# The Treaty

Jack Lane

page 8

*Irish Bulletin* August 1919

page 18

Saving The Social Republic

Labour Comment back page

# IRISH POLITICAL REVIEW

September 2011

Vol.26, No.9 ISSN 0790-7672

and Northern Star

incorporating Workers' Weekly Vol.25 No.9 ISSN 954-5891

# Left No Alternative

Can self-denial be the basis of success in democratic politics?

If it can, then Fianna Fail is assured of a bright future.

It denied its history under Bertie Ahern and Brian Cowen. And it is now actively destroying its party structure—which carried a sense of historical orientation with it, despite all that its leaders could do to it. Micheál Martin is modernising the party by abolishing its internal life and subordinating it to his extended-family caucus in Cork city.

The *Irish Times* naturally encourages it on this line, and it seems that the party cannot now do without the approval of the *Irish Times*. (In the days of its greatest successes it only consulted the *Irish Times* to see that the paper condemned it and thus assure itself that it was on the right path.)

Now that Fianna Fail has almost been got rid of, nativist IT columnist Deaglawn De Braydoon, looks at it and sees that its future consists of *Leaving Civil War Politics For A Clearer Left-Right Divide* (Aug 9).

What is the "left-right divide" today? It is what Britain has in the superficial froth of the formal ideology of its party politics. It is a derivative of a derivative of a derivative of the class politics of Marx's International of a century and a half ago.

"Workers of the world unite! You have nothing to lose but your chains!" That was a slogan with definite meaning. James Connolly took it in earnest and tried to act on it in August 1914. But the British working class—hailed by Bernstein, the revisionist, as the most dependable working-class force in the world—supported the British declaration of war on Germany. Britain had nothing at stake in the conflict that broke out between France/Russia and Germany/Austria, but joined the war as an ally of France/Russia.

It had nothing at stake—except the possibility of losing its position of world

# The EU

# A New Beginning?

The Merkel-Sarkozy meeting of 16th August reaffirmed the central role of both their countries in European affairs. However, it was reaffirmed in a new context. A context where they clearly dealt with the issues themselves and then let the rest of Europe know via the media what they had decided. This is not how it was or how it should be if something called a European Union actually existed. This is the Franco German alliance of a new kind. There is supposed to be a Community mechanism for dealing with the central issues of the Community but hardly anyone seems to notice that this structure no longer matters.

The meeting set up plans to create a new economic governance of the eurozone and, as there will have to be someone in charge of this at some point in the future, this means we will probably have yet another President to add to the existing four. But the crucial point was to establish that the two countries were at one to impress the markets and it did not matter very much what they agreed as long as that point was made.

continued on page 3

continued on page 2

## **NATO** overthrows Gaddafi

# The Figleaf Revolution

At the time of writing (August 23), it looks as if NATO has succeeded in over-throwing the Gaddafi regime in Libya. The media would have us believe that indigenous anti-Gaddafi forces led by the National Transitional Council (NTC) were responsible, but that is hogwash.

Without NATO airpower raining death from the sky on Gaddafi's forces, his

regime would still be in place. Since the beginning of the NATO operation on 31 March 2011 a total of 19,994 sorties have been conducted, of which 7,541 were "strike" sorties, that is, around 50 a day.

A month or so ago, even with NATO airpower, a stalemate existed on the ground. On July 27, the NTC lost its military commander in chief, Abdel Fattah Younes, in mysterious circumstances, but allegedly killed by dissident Islamist elements within its own ranks. According to a Reuters "factbox" on the NTC, dated August 23, his deputy, Suleiman Mah-

moud has been asked to take over and is still considering whether to take up the post.

The NTC chairman, Mustafa Abdel Jalil, who 6 months ago was Gaddafi's Minister of Justice, sacked his entire 14-man cabinet on August 9. In an interview with al-Jazeera, he said that he sacked them because the cabinet had made "administrative mistakes" in investigating the assassination of Younes. Two weeks later, the Reuters "factbox" on the NTC does not record that a replacement cabinet has been appointed.

#### CONTENTS Page Left No Alternative. Editorial 1 The EU: A New Beginning? Jack Lane 1 NATO Overthrows Gaddafi: The Figleaf Revolution. David Morrison 1 Readers' Letters: Fr. Shinnick And The Dripsey Ambush. Jack Lane 3 Myths About Libya. David Morrison 4 Editorial Digest. (SDLP Civil War; British & Paramilitaries; PSNI Stunt; Internment Case; Schools; Orde; Fags; 1916-2016; C of I & Language; Derry Riots; Attwood; Hares; 6 The 'Treaty' & The Party Structure. Jack Lane (Talk) 8 **Shorts** from the Long Fellow (1985 vs 2011; FT on Ireland; Morgan Kelly; Gay Byrne; London Burns) 11 Issues Of The Middle Past. Jeff Dudgeon Letter to Editor 13 Liberal Unionism At The End Of Its Tether. (Brendan Clifford, Reply) 14 Scandalknavia. Wilson John Haire (poem) 14 Irish Bulletin, 2. Some Items From August 1919 18 Es Ahora. Julianne Herlihy (Puritanism & The Modern State; The Bail-out) 19 Some Comments On Desmond Fennell's Articles. John Martin 21 Seeing Clearly. Desmond Fennell replies to Jack Lane 21 Naval Warfare. Pat Walsh (Part 13) 22 Kilkenny In Defence Of Two Republics. Manus O'Riordan (Talk) 24 Biteback: The RIC. Donal Kennedy. David Norris. Conchúir Ó Loingsigh 26 **Does It Stack Up?** Michael Stack (The Catholic Church; Recent Reading) 27 Social Engineering With Munitions. Wilson John Haire 28

Labour Comment, edited by Pat Maloney:

<u>Saving The Social Republic</u> Legislation to Underpin The Labour Court System

Philip O'Connor

(back page)

Due to pressure of space, a number of items have been held over, including *Germany: Return to the Planned Economy*, which it is hoped to publish next month

dominance if it did not play an active part in the European War. If the Europeans were left to fight it out amongst themselves, and there was a clear and decisive winner, the position of the winner in world affairs would be greatly strengthened with relation to Britain. Therefore Britain entered the war—and indeed had played a considerable part in the diplomacy that brought it about—and the British working class took part with a will in this war to consolidate and extend British world dominance.

Working class internationalism did not collapse in 1914. It proved to be a non-starter What the great bulk of the British working class understood by Internationalism was the Empire on which the sun never set.

Connolly then declared his support for Germany, on the ground that German capitalism included much better provision for civilised working class life than the British, and that a German victory in the war of aggression waged on it by Britain

would be far more favourable to the Irish national interest than British success in its war of destruction of Germany.

In that moment of truth it did not prove to be the case that the working class wage labour in the capitalist economic system—had a common, globalist, interest operating beyond the sphere of the nation states, on which the world could be restructured

Revisionist ideologues, who make a living in the service of social-imperialism, have been telling us for the past twenty years that Connolly, in 1914, abandoned a lifetime of internationalism for Irish nationalism. What actually happened was that the kind of Internationalism that Connolly had taken in earnest, and that he tried to act on in August 1914, proved to be no more than rhetoric. He got ready to take part in the international class war that would abort the war of the capitalist nation-states, but he found the great blocs of socialist workers in the European States taking part in the capitalist war with a will,

with the British working class to the fore. (It was the British working class that acted most imperialistically because it was only Britain, which was not bound up in the system of Treaties that led to war in Europe, that entered the war freely, from a position of safety.)

Connolly read the meaning of events quickly, refused to be a socialist dupe of Imperialist slogans, and made war on 'his own' Empire in the Irish national interest.

But "Left" and "Right" are not quite the same thing as Working Class and Capitalist. Far from it. They derive from the terminology of the French Revolution. They have no necessary class connotation, but on the whole the Left has tended to espouse an ideal which works out as the most thorough form of Capitalism. And thorough Capitalism is not Socialism. It is, in principle, not even social. But national arrangements must be social in some degree in order to make the nation functional.

