said that although he was at the bottom of the poll he was delighted to see Count Plunkett at the head, because when he (Mr. Tully) went forward he

went against the Irish Party. His 687 votes were also the voice of Roscommon for Count Plunkett, and that was two to one against Mr. Redmond's party. The poll, he said, had rung the death knell of the rotten policy of going down on their knees before Englishmen and bossing Irishmen at home."

The failure of Daniel O'Leary's campaigning in North Roscommon underlined the hollowness of his fluke election "victory" little more than two months previously. There had been no Redmondite reconquest of West Cork. A demoralised O'Leary did not even bother to contest the December 1918 General Election and the Sinn Féin candidate Seán Hayes was returned unopposed. Thereafter, it did indeed follow that "the boys who beat the Black-and-Tans were the boys of the County Cork".

Manus O'Riordan

The 'Cork Free Press' In The Context Of The Parnell Split, The Restructuring Of Ireland, 1890-1910, by Brendan Clifford.

Aftermath of the Irish Big Bang: Redmondism; Fenians; Clericalism; The Land War; Russellites; Land & Labour League, and All-For-Ireland League—an Irish pluralist political development, originating in County Cork. 168pp. Index. ISBN 09521081 06 10. AHS, Jan. 1998. £13, £9.99 .

Manus O'Riordan's Irish Solidarity With Cuba Libre: A Fenian Eyewitness Account Of The First Cuban War Of Independence, featuring James J. O'Kely, later MP for Roscommon from 1880 to 1916 is published by SIPTU in July.

The Rise of Left Liberalism

Desmond Fennell's last three books published by Athol Books contain many interesting insights, which deserve a wider audience. However, his ideas cannot find purchase because they are outside the prevailing ideological framework. About a year ago he wrote an article in *The Irish Times* which was an affront to the political correctness of that newspaper, but only elicited a few sneers in the Letters Page.

The leading columnists dared not take up the gauntlet. Perhaps they wondered where to start. But that is the characteristic of intellectuals wrapped up in the cotton wool of an ideology. They believe that their basic assumptions or first principles are self evidently true and of transcendental significance. Secularists no less than Christians must have their illusions.

Marx noticed that ideas about morality and economics in each historical epoch served the interests of the ruling class. But

more than this, the people who believed these ideas thought that their ideas had universal application and were true for all historical epochs.

Desmond Fennell is in a unique position to observe the values of the current ideology because he was a partisan and defender of Christian values and observed their decline. At the launch of his most recent book last May he described his epiphany in a street in Chicago about 20 years ago. He came to the sudden realisation that Christian Civilisation was at an end and surprised himself by jumping for joy. He thanked God that he had lived to witness such a momentous event.

Fennell believes there were three elements in the decline of Christian Civilisation in the West. The first was Franklin D. Roosevelt's New Deal; the second was the dropping of the Atomic

bombs on Japanese cities; and the third was the implementation of the new morality in the 1960s.

In the course of an interesting discussion Brendan Clifford suggested that, in describing the new morality, Fennell had prettified Christianity. In particular, there was never any taboo among Christians against genocide. Indeed genocide was justified in the Bible and in more recent times. Fennell replied that as the centuries had elapsed Christianity had developed this taboo, but he admitted that the taboo only applied to races or nations with an equivalent level of development.

In my view Fennell is on very weak ground on this point. The killing of Japanese civilians to save the lives of American soldiers did not undermine Western Civilisation. But he is on firmer ground in relation to the New Deal and the Cultural Revolution of the 1960s.

In the nineteenth century British Liberalism was an alliance of Manchester Capitalism and the old Whig aristocracy. The Capitalist element in this alliance was puritan and had been excluded from political power up until the nineteenth century. The common thread between the two elements was a belief in individual freedom. The Capitalists believed that they should have the freedom to make money. As Marx pointed out in volume 1 of *Das Kapital*, much of the legislation protecting workers from capitalist greed was introduced by the Tory Party. The Landed Gentry of the Tory Party had no love for the workers, but disliked the capitalists even more.

By the middle of the nineteenth century the Liberal Party had adopted what appeared to be an anti-imperialist position. It believed that it was no longer necessary for Britain to have colonies. All that was required was that the capitalist system be spread throughout the world. However, by the turn of the century the Liberals—possibly in response to the rise of German capitalism—reverted to an orthodox imperialist position. British Capital needed the British Navy to open new markets throughout the world. Indeed, the Liberals became more extreme imperialists than the Tories. A section of the Liberal Party believed that no boundaries should be placed on the geographical extent of the British Empire whereas the Tories and Joseph Chamberlain's Liberal Unionists thought that the existing Empire should be consolidated rather than expanded.

The First World War was begun by the British Liberals and was fought on moralistic grounds. It was not just fought to advance British interests but the propaganda—which included a significant input from Redmond's Irish Parliamentary Party—urged the annihilation of the evil Hun. There could be no compromise in a war fought on such moralistic grounds.

Although the Liberal Party was destroyed by the First World War, its ideological influence remained. In particular, Liberalism had a big influence on the American Democratic Party.

During the Great Depression the Democrats, influenced by John Maynard Keynes (a British Liberal Party member), identified the cause of the problem as a lack of consumption. Keynes showed that the free market could not solve the problem. The virtues of thrift and saving were exacerbating the crisis. The "new" or "left" Liberals decided that the State should stimulate consumption through State investment and welfare.

The new Liberalism retained some of the elements of the old Liberalism. Both sets of Liberals believed in individual freedom. The 19th Century liberal ideologue Jeremy Bentham believed that society consisted of individuals. And a society's happiness could be measured by the sum of the happiness or "utility" of each individual. This had a profound influence on economic theory. However, the new role of the State envisaged by the 1930s liberals was a radical departure. And, in my view, Desmond Fennell is justified in saying that this was a revolution.

It is interesting to note that in France the word "liberal" still describes a philosophy favouring the free market as opposed to State intervention, which is the classical meaning. But in the USA it is used to describe a political philosophy, which favours State intervention.

The consequences of the new ideology took decades to work themselves out and were reflected in the upheaval of the 1960s.

Desmond Fennell describes quite well how the ideology was disseminated through the media. Traditional, Religious and Family constraints to individual consumption had to be eliminated.

When I wrote my recent book on *The Irish Times* I was aware that in the 1960s there was an influx to that newspaper of left liberal journalists. The late Pat Murphy noted this trend and remarked that the purpose was to undermine the Irish State in the interests of Britain, which has been mostly the role of *The Irish Times* since independence. The difficulty I had with this thesis was that this was done at precisely the time when the newspaper had an editor (Douglas Gageby) who was loyal to the State. Also, the key person involved in recruitment was Donal Foley, who could not be described as being a West Brit.

In my view Fennell's explanation of this tendency as being part of an international "left, liberal" trend with its source in the United States rather than being a reflection of the traditional pro-British ideology of the newspaper is more plaus-

ible; even if the new ideology was not antagonistic to British interests.

Fennell briefly discusses the influence of the new ideology on the old liberals in Britain, but in my view the influence was most profound on the left. The riots in Paris in 1968 were a reflection of the influence of the Left Liberal revolution outside the United States. The eruption caught the traditional left such as the Communist Party and intellectuals such as Jean Paul Sartre unawares. The Party's inability to deal with it may have hastened its decline.

The new ideology may have been experienced as a liberation by youth, the women's movement and African Americans, but the objective was to increase consumption. A new market was created for youth. Increased participation by women in the workforce increased the capacity for production. Also, a new market was created for convenience foods, childcare etc. And finally, racial segregation was not suitable for the Capitalist mode of production.

The objective of the traditional Left was to increase the power of the working class as a class. The New Left Liberals, by contrast, believed in individual freedom. The role of the State was to give individuals within the working class the means to escape from their class origins.

Ted Heath was the last Tory leader of the British Conservative Party. He believed that society consisted of powerful economic or class interests that had to be accommodated. When one of the last Social Democratic leaders of the Labour Party, Harold Wilson, died a few years ago Heath paid tribute by saying that Wilson represented something substantial within British society. In Heath's opinion Wilson's real significance was not his individual characteristics but what he represented.

Heath was succeeded by the Conservative Party's first Liberal. Margaret Thatcher could not be described as a "left liberal", but she certainly was not a Tory. In a famous interview in a woman's magazine she stated that there was no such thing as society. There were just individuals.

Tony Blair was the first liberal to lead the Labour Party. The abolition of Clause Four of the Labour Party Constitution, on social ownership, was a significant step on the way to reconstituting the Party as a Liberal Party. His foreign policy had the moralistic character of the British liberals in their heyday.

The Irish Labour Party has also submitted to the left liberal ideology. A few years ago Pat Rabbitte was asked what the political objectives of his Party were. He said that it was to facilitate greater social mobility by giving universal access to Third Level education. That may be a laudable objective, but there is nothing

specifically socialist about it. It is a means of enhancing individual freedom.

The current leader of the Party, Eamon Gilmore, is in agreement with this philosophy and it is no accident that the Party has attempted to move away from its collectivist past by severing its links with the Trade Union movement. Gilmore's "*is feidir linn*" speech demonstrates the origin of Labour's ideology.

In recent decades the prevailing left liberal ideology in the United States was challenged by a more conservative, religious liberalism (in the old sense of the word). However, the election of Barack Obama indicates that left liberalism is reasserting itself. The most noticeable characteristic of Obama is that he doesn't represent anything. He is just a brilliant individual.

If the left is to develop a socialist response to the current economic crisis, it could begin by abandoning its illusions concerning American or Left Liberalism.

John Martin

Three Books by Desmond Fennell from Athol Books:

Ireland After The End Of Western Civilisation

102 pp. Index. ISBN 978-1-085034-12-1. 2009. €10, £7.50

The Revision Of European History.

122pp. Bibliography. Index. ISBN 0 85034 104 3. 2003. €10, £7.50.

About Behaving Normally In Abnormal Circumstances, Essays

Marking The Author's 75th Birthday Index. 200pp. ISBN 9-780-85034-116-7. AB. 2007. €20, £15.

Thoughts On The Elections

The *Belfast Telegraph's* website message board had a piece from somewhere in the 'Free State' gloating about Mary Lou McDonald losing her seat in the EU election. Apparently this emphasised the fact that Sinn Féin was a Northern phenomenon. And (presumably Southern) people were well rid of her. It may not have been the wisest thing to write, even to a Northern, Unionist, journal. Mary Lou McDonald is almost certainly not going to disappear from the Dublin political scene. She lost the European Parliament seat to the Socialist Party. Joe Higgins, the SP leader will probably enjoy the somewhat sterile talking shop atmosphere of Strasbourg.

The votes cast for Sinn Féin and the Socialist Party tend to indicate that one or other (or both) will win a Dáil seat in the Dublin area at the next general election. In McDonald's case that will be a great boost for Sinn Féin. She is the most popular and articulate prominent member of the party in the Republic. The fact that she is a Dubliner is of inestimable value to SF. It

has been characterised as a physically / geographically fringe phenomenon as well as a political one. That's a bit of a problem in dealing with someone with a Dublin accent. The most ferocious attack on McDonald revisionist journalists have managed since she won the Euro seat in 2004, was from 'Major' K. Myers. He sneered that she had put on weight in Strasbourg. Hardly the most politically cutting observation and a bit of a cheek from Myers, who is positively spheroid these days. (She had a child shortly afterwards.)

In Northern Ireland Sinn Féin topped the poll on a 42% turn out—one of the higher turn-outs in the EU—outside of Belgium and Luxembourg where it is compulsory to vote. In Scotland, a five member constituency, the turn out was 28%. Unionism was in a shambles in this election. Jim Allister, who was elected last time for the Democratic Unionist Party as the successor to Dr. Paisley, and got a hefty percentage of his vote (top of the poll in a pretty big turn-out), left the DUP when the party signed up to the St Andrew's agreement. He set up Traditional Unionist Voice, which made a break-through at the European election.

The Good Friday Agreement, according to his four-A5 page handout, brought "*IRA/Sinn Féin*" into the "*heart of your government*". His promise to the electorate was that he would not share power with terrorists. While he was not elected, he got an impressive share of the vote and will continue to campaign.