The moneyed interest that has sustained the *Irish Times* would be well-served by a Fianna Fail that re-made itself into a vacuous Left party. Fianna Fail was established to serve the national interest against the Treaty after the Treatyites, having won the Treaty War, completely forgot all that Collins had said in justification of the Treaty. It made *de facto* arrangements in the national interest which gave workers a sense of participation in the state. The present Government is intent on breaking up those arrangements.

De Bréadún notices that "Labour has become the second largest party in Leinster House", and sees this as paving the way for a "left/right divide". But he does not notice where Labour has placed itself. If the Election produced the possibility of a Left/Right divide in national politics, that possibility was instantly scotched when Labour refused to become the Opposition to what is generally understood to be the Right in Irish politics and went into coalition with it instead, leaving the system without an effective Opposition. And this was no great surprise as Labour, under Stickie leadership, was busily streamlining itself into a business party when Finance-Capitalism went haywire.

What the situation requires is not that Fianna Fail should dissolve itself into another faction spouting meaningless 'Left' verbiage, but that it should remember the purpose for which it was formed.

continued

The *Irish Times* editorialised on the

"The proposed strengthening of eurozone governance in the form of biannual leaders' meetings under European Council president Herman van Rompuy is a significant, welcome reversal by Germany of its longstanding position on governance and a logical step in the direction of replacing and strengthening the current Stability and Growth Pact mechanisms. But small member states like Ireland will want assurances that it is not intended to move away from use of community decision-making methods towards intergovernmentalism. Ambiguities about the central role of the European Commission in the process, specifically its sole right of initiative, will have to be removed or the new council would inevitably tend to become a vehicle of the big states" (18 August 2011).

It is hard to believe that an Editor of a newspaper in Europe today could raise some hope of small countries being assured of less inter-Governmentalism. It is even more incredible that the same Editor sees ambiguities about the role of the Commission. It has been as clear as daylight for some time that the inter-Governmental method is the new political mechanism in Europe and the pact on 16th August was the clearest and crudest example yet. That was one of its merits.

There is no ambiguity about the role of the Commission—it could only be ambiguous to those with such a frame of mind. The Commission's role has been downgraded slowly and surely as it was intended to be when the European Parliament got away with discrediting it by making accusations of spurious corruption charges against it some years ago.

That was done under the leadership of the *Irish Times*'s favourite European, Pat Cox. This achievement is always at the top of the man's CV and it is hardly believable that the *Irish Times* does not know about it—it was in all the papers and is always mentioned when he is mentioned. The carpet-bagger (failed) found it much easier to impress the assembled MEPs than he did the Fine Gael rank and file. Two cheers for them.

Concern about the Commission losing the power of initiative is concern about the proverbial bolted horse. This power remains formally in place but it is plain that all sorts of initiatives are taken and will be legally implemented regardless of the Commission. Now its role is to join in and do the follow-up paperwork rather

# Fr. Shinnick And The Dripsey Ambush

Nick Folley's very informative report on the meeting by Padraig Og O'Ruairc in Cork on the 90th anniversary of the Truce (*Irish Political Review*, August) refers to Fr. Shinnick in connection with the Dripsey Ambush, and speculates why he was not treated like Mrs. Lindsey by the Republicans.

There was no comparison between their roles in the ambush. Mrs. Lindsey went to Ballincollig Barracks to inform the military of the planned ambush. Fr. Shinnick sent a messenger to the Volunteers to warn them that their plans were known. The messenger's warning was not taken seriously and dismissed as a ruse by Fr Shinnick as he was a well known anti-Republican.

It is worth noting that no British soldier was killed in the action but, despite that, Strickland insisted that a number of Volunteers be executed—5—to the dismay of his officer, Evans, who led the counter ambush and had sought to negotiate a settlement.

Jack Lane

than initiate anything in its own right.

The Lisbon Treaty is also routinely ignored which only confirms that states are above the law when the chips are down.

So what do we have if we do not have a Union? In his answer to the last question at their joint Press Conference, when asked where the meeting's proposals left the Lisbon Treaty, Sarkozy remarked that what we now had was a Confederation.

But what does that mean in a European context today? He did not elaborate. It is looser than a Federation and national sovereignty is a given. It is an *a la carte* arrangement. But it is far from a Union, as the USA discovered 150 years ago.

Where does it fit in with economic governance, and does it only apply to the Eurozone and not to the other Member States? As well as two currencies, will we have two different political structures in Europe! The mind begins to boggle.

The concept has a great advantage in that a serious discussion to specify what it means—and what it does not mean—would be a fresh start and add greatly to ridding the discussion on the political future of Europe of all the now irrelevant dross and fantasising that hangs over it.

**Jack Lane** 

# Figleaf Revolution

continued

So, this entity without an executive has been recognised by most states in the Western world as the sole governmental authority in Libya and, in the wake of Gaddafi's overthrow, is about to move to Tripoli and become the actual Government of Libya.

It is difficult to believe that this entity, or forces commanded by its military leaders, had anything to do with overthrow of the Gaddafi regime in the past couple of weeks. Newspapers on both sides of the Atlantic this morning have been boasting about leading role played by NATO military and intelligence personnel in devising the successful strategy to take over Tripoli and of implementing it in coordination with NATO air forces. It looks if NATO rather than the NTC has been in effective command of the anti-Gaddafi ground forces in recent weeks.

Interviewed on the BBC Today programme this morning, NATO spokesman, Colonel Roland Lavoie, denied that NATO had "direct contact with the anti-Gaddafi forces", but admitted that "we have allied forces within the country ... and we are in liaison with them to co-ordinate our effort".

It is widely reported that special forces from Britain, France and Qatar are on the ground in Libya (plus personnel from Western intelligence services, no doubt). Formally, these soldiers are not under NATO command. If they were, it would be even more difficult to maintain the threadbare fiction that NATO is not involved in regime change, but merely in protecting civilians, as authorised by Security Council Resolution 1973.

Colonel Lavoie repeated the threadbare fiction on *Today*, saying "actually, we're not in the business of regime change". But he said:

"What we have done was to erode systematically the Gaddafi military capability and we have done it to a point that clearly made it possible to for the anti-Gaddafi forces basically ... to take control of the capital."

So, you are not in the business of regime change, when you destroying the capability of a state under threat of regime change to

resist regime change. That sums up the hypocrisy of the West's intervention in Libya.

# NATO spokesman Col Roland Lavoie interviewed by Evan Davis

BBC Radio 4, Today, 23 August 2011

ED: Who is NATO talking to in terms of co-ordinating the operation? Are you talking to the folks back in Benghazi at the minute? Or are you in contact, daily contact, hour by hour contact with folks in Tripoli?

RL: We are not in direct contact with the anti-Gaddafi forces. What we do is that we have allied forces within the country and we get our information through our allied nations. So we are not in direct co-ordination. What we do is to concentrate on our mission and this is what we have continued to be doing for the last few days

ED: So are you saying that there are British personnel, French personnel, intelligence personnel in Tripoli at the moment who are giving tactical advice and support to the rebels in Tripoli?

RL: I'm not the spokesperson for specific nations, but let's say that we have trustable allied sources in the country and we are in liaison with them to co-ordinate our effort.

ED: I wonder if you can throw some light on the NATO involvement in the assault on Tripoli. There are some very interesting accounts in the papers today, the Telegraph has a very detailed account of the plan to launch the uprising in Tripoli and NATO's involvement in it. Can you tell us any of the tales of ... the preparation for the assault?

RL: Actually, we're not in the business of regime change. What we have done was to erode systematically the Gaddafi military capability and we have done it to a point that clearly made it possible to for the anti-Gaddafi forces basically to raid (?) and to take control of the capital.

ED: It's obviously a moot point as to whether you are responsible for regime change or whether you are destroying all the defences of the regime so that someone else can knock him out of the way.