Allister makes great play of the fact that he can analyse the EU's stream of verbiage. He is a QC, you see. But he clearly has a problem working out where the power lies in the UK State. He quotes Nigel Farage, leader of UKIP (UK Independence Party, which nearly beat Labour into third place in the British European Elections: they love 'maverick' Unionists—they used to treat the UKUP as a sister-party) on the seventh page of his Election Communication. On the sixth page he boasts about the money he has helped squeeze out of the EU. For, among others, the "*Orange... sector*"—he is pictured standing in front of an Orange banner. He complains: "*Appallingly... £10m is being lavished on ex-prisoners groups*". These include Loyalist 'paramilitaries', whose campaigns were orchestrated by 'respectable Unionists'—and indeed by the British Government. His stance plays well with nice middle class Unionists, whilst alienating those who know better?

Allister attacked the DUP, accusing them of allowing "*three convicted terrorists*" into "*government*". The actual Government sits in Westminster. 'Stormont' has practically no power even compared to the Welsh Assembly, and much less than Scotland's Parliament. Sinn Féin, although it gets carried away now and again by the notion that it is exercising 'power', knows that the situation is not that straightforward.

The Shinners must have enjoyed the fact that their candidate, de Brún came top of the poll—especially as the DUP called for votes to keep Sinn Féin from topping the poll.

The DUP's fold-over leaflet (in an Imperial size, naturally—Fool's Cap?) solicited votes: "*To prevent Sinn Féin receiving the morale boost they desperately need*". Not a big success then.

Their candidate, Diane Dodds, won a seat—eventually—well under the quota. As did Jim Nicholson of the former 'Official' or Ulster Unionist Party, which has allied with David

Cameron's Tories and is now the awkwardly named *Ulster Conservatives and Unionists—New Force*.

Alan Maginness was the SDLP's man. His (A3) fold-over was mostly about what a sound chap Alban is—all quite accurate. But he lost out—and so has the SDLP. This piece of electoral material had an Indian person pictured. The slogan was in English, Irish, Polish and Portuguese. Enthusiasts could follow Alban's campaign on two websites (one rather wittily called www.maginnessisgoodforyou.eu), as well as on Facebook, YouTube, Flickr and Twitter. His handout was also a certified carbon-neutral publication.

Ian Parsley of the Alliance Party got the (essentially) 'none of the above' vote. But the Green's Steven Agnew got a substantial vote of sixteen thousand-odd. Not much you might think, but a substantial vote nevertheless. The one Green MLA (a former member of the Alliance Party) represents North Down in the NI Assembly. The Greens might even be in with a chance of winning the Westminster seat in the up-coming general election. The DUP is in no mood to gift a seat to anybody. (It did not contest North Down in the days of Jim Kilfedder's UPUP (Ulster Popular Unionist Party—slogan "Up! Up!") and then did not oppose the Robert McCartney / UK Unionist Party).

The DUP will probably lose Antrim, North to Allister at the next Westminster Election. The sitting member for Down, North is Lady Sylvia Hermon—the only Ulster Unionist Party MP. She, a New Labourite and has let it be known that she will not be contesting the next Westminster Election for the new Unionist/Conservative alliance.)

The Greens in the North are in a healthier position than those in the Republic. The latter have suffered a PD (Progressive Democrat)-like meltdown. The former Green MEP, Patricia McKenna, left the party some months ago, and contested the European Election as an Independent, splitting the Green vote. No Green was elected. Local Government elections and two Dublin By-Elections were held in the Republic on the same day as the European Elections. The governing parties were punished by the electorate, and the Greens lost out in the Local Government elections. They have virtually no Local Government seats left. On that form, they may have no seats in the Dáil after the next General Election. I must admit I am not heart-broken about this. The Greens are not a party in which working class people could repose any faith. As allies of Fianna Fáil they were not a great improvement on the PDs. They will take the punishment for FF at the General Election. Fine Gael and Labour think they will stroll to a majority in the next Dáil. But the electorate will probably not put Enda Kenny or Eamon Gilmore in power. They simply don't appear competent enough to govern.

The Greens in Northern Ireland will—probably—play a role in breaking up sectarian bloc voting. I was told that working class 'Loyalists' voted Sinn Féin at this election. That is very doubtful. They stayed at home. And that is a quite remarkable matter. They are not frightened by the fact that Sinn Féin topped this poll, despite the DUP and Jim Allister (Traditional Unionist Voice) trying to scare them out to the polling booths.

Seán McGouran

The Perfect Mutiny: The Curragh 1914¹

Abstract

Contrary to the overwhelming tide² of academic and military opinion, the author ventures to demonstrate that what is conventionally called the "Curragh Incident, 1914" was *de lege lata*³ mutiny.

CIRCUMSTANCES –

Living in Interesting Times⁴

"It would be difficult, if not impossible, to discover any period of six years in English history which presented a Prime Minister and his Government with the same succession of dangerous and anxious questions, home and foreign, as fell to Asquith and his colleagues between 1908 and 1914. The story of each has to be told separately, but it must always be borne in mind that the most difficult and dangerous of the home and foreign crises either ran simultaneously or overlapped one another."⁵

EXTERNAL THREAT

The first decade of the twentieth century, from a British perspective was complicated on all levels international—global and European—and domestic. "The British Empire was isolated, not particularly splendidly, in a world of armed states, with a Navy whose supremacy still depended on the divisions among her adversaries and an Army incapable of taking the field against any one of them."⁶

Europe was divided into two hostile, and highly sensitive, armed camps. In 1907, the Anglo-Russian Convention "created in Germany the panic dread of encirclement".⁷ Moreover, Germany was building a fleet to rival the Royal Navy,⁸ the backbone of British imperial {Blue Water} policy.⁹

The British response was complicated by division within the Cabinet¹⁰ and by "an internecine", public and personal struggle between the First Sea Lord, Winston Churchill and the colourful "Irishman" Admiral Lord Charles Beresford MP.¹¹

Economically, both the United States and Germany challenged Britain's position as "workshop to the world".¹²

"Britain had escaped from the Great Depression (1873-1896)—the first international challenge—not by modernizing her economy but by exploiting the remaining possibilities of her traditional situation. She exported more to the backward and satellite colonies ... and made what she could from the last of the great technical innovations she had pioneered, the iron steamship."¹³

INTERNAL THREATS

"As England's world status came increasingly under threat in that uneasy lull between the Boer War and the Great War the intensively nationalist picture ... had increasing attractions."¹⁴

The "Boer" War¹⁵ had demonstrated weaknesses in the British Army¹⁶ and, more seriously, in the general population.

"Feeble constitutions made [the poor] easy prey for diseases as tuberculosis, scrofula and phthisis; inebriety and all forms of criminality; they were unable or unwilling to engage in productive employment or even to carry arms for their country. A drag on Britain's commercial efficiency in peacetime, a threat to her survival in war, they dragged down the average fitness of the British race and put her at a disadvantage in the international struggle for survival where the law of [natural] selection still held sway."¹⁷

An Inter-Departmental Committee of Government recommended the provision of school meals and school medical services, which were authorised under *Education (Provision of Meals) Act 1906* and *Education (Administrative Provisions) Act 1907*. "... for the first time, all the children of the entire population were brought into contact with those who could recognise lack of physical and moral well-being when they saw it, and who saw it with alarming frequency. But also helping solve it because, through the school, it could be diagnosed and remedial measures put into operation."¹⁸

Domestic political problems come from "...not one powerful group, but several at the same time". Parliament stood "with apparent immobility in the way of things which [dissenters] wanted much too strongly to be prepared to give them up without a struggle."¹⁹ Popular movements, frustrated by parliamentary opposition, adopted direct action. The workers' strikes of 1911 were motivated primarily by the increased cost of living. They constantly taxed the capacity of ministers to find peaceful solutions, and involved the use of troops on several occasions, notably on Merseyside in 1911²⁰ and in South Wales in 1912, when 40.9 million days were lost in 1,459 strikes.²¹ Confirming the total of days lost in 1912, *The Times* laid the blame on the political activities of trade unions.²² By 1913 there was a permanent threat of a 'general strike'—the 'Triple Alliance' of railway men, transport workers, and miners.²³ Industrial relations in Ireland were fomenting civil

war. In 1913 during a general lock-out of some 20,000,²⁴ a self-defence workers' militia, the *Irish Citizen Army*,²⁵ was formed.²⁶

In the 1840's, Ireland suffered "the greatest human catastrophe²⁷ of the nineteenth century anywhere in the world".²⁸ It and emigration reduced its population from more than eight million to less than four and a half million people in Ireland in 1911—from more than 25% to less than 10% of the population of the *United Kingdom*.²⁹ ³⁰ There were insurrections in 1848 and 1867. Under the leadership of Davitt and Parnell, and with the extension of popular franchise, the Gaeil turned to non-violent strategies in land reform and to *constitutional methods* for land reform and for *Home Rule*. Agrarian "outrages" had reduced since 1850, but the Land League's "Land War" "relied largely on implicit violence," rent strikes and on the boycott, "a moral Coventry" instigated by Parnell in 1880.³¹ This culminated in the Land Act 1881, which afforded tenants right to litigate against landlords. The League chose weak estates, close to bankruptcy. The Land League was opposed by the "forces of law and order" supported by the Property Defence Association and the Emergency Committee, "staffed by the Orange Lodges".³²

Paradoxically, the Papacy supported the largely Protestant Ascendancy against the Catholic poor; in 1888 a Papal Rescript³³ against boycotting was issued, but resistance continued. Eventually, Land Acts— "welcomed by an insolvent Ascendancy"³⁴—enabled tenant farmers to buy their land from the landlords.

The Unionist administration of 1895 followed a policy of selective amelioration in Ireland "to kill Home Rule by kindness".³⁵

In 1898 it passed the Local Government Act and set up the Congested Districts Board and a Board of Agriculture and Technical Instruction.

In 1906, Laurence Ginnell MP for Westmeath, suggested *cattle driving*³⁶ as a means of drawing attention to the "scandalous inequities that survived in the Irish countryside" for the landless and smallholders, who had not benefited from land reform. It was taken up more widely for political reform.³⁷

The long campaign for female suffrage started in 1851 with the formation of Sheffield Women's Political Association and was suspended in 1914 with the declaration of the Great War.³⁸

In 1866, 1,499 female luminaries, including Florence Nightingale signed a petition for female suffrage.³⁹ There followed a period in which Parliament avoided conceding the main demands. The Women's Social & Political Union was formed in 1903 and pursued a campaign of direct action, which alienated many Members of Parliament. Activists

convicted of crime went on hunger strikes; Government responded with forcible feeding. In 1913 the *"Cat and Mouse Act"*⁴⁰ reduced danger of prisoners dying as they were released when their health deteriorated but re-incarcerated when they had sufficiently recovered.⁴¹ Cole & Postgate described the Act as operating with *"almost Hitlerian barbarity"*;⁴² they described the suffrage movement as *"largely psychopathic."* Harrison's description was almost equivocal: *"Suffragettes used violence without revolutionary intent but to stimulate the popular pressure, which seemed to have helped men to get the vote in 1832, 1867, and 1884."*⁴⁵

Government difficulties were not entirely rooted in the poor or the neglected. The nineteenth century had seen Britain's inexorable progress towards adult suffrage. At its close, British aristocracy saw—

"the widespread decline of their own order and way of life; they contemplated with horror the twin evils of irresponsible plutocracy and proletarian democracy; they watched with scarcely concealed anger the feeble and vacillating leadership of the Conservative party; and they concluded that more drastic action was needed if the situation was to be retrieved. Accordingly, they espoused a violent, intransigent, seemingly anti-democratic credo, which skirted the very bounds of treason. They sought to arouse their lethargic and supine colleagues to the dangers of national and class decline. They attempted to defy the Liberal efforts to emasculate the House of Lords. And they were prepared to go to any lengths to prevent Home Rule and support the Ulster Loyalists. As such, their quasi-revolutionary behaviour was an almost complete rejection of the liberal, constitutional patrician tradition in British politics. But although the die-hards made a great deal of noise, and attracted much attention, they achieved nothing."⁴⁴

THE FOURTH ESTATE

"One of the strangest legacies left to the world by the Victorians is the popular Press..."⁴⁵

Before the Education Act 1870, teaching of reading to the masses had been a tradition, largely in the hands of the Established Church. Churches had little interest in education beyond the reading of the Bible; writing was sometimes considered potentially dangerous.⁴⁶ State education was devised and administered by the upper class and enforced by law.⁴⁷ Musgrave saw it as *"teaching the working class its position early."*⁴⁸

Education provided a ready-made market⁴⁹ for a popular press, which proved to be *"trivial and degraded"*.⁵⁰

Nonetheless, opinions published in the press were of consequence. *Inter alia*, papers attempted to win readers to orthodox political, social and economic

conventions—broadly those of the advertisers and the newspaper proprietors.

When *The Daily Mail* was first published in 1896, there were no cheap daily newspapers. It was in the fore of the *Northcliffe Revolution*.⁵¹ Alfred Harmsworth, who became Lord Northcliffe from 1905, invested in modern technology to produce a mass circulation daily paper. He published his circulation figures and challenged his competitors to follow his lead. His success in attracting readers—as many as 750,000 daily—resulted in his attracting advertising revenues.

The Daily Mail, known to the French as *la presse jingoe*, adopted an attitude of *"blind patriotism"* to overseas events.⁵²

The term *"jingoism"*—"blustering, bragging chauvinism with aggressive inclinations of an imperialist kind" was coined from a music hall song of 1870s.⁵³ But the phenomenon was older. *"The tradition of Palmerston's gunboat diplomacy"* was at *"one with the [unstamped] penny dailies, which in the early months of the Crimean War fanned jingoism while slaking the demand for war news"*.⁵⁵

As the franchise was extended, the Government's dependence on public opinion—fed by the popular press—presented governments with problems. By early twentieth century rivalry between Britain and Germany, was aggravated in both countries when *"popular emotion ran faster and further than government policy"*.⁵⁶

Almost simultaneously with the increased literacy and the demand for newspapers, in the last three decades of the nineteenth century, there were massive communication technology improvements with the introduction and expansion of the telegraph system. In addition there was a general lack of censorship. The press took advantage of both, particularly in the reporting of war—"thrilling accounts of battles, slaughter, and bravery could be reported from both sides". With little regard for human life, H. M. Stanley of Livingstone and Ujiji fame, according to Knightley, *"was not above starting his own small wars in Africa and then reporting them."* Stanley was not exceptional; his fellow reporters *"showed little humanity and no historical perspective... and pandered to the blood-thirsty tastes of their age..."*⁵⁷

In this the *"Golden Age"* of the newspaper war correspondent, there was little historical perception evident in the newspapers. But accurate reporting of slaughter on the battlefield failed to inspire any anti-war feeling in readers. Guns were described as flashing, cannons thundered, the struggle raged, the generals and the soldiers were brave—"only added to the illusion that it was all part of a great adventure". The *"Golden Age"* set the scene for the exploitation of the press for propaganda

and contributed to the *"patriotic hysteria that swept Britain"* in 1914.

Northcliffe "a *passionate Germanophile*",⁵⁸ thought that his readers *"relished 'a good hate'"*.⁵⁹ In 1906, he serialised William Le Queux's *"sensationalist," "The Invasion of 1910"*.⁶⁰

Le Queux was assisted by the paper's naval correspondent and Field Marshal Lord Roberts in this endeavour.⁶¹

"Anti-German sentiments were manifested in spy fever (much of it ludicrous and absurd to later readers).

"This hysteria affected Britons of every class and party, but it is hardly surprising that the Conservatives, already in a lather about the twin threats to the empire from free trade and Irish Nationalism, should have become particularly keen to appear as Britain's best defenders against an actual threat from abroad. Nor is it surprising in that decade of party disintegration that it was the Tory diehards, both in parliament and in the press, who made much of the running, or that the party leadership, overwhelmed by its domestic priorities, should lend only half an ear and hardly any voice at all to the stridently patriotic demands that were emerging from behind them."⁶²

In 1914, Northcliffe acquired *The Times*, which *"many Unionists had long taken comfort in the fact that, since the days of Parnell and Gladstone, ...had consistently supported their fears and prejudices."*⁶³ Northcliffe's *"personal view appears to have been more moderate than that of his editorial staff"*⁶⁴ on the Irish Home Rule controversy.

"The Times' unflinching advocacy for whatever Ulster militants connived in, cannot be gainsaid. Like the British Unionist Party under Bonar Law, the paper seemed willing to countenance any actions taken by this tiny provincial minority, even armed resistance to a legally constituted British government or civil strife between Irish factions. In retrospect, it seems amazing that this should be so, but the Ulster Volunteer Force would not likely have backed down from a fight. As *The Times* often noted, the UVF represented a highly-organized, soundly-disciplined organization "making ready to strike against what they believe to be a grossly unjust infringement of their rights." And although logistical and other difficulties would probably have made resistance to the British Army short-lived, neither the Conservatives nor *The Times* seemed willing or able to raise a hand in protest, perhaps because with their close connection with Army officers, they were confident that the Army would never move against the Orangemen."⁶⁵

PARTY POLITICS

On 11th December 1908, the Prime Minister addressed his fellow Liberals, including two hundred Members of Parliament and ministers. His thesis

illustrated a fundamental *lacuna* in English constitutional expediency, the locus of sovereignty. The concept of sovereignty, in the "*King-in-Parliament*," paralleled the Christian concept of *The Trinity*. Both developed over time and faced some resistance.⁶⁶ Unlike its religious counterpart, occasionally the three parties' interests were at odds.

Mr. Asquith complained of the obstructionist strategy of the Unionists' inherent majority in the House of Lords. He invited his audience to treat their Lordships' veto as the "*dominating issue in politics because in the long term it absorbs every other*".⁶⁷

He recounted the Parliamentary Bills rejected by the Upper House, despite the Government's "*clear and unexhausted mandate*".⁶⁸ He argued that "*the present system enables the party which has been defeated and repudiated by the electors at the polls to determine, through the House of Lords, what shall and shall not be the legislation of the country*." Earlier that year, the celebrated jurist and zealous Unionist, Professor A. V. Dicey asserted:-

"If there is a difference of opinion between the House of Lords and the House of Commons, the House of Lords ought, at some point, not definitely fixed, to give way, and should the Peers not yield, and the House of Commons continue to enjoy the confidence of the country, it becomes the duty of the Crown, or of its responsible advisers, to create or to threaten to create enough new Peers to override the opposition of the House of Lords, and thus restore harmony between the two branches of the legislature."⁶⁹

Lloyd George's 1909 *People's Budget*⁷ enraged Tories who accused the Chancellor of '*tacking*' partisan tax schemes to a Money Bill. By convention Money Bills were a matter for the House of Commons and "*nodded through*" by the House of Lords. It seemed a clear attempt to bypass their Lordships' veto.⁷⁰ This dispute led eventually to the Parliament Act 1911, which emasculated the Unionists' ultimate power base, the Lords. The Irish Nationalist Members held the balance of power in the House of Commons; their price for supporting the Liberal Government was Irish Home Rule.

On Monday July 29th 1912, *The Times*⁷¹ reported that on the previous Saturday at a Unionist demonstration, Andrew Bonar Law, Leader of the Opposition, challenged the Government, declaring that Home Rule was part of a "*corrupt parliamentary bargain*," and would deprive Ulster Unionists of their "*birthright*". They "*would be justified in resisting by all means in their power, including force*".⁷²

By 1912, Unionists were smuggling arms into Ireland and had formed a Provisional Government. Sectarian exigencies were not to be left to chance; "*the support of the leaders of religion ha[d] been obtained in advance*".⁷⁵

Ironically, in 1913 and 1914 it was reported that Ulster Loyalists courted German intervention in Ireland.⁷⁵ Hansard reported a Parliamentary debate in which Mr. Goldstone, Labour member for Sunderland claimed:—

"There is the hon. Member for East Down, who said:— They would tell the Radicals that Ulster would remain loyal to their trust, but they would not be loyal if it came to any tampering with their ancient rights. Then we have the Rev. T. Walmsley, speaking of the King's probable visit to open the first Home Rule Parliament—a consummation which we devoutly wish, and which, in my view, would seal this compact and would bring peace to Ireland as nothing else possibly could do. This reverend gentleman says:— If by any chance that day should come, and our King should be there of his own free will, and I forlone will feel myself justified in no longer regarding him as my King. This from loyal Ulster! Then we have a gentleman who is recognised by the "Manchester Guardian" as a very active Ulster loyalist. He writes as follows to the "Manchester Guardian" of June last:— As for the present Royal Family, to tell the truth, we loyalists of Ulster have very little respect for them. The mother of our present Sovereign, Alexandra, was a supporter of the vile separatist policy of the late Mr. Gladstone, and, I am afraid, we must place King George and his wife in the same category. Let me tell His Majesty here plainly, that we are fully determined to fight for our blood-purchased rights. We will not have Home Rule. If we are driven to it we will let His Majesty see what we will do. If he signs his name to this accursed Bill it will be fatal for him and his family. Observe this, too:— Our sainted forefathers had to call in a William before to defend their rights. We, their sons, may have to call in another William to defend us from a faithless King, and venal time-saving opera-bouffe Parliament. There is a postscript which, like that to a lady's letter, is often the most important. As you will see, I have placed the King head downwards. It will convey to your mind an imperfect idea of what we really think of him."⁷⁵

On 10th April, *The Times*⁷⁶ printed a letter from Professors Meyer and Schieffmann, which corroborated Mr. Goldstone's thesis.

THE EVENT

Barnett provided a typical description of the "Curragh Incident": -

"A special mistrust between the officer corps and Liberal politicians derived from the Irish crisis of the summer [sic] of 1914. The Liberal Home Rule Bill had proposed to place Protestant Ulster under the rule of a predominantly Southern Irish and Catholic parliament in Dublin. The Ulstermen had prepared to resist by force. It had appeared likely that the

army would have had to coerce Ulster. However, many officers were in fact Anglo-Irishmen, sympathetic to the Ulster cause. Owing to muddles and misunderstandings, there had been a so-called 'mutiny' at the Curragh army camp in June [sic]⁷⁷ 1914, when officers had resigned their commissions rather than undertake to coerce Ulster."⁷⁸

The "*incident*" involved officers of 3rd Cavalry Brigade⁷⁹ under Brigadier-General Gough. Officers domiciled in Ulster were allowed to "*disappear*" temporarily.⁸⁰

Exceptionally, Lt-Colonel Hogg, 4th Hussars, declined the domicile option.⁸¹ He and all but six⁸² of his officers withdrew their "*resignations*" on 21st March.⁸³

Officers' Rights and Privileges

Officers had traditional privileges, which could have misled them as to the terms of their employment. For example, "*the exchange*" "*allowed a wealthy officer*" "*to bribe a poorer brother officer to accept any irksome duty, like leading the former's troops or undertaking overseas duties*".⁸⁴

⁸⁵

Turner suggested that "*the exchange*" "*anachronistically survived*" until the 1930s.⁸⁶ It was, however, a tradition enshrined in law by the Regimental Exchanges Act 1875. Despite Government denials it was related to the abolition of "Purchase", whereby junior and field officers' military commissions, excepting those in the Royal Engineers and Royal Artillery, were bought and sold. Regimental Exchanges Act was amended in the Armed Forces Act 1981 and not repealed until 1995.

The jurist, E. C. S. Wade⁸⁷ citing *The Queen v. Cuming* (1887), confirmed that officers could be dismissed at the "*pleasure of the Crown*" and could not "*resign or retire without leave, though they [were] usually in peace-time permitted to retire at their own request*." In 1913, officers had explicit notice that resignation was not a matter of their convenience. Captain W. B. Spender, was a staff officer "*whose attempt to leave the army ... had become a cause celebre*".⁸⁸ Captain Spender wished to join the Ulster Volunteer Force.⁸⁹ He left the Army on 7th August 1913 after a protracted dispute with the War Office.⁹⁰ In a memorandum dated 9th December 1913, the Secretary of State for War [hereafter "Colonel Seely"] recorded that—

"... [the] Chief of the Imperial General Staff, had constantly begged me to take drastic action against any officer or man who, by the spoken or by the written word, had suggested the possibility of disobeying an executive order; indeed, he had urged me to cashier the eccentric Captain Spender in August of last year 'pour décourager les autres'".⁹¹

Notwithstanding, officers never appear-

ed to doubt their "right" to resign. Nor, seemingly, did a number of historians.⁹²

After a lifetime of military service, in 1954 General Sir Hubert de la Poer Gough⁹⁵ engaged in semantics and still managed to get it wrong:

"... no[t] even the King, could 'dismiss an officer from the service'—it can only be done by sentence of court-martial. The King can, and sometimes does 'dispense with the services of an officer.'"