**David Morrison** 

On-line sales of books, pamphlets and magazines:

https:// www.atholbookssales.org

# **Myths About Libya**

The key "fact" in justifying Western intervention in Libya was that Colonel Gaddafi was killing his own people from the air. He was engaged in terror bombing against innocent and helpless civilians, it was repeatedly said. This 'fact' was used to whip up support for a No Fly Zone, which was eventually imposed by the Security Council in Resolution 1973 passed on 17th March 2011, having been backed a few days earlier by the Arab League.

Of course, Resolution 1973 went much further than imposing a No Fly Zone and authorised UN member states "to take all necessary measures ... to protect civilians and civilian populated areas under threat of attack" in Libya. But, it was the oftrepeated 'fact' that Gaddafi was killing his own people from the air that established Gaddafi as an evil monster and produced the outrage necessary to make military intervention politically possible.

Now, in a report entitled *Making Sense* of *Libya*, published in early June, the International Crisis Group (ICG) has said that it found no evidence the Gaddafi regime ever attacked civilians from the air. And the ICG cannot be said to be a pro-Gaddafi propaganda outfit since it receives substantial financial support from a host of Western Governments, including France, UK and the US, which are leading NATO's military assault on Libya.

Here's what the relevant part of the ICG report:

"... there are grounds for questioning the more sensational reports that the regime was using its air force to slaughter demonstrators, let alone engaging in anything remotely warranting use of the term 'genocide'.

"The 'genocide' claim was made by Ibrahim Dabbashi, formerly Libya's deputy ambassador at the UN in New York on 21 February; see Sarah El Deeb and Maggie Michael, *Gadhafi's regime may be on the brink in Libya*, Associated Press, 21 February 2011. The Associated Press story, while reporting the shooting of protesters by security forces on the ground, reports only the intimidating effect of 'helicopters hovering over the main seaside boulevard' and that 'warplanes swooped low over Tripoli in the evening'.

"Two senior Western journalists interviewed on their return from eastern Libya told Crisis Group that none of their Libyan interlocutors in Benghazi or other towns under the opposition's control had made any mention of the regime's supposed use of airpower against unarmed demon-

strators in the first few days of the protests." (p 4-5)

The report also says that much Western media coverage "presented a very one-sided view of the logic of events, portraying the protest movement as entirely peaceful and repeatedly suggesting that the regime's security forces were unaccountably massacring unarmed demonstrators who presented no real security challenge", and ignored "evidence that the protest movement exhibited a violent aspect from very early on". So, it was an armed uprising from very early on, to which the regime responded with armed force, and which has developed into a civil war.

#### **O**THER MYTHS

Another myth perpetrated by Western media and Governments early on was that the Gaddafi regime was employing black mercenary troops from Central and West Africa against its own people. Security Council Resolution 1973 even placed a travel ban on the Libyan Ambassador to Chad and on the Governor of Ghat (South Libya) for being "directly involved in recruiting mercenaries". But Amnesty International has found no evidence for this—the alleged mercenaries were mostly black sub-Saharan migrants working in Libya without documents. However, thanks to the myth, more than a few of them got lynched in rebel areas.

Another myth perpetrated by Western media and Governments, was that the Gaddafi regime was using mass rape against opponents and supplying his troops with Viagra in order to improve their effectiveness. This charge surfaced in early June. It was taken up by Hillary Clinton, who said she was "deeply concerned" that Gaddafi's troops were participating in widespread rape in Libya.

But Donatella Rovera of Amnesty International, who was in Libya for three months after the start of the uprising, said that "we have not found any evidence or a single victim of rape or a doctor who knew about somebody being raped". She stressed this does not prove that mass rape did not occur but there is no evidence to show that it did. Liesel Gerntholtz, of Human Rights Watch, which also investigated the charge of mass rape, said: "We have not been able to find evidence".

(See Amnesty questions claim that Gaddafi ordered rape as weapon of war by Patrick Cockburn, The Independent, 24 June 2011).

#### NATO STOPS "TERROR BROADCASTS"

At the time of writing (31 July), NATO has just destroyed three ground-based Libyan state TV satellite transmission dishes in Tripoli, in order to stop "terror broadcasts" by Colonel Gaddafi, the media dutifully reported.

This strike, like the thousands before it in the past four and half months, was said by NATO to have been "conducted in accordance with the UN Security Council Resolution 1973". A NATO spokesman explained:

"Our intervention was necessary as TV was being used as an integral component of the regime apparatus designed to systematically oppress and threaten civilians and to incite attacks against them. Qadhafi's increasing practice of inflammatory broadcasts illustrates his regime's policy to instill hatred amongst Libyans, to mobilize its supporters against civilians and to trigger bloodshed. In light of our mandate to protect civilian lives, we had to act."

The relevant part of Resolution 1973 is in paragraph 4, where UN member states are authorised "to take all necessary measures ... to protect civilians and civilian populated areas under threat of attack" in Libya.

From the outset, NATO has operated on the assumption that this authorised the killing of Gaddafi and the destruction of anything and everything that could be said to be a military asset available to him. They have never felt the need to provide evidence that any asset was being used, or was about to be used, to attack civilians.

To make their argument effective, they have been able to rely on the fact that Gaddafi has been successfully painted as an evil monster—hadn't he killed his own people from the air?—who would use whatever military assets in his possession to kill civilians. Therefore, so their argument goes, to protect civilians NATO was required by Resolution 1973 to destroy anything and everything that could be said to be a military asset available to Gaddafi.

Various States have complained that NATO has exceeded, and is exceeding, the mandate provided by Resolution 1973. But, if you believe that Gaddafi is an evil monster, then NATO's argument has substance to it. What can you do with an evil monster but deny him the assets with which he can kill civilians, activity to which he is apparently addicted?

More fundamentally, arguing about what is or is not authorised in Resolution 1973 is pointless. The States that are

deciding what Resolution 1973 means—France, the UK and the US—are all veto-wielding members of the Security Council. That being so, they can make Resolution 1973 mean what they want it to mean, since, even if they stretch its meaning way beyond credibility, they are immune from sanction by the Security Council for doing so—since each of them has a veto.

#### INTERNATIONAL CRIMINAL COURT

Libya is not a party to the International Criminal Court (ICC). But, on 26th February 2011, the Security Council voted unanimously, in Resolution 1970, to refer events in Libya to the ICC. To be precise, it decided

"to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the Prosecutor of the International Criminal Court;"

Such an extension in the jurisdiction of the Court is allowed under Article 13(b) of the Rome Statute of the Court if:

"A situation in which one or more of such crimes appears to have been committed is referred to the Prosecutor by the Security Council acting under Chapter VII of the Charter of the United Nations;"

Amongst those States who voted for this referral were 5 states (China, India, Lebanon, Russia and the US) who are not parties to the ICC and don't accept its jurisdiction—which is blatant hypocrisy.

As a result, Luis Moreno-Ocampo, the chief prosecutor of the ICC, applied for warrants for the arrest of Colonel Gaddafi, his son Saif and his head of security, Abdullah Al-Senussi, for crimes against humanity, specifically, for murder and persecution in the days following 15 February, contrary to Articles 7(1)(a) and 7(1)(h) of the Rome Statute. These acts were allegedly ordered by the three parties in furtherance of a plan, drawn up after the events in Tunisia and Egypt, to quell opposition to the Gaddafi regime. The Court granted the warrants on 27th June 2011.

Soon after the reference to the ICC, the Western interventionists realised that it was a mistake, that the prospect of having to face charges in The Hague, and spend the rest of his life in prison, was not an encouragement for Gaddafi to relinquish power in Tripoli. There was speculation that some African state, not a party to the ICC and therefore not required to hand over people wanted by the ICC, would express a willingness to play host to Gaddafi and his associates and keep them safe from the clutches of the ICC indefinitely.

Now, another 'solution' to the ICC

problem is being publicly mooted, for example, by Mark Urban on BBC's Newsnight programme on 28th June. Under the Rome Statute, not only may the Security Council extend the jurisdiction of the Court, under Article 16 it may also interfere in any individual case and defer its investigation or prosecution. This applies to any case, not just to cases that have come about because of a referral by the Security Council. However, it cannot cancel a case or grant an amnesty to an individual.