On December 16th 1913, Colonel Seely instructed general officers commanding-in-chief:-

"If any officer should tender his resignation they would ask for his reasons and if he indicated in his reply that he desired to choose, which order he should obey, I would at once submit to the King that the officer should be removed."⁹⁴

Mutiny

*The Times*⁹⁵ resolutely supported those who participated in the "Incident", but on 27th April, it distributed the burden among officers and men:⁹⁶

"bad as were the effects on discipline in the Army, nevertheless it was true that they were in fact and in law, justified in contemplating refusal to obey."

Had officers confined themselves to contemplation, the essential component of crime, the *actus reus*,⁹⁷ would have been absent.

Paradoxically, the leading judicial authority was not handed down until June 1957.⁹⁸ This gave the Courts-Martial Appeal Court⁹⁹ a uniquely extensive perspective.

R. V. Grant, Davis, Riley and Topley (1957)¹⁰⁰

The appellants were reservists—two corporals and two privates of the Royal Army Service Corps, who had been recalled to the colours and sent to Cyprus at the time of the Suez Crisis in 1956.

In judgement, Lord Chief Justice Goddard, confirmed that the appellants were charged under the Army Act, 1881, Section 7 and recited the relevant sub-sections:

1. "Every person subject to military law who commits any of the following offences; that is to say, causes or conspires¹⁰¹ with any other persons to cause any mutiny or sedition in any of His Majesty's military [or] naval... forces

3. "Joins in, or being present does not do his utmost endeavours to suppress, any mutiny or sedition in any such force as aforesaid

"shall, on conviction by court-martial, be liable to suffer death, or such less punishment as is in this Act mentioned."

Lord Goddard continued:—

"In the Manual of Military Law¹⁰² (7th Edn.) at p.15, which, since there was until very recently no Courts-Martial

Appeal Court consisting of non-military judges, sets out the practice of courts-martial and directions of Judge-Advocates to courts-martial and the rulings of Judge-Advocates, the note to s.7 is:

"... 'mutiny' implies collective insubordination, or a combination of two or more persons to resist or to induce others to resist military authority'."

The MML (1914¹⁰³ p.15)¹⁰⁴ restated this note.

The Lord Chief Justice held: -

"...In point of fact an offence of simple insubordination is not provided by any section of the Army Act, but everybody knows what insubordination means. It means a refusal to subordinate oneself to authority, and it does not follow that a mere failure to obey an order amounts to insubordination... "

"It is not one or more acts of disobedience, which amount to mutiny. The question whether one or more acts of insubordination can amount to mutiny is quite a different matter." {R. v. Grant (1957)}.

Based on this *ratio decidendi*, evidence of mutiny in March 1914, is not difficult to identify. For example:

1. On 20th March, Gough reported to the Irish Command:

"But if the duty involves the initiation of active military operations against Ulster, the following numbers of officers by regiments would respectfully, and under protest, prefer to be dismissed."¹⁰⁵

2. The Commanding Officer, 2nd Battalion Manchester Regiment, reported to his Brigadier-General that his battalion ... "*decided to remain loyal under protest, provided an order was given personally, in writing from His Majesty the King that we should only be required for protection duty on stores etc. & to keep general order, but for no 'active' operation in ULSTER [sic] or elsewhere under the present crisis.*"¹⁰⁶

Both reports attempted to lay down conditions, required by the officers. These constituted insubordination and a *prima facie* case of mutiny.

Choice

Fergusson, Gough and Wilson¹⁰⁷ asserted that Lieutenant-General Paget gave subordinates choices.¹⁰⁸ Fergusson asserted that any choice was "without War Office authority." {v.p. "Conclusions."}

Anomalous Interpretations

"Although sometimes erroneously referred to as the Curragh 'Mutiny' rather than, more appropriately, the Curragh 'Incident', it remains one of the very few occasions in modern times when the British army could be said openly to be challenging civil supremacy over the military in peacetime."¹⁰⁹

The obvious contradiction is universally overlooked, even by its author, who later elucidated; "*perhaps important to emphasise that, throughout the Curragh Incident, no direct orders of any kind were disobeyed by any officer or man*" {Beckett (1986 p.12)}.

Mutiny at the War Office

Urbanitas haud excusat¹¹⁰

Brigadier-General Gough, Lieutenant-Colonels Parker and McEwen of 5th and 16th Lancers, reported to the War Office on 23rd March 1914. Gough's brother, Brigadier-General "Johnnie" Gough, V.C., Chief of Staff at Aldershot, attended voluntarily.

As the meeting was concluding Hubert Gough was ordered to return to his duties. Addressing Field Marshal Sir John French, he responded:

"I am very sorry, sir, but I cannot go back unless I am given a guarantee in writing."¹¹¹

Gough continued:

"I then rejoined my brother, Parker and MacEwen, and I found Colonel¹¹² Henry Wilson, as he then was, was also present. We studied the Guarantee and thought it was clear and satisfactory except for one phrase: 'crush political opposition.' We thought it important that our attitude should be clearly defined, so I wrote on a piece of War Office paper what we understood by that particular phrase, which was that we 'should not be asked to impose the present Home Rule Bill on Ulster by force'."

Major-General Wilson participated in the drafting¹¹³ and in that particular mutiny!

Gough returned taking Parker and MacEwen with him as his witnesses to the Chief of the Imperial General Staff, who capitulated.¹¹⁴

These statements, *prima facie*, constituted an admission of both disobedience and mutiny.

Government "Spin," 1914

Fergusson¹¹⁵ asserted that the term 'Curragh Incident' had its 'first appearance' in a speech by the Colonel Seely.¹¹⁶

Not unnaturally, the Prime Minister wanted to dilute damaging publicity. On Monday, March 23rd he noted that he and the Army Council had "*been glad to learn that there never has been and never will be any question of disobeying such lawful orders.*"¹¹⁷

In the Parliamentary debates of Monday 23rd March¹¹⁸ and 25th March,¹¹⁹ Colonel Seely successfully pursued this tactic also. It gained almost universal acceptance.

Unsurprisingly, General¹²⁰ Gough¹²¹ concurred, but so did General Farrar-Hockley¹²² and three field marshals. Lord Roberts did so in March 1914.¹²⁵

Field Marshal Sir William Robertson¹²⁴ held:—"*Soldiers cannot be treated as if*

they had neither souls nor consciences, and to expect them to undertake a duty which may lead to shooting down those with whose ideals and religion they are in sympathy is to expect a great deal."¹²⁵ ¹²⁶ Lord Carver affirmed that "... the Curragh incident [is] sometimes called a mutiny, although nobody at any time disobeyed an order."¹²⁷ This view persists even where authors frequently¹²⁸ cited the MML, 1914.¹²⁹

CONCLUSIONS

* Leadership of the army is the *raison d'être* of the officer corps. Attempted mass-"resignations" rendered regiments ineffective for days; actual resignations could have crippled them as fighting units for weeks. This commonsense approach was advanced in Captain Parker v. Lord Clive¹³⁰ in 1769, albeit in more ornate language:—"It is absurd to imagine that the officers should be all at liberty to quit at the very moment when their service is most required; upon the very point of an engagement, the instant of an attack, or flagrante bello."¹³¹

* It is inconceivable that Gough and his brother officers could have failed to appreciate the potential effects of their actions. The most senior mutineer, Major-General Wilson was the Director of Military Operations. He noted:-

"I told [the Secretary of State for War] the same story as I had told [the Chief of the Imperial General Staff]—no officers on the General Staff at the War Office, the regiments depleted of officers, a hostile Europe, our friends leaving us because we have failed them and our enemies realizing that we had lost our army."¹³²

* It is difficult to ascribe these events to ignorance of the law. The MML was issued in February 1914. Gough boasted on 16th April 1914 that Colonel Seely, had indulged in "a long discourse, explaining to me the relation of the military to the Civil Power, ... etc., etc. I know all this very well, as it was taken almost verbatim from the Manual of Military Law."¹³³

* It was immaterial whether Paget acted *ultra vires*,¹³⁴ or inadvertently misled his officers or whether Gough deliberately or innocently misconstrued what Paget had told him. The law [should have] bound all.

* It was in the Government's interest to divert attention towards the illusory absence of disobedience. In his opening address to the House of Commons, 25th March 1914, Colonel Seely men-

tioned the issue of obedience some five times.¹³⁵ This tactic succeeded: the Leader of the Opposition,¹³⁶ his principal colleagues,¹³⁷ embraced the theme. There were no dissenters. Paradoxically, a ministerial spokesman recited Section 7 of the Army Act 1881 and accused the officers of mutiny; the Opposition rejected the charge because "These officers have not disobeyed orders".¹³⁸

* Both sides of the House of Commons accepted that officers could not resign at will.¹³⁹ ¹⁴⁰

POSTSCRIPT

Lord Chief Justice Goddard in *R. v. Grant* (1957) recalled the Judge-Advocate's summary at the reservists' court-martial. Their behaviour could be seen as a "mutiny" or a "rather disorderly prank".¹⁴¹ It ended, when the regimental sergeant-major ordered them to go to bed; they did "at once, without further disturbance."

"Next morning a muster parade of all those who had attended the meeting on the roof was held and those who wished to complain were paraded individually before the commanding officer. Instead of being permitted to state their complaints, they were charged with failing to report a mutiny."¹⁴²

The appeal failed and the appellants jailed.

"One fist of iron, the other of steel
If the right one don't get ya;
The left one will."¹⁴³

Or

*Fiat justitia, ruat coelum.*¹⁴⁴

Ruairi O'Donnell

NOTES

¹ © Ruairi Ó Domhnaill 2009 excepting the words "The Perfect Mutiny", which I owe to Jack Lane.

² Of 103 accounts found 95 (92%) denied mutiny and 8 admitted it; none correctly defined the legal position.

³ By established law.

⁴ "May you live in interesting times"—Chinese curse. {N. Rees *A word in your shell-like*. Glasgow, Collins, 2004 p.448.} *We live in Strange Times*. H.H. Asquith, Fife. *The Times*: [Saturday, 4th April 1914] reported 6th April 1914 p.4 Col. a.

⁵ Spender, J. A. & Asquith, C.: *Life of Herbert Henry Asquith, Lord Oxford & Asquith*, Vol. II. London, Hutchinson & Co., (Publishers) 1932, p.57.

⁶ M.E. Howard: *The continental commitment*. London, The Ashfield Press, 1989, p.13.

⁷ Nicolson, H.: *King George V: his life and reign*. London, Constable & Co. 1952, p.102.

⁸ E.g.: HC Deb 04 March 1909 vol.1 c1713W: 29 March 1909 vol.3 cc7-9.

⁹ Spiers, E. M.: *The army and society, 1815-1914*. London, Longman, 1980, p.260; Minney, R. J.: *The private papers of Hore-Belisha*. London, Collins, 1960, p.173; Howard 1989 op. cit., p.21; cf. *The Times*: Lord Roberts 24th November 1908 p.12 cols a & b, 25th November 1908 p.9 cols. a-e, Lords: Two-Power Standard: 2nd December 1908 p.6 cols. a-c. Lord Roberts and His Critics: HL Deb 13 July

1909 vol.2 c380; Holmes, R.: *The little field marshal: a life of Sir John French*. London, Weidenfeld & Nicolson, 2004, p.59.

¹⁰ Spender & Asquith (1932) op. cit. V.I pp.253-254.

¹¹ Cannadine, D.: *The decline and fall of the British aristocracy*, revised edn. London, Papermac, 1996, p.271; Finer, S.E.: *The man on horseback: the role of the military in politics*, Revised, 2nd enlarged Peregrine, edition. Harmondsworth, Penguin Books Ltd, 1976, p.131.

¹² Morgan, A.: *James Connolly: a political biography*. Manchester, Manchester University Press, 1988, p.5.

¹³ Hobsbawm, E.J.: *Industry and empire: from 1750 to the Present Day*, New Edition revised by Wrigley, C. London, Penguin Books, 1999, p.129.