## Article 16 states:

"No investigation or prosecution may be commenced or proceeded with under this Statute for a period of 12 months after the Security Council, in a resolution adopted under Chapter VII of the Charter of the United Nations, has requested the Court to that effect; that request may be renewed by the Council under the same conditions."

In theory, therefore, the Security Council could defer the Libyan cases for 12 months, and in 12 months time for a further 12 months, and so on. However, it seems unlikely that the Western powers would do so—even once—since it would add further to the conviction in Africa and elsewhere that the ICC is a tool of the West and not an independent judicial body. In any case, a 12 month deferral would not be much of an encouragement for Gaddafi to retire, since he would not be foolish enough to trust the West to repeat the exercise annually for the rest of his life.

## UK RECOGNITION

On 27th July, Foreign Secretary, William Hague announced that "the United Kingdom recognises and will deal with the National Transitional Council as the sole governmental authority in Libya". He justified this step as follows:

"This decision reflects the NTC's increasing legitimacy, competence and success in reaching out to Libyans across the country. Through its actions the NTC has shown its commitment to a more open and democratic Libya - something that it is working to achieve through an inclusive political process. This is in stark contrast to Qadhafi, whose brutality against the Libyan people has stripped him of all legitimacy."

The next day it transpired that the NTC's military commander in chief, Abdel Fattah Younes, had been killed by dissident elements within their own ranks. Legitimacy, competence and success of that calibre are hard to come by.

**David Morrison** August 2011

# **Editorial Digest**

The SDLP's civil war continues. South Belfast MP Alasdair McDonnell and the Party's Deputy Leader, Patsy McGlone, are planning to oust their Leader, Margaret Ritchie, at the Party Conference in November. At first McDonnell wanted to replace Ritchie as Leader and Mc Glone, with the support of McDonnell, wanted the Stormont Social Development Ministry, at present held by Ritchie's man, Alex Attwood. Now McGlone wants Ritchie's job as well. If there's politics involved, they are invisible, though in the past McGlone supported a link with Fianna Fáil while Ritchie opposed it. Ritchie has said: "Nobody has told me what they would do differently {as leader}". She is probably right.

In a report, the Belfast Telegraph says it is a rural-urban divide. But McDonnell is in South Belfast and Attwood is the only non-Sinn Féin MLA in West Belfast Ritchie is an MP and an MLA in South Down and McGlone is an MLA in West Tyrone. But the paper was correct in highlighting the lack of organisation on the ground. The SDLP claims 395 members—the reality is about 200. It gets extra people, including extended family, to help out at election time especially in South Down and Derry. In Down these are Nationalist left-overs and relatives who supported Eddie Mc Grady over the years, but cannot be relied on to support Margaret Ritchie indefinitely. Derry had the John Hume factor—bequeathed to Mark Durkin. It is more and more clear to people that John Hume's Party was seriously damaged by his successor, Seamus Mallon, and today's SDLP bears very little resemblance to it. Only one SDLPMLA, Alex Attwood, has stayed publicly loyal to Ritchie.

The Pat Finucane Centre in Derry has released previously confidential British documents concerning the Ulster Defence Regiment and Loyalist paramilitaries {Irish News, 2nd August}. These show that full-time UDR battalions were established following urging by the UDA, the UVF, the Red Hand Commando, the Co. Down Orangemen and others at a meeting in August 1974 between these groups, the British military and the Secretary of State for Northern Ireland, Merlyn Rees. (Rees had already lifted the ban on the UVF.) The implications inferred by the Centre are all to do with Loyalist infiltration of the UDR something which undoubtedly happened.

But another inference is that the British were infiltrating the paramilitaries—as also certainly happened. By August 1974 an assassination campaign, instiga-

ted by the British against some of the original founders of the UDA, was already well underway. The dead men were being replaced by British agents. In the case of the smaller UVF, agents had long been in place. It would be useful to get more details about the 'respectable' Unionists involved in the re-formation of the UVF in 1966. Some names are obvious, but it would be better to get proper confirmation. What is certain is that Gusty Spence and his friends were merely foot soldiers, and expendable to boot. The Finucane Centre blames the UVF for, by way of example, the massacre of the Miami Showband in 1975. The massacre was carried out by the UDR soldiers, a regiment of the British Army, some of whom may or may not have been in the UVF. They were commanded by a Captain from the regular Military.

Mrs. Thatcher's office made the following statement in 1979: "...the Prime Minister would also like to see some reference to the valiant work being carried out by the Ulster Volunteer Force". The Finucane Centre, in our view naively, accepts a British statement that transcribers mixed up the UDR with the UVF. Unlikely. And virtually impossible when initials were not used but the words Ulster Volunteer Force were spelled out in full.

Police PR Stunt. Police investigating the killing of Constable Kerr arrested five men on 26th July in much publicised raids by 200 PSNI, who raided homes in Coalisland, Toombridge, Bellaghy and Ballyronan. The police took the prisoners to that now famous euphemism, the Antrim Serious Crimes Suite. All were released next day, but not before lots of pictures were released of the operations, including one of the home of a former Sinn Féin Councillor, three of whose family had been arrested. The *Irish News* was, as usual, prominent in publicising the police propaganda operation.

Three of the men are now likely to take legal action. Another was living in the US at the time of the Kerr killing. Martin McGuinness said:

"Nobody who knows this young man and his family are in any doubt that he has no link whatsoever to the murder of Ronan Kerr. The nature of the operation caused widespread anger in the local community. Bad policing operations will do nothing to bring his killers to justice. Indeed if anything the opposite is the case."

Sinn Féin MLA, Francie Malloy, described the operation as a "PR stunt".

The PSNI said, with a straight face, "It is being conducted to the highest professional standards". The DUP's Lord Maurice Morrow attacked Sinn Féin's reaction saying: "you either support the police or you don't, it's that simple... the only frustration they should have is that

no one has been charged with the murder". This constant arrest and release of Republicans is an almost daily feature of PSNI harassment. Their actual 'clear up' rate in such cases is 4%. On 27th July a woman was arrested over the Kerr killing. On 29th July she too was released.

Recently a man was arrested on arms and explosives charges. True to form, the *Irish News* (5th August) names him, gives his address and mentions previous convictions and political affiliations. This is contempt of court. But nothing is ever done about this regular practice. The writer was Alison Morris, but we would not give out her address or information on previous offences or convictions!

**Internment** was introduced on August 9th, 1971. Six former internees are now suing the British Ministry of Defence, the RUC/PSNI, the estate of the late Brian Faulkner, and the British Secretary of State for Northern Ireland on the strength of recently-released papers. These papers make clear, among other things, that only nationalists were to be arrested as a way of "reassuring the majority community". They also reveal that, if the soldiers could not find the specific person they sought, they were to arrest someone else in the household over the age of eighteen. There was, as was shown long ago, severe torture of many of those arrested. Over 2,000 were interned. One of the plaintiffs, Evelyn Gilroy from Beechmount, had her children put in care.

One defence of the British is that the case is too late—40 years old. But another case being brought by a group of ex-internees from Kenya is 50 years old. In that case, the British claimed that all responsibility for past events passed to the Kenyan Government on the "granting" of independence. This was rejected by the British judge, who described the British Government case as "dishonourable". The lawyers for the Kenyans are helping the legal team in the North. Belfast City Hall is currently hosting an exhibition on the Ballymurphy Massacre in which 11 unarmed people, including a priest, women and children, were shot dead by the British Army between August 9th and 11th, 1971. A further 21 people were killed elsewhere in this period.

The Andersonstown News produced a detailed supplement on internment on 6th August 2011. It was a long tale of woe—understandably. But there is no mention of the heroic defence of the Markets by Joe McCann and his Volunteers. Gerry Adams, in his autobiography, does pay tribute to this action. He is also godfather to Joe McCann's son.