¹⁴ Kenyon, J.: *History men...*, p.214 [sic] cited by Jones 2003 op. cit. p.271.

¹⁵ South African War II.

¹⁶ Amery, L.S.: *My political life*, Volume I: *England before the storm, 1896-1914*. London, Hutchinson, 1953, p.99.

¹⁷ Rose, N.: *The psychological complex: psychology, political and society 1869-1939*. London, 1985, p.81; Harrison B.: *The transformation of British politics, 1860-1995*. Oxford, OUP, 1996, p.56.

¹⁸ Rose 1985, op. cit., p.85.

¹⁹ Cole, G.D.H. & Postgate, R.: *The Common People: 1746-1938*, London, Methuen & Co. Ltd, 1938, p. 459.

²⁰ *The Times: Labour Troubles* 30th December 1911 p.7. cols e.f.

²¹ Cannadine, D.: *Class in Britain*, London, Penguin Books, 2000, p.111.

²² *The Times: The Failure of Trade Unionism*: 2nd September 1913, p.4 Cols a,b,c.

²³ *The Times*: 22nd September 1913, p.24. Cols a,b,c. Dublin Strikes: Omnibus Dispute: London Building Trade [dispute] and Manchester Dock Strike.

²⁴ This was a large proportion of workers who were not engaged in agriculture.

²⁵ The ICA. played an important part in *The Easter Rising*, 1916.

²⁶ Macardle, D.: *The Irish Republic*. London, Victor Gollanz, 1937, pp.97-98; Allen, K.: *The politics of James Connolly*; London, Pluto Press, 1990, pp.115-116; Edwards R.D.: *James Connolly*, Dublin, Gill & Macmillan, 1998, pp.113-114. Morgan 1999 op. cit., p.184].

²⁷ Relative to the size of the population.

²⁸ *The Great Famine*.

²⁹ MacArdle 1937, op. cit. p.47; Morgan A.: *James Connolly: a political biography*, Manchester, Manchester University Press, 1988, p.5; Hickman M.J.: *Religion, class and identity: the state, the Catholic Church and the education of the Irish in Britain*, Aldershot, Avebury, 1995, pp.64-65.

³⁰ A similar reduction happened to the Irish serving in the ranks of the British Army.

³¹ *Ibid.* p.155; Douglas, R., Harte, L. & O'Hara, J.: *Drawing conclusions: a cartoon history of Anglo-Irish relations 1798-1998*. Belfast, Blackstaff Press, 1998, p.80.

³² Other Land Acts followed in 1885 and 1903 and in 1920s land purchase became compulsory, when many of the Anglo-Irish Ascendancy families left Ireland "for political as well as economic reasons".

³³ J.E. Doherty & D.J. Hickey: *A chronology of Irish history since 1500*, Dublin, Gill & Macmillan, 1989, p.164.

³⁴ Wilson D.: *Dark and light: the story of the Guinness family*, London, Weidenfeld & Nicolson, 1998, p.121; Cf. Colvin I.: *The Life Of Lord Carson* Volume Two London Victor Gollancz Ltd, 1934, p.243.

³⁵ MacArdle 1937, op. cit. p.60.

³⁶ Cattle were driven from large under-populated and under-worked tracts of land, Jackson (2003 op. cit. p.95.).

³⁷ Jackson, A.: *Home Rule: An Irish History, 1800-2000*, London, Weidenfeld & Nicolson, 2003; Doherty & Hickey 1989 op. cit. p.175.

³⁸ Gardiner, J. & Wenborn, N. (Eds): *The History Today companion to British history*, London, Collins & Brown Ltd, 1995, pp.820-821.

³⁹ Foot, P.: *The Vote: how it was won and how it was*

- undermined, London, Viking 2005, pp.180-181.
- ⁴⁰ Prisoners' Temporary Discharge for Ill Health Act.
- ⁴¹ Pelling 1974, op. cit., pp.63-64; Feuchtwanger, E.J.: *Democracy And Empire: Britain 1865-1914*, London, Arnold, 1985, p.334.
- ⁴² Cole & Postgate 1938, op. cit. p.464.
- ⁴³ Harrison 1996, op. cit., p.163.
- ⁴⁴ Cannadine 1990, op. cit., pp.501-502.
- ⁴⁵ Wilson, A. N.: *The Victorians*, London, Arrow Books, 2003.
- ⁴⁶ Musgrave, P. W.: *Society And Education In England Since 1800*, London, Methuen & Co. Ltd, 1968, p.11.
- ⁴⁷ Rose 1985 op. cit. p.85.
- ⁴⁸ Musgrave, P.W.: *The Sociology Of Education*, 3rd Edn. London, Methuen, 1979, p.291. cf. Lord Romilly HL Deb 20 February 1871 vol.204 c.483.
- ⁴⁹ Berridge, V.: *Popular Sunday Papers And Victorian Society*, p.247 in Boyce et al. (Eds) 1978 op. cit. pp. 247-264.
- ⁵⁰ Williams, R.: *The Long Revolution*, Harmondsworth, Penguin Books Ltd, 1965, p.196.
- ⁵¹ Ibid. p.225.
- ⁵² Palmer, M.: *The British Press And International News, 1851-99*: of agencies and newspapers—In Boyce, G., Curran, J., and Wingate P. (Eds), *Newspaper History: from the 17th century to the present day*. London, Press Group of the Acton Society, 1978 [pp.205-219 p.217]. cf. Nightley, P.: *The First Casualty: from the Crimea to the Falklands: the war correspondent, as hero propagandist and myth maker*, London, Pan Books, 1989, pp.54-55.
- ⁵³ "We don't want to fight, but by jingo if we do./ We've got the ships, we've got the men, we've got the money too!"
- ⁵⁴ Newspaper Stamp Duty was abolished in 1855.
- ⁵⁵ Anderson, O.: *A Liberal State At War: English politics and economics during the Crimean War*, London, Macmillan, 1967 pp.172-173) cited by Palmer 1978, op. cit. p.217.
- ⁵⁶ Howard (1989) op. cit., p.31.
- ⁵⁷ Knightley (1989) op. cit., p.44.
- ⁵⁸ Lawrence, J.: *The Rise And Fall Of The British Empire*, London, An Abacus Book, 1995, pp.334-335.
- ⁵⁹ Ibid. p.331: p.203.
- ⁶⁰ James, L.: *The Rise And Fall Of The British Empire*, London, Abacus Books 1995, p.334.
- ⁶¹ Engel, M.: *Tickle The Public: one hundred of the popular press*, London, Indigo, 1996 pp.81-82.
- ⁶² Ramsden, J.: *An Appetite For Ppower: a history of the Conservative Party since 1830*, London Harper Collins, 1999, pp.222-223.
- ⁶³ Kennedy, T. C.: *Hereditary Enemies: Home Rule, Unionism and The Times*, 1910-1914, Journalism History 27:1 Spring 2001. [34-42] p.36.
- ⁶⁴ Ibid. p.40.
- ⁶⁵ *The Times*: 12 December 1908, p.10, cols. a-c. Mr Asquith and the Lords.
- ⁶⁶ It might also be argued that neither benefited those ruled.
- ⁶⁷ *The Times*: 12th December 1908, p.10, cols. a-c. Mr Asquith and the Lords.
- ⁶⁸ Ibid.
- ⁶⁹ Dicey, A.V.: *Introduction To The Study Of The Law Of The Constitution*, tenth edition, (1908), Macmillan & Co Ltd, 1959, pp.421-422.
- ⁷⁰ Campbell, J.: *F.E. Smith, First Earl of Birkenhead*, London, Jonathan Cape, 1983, pp.198-199; Pearce, E.: *Lines Of Most Resistance: The Lords, the Tories and Ireland, 1886-1914*, Little, Brown and Company, 1999, pp.293-294.
- ⁷¹ July 29th 1912 p.8 col. a.
- ⁷² Nicolson (1952), op. cit. p.199; Ryan, A.P.: *Mutiny At The Curragh*, London, Macmillan & Co. Ltd, 1956, pp.50-51
- ⁷³ Johnston, J.: *Civil War In Ulster* (Ed. R. Johnston), Dublin, University College Press, 1999, p.1. [First published Dublin, Sealy, Bryers & Walker, 1913].
- ⁷⁴ Stewart, A.T.Q.: *Edward Carson*: Gill's Irish lives, Dublin Gill & Macmillan Ltd, 1981, p.85; Macardle (1937) op. cit. pp.93-94; Beresford Ellis, P.: *Loyal To What? Anonn is Anall, Irish Democrat*, April/May 2001, p.12.
- ⁷⁵ HC Deb 06 April 1914 vol.60 cc1652-772.
- ⁷⁶ 10 April 1914 p.8 col. b.
- ⁷⁷ March 20 -23.
- ⁷⁸ Barnett, C.: *Britain And Her Army, 1509-1970: A military, political and social survey*, London, Allen Lane, 1970, p.387 and The Penguin Press London, 1974.
- ⁷⁹ 5th Lancers [based in Dublin], 4th Hussars and 16th Lancers with supporting Royal Horse Artillery and Royal Engineer units were at The Curragh.
- ⁸⁰ Carver, M. {Alias Field Marshal Lord Carver}: *Britain's Army In The Twentieth Century*, London, Pan Books in association with the Imperial War Museum, 1999, p.22; Anglesey, Marquis of: *A History Of British Cavalry, 1816-1919*. Volume 7: *The Curragh incident*, London and the Western Front. Leo Cooper, 1996, p.23; Callwell, C.E.: *Field-Marshal Sir Henry Wilson Bart., G.C.B., D.S.O.: his life and diaries*. Volume I, Cassell & Company, Ltd London, 1927, p.141.
- ⁸¹ Beckett, I.F.W.: *The Army And The Curragh Incident*, 1914. London, The Bodley Head for the Army Records Society, 1986, p.13.
- ⁸² Farrar-Hockley (1975 p.97) had four exceptions.
- ⁸³ Anglesey, (1996) op. cit. p.36; Farrar-Hockley, A.: *Goughie, the life of General Sir Hubert Gough*, London, Hart-Davis MacGibbon, 1975, p.97; Major J. B. Jardine, 5th Lancers [Holograph] 7th April 1914; RA GV F.674/1: *Document 70*, Beckett (1986 pp.160-161).
- ⁸⁴ Spiers, E.M.: *The Army And Society, 1815-1914*, London, Longman, 1980, p.189; Turner, E.S.: *Gallant Gentlemen: a portrait of the British officer, 1600-1956*, London, Michael Joseph. 1956, p.231.
- ⁸⁵ Citizen, then Lord Edward Fitzgerald, aged sixteen was commissioned by purchase made by his mother. In 1781 he exchanged his commission in the 96th for one in the 19th Regiment of Foot. Then aged eighteen, he wished to fight the American Colonists, Tillyard (1997 pp.34-35) does not record the motives of the other party to the exchange.
- ⁸⁶ Ibid. p.297.
- ⁸⁷ Wade, E.C.S.: Wade & Phillips, *Constitutional Law—an outline of the law and practice of the constitution, including central and local government and the constitutional relations of the British Commonwealth*, 6th Edn, London, Longman, Green & Co., 1960, p.357.
- ⁸⁸ Beckett (1986) op. cit. p.5: Carver (1998) op. cit. p.19.
- ⁸⁹ It is noteworthy that Captain Spender was allowed to resign and to join, what was in effect, the army of the Provisional Government of Ulster.
- ⁹⁰ Stewart, A.T.Q.: *The Ulster Crisis*, Faber & Faber, London, 1967 pp.83-85. {Cited by Beckett (1986 p.5)}; Stewart (1981) op. cit. p.79.
- ⁹¹ Mss Mottistone 22, f 150-161, Nuffield College; {Beckett (1986 p.50).} Note: Colonel Seely was "raised" to the peerage as "Lord Mottistone".
- ⁹² Barnett (1970) op. cit. p.387; Inglis, B.: *Roger Casement*, London, Coronet Book, Hodder: paperbacks, 1974, p.261; Campbell (1983) op. cit. p.344; De Groot, G.J.: *Douglas Haig, 1861-1928*, London, Unwin Hyman, 1988 p.142 & 143; Morgan (1988) op. cit. p.126; Doherty & Hickey (1989) op. cit. p.181; James (1995) op. cit. p.326; Pearce, M. & Stewart, G.: *British Political History: 1867-1995, democracy and decline* (2nd Edition). London & New York, Routledge 1996, p.208; Edwards (1998) op. cit. p.115; Neillands, R.: *The Great War Generals On The Western Front 1914-18*, London, Robinson, 1999, p.61; O'Connor, U.: *Michael Collins And The Troubles: the struggle for Irish freedom 1912-1922*, Edinburgh, Mainstream Publishing Ltd. 2001 p.64.
- ⁹³ Gough, H.P.: *Soldiering On, being the Memoirs of General Sir Hubert Gough G.C.B., G.C.M.G., K.C.V.O.*, London, Arthur Barker Ltd, 1954, p.102.
- ⁹⁴ *Parliamentary Command Papers (1914)Cd7328* p.1: Cd7329 p.1.
- ⁹⁵ Monday, April 27 1914, pp.5,6 Column a.
- ⁹⁶ Farrar-Hockley (1975 p.334n) rightly disagreed.
- ⁹⁷ Smith, J.C. & Hogan, B.: *Criminal Law*, London, Butterworths, 1965, p.27.
- ⁹⁸ R. V. Grant, Davis, Riley and Topley: Courts-Martial Appeal Court (Lord Goddard, C.J., Byrne and Devlin, JJ.), June 20, 21, 1957. 694-5 ALL ENGLAND LAW REPORTS, 1957.
- ⁹⁹ Goddard, L.C.J. and Byrne and Devlin, JJ.
- ¹⁰⁰ R. V. Grant, Davis, Riley & Topley. 1957 Op. cit. 694.
- ¹⁰¹ Exceptionally.
- ¹⁰² Hereafter "MML".
- ¹⁰³ Issued in February 1914. {Corns & Hughes-Wilson (2001 p.43)}.
- ¹⁰⁴ MANUAL OF MILITARY LAW. War Office. London, 1914, p.15.
- ¹⁰⁵ *Parliamentary Command Papers (1914) Cd7318* p.3: and Cd7329 XX.
- ¹⁰⁶ Lieutenant-Colonel H.L. James, 2nd Manchester Regiment, Curragh, to Brigadier-General S. P. Rolt. [Holograph Copy] 23rd March 1914. Tameside Local Studies & Archives Unit, MR1/16/15.
- ¹⁰⁷ Fergusson, J. [Alias Sir James Fergusson of Kilkerran]: *The Curragh Incident*, London Faber & Faber Ltd 1964 p.109; Gough 1954 op. cit. p.102; Callwell (1927) op. cit. p.141.
- ¹⁰⁸ Gough enunciated at least two versions.
- ¹⁰⁹ Beckett (1986) op. cit. p.1; see also Finer (1976) op. cit. p.22; Brazier, R.: *Constitutional And Administrative Law*,—De Smith, S. and Brazier, R., 8th Edn.. London, Penguin Books, 1998.
- ¹¹⁰ "Good manners do not excuse": from the maxim "Ignorantia legis haud excusat" —Ignorance of law does not excuse.
- ¹¹¹ Gough (1954), op. cit. p.106.
- ¹¹² "on November 4, [1913] [Wilson] was gazetted major-general" {Callwell (1927 p.130)}.
- ¹¹³ Callwell (1927), op. cit. p.142.
- ¹¹⁴ Gough (1954) op. cit. p.109.
- ¹¹⁵ Fergusson (1964) op. cit. p.162.
- ¹¹⁶ HC Deb 25 March 1914 c.392.
- ¹¹⁷ Jenkins, R.: *Asquith* (3rd Edn), London, Collins, 1986, p.311: Farrar-Hockley (1975) op. cit. p.110.
- ¹¹⁸ *The Times*: 24th March 1914 p.13 col. d.
- ¹¹⁹ HC Deb 25 March 1914 vol. 60 cc392-458.
- ¹²⁰ Gough was promoted to Lieutenant-General in the Great War – before he was disgraced and lost command of 5th Army. *The Times* (11th May 1937 p.18) reported that he was an "honorary general". On 13th January 1937, *The Manchester Guardian* let it be known that Gough's supporters wanted him to be made Field Marshal.
- ¹²¹ Gough (1954), op. cit. p.100.
- ¹²² Farrar-Hockley (1975), op. cit. p.106.
- ¹²³ Anglesey (1996) op. cit. p.38.
- ¹²⁴ Robertson was the only man to join the British Army as a private soldier and achieve its highest rank—Field Marshal.
- ¹²⁵ Anglesey (1996) op. cit. p.9.
- ¹²⁶ This was not a privilege afforded the Sepoys in 1859.
- ¹²⁷ Carver (1999), op. cit. p.25.
- ¹²⁸ On some 34 occasions.
- ¹²⁹ Corn, C. & Hughes-Wilson, J.: *Blindfold And Alone: British military executions in the Great War*, London, Cassell & Co., 2001, p.379.
- ¹³⁰ PARKER V. CLIVE: Friday 28th April, 1769. [2419] Easter Term 9 Geo. 3B.R. [Vol. IV].
- ¹³¹ Blazing war: heat of battle.
- ¹³² Callwell (1927) op. cit. p.141 .
- ¹³³ Account by Brigadier-General H. P. Gough of events and interviews Sunday and Monday (22nd and 23rd March, 1914) 16 April 1914: NAM 7101-23-202, Roberts Mss; Ibid, 8001-6-9, MacEwen Mss; J.E. Gough Mss; RA GV F.674/83. {Beckett (1986 p.250): Document 124.}.
- ¹³⁴ Beyond/above his powers.
- ¹³⁵ HC Deb 25 March 1914 vol.60 cc392-399.
- ¹³⁶ Ibid. Cols.428-433.
- ¹³⁷ Ibid. Cols.406-448.
- ¹³⁸ Ibid. Col.469.
- ¹³⁹ Ibid. Col.476.
- ¹⁴⁰ Although the case was not identified by name, the judgment in *Hearson V Churchill* [1892] QBD144 was quoted.
- ¹⁴¹ Traditionally the prerogative of officers {Turner (1956 pp.94-95: 154-155: 205: 321): Smyth (1961 pp.92-94)}.
- ¹⁴² R. V. Grant, Davis, Riley & Topley, (1957) op. cit.
- ¹⁴³ "Sixteen tons" by Tennessee Ernie Ford; see "You Tube".
- ¹⁴⁴ Let justice be done, though the heavens fall.

Judicial Swipes (Part 2)

The following letter was submitted to the *Irish Times* but did not find publication

In the same vein, one of the other ongoing state constructivist and moralist voids between the provision of free market liberal economic Justice (NAMA) and Social economic Justice (short to medium term nationalisation) will inevitably have to be adjudicated in the Supreme Court when either the Council of State refer NAMA legislation, or when the speculators respond litigiously to being NAMA'd. The Supreme Court may view the matter through the prism of an Executive-driven confluence, via vulgar political public outbursts in the Nation's Sovereign Body, infusing that free market construct into the body judiciary. Executive Ministers will have to make a lot of noise in their "parlour".

Will such outbursts politicise the judiciary? The writer does not think the NAMA war theatre is popular political distraction i.e propaganda. Is Mansergh the new spearhead of traditionalist radicalism? What's that? Is the Executive acting like the bankers—Street fighting like Dempsey's hard nuts? Personally the writer believes there are a few very negative cracked-actors and brokers in the Executive. Mansergh is a bit of a psyche knot?

Things are too bad at the moment for us not too ask some serious personality and psyche questions of those in the Cabinet. Personal family and childhood histories make the man. When your back is against the wall, and they are coming for you, it is not who you are, but what you are that can decide the future of a Nation. Going on past political form it looks bad. Look at what the coward Jack Lynch did. The list goes on. Short-sightedness, immediacy, survivalism, state of nature, primitivism, selfism, and cowardice. The reflections are negative.

Surely State emanation actors will have to meet quietly to discuss matters of interim intra-State emanation power distribution

and sovereignty-creep and possibly judicial body pragmatism. The writer was tempted to write submission—in a kind of church-state-judiciary domino effect sense? This is classic theatre surely. Get me Fintan O'Toole on the phone please. When things get "complex" negotiators get their clients to compromise and spread risk through distributive constructions that usually go on the balance of fairness. They also get into brinkmanship mode. A man influences fairness by blowing in the wind. State emanation actors may be placed into abstract places and come to believe, think and say that any such "complex" chats, over good food and fine wine (it is always sensibly important to decide things on a full stomach), are in the interest of the citizenry and national stability? Thus a free market NAMA solution. This is by way of the writer's speculation. Justice will be done and will be seen to be done on NAMA it can be hoped to be sure. Regardless, the Supreme Court will effectively decide the economic policy and future of every citizen. Both Cabinet and Parliament nullified. Unless they sell off the Constitution and bring out the Army? They have already sold off the country.

However that is but one element. The courts are involved in repossession of private residences, and insolvency arrangements across the country. Some of those people were not greedy speculators. Some over-stretched themselves when the bank manager sold them excessive credit beyond their repayment capacities. Not all of them should be looked at down the noses of the scornful. Some were foolish. The court carries out a noughties Cabinet policy-failure insolvency mop-up operation and property demob on behalf of the banks, as duty binds them. At the same time Cabinet gives the banks the Nation's wealth to keep them in EUR 500,000 salaries and keep international speculation betting on Ireland. We must be heading into the interzone of economic slavery regardless of any upturn. What words do you use to describe the future?

So, back to the future. The initial obtuse oblique by Mansergh at the judicial body

is formidable and should not be underestimated by Republican citizens heading into lower class transitional poverty. These are the ones who are hatefully in intellectual revolt. Unemployment lines are pretty. Any non-judicial influence on the judicial body has ephemeral effect and its core paradigm is totalitarian. It will bring a classist creep-back into extent. All actors are to be corrupted, even citizenry. If there is no upturn, this will mutate and degenerate into a dead-zone process of statist traditionalist colonisation of the body politic. That is rational.

The state of affairs today would have been dealt with viciously by polemicist Thomas Paine. Will the Taoiseach allow his underlings to bust around the State glass house while more citizens enter into the grey interzone of the new unemployed underclass? Cowen sounds pretty much out of touch this weather. The electorate did not elect him Taoiseach and national punditry has no issue with this and refuses to project it in 'democracy as irrelevancy' terms, because it happened before with Fine Gael and thus is merely political and not a flaw in traditionalist Statist thinking and practice. That's called justification. Why are we asleep on that point? Vincent Browne does not like it mentioned either. The new thousands are prole-creeping into the welfare lines. The home repossessions by the banks via the body judiciary continue. His State is backing the banks. Maybe all the above is diversion for the forthcoming welfare slash and burn under the guise of a EUR 1,000,000,000 employment project managed by FAS. That's the good news. This may well be the inflection or tipping point for non-aligned civil disobedience.

All is perceived in a very negative manner by the public. The gaps between precept and practice look like a sort of proto-fascist power obsession. The writer thinks it is just that. It may be more likely called a free market religious conservatism, not proto-fascism, but it reads like Spain in the 1970s. The writer calls it "*Traditionalist State Reversionism*".

Tom Sheridan (Copyright)

To be continued

Economic Debate

Below are some threads from the Irish Economy blog. This blog has some quite distinguished contributors including Joan Burton T.D., John FitzGerald (son of Garret and ESRI supremo), Colm McCarthy (head of an Bord Snip) and other well known economists. I would say it is followed closely by the Department of Finance. Unfortunately, it can sometimes get a bit technical.

In the two threads below there is a dispute with Brian Lucey who is a regular contributor to the Irish Times and RTE.

<http://www.irisheconomy.ie/index.php/2009/06/15/anglo-irish-bank-spending-cash-we-do-not-have-to-save-a-bank-we-do-not-need/>

<http://www.irisheconomy.ie/index.php/>

[2009/06/17/state-would-have-to-repay-billions-to-depositors-in-risky-anglo-wind-down-by-alan-dukes/](http://www.irisheconomy.ie/index.php/2009/06/17/state-would-have-to-repay-billions-to-depositors-in-risky-anglo-wind-down-by-alan-dukes/)

Here is some more chatter about the same Brian Lucey.

<http://www.irisheconomy.ie/index.php/2009/03/26/brian-lucey-honoured/>

Does
It
Up

Stack
?