The Transferor Representative Council is the body that oversees Church of Ireland schools in the North. It's

secretary, the Rev. Ian Ellis, has suggested that there could be joint Protestant and Catholic supervision of some schools, especially in rural areas where small, separately-run, schools are being closed. This is quite different from the Integrated Sector and specifically calls for "an overarching Christian ethos". It is also different from the demands of the First Minister, Peter Robinson, for the ending of State support for religionbased schools. This really means a demand for the abolition of Catholic schools, as specifically Protestant schools are not so numerous. It would also break with state policies in both Great Britain and the South of Ireland. State schools in the North are really mostly Protestant schools. The children emerging from them in November wearing poppies tell that story.

While Catholics (and Protestants) are still excluded from the party political systems in both Great Britain which governs them and of the South which most Catholics aspire to join, it is unreasonable to expect most Catholics to abandon something, their education system, which helps them retain their identity. Also Catholic schools are generally recognised as providing a far better education. The suggestion of the Rev. Ellis deserves consideration, but it is an unlikely runner while the two communities grind against each other under arrangements established by Britain.

Sir Hugh Orde, former head of the RUC, and now head of the Association of Chief Police Officers, has said that the use of water cannon and plastic bullets was "inappropriate" for dealing with the recent riots in England. He had the opposite view when he was dealing with disturbances in Ulster. Only one way to deal with Paddy, it would seem. Indeed the water cannon and the plastic bullet are increasingly becoming the weapons of first resort in the Province, especially if you are an Ardoyne fenian.

Booze and fags. The "outrage" of killjoys writing to the Irish Times and the Irish Independent about all the pictures of Open Golf Champion, Darren Clarke from Dungannon, drinking pints and smoking fags would be hilarious if there wasn't so much of it about. The dodgy Free State Health Minister, James Reilly, is now proposing a ban on smoking in private cars, a proposal welcomed editorially by the Irish News on July 28th. It has also emerged that it was the Irish Government that pushed through anti-smoking laws on the Continent. Now the British Government is proposing a cigarette ban in public parks. Never mind that the scientific evidence on "passive smoking" is flimsy to say the least.

The new Mayor of Ballymena, Free Presbyterian and DUP Councillor Ian Stevenson, has banned alcohol from the Mayor's Parlour. After their recent successes, the North's three golf champions bucked the trend and had a pint drinking contest. Rory McIlroy won, Graeme McDowell came second, while Darren Clarke ended last. To be fair to Darren, it is said that maybe he had overtrained!

1916–2016. Southern Minister of State for the Gaeltacht {!}, Fine Gael's Dinny McGinley, has started a bit of a flurry of correspondence (e.g. *Irish Times* 22nd July) saying that the past commemorations of 1916 have been too militaristic and wants the emphasis in 2016 to have to do with "culture and heritage". The sub-text of all this is no more military parades like the one in 2006. Then, of course, there was the hugely popular State Funerals for Kevin Barry and his nine comrades who were hanged by the British

The massive turnout for these funerals shocked and scared those striving to obliterate our history and bring us back into Britannia's fold-West Brits and naysayers like Fintan O'Toole, In case anyone forgets, 1916 was a military event, and one which led to even bigger military events in the following years. These are part of our "culture and heritage", not just paintings, round towers and the rest of it. And in 2016 let us also commemorate those organisations that helped bring about 1916 and made us what we are—The GAA, Conradh na Gaeilge, the Land League, the Fenians and the Transport and General Workers' Union.

The Church of Ireland has appointed a full time Irish Language Development Officer, Caroline Nolan, This is for the run-up to the 100th anniversary of the formation of the Church's Irish language organisation, *Cumann Gaelach na hEaglaise*, in 1914. A CGE statement said:

"Cumann Gaelach na hEaglaise (the Irish Guild of the Church) is delighted to announce that it has appointed Caroline Nolan as full-time Irish Language Development Officer for the Cumann. Many will be aware of Caroline, who hails from Carlow originally, from her work in the Irish language education sector in Northern Ireland, and she was the founder of the cross-border body Gaelscolaíocht Éireann.

"Caroline is a lawyer, with both national and international experience in the field of human rights. She undertook a Masters degree in Conflict Resolution in Kent University, and attended a postgraduate Diploma in Biblical Studies and Theology at Trinity College Dublin. She also spent some time in the United States participating in the Leaders for Tomorrow programme in Harvard University.

"She has experience in community development in both Belfast and in the Muskerry Gaeltacht in West Cork. She was director of the West Belfast Economic Forum, and also worked as an executive with the West Belfast Partnership Board, developing links between the business community, government and the community. She is patron of the Faculty of Energy as the cultural Institute Acadamh Fódhla,

the informal academy founded by Peadar Ó Riada in Muskerry, where Caroline and her family currently reside. Caroline Nolan will be working in the Church of Ireland community throughout the island to promote the language. Under the title 'Towards 2014: Promoting the Irish language within the Community of the Church of Ireland', this project will secure the future of the Cumann as it approaches the 100th anniversary of its foundation in the year 2014. This project is being funded by Foras na Gaeilge."

**Derry Riots**. Last month we pointed out that both the morning parade of Orangemen past Ardoyne and the usually troublesome return march passed off peacefully. But the police hung around, confronted local activists, and rioting ensued. The same pattern occurred in Derry on 14th August after the Apprentice Boys march took place without incident. Several police landrovers were set on fire in the Bogside with petrol bombs and one was hit by a pipe bomb. What were all these police landrovers doing in the Bogside after the march, the bone of contention, was over?. They knew they would be attacked—they had even seen a crate of petrol bombs being carried into

Alex Attwood, the SDLP's Stormont Minister for the Environment, has announced that families in social housing who have a member involved in rioting face eviction. The sins of the sons . . ! He wants to go further and take homeless families who have a rioter in their midst off the housing list. Rioters who live in private houses cannot be affected. This is probably Attwood acting as a 'hard man' and raising his profile before the SDLP's Conference in November. If Margaret Ritchie goes as leader, as seems very possible, then he goes too.

**Hare coursing** is the latest victim of Alex Attwood's desire to get his pet laws passed before he gets the chop. He is using the Wildlife and Natural Environment Act of 2007. Hare coursing is not about catching or killing hares, in spite of the propaganda from the middle-class townies who control the environmentalist and animal welfare lobbies. It is about racing dogs and is made up of clubs usually consisting in about equal proportions of farmers and working-class people from cities and towns. Hares are sometimes killed. But if this happens more than a few times the meeting is called off and there is an investigation into the health of the hares.

Coursing keep up the stocks of hares in the farms where the events are held and ensure that the closed (breeding) season is respected. The sport is highly organised. And here's the rub. Attwood has banned *organised* hare coursing from 17th August. What he calls private coursing is still allowed. This is not hare coursing at all, but hare hunting, and without restocking of hares or their protection.

# The 'Treaty' And The Party Structure

Jack Lane said there are a few good reasons for discussing the 'Treaty' and the resulting war at the present time. The 90th anniversary was coming soon, and the two events gave rise to the main party structures in the State, parties which were consolidated at the last election. He would give a narrative of the salient facts that led to both events. That was the only way to explain them.

Firstly, the terms used were misleading. There was no Treaty signed. There were 'Articles of Agreement *for* a Treaty'. A Treaty was made between two independent states and freely entered into. A condition of the 'Articles of Agreement' was that the signatories of one side were not allowed to consult their Government before signing. In any case the British Empire could not sign a Treaty with a Dominion. That was a constitutional impossibility. The Union was not repealed. So there was no Treaty.

The war over it was not a civil war, as both sides were Republican. It was, as it is described in Gaelic, a war of brothers. It was a war over the 'Treaty' and nothing else.

The Truce was a good starting point. That was a victory, as it acknowledged that the British administration had become impossible and had been replaced by a Republican Government. This was the crucial fact, not just the military successes. It was also an unconditional Truce despite Lloyd George's efforts to lay down conditions.

The unity of the people was the crucial factor and that was expressed in four Elections during the War of Independence. Britain suspended elections during wars.

And Proportional Representation was suddenly introduced to stymie support for Sinn Fein, but it only confirmed support for it and the War.

There was the 1918 Election, then the Municipal and Council Elections of 1920. The 1921 General Election was often overlooked, but in many ways it is just as important as the 1918 Election and we needed to look at it a bit more closely because it had great significance afterwards.

This was the Election to set up the Government of Southern Ireland under the 1920 Government of Ireland Act. There was not a single vote cast for that Government of Southern Ireland in that election,

as there was already a Government in the country! Every elective seat went uncontested to Sinn Fein, except for the 4 appointed by Trinity College Dublin. Sinn Fein won 124 out of the 128 seats. It was the most overwhelming election result ever in any democracy and it was never queried or challenged by anyone then or since. Naturally there was then no question of this Government of Southern Ireland coming into existence. It was a dead letter as not a single person voted for it.

This result was what gave rise to the Truce. The British knew precisely what to do. Retrieve and reverse the situation as much as possible. Ireland had gone outside the Empire and it must be brought back in by hook or by crook. And people with a clear and straightforward aim like that hold a very strong position.

One major change that had occurred was the development of the struggle from a conspiracy, as 1916 was, led by the IRB, to a popular people's war led by the IRA. They had become very different animals despite an overlap of memberships and leaders.

At the end of the first negotiations between de Valera and Lloyd George, after a lot of flattery and cajoling, Lloyd George offered Dominion status and de Valera rejected it out of hand and would not even take the paper it was written on. Then the following exchange occurred:

Lloyd George: "Do you realise that this means war? Do you realise that the responsibility for it will rest on your shoulders alone?"

de Valera: "No, Mr. Lloyd George, if you insist on attacking us it is you, not I, who will be responsible, because you will be the aggressor."

Lloyd George: "I could put a soldier in Ireland for every man, woman and child in it."

de Valera: "Very well. But you would have to keep them there."

De Valera went to leave but Lloyd wanted him to continue. This exchange summed up the essential issues that remained right to the end.

Lloyd George claimed that negotiating with de Valera "was like sitting on a merry-go-round and trying to catch up with the one in front". He also famously said that negotiating with de Valera was "like trying to pick up mercury with a fork", to which de Valera replied, "why doesn't he use a spoon?"

There was a deadlock and that had to be broken to move forward. De Valera did so with External Association which occurred to him as he—

"....was tying his bootlaces, sitting on the side of his bed in Glenvar, when the word 'external' flashed into his mind. It would clarify all that he had been trying to say...The whole idea was that Ireland would be *associated* with the Commonwealth but not a *member* of the Commonwealth."

Formal negotiators were arranged for October 11th. There were led by Griffith as Foreign Minister and it was agreed that the President, de Valera remain at home to be in a fallback position. The example of Woodrow Wilson at Versailles was a warning of not allowing for such a position when negotiating with people like Lloyd George. Wilson could not have signed Versailles if he was in tune with the American Congress and there would then have been no Versailles Treaty and a much different and better world since.

Brugha argued for a neutral venue which was very sensible.

The Cabinet position was based on the concept of External Association and in fact this is what all the subsequent negotiations were about. There was an ambiguity about it but this provided for flexibility and the substance depended on the determination of each side to put the final meaning in it.

It was noteworthy that there were very clear instructions given to the negotiators who were called plenipotentiaries:

"Dublin, 7 October 1921

- "(1) The Plenipotentiaries have full powers as defined in their credentials.
- (2) It is understood however that before decisions are finally reached on the main questions that a despatch notifying the intention of making these decisions will be sent to the Members of the Cabinet in Dublin and that a reply will be awaited by the Plenipotentiaries before the final decision is made.
- (3) It is also understood that the complete text of the draft treaty about to be signed will be similarly submitted to Dublin and reply awaited.
- (4) In case of a break the text of final proposals from our side will be similarly submitted.
- (5) It is understood that the Cabinet in Dublin will be kept regularly informed of the progress of the negotiations." (Instructions to plenipotentiaries from the Cabinet.)

Their credentials were ignored by Lloyd George. In other words they were not treated as representatives of a Government. This was overlooked by the delegates but it was a crucial issue when it again came to the source of authority later on.

No record of the negotiations was taken as agreed with Griffith and Lloyd George. Lloyd George also treated the delegates as two Groups—Griffith and Collins acted as one group and the rest as another and they even stayed in different hotels.

After the initial meeting they never met again as a group until the final session. It was blatant divide and rule. Lloyd George divided matters further by dealing with Collins and Griffith separately whenever he felt it served his purpose.

The next important point was the Cabinet meeting of 3rd December 1921. It lasted over 7 hours and all issues and permutations were discussed in depth. Griffith argued initially for accepting Dominion status and to put it to the Dail. But he accepted that this would only increase divisions and dropped it. Collins seems to have played little part in the discussions.

The minutes record the following conclusions:

"(b) The President took his stand upon the last Irish proposals which meant external connection with the Crown. He suggested the following amendment to the Oath of Allegiance:- 'I... do solemnly swear true faith and allegiance to the constitution of the Irish Free state, to the Treaty of Association and to recognise the King of Great Britain as Head of the Associated States'.

- (c) Delegates to carry out their original instructions with same powers.
- (d) Delegation to return and say the Cabinet won't accept Oath of Allegiance if not amended and to face the consequences, assuming that England will declare war.
- (e) Decided unanimously that present Oath of Allegiance could not be subscribed to.
- (f) Mr. Griffith to inform Mr. Lloyd George that the document could not be signed, to state that it is now a matter for the Dail, and to try and put the blame on Ulster:
- (h) It was decided that the President would not join the Delegation in London at this stage of the Negotiations. "

The Cabinet did not see the end of the negotiations as imminent: de Valera would go if necessary to finalise matters. But it did not seem necessary then, as all points were agreed. The strategy was to keep pushing Lloyd George and force him to make a break if there was to be one.

De Valera's plan seems to have been that they should maintain Cabinet unity at all costs and be able to get to a position where they could dare Lloyd George to declare full-scale formal war (hitherto it was not formally a war) against a united Irish Government on what would seem to be a very small point of difference to the general public—a quibble—about the role of the King. To complicate the issue further in their favour it was agreed that the Irish Government would make a contribution to the Monarch's civil list. All eventualities seemed to be covered and de Valera and Mulcahy began a tour of IRA units to ensure they were ready for a resumption of war, if necessary.

It should be realized that Lloyd George's position had weaknesses that could be exploited. The US was watching and in conflict with Britain about the future of the Royal navy and US naval power in the world-specifically who controlled the seas. Many predicted a war between them. There was also serious conflict with France over German reparations. Public opinion in the UK was going against the war in Ireland and declaring war over a delay in the sending of a letter to Craig would hardly be convincing. There were many problems elsewhere arising from the aftermath of the war. A few months later he was downfaced by Ataturk after an attempt to impose a similar 'Treaty' on him, the Treaty of Sévres, under threat of war. Lloyd George was isolated at home and abroad and his Government fell.

The declaration of a full formal war against Ireland in December 1922, not done hitherto, over the wording of an oath to the King was very risky and would be a momentous decision. Also, Lloyd George was not a Churchill when it came to Ireland; he was not an English aristocrat. In his heart he could appreciate the Irish case. He was a total opportunist, as any successful politician has to be, and whatever would succeed from day to day was his guiding star.

The Under Secretary at Dublin Castle, Andy Cope, shadowed the delegates back and forth and no doubt was able to report on cabinet debates and divisions. The British Cabinet discussed the Irish Cabinet divisions and discussion two days later on 5th December.

The delegation, on return to London, presented the Cabinet position and its agreed oath to Lloyd George on 5th December and it was all rejected outright by them. Collins did not attend and this has never been satisfactorily explained and was irresponsible. His absence made clear the divisions to the British and that there was a real split in the Irish Delegation and with Dublin. Lloyd George then exploited this fully, took full advantage and dealt separately with Collins and convinced him that the Boundary Com-

mission would never work. This had a big impact on him.