CORK LOCAL ELECTIONS

When the counting was over, the local Fianna Fail "heavyweights" who had lost their seats on the Council looked as if they were punch-drunk with shock; it took a while to sink in. Then their anger couldn't be contained and it exploded against the local party activists. While Taoiseach Cowen was saying that the national party structures needed change and reform, locally Ward Boss of Cork South Central, Minister Michael Martin, told the *Evening Echo* that something had to be done about the way the party itself performed. Now he didn't mean a look into the way Fianna Fail headquarters had performed, nor indeed the National Executive which is increasingly a plaything for powerful Ministers but the local Cumanns. They *still* hadn't got it. They themselves had brought this electoral slaughter upon them and they alone should atone.

Headquarters has abrogated to itself the *right to elect* those who go forward locally, which is what happened in the two By-Elections and the European ones. Cumanns put forward their own candidates, who were noted for their work on the ground. It was people like which enabled Dev to construct such a formidable political machine. Now that is history and the way Headquarters are going, the leadership too will be history if it doesn't revoke this party-alienating exercise.

Michael Martin had two brothers running as well as his former driver, Terry Shannon. His twin brother Pdraig lost; Sean, his other brother got in, in the final count without reaching the quota; and Terry Shannon now seems set to lead the Fianna Fail group on the City Council after 3 Former Lord Mayors who represented the party were ousted. North Central was lost by Damien Wallace, son of Mini Minister Danny Wallace, and in South Central, Tom Driscoll and 'Poppy' Donal Counihan lost their seats too. The present Lord Mayor, Fine Gael Cllr. Brian Birmingham barely scrapped in without the quota. It is no accident I think, that especially Counihan and Birmingham were very involved in the recent resurgence of Poppy celebrations to the *exclusion of national ones* and invested the Freedom of the City of Cork on former Conservative Prime Minister of the UK, John Major. They also involved the Council in other tawdry events like giving over the Lord Mayor's office to the *official invitation* to that liar and former convict Lord Archer.

Already, the new Council has met and Fine Gael North Central Cllr. Dara Murphy is to be the new Lord Mayor. Again the

three parties have agreed on the pact which sees only Labour, Fine Gael and Fianna Fail members of the Council being enabled to go forward for the position of Lord Mayor. But where is the democracy in this decision when it bars 10 councillors *elected* by the people of Cork from the position? Sinn Fein's Cllr. Jonathan O'Brien told the *Cork Independent* that "*Opponents of the pact have argued that Fine Gael and Labour canvassed on an anti-Fianna Fail 'change' platform, but are now hypocritically entering a deal with the Government party to control the council*".

Terry Shannon argued that the budget must be pushed through the Council and he didn't trust the "*newly elected council*" to do the job. In that case the Minister would dissolve it and appoint "*the City Manager as Commissioner of the Council*".

NO JAIL ANYMORE?

The greatest evil problem in Ireland today is mob rule. Mob rule is no longer expressed in the town squares by crowds of people; it is expressed on local radio phone-ins, in TV shows and in letters to newspaper editors. Whilst decent citizens almost always go quietly about their business, mobs consist almost always of vocal minorities, some of whom do not really know what they are talking about. Many of them have a self-interest in what they are saying and nearly all of whom do not know or do not care about the long-term consequences of their agitation.

Take for instance the case in Ireland of Ms Caroline McCann and the Attorney-General. Ms McCann borrowed €18,000 from Monaghan Credit Union. It started with a borrowing of €5,865 to pay for the funeral of her newborn baby who had tragically died in 2003. Ms McCann admitted she was an alcoholic. The repayments went into arrears. The Credit Union, which had a duty to safeguard its member's deposits, went to Court and the Court ordered that Ms McCann should pay €82 per week. Presumably, the €82 was based on the Court's assessment of Ms McCann's ability to repay the loan. She did not repay it. She admits she got many letters but did not even open them. "I burned them" she said and "I can't read anyway."

The Credit Union went to Court for an order to enforce the previous Court Order. The Court, under the Enforcement of Court Orders Act 1940 sentenced Ms. McCann to a prison sentence of one month. She didn't go to prison. She said "I don't want to go to jail. I need to be with my children."

She went with solicitor Colin Daly to the High Court instead and now four years later, Judge Lafoy has issued a 90 page ruling declaring Section 6 of the Enforcement of Court Orders Act 1940 is unconstitutional, as it infringes a person's constitutional right to freedom. I have not seen the actual judgement but the above is

reliably reported. The Constitution of Ireland states in Article 40.4.1 "no citizen shall be deprived of his personal liberty save in accordance with law." This seems to be entirely reasonable and so why did Judge Lafoy rule as she has done?

Can we just ignore Court Orders and throw them on the fire? Must all prisoners be left out of jail?

Whatever the answers to these questions, some of the media has made a huge heroine of Ms McCann. Mainly because just now, due to the recession, borrowers are a large group in the community and defaulting borrowers are a strong minority.

If such borrowers are rudely able to "give the finger" to Credit Unions, instead of repaying their loans then it follows that very many people will not be given loans. So the majority will be made to suffer for the sins of a few.

The long term consequences for society of this judgement could be widespread chaos.

MARTIN MANSERGH FACES TOUGH TIMES

The Phoenix June 19th 2009 has been studying the electoral map for Fianna Fail. It has found that in particular, poor Mini Minister Mansergh's goose is well cooked. In the local elections, Mansergh's full time driver and his local Mr. Fix-It, Cllr. Michael Maguire, lost his seat to Fine Gael in Tipperary. As Mansergh himself won his own seat by a bare 59 votes in the last General Elections—he was putting a lot of store in how Maguire would fare. Well—he got his answer and not a very pleasant one. The coming man is the one that Fianna Fail Headquarters and former Taoiseach Bertie Ahern did their best to blackguard with spurious allegations of "*fisticuffs in or outside a local pub*"—the one and only Mattie McGrath, TD. Mattie is the sort of bould-man who dishes out statements lacerating the party leadership and isn't frightened of being leaned on, and is consequently loved by the local party people with Fianna Fail in their very entrails. It would take a lot of *English* manners of the well-bred variety before they are taken in and the '*Friarsfield Manor*' would hold no attractions for them.

But what has our Mini Minister been up to in these woeful economic times? Ah—he has been spotted with Senator David Norris, his old friend, and both were putting their all into the Joycean celebrations with public renderings of Ulysses to Dublin's great and good. Is this anything to do with his job as Junior Minister with responsibility for the Office of Public Works?

MORMONS AND GAYS

The Church of Later-day Saints is the Mormon Church. Recently in the USA, a beauty contestant caused media outrage for expressing her opinion as taught by her Church that same-sex marriages were something she couldn't endorse. There is

an element of stage management here as everyone knew she was a Mormon and the question was posed by a gay judge knowing her reply. Such was the furore that she was dismissed as a contestant and it was widely agreed in the media that, had she not been asked that question, she was frontrunner to win the competition. Many Mormons have been targeted by gay rights activists and poison-pen letters have been circulated in their localities. The 'Dear Neighbour Letter' focuses on intimate details of ordinary people who have supported Proposition 8, the ballot initiative banning same-sex marriage, even though in May, the California Supreme Court validated Prop 8 as constitutional. What *Time* magazine calls the Culture Wars by the gay activists have now begun to target the Church of Latter-day Saints.

Furious gay-rights activists targeted the church, picketing temples in several states. A prominent Mormon Sacramento musical-theatre worker was hounded from his job. Tom Hanks, the movie star, declared the Mormons "un-American" (He later apologised, but the damage was done.) "Some gays even threw urine at a temple." Reading the *Time* article, June 22nd 2009 reveals that sometimes 'the fundamentalists' are right on your own doorstep and go under the banner of *liberal progressives*.

SHELL OIL AND PIRACY?

The Corrib oil/gas field controversy is developing into a virtual war in County Mayo. 100 to 150 Gardai are on duty at or near the Shell site on an ongoing basis, as well as a security army of mercenaries, apparently acting on behalf of Shell but whose actions Shell denies responsibility for whenever dirty work is done. Recently, a local trawler *Iona Isle* was sunk by armed men who boarded it and took it over at 2 a.m off Broadhaven Bay on June 11th 2009. The owner, Pat O'Donnell radioed Malin Head life guard station when he boarded his life-raft, receiving contact back from that quarter and he then immediately telephoned Belmullet Garda Station relaying to them, among other details that his armed and masked attackers has sped due north in their fast craft (i.e. away from the direction the gardai eventually came from). *The Phoenix*, 19th June 2009 from where this information has been gleaned also states that "Mr. O'Donnell has featured in videos on You Tube where he appears to be taunted by eastern Europeans... O'Donnell has been a thorn in Shell's side for some time." Shell's security firm Integrated Risk Management Services has unregistered security men, and since the Bolivian incident where an Irish man was shot dead by the security forces there due, according to them, because of intent to kill the Bolivian President Morales, there is quite a lot of fear locally.

When the gardai arrived to Mr. O'Donnell, they requested his clothes and treated him as a suspect. What is really going on?

When Shell got their exploration licence, they were not asked to pay for it above board, and then the Finance Act was changed to allow Shell to extract gas without paying any taxes on the profits they expect to make.

There is a strong rumour circulating that not only is there gas but oil is also present under the sea.

Two prominent politicians represent the Mayo area—Minister Eamonn O'Cuiv of Fianna Fail, and Enda Kenny, leader of Fine Gael and of the Opposition in the Dail. They do not talk about the "Elephant in the Room". The media, RTE, *The Irish Independent*, *The Irish Times*—none of them discuss what happens, other than taciturn comment on a woman protester sent to jail.

This situation does not Stack up at all. The Irish taxpayers—that is everybody—is being done out of the gas revenues and out of tax on the possible profits. If Ireland was to treat its mineral and gas resources like Norway does, then Ireland like Norway would have few financial problems now.

None of this Stacks up.

Michael Stack

Reply From Mercier Press

In the last issue of *Irish Political Review* we published a letter from Jack Lane to Mercier Press on 30 April 2009, expressing concerns at the republication of *Rebel Cork's Fighting Story* with an introduction by Peter Hart. Below is the resulting correspondence.

8th June 2009

Dear Jack,

We are the publisher of the text in question (*Rebel Cork's Fighting Story*) and Peter Hart is writing an introduction to that text.

The concerns you expressed about Professor Hart relate to previous publications, which Mercier had no role in and as such it is best to address them to Peter or his previous publishers.

I understand that the titles in question were both published by Oxford University Press.

Kind Regards, Eoin Purcell, Commissioning Editor, Mercier Press

8 June 2009

Dear Eoin,

Thanks for your reply.

I must say I am surprised at your decision.

Mercier is the publisher of a major refutation of Hart's work, Meda Ryan's "*Tom Barry—IRA Freedom Fighter*" (2003 HB, 2005 PB). Her work was regarded as so significant it was reviewed in the prestigious journal *History*. Following that, she

was asked to publish a short article on the subject for the same journal.

Her criticisms are irrefutable (and unanswered) and have been augmented by others (equally unanswered, because presumably they are unanswerable). This is not merely a matter of differing opinions.

It is extraordinary that Mercier is planning to allow Peter Hart to pose as an expert in an area where Mercier itself has exposed him as academically deficient (to say the least).

Yours sincerely, Jack Lane

9 June 2009

Dear Jack,

Thanks once again for your e-mail.

As I have said previously, the concerns you raised should be addressed to Peter Hart or the publisher of the books in question.

Kind Regards, Eoin Purcell

9 June 2009

Dear Eoin,

As I have pointed out previously my concern is that Mercier is giving a platform to an exposed academic fraud in precisely the subject area in which his research was exposed as fraudulent by you (and others). That concern is addressed directly to Mercier, in which context please respond.

Since one of the previous publications I mentioned is Mercier's (*Tom Barry, IRA Freedom Fighter*, by Meda Ryan, 2003), I am actually fulfilling your request (above).

Are you willing to support research you have published exposing the fact that Peter Hart claimed to have spoken to a veteran of the Kilmichael ambush six days after the last veteran is recorded as having died (Ryan, 2003, p.52).

Have you any self-respect as a publisher? If so, please demonstrate it by responding precisely to the point I am making to you.

Yours, etc., Jack Lane

Dear Mr Lane

Mercier Press will not enter into further correspondence about our publishing programme.