Griffith led the next discussion but was outmanoeuvred and embarrassed by Lloyd George over Ulster and he suddenly agreed to sign on his own. Lloyd George insisted everyone should sign within three hours or there would be renewed war. There was to b no consultation with Dublin as they were plenipotentiaries. On the way back to the hotel Collins unexpectedly agreed to sign. This caused consternation—the head of the IRB agreeing to Dominion status! Ryle Dwyer explains this by simply saying that it "testified to the skilful way in which Collins had concealed his real views in recent weeks"!

Then both Griffith and Collins browbeat the others to sign by threatening them with being responsible for a return to war if they did not. They did not even make a phone call to Dublin. This was extraordinary in view of the last Irish Cabinet meeting and its decisions less than 3 days earlier.

This explains the shock in Dublin when it became known that Dominion status and an Oath of Allegiance to the King was agreed without any final consultation. This fait accompli, combined with massive and immediate propaganda that a 'Treaty of peace' had been signed, ensured a maximization of all differences in the Cabinet and put it on the back foot as the initiative was with the British.

De Valera resisted calls to have the delegates arrested on their return. The possibility of a united, final, Cabinet position being put to Lloyd George, in a delegation led by de Valera was thereby made impossible and we will never know what the result of that would have been. That was the crucial fact.

In the Dail debate on the Treaty all accepted that a renewal of the war from the British side was possible and this was now a very potent argument when the leadership was obviously divided. The prospect of a renewal of war with a divided Cabinet frightened many. Liam Mellows put it well when he said that what the pro-Treatyites' were relying on was the fear of the people not the will of the people. This, plus plausible 'stepping stone' arguments, carried the Treaty by a small margin. But it was not a free debate as it was discussed under a threat of war. Also the 'Treaty' was a step back not forward.

The real problem with taking any steps began immediately after the Dail debate. Because the first thing that became clear was that the Dail could not ratify it. The debate was beside the point because those who won the debate did not and could not go on to implement the 'Treaty'. This was actually of more significance than the actual debate.

The Treatyites then had to meet at British insistence as the 'Government of Southern Ireland' and set themselves up as a Provisional Government under the 1920 Government of Ireland Act and thereby accept English law on the matter. Remember this Act? This was humiliating.

The 'Parliament of Southern Ireland' met without the anti-Treatyites, could not legally have the elected representatives from Northern Ireland present but it did have the 4 unelected members from TCD in attendance. It only met this once on 14th January 1922 and the only business it ever did was to ratify the 'Treaty'.

Collins then went to Dublin Castle and was duly 'installed' by the Lord Lieutenant!

So you had the situation that a Government based on an election that had not got a single vote in Ireland to support it originally had now to be accepted as the new Government to implement the Treaty! So the situation was that one Government, based on the Dail where every single seat was won in opposition to the Government of Ireland Act 1920, was now faced with accepting that voteless Government as the law of the land.

A Government that everyone voted for was now replaced by a Government that everyone had voted against! This was the fatal moral/legal flaw in the Treatyite case. It was demeaning to have to act in this way and it showed clearly the determination of the British to reverse what had been achieved.

The Treatyites also kept the Dail going for appearances' sake, even though it was not the source of their authority, it was a charade, and therefore you had the perfect split—two Irish Governments. It was beyond the wildest hopes of the British. This was a step all right, but a step backwards!

This could not go on. Then a new mercenary army was created to serve the new Government and the volunteer army of the IRA was left politically leaderless and confusion reigned among them.

De Valera tried to solve the issue constitutionally and that looked possible with the new Irish Constitution, as promised in the 'Treaty'. De Valera and his supporters fully accepted the concept and worked with the Treatyites so closely on drawing up an agreed Constitution that they were also able to form an Electoral Pact for the next election to form the 3rd

Dail on the basis of this Constitution. The Constitution was agreed and accepted by all and it dispensed with the Oath and the role of the Privy Council: all authority would come from the Dail and in any conflict with the Treaty, the Constitution would prevail.

All looked fine until the British read it and they rejected all the above aspects that conflicted with the Treaty and insisted that it be changed accordingly. Churchill said that not only was it Republican but it was "of a Bolshevik character". Griffith and Collins were summoned to London and ordered to change it. Both agreed to the changes but Collins was so humiliated that he could not bear to sign it and there is no record of him actually doing so. But Griffith did and it was thereby formally accepted by the Free State. By the way, that Constitution also allowed for a full franchise—something that did not yet exist in the UK. This was the end of another stepping stone.

At this point Collins was treated with contempt and was described as a wild animal by Lloyd George as erratic and shallow. They had him on the run. He was also ordered to break the Pact which he did.

Breaking the Pact and rejection of the agreed Constitution ruined the credibility and moral authority of the new Dail and before it ever met the existing Provisional Government set up under British authority and supervised by Britain launched the 'civil war'. That war was going at full blast when the Dail finally met.

Churchill always insisted that the Free State, like any government, could not be taken seriously unless it was prepared to fight and kill its opponents, until it was blooded, and that could only be against Republicans—they had to be broken. This was what he wanted and this is what he achieved when he made Collins attack the Four Courts or else he would. The Republicans there presented no problem in themselves, and Collins was working with them for weeks and exchanging weapons with them for the war on the North until the British declared them a threat to the Treaty.

As the issue could no longer be solved constitutionally, the issue was eventually resolved by terror. Cosgrave spelt it out clearly:

"....the people who have challenged the very existence of society have put themselves outside the Constitution... there is only one way to meet it, and that is to crush it and show them that terror will be struck into them" (Dail, 8 Dec. 1922).

This became the Free State template

for future behaviour for running government. They could not step beyond relying on the oppressive aspects of State power and became dependent on that aspect of State power. This became the mindset of the Free State party and its successors. They did not win the war on their own political ability and therefore did not acquire the political skills to cope with their success and without that they lost the moral argument. They were seen as wanting to prolong the conflict and to live off it and de Valera came to be seen as the one who wanted to end the conflict.

The Treatyites came to regard the 'Treaty' not as a stepping stone but as the final destination. The stepping stone became a 'millstone' for political advancement. This soon gave rise to a mutiny in their Army in 1924 which was put down by Mulcahy and the Army HQ Staff—but they were then all dismissed for doing so! Sam Maguire was the most famous victim. The Treatyites became more and more involved in Imperial Government, appearing in Court dress at Buckingham Place. There was complete capitulation on the Boundary Commission and the Land Annuities (which Northern Ireland no longer paid to Britain). These with other items meant 20% of their revenue was sent to London.

The Free State got more and more attached to the Treaty restrictions, Dominion status, the Oath of Allegiance, the occupation of the ports. They developed a 'Stockholm syndrome' towards Britain. They implemented drastic economic policies and relied on exports which proved disastrous when the Depression hit export markets. There was more and more capitulation to Britain and political opposition was treated as subversion at home.

De Valera devised a Republican political movement to counter this and implemented the stepping stone case. He developed a comprehensive alternative to the whole Free State set up and mindset and replaced it by an alternative polity. At one point the Free State resorted to fascist methods to oppose him betraying their authoritarian mindset.

De Valera saved the country from this type of government and politics and put open democratic politics centre stage

Jack Lane

## Tell us about upcoming events

The Athol Books site now features a Notice Board to which readers are invited to feature forthcoming events. Go to:

http://www.atholbooks.org/notice.php

# **Shorts**

from

# the Long Fellow

#### 1985 v 2011

The current crisis is certainly not the first time this country has faced such a challenge. We have been here before as Donal de Buitleir points out in an article in the *Sunday Business Post* (17.7.11). The country emerged from the crisis in the 1980s and there followed a period of unprecedented growth. So it is interesting to compare economic statistics now with then.

#### **Employment and Unemployment**

1985 total employment was 1.1 million 2011 total employment was 1.8 million

1985 Unemployment rate 17% 2011 Unemployment rate 14.4%

De Buitleir makes the point that the unemployment figures understate the extent of the crisis in 1985 because the female participation rate in the economy was only 30.4% then. It is now 52%. Therefore the 17% unemployment in 1985 understated the true position.

#### Dert

In the 1980s Public Debt to GDP ratio reached 119%. Official projections suggest Ireland will have a debt to GDP ratio of 118% in 2013. So not much difference.

However there was a big difference in the debt servicing cost. In the 1980s the State's interest payments reached 10.3% of GDP. In the current crisis they will peak at 6.3% of GDP.

#### TAX BURDEN

In the 1980s the tax take as a percentage of GDP was 34.6%. In 2011 it was 30.5%. So the country has still some capacity to raise taxes. Older readers will remember some of the rates in the 1980s: a standard rate of income tax of 35% (20% now) and a top rate of 65% (41% now); a standard VAT rate of 35% (21% now).

### BALANCE OF PAYMENTS

The balance of payments on the current account is an indication of our trading position with the rest of the world. A country that is in surplus is accumulating capital or reducing the sum of its private and public debt. Ireland, unlike Spain, Portugal and Greece has a Balance of Payments surplus. This was also the case in the 1980s but current projections indicate that our Balance of Payments Surplus will now be far greater. Our State

current budget deficit remains high, therefore it follows that the private sector is accumulating capital (savings) or reducing borrowings. This should eventually result in a rebound of private consumption with the consequent increase in tax revenue.

### PRIVATE DEBT

In retrospect the EU failed to recognise the importance of private debt in assessing a country's financial health. Ireland was a model of fiscal discipline in terms of its public finances. However, the accumulating private sector debt knocked the stuffing out of the public finances once credit dried up and revenue from consumption taxes and property transactions collapsed.

But there has been a dramatic reduction in private debt. We have been making the necessary adjustments. Since 2009 private household debt has reduced by ¤ 16 billion or 12%.

#### Mortgages

There is no doubt there is a problem with mortgage repayments. However, the problem is confined to a minority of the population. In 2007 80% of all households owned their own homes. The amount of households that have mortgages is a mere 22% of all households. Of this 22%, half had a mortgage repayment to net disposable income ratio of just over 10% or less. Only 10% of mortgage holders had arrears of over 90 days or were restructured. The situation since 2007 has most likely deteriorated but the problem is still confined to a small minority. That, of course, will be of little consolation to those who find themselves in this awful situation.

### Competitiveness

In 1986 the Government devalued the punt by 8% giving a boost to competitiveness. This is an option that we no longer have. But there has been an internal devaluation. The European Commission estimates that unit labour costs in this country will drop by 9% from 2009 to 2012. From 2008 to 2010 there was a reduction in consumer prices in this country relative to the Euro zone of 5.5%. Exports were up 9.5%

## FINANCIAL TIMES ON IRELAND

It appears that some economists outside this country are beginning to realise that the pessimism regarding Ireland has been overdone. An article in the *Financial Times* by David Vines and Max Watson states:

"...one major error is almost certainly the market assessment of Ireland's public debt"

The article points to our current account surplus ranging from 3 to 4 per cent of GDP. It predicts the national debt will peak at somewhere around 110% of GDP and believes that our banking system has been "cauterized". The article concludes:

"In short, when we look at Ireland against sovereign spreads in the euro zone, we see a mismatch. Either markets are persuaded that economic policies can never defeat contagion, or understandably —given pervasive crisis fatigue—they have dropped off to sleep at the wheel".

#### MORGAN KELLY

But meanwhile Morgan Kelly keeps on banging the same old drum. According to Miriam Lord (The Irish Times, 8.8.11) over 500 people paid 16 euro each to hear what appears to have been an exercise in national self flagellation.

The Irish Times report tells us the UCD Professor of Economics was "preaching his economic gospel in the heart soaring setting of St Canice's Cathedral" as part of the Hubert Butler lecture series.

Kelly is quite knowledgeable on the subject of Hubert Butler and referred to the papal nuncio "flouncing out" during a lecture by Butler in the 1950s on Catholic Croatian atrocities committed against the Serbs. He also referred approvingly to the historian Peter Hart who "proved" that during the War of Independence our patriots were no better than the Black and Tans or Auxiliaries.

The main theme of Kelly's address was that we are not capable of running our own affairs. Apparently "we went from basket case to international superstars and back to basket case again".

It would be interesting to know if Kelly would have approved of Butler's racist election address in 1955, which included the statement:

"We live in a democracy, but the democratic principles which we obey were not developed in Ireland by the Roman Catholic majority, except under Protestant leadership... The point is that most of our free institutions in Ireland were evolved by Protestants or men of Anglo-Irish or English stock, and it would be very strange indeed if we had not a particular gift for making them work. Take Irish local government, the county councils, for example... If these institutions work badly it is because the heirs of the men who invented them and have a sort of hereditary understanding of how they work play no part in them. Most of us can act independently because we have independence in our blood" (cited in Church & State, no. 69, Spring 2002).

Kelly in his address stated that Ireland's income was above the Western European average just before independence and that independence brought long-term economic decline. But this is simply wrong. Professor Brendan Walsh in an <u>irish economy.ie</u> thread corrected this egregious error. Citing Angus Maddison in *The World Economy: Historical Statistics OECD 2003*, he says that for the year 1921 the average GDP per capita in 29 Western European was \$3,130. Ireland's GDP per

capita in that year was \$2,533. This compared to the UK figure of \$4,439. So in the early years of independence Ireland's per capita income was a mere 57% of the UK's. Since Independence Ireland has been catching up. By 1998 we overtook the European average.

#### GAY BYRNE

The prospect of Gay Byrne standing for the Presidential election was greeted by the Sunday Independent with enthusiasm. It shares Gaybo's belief that we should hand the country back to Queen Elizabeth and apologise for the state in which we left it. But while the broadcaster's West Brit inanities are in tune with The Irish Times's view of the world, that paper feared that Byrne's candidacy might presage a revival in Fianna Fáil's fortunes. Accordingly, Fintan O'Toole was wheeled out to suggest to Byrne that his candidacy might lead to a close examination of his private life.

#### LONDON BURNS

On Pat Kenny's radio show Fintan O' Toole took a light hearted view of the riots in London and other cities in England. Would O'Toole be so light hearted if there were similar riots in Ireland? Of course not! It would be further evidence of the failure of the Irish State and our 'existential crisis'. But anything that happens in England is part of the natural order of things and cannot be questioned.

The riots in England are yet another symptom of that country's long-term decline. A few years ago following the death of Harold Wilson his great political adversary Ted Heath noted that Wilson had represented something substantial in the society. But what British political leader can that be said of now?

There may have been a good political reason for the initial riot in protest of the killing of Mark Duggan by the police. However, as one commentator remarked, subsequent riots were not politics by other means, but shopping by other means. As Thatcher noted approvingly, in Britain "there is no such thing as society"; just a collection of atomised individuals.

# **Editorial Digest**

Marshalling Parades. Danny Kennedy is an Orangeman and Deputy Leader of what's left of the Ulster Unionist Party. As Stormont's Transport Minister, he has condemned the fact that Sinn Féin marshalled (successfully) its Hunger Strike commemoration in Camlough, Co. Armagh, recently. A job for the police alone was his position. Kennedy's predecessor as Transport Minister, Sinn Féin's Conor Murphy Said:

"The fact that republican parades only

march in districts in which they are acceptable to and welcomed by the host community makes the need for wasteful use of police resources unnecessary. Perhaps the organisers of parades that Danny Kennedy participates in should follow the example of the organisers of this annual commemoration which attracted over 20,000 people to Camlough on Sunday without the need and public expense of policing associated with the loyal order parades".

The PSNI said: "As with other local events, police policy is to liaise with the organisers prior to and during the event to ensure that a co-ordinated response is provided, ensuring that any disruption is minimised."

Derry rail service. Also on Danny Kennedy's watch is the proposal to cut the Belfast to Derry