Kind regards, Clodagh Feehan, Managing Director, Mercier Press, Unit 3B, Oak House, Bessboro Road, Cork, T: 021 4614 700, www.mercierpress.ie

Dear Clodagh Feehan,

The founder of Mercier Press, John M Feehan, were he able to talk (and on that Peter Hart may be of assistance) would surely disapprove as he was a man of high standards.

Perhaps you could tell me, when is the book in question scheduled for publication? There seems to be no information about it on your website.

Yours sincerely, Jack Lane

Dear Mr Lane

The book will be published in September. The information will be on our website shortly.

Kind regards, Clodagh Feehan

MI5 continued

ation of the explosives on August 15.

After the Omagh bombing MI5 ordered Rupert out of Ireland as a matter of urgency. An August 16 MI5 e-mails instructed Rupert to "*insulate yourself from the gardai*" {MI5 to David Rupert, E-mail 305, 16-08-98}. Later that night Rupert was ordered to: "*Collect tickets at Belfast City Airport...You'll be here {London} for two nights. We need to talk. It's extremely important*" {MI5 to David Rupert, E-mail 329, 17-08-98}. Rupert's MI5 handlers obviously feared that their agent might be gripped as part of a massive cross-border investigation and that—if placed under sufficient pressure—Rupert might disclose the prior bomb warning he had conveyed to MI5 in early April in relation to Omagh. Indeed all of Rupert's MI5 e-mails on Omagh were subsequently withheld from Nuala O'Loan when she conducted her large-scale investigation into the intelligence background to the tragic bombing. By late August 1998 there were a number of skeletons inside MI5's cupboard.

We now know MI5 possessed four pieces of high-grade intelligence which forewarned of a dissident republican car bomb attack in Omagh on August 15. The earliest intelligence data was dated 11 April. Then came the anonymous August 4 phone-call, Kevin Fulton's August 13 intelligence report and finally the satellite monitoring of the Vauxhall Cavalier arising from a tracking device planted by a British agent involved in the Omagh bombing. Yet notwithstanding this avalanche of intelligence MI5 made no attempt to intercept the bomb? How can this operational decision be rationally explained? What was the motivation of MI5 management? Did British intelligence want to protect the identity of its agent at all costs? Or was this yet another "*securocrat*" plot to subvert the peace?

MI5 management did not want to scupper the peace process, but it did want to protect the identity of its agent and, at the same time, drive—what it hoped would be—the final nail into physical force republicanism at an exceptionally sensitive time in the Irish peace process.

By August 1998 the provisionals were well on their way to exchanging the armalite for British ministerial portfolios. Articles 2&3 were deleted. The constitutional *status quo* had been preserved. Provo engagement with the IICD [weapons monitoring] and future acts of decommissioning lay only months away. But from British intelligence's perspective a black cloud hung over the firmament. By the

summer of 1998 MI5 was seriously concerned about the growing threat from, and the possibility of large-scale provo defections to, dissident republican paramilitaries.

In the nine months between its formation in late November 1997 and August 1998 the Real IRA planted large car bombs in Banbridge, Portadown and Markethill. Armagh and Moira RUC barracks were the target of audacious mortar attacks. In early April 1998 gardai intercepted a BMW 318 series at the Dublin port of Dun Laoghaire. The BMW was destined for central London and was packed with 1,200 lbs of explosives. Once again the prospect of massive bombs in the heart of London seemed a distinct possibility. In May two cars containing 500lb bombs were intercepted on the border. Two dissidents were arrested. In July a three man unit was captured in London with a semtex based device and a number of incendiaries. By August 1998 the Real IRA campaign was gathering momentum at a time when the Belfast Agreement had yet to be firmly rooted and the Adams-McGuinness leadership was confronted with the specter of large scale defections..."

[Mr. Hanley goes on to argue that MI5 staged the "carnage of August 15" to consolidate the position of the reformist leadership of the IRA which it had "nurtured and protected and surrounded by MI5 agents... over a period of two decades". Omagh was "*an ideal target*" as it was the only town in Ireland "*that retained an elected dissident republican*". He concludes:]

"...within days of the bombing the Adams-McGuinness leadership regained the initiative. Amid a torrent of anti-republican hysteria they were now in a position to publicly condemn a republican attack and visit the scene of the explosion. It seemed dissident republicanism has committed political suicide. Only weeks previous it seemed unimaginable that the provisional leadership could countenance a move towards arms decommissioning and a formal end to its campaign, however, the tragedy at Omagh now made this a distinct possibility. MI5 had four instances of high-grade intelligence concerning Omagh, which when placed together indicated that town would be bombed by the dissident republicans on August 15. Yet MI5 deliberately allowed the bomb to proceed to protect the identity of a key informant and to deliver a decisive blow against republican recalcitrants. After Omagh the Belfast Agreement drifted in and out of political crises, but the peace was secured. So was Omagh MI5's bomb to end all bombs?"

The following letter was submitted to the *Sunday Times* on 9th June by Chicago-based **Christopher Fogarty**

Frame-Ups

British gov't crime is advanced by the article headed "Justice for Victims' Families" (Sun-Times, June 9, 09) regarding the civil trial re the 1998 bombing of Omagh, Occupied Ireland. And Reporter Pallasch failed to mention his personal dealing with David Rupert, the prosecution's main witness (and life-long criminal according to a New York State police affidavit). While on the payroll of both Britain's MI5 and our FBI Rupert eMailed his MI5 handlers of his participation in a rehearsal of that atrocity, and they promptly removed him to London after the bombing. They converted what would have been the IRA's seventh sequential bloodless property bombing into a massacre of 29 innocents for which they, the perpetrators, blamed the IRA. That same MI5/FBI gang has quite a history of frame-ups. Fronted by Chicago FBI agent Patrick "Ed" Buckley that gang had got the news media to falsely implicate the IRA in the 1990 Langert family massacre in Winnetka. Soon thereafter they framed me for it; but murderer David Biro saved me by blabbing through his MI5/FBI cover. A few months later the same Agent Buckley incarcerated us and two others based upon an FBI audiotape that, after some 18 months, was proven criminally "doctored" and US Judge George Lindberg freed us. Prior to news of that massacre none of us had ever even heard of any of those involved.

Criminal Rupert, while testifying against McKeivitt in Dublin casually mentioned how agent Buckley had briefly left him to go and investigate the Atlanta Olympics bombing. There Buckley et al framed Security Guard Richard Jewell for it before rejoining Rupert and MI5 in Ireland. A few years later Jewell won justice. He was freed and received \$millions in compensation.

When the Sun-Times' Abdon Pallasch once contacted us we had expected that he and the Sun-Times were going to fulfill their civic duty to shed light on covered-up MI5/FBI crimes around Chicago; but he was actually working on a book for Rupert with FBI input (an echo of "I Am Cain," about the Langert massacre; with FBI input).

The fundamental lie "justifying" all of these MI5/FBI crimes and frame-ups is that of "terrorism". For the indisputable identity of the terrorists in the Anglo-Irish conflict see www.terrorismireland.org. It details each of the 173 child-murders (153 by British forces and 20 by Irish forces). Judging by today's Sun-Times, MI5/FBI crimes remain untouchable in Chicago, Irish democracy is blocked indefinitely, Michael McKeivitt remains wrongfully imprisoned, and we and all of their other victims will never get justice (except Richard Jewell, R.I.P.). We can document all of the above, but doubt that you will publish this, much less verify and report the crimes.



LABOUR

Comment

ISSN 0790-1712

VOLUME 27 No. 7

CORK

ISSN 0790-1712

MI5 And The Omagh Bomb

This magazine has held that failure to get a criminal conviction over the Omagh Bombing of 1998 was because a British agent provocateur played a prominent role in arranging it. Evidence is emerging to support this view and it is ably marshalled by John Hanley in *Forum* magazine (September 2008). The substance of his article is reproduced below.

"In 1996 MI5 assigned agent David Rupert the task of infiltrating dissident republican circles in Ireland. Rupert's priceless intelligence gave MI5 an indispensable insight into the membership and *modus operandi* of both dissident republican groups on either side of the border. Throughout his stay in Ireland Rupert forwarded all of the relevant intelligence he had acquired to MI5 via encrypted e-mails. Between 1997 and 2001 Rupert posted 2166 e-mails to his paymasters in British intelligence.

On 11 April 1998 Rupert dispatched his most controversial e-mail to MI5 headquarters. It was almost five months before the now infamous maroon Vauxhall Cavalier would decimate the centre of Omagh town and kill 29 people. For this reason the e-mail is all the more startling because in it Rupert informed MI5 that a dissident republican group was planning a car bomb attack in Omagh {E-mail 104, 11-04-98}. The April car bomb attack in Omagh was eventually frustrated by gardai south of the border.

However, MI5 management knew the threat was only postponed and not extinguished. Within days MI5 e-mailed Rupert: "*We disrupted the intention to use the car bomb, but maybe not for long*" {MI5 to Rupert, E-mail 126A, 17-04-98}. MI5 obviously foresaw the strong likelihood of a renewed attempt to bomb Omagh. However, MI5 now held the advantage over the would-be car bombers in that from as early as April 1998 it knew Omagh was a likely target for a dissident republican car bomb attack.

Rupert's e-mails were not the only pre-

August 15th information in MI5's possession which pointed to a dissident republican attack in Omagh. A second key piece of intelligence came to light on August 4 when an anonymous phone-caller warned British intelligence of a planned dissident republican gun and bomb attack in Omagh on August 15. MI5 subsequently claimed that it dismissed this anonymous phone-warning as a rogue RUC Special Branch call. However, this was a poor attempt at distraction. The importance in all of this is that, whereas Rupert provided specific details with regard to the proposed location of the planned bombing, this phone-warning supplemented his e-mail intelligence by not only confirming the location, but also providing the all important precise date of the planned attack.

However, the windfall of dissident republican intelligence did not end there. MI5 possessed a third piece of high-grade information which indicated that a car bomb attack was scheduled for mid-August. Two days before the Omagh bombing, FRU [Force Research Unit] agent Kevin Fulton met with a Real IRA informant whose clothing, according to Fulton, was covered in dust particles of

homemade explosives. Fulton correctly suspected that a car bomb attack was in an advanced stage of planning. Fulton provided British intelligence with the agent's name and car registration number. Yet once again this vital piece of intelligence was ignored.

But perhaps the most startling disclosure concerning MI5's foreknowledge of Omagh came during the inquest into the bombing. According to the *Sunday Business Post* (26.8.2001) leading British barrister Michael Mansfield QC, acting for Lawrence Rush, cross-examined several RUC witnesses. It emerged that a warning specifying the precise location of the bomb had not been passed on to local officers in time to clear the area.

"After that, we started getting threatening calls. We were told by the RUC that our name was on a death-list," Solicitor Des Doherty said.

The RUC also confirmed to Doherty that a newspaper report of a spy satellite picking out the car used to transport the bomb was correct.

Doherty said. "*It is understood that when the RUC contacted the Federal Bureau of Investigation in America, they produced information from the satellite.*"

This suggests that the maroon Vauxhall Cavalier contained a tracking device which enabled a US GPS satellite not only to follow the car's movements but also pinpoint its exact location on the day of the bombing. At the request of MI5, US intelligence would have monitored the car as a priority and would have conveyed this surveillance data to MI5 without delay. Yet MI5 chose not to relay this information to RUC officers on the ground on August 15. Furthermore, the presence of a tracking device on the maroon Vauxhall Cavalier indicates the involvement of an MI5 agent in the planning or the execution of the Omagh bombing, at some point between the unlawful procurement of the maroon Vauxhall Cavalier and the deton-

continued on page 27

Subscribers to the magazine are regularly offered special rates on other publications

Irish Political Review is published by the IPR Group: write to—

1 Sutton Villas, Lower Dargle Road
Bray, Co. Wicklow or

PO Box 339, Belfast BT12 4GQ or

PO Box 6589, London, N7 6SG, or

Labour Comment,
C/O Shandon St. P.O., Cork City.

Subscription by Post:

12 issues: £20, UK;
€ 30, Ireland; € 35, Europe.

Electronic Subscription:

€ 15 / £12 for 12 issues
(or € 1.30 / £1.10 per issue)

You can also order both postal and electronic subscriptions from:

www.atholbooks.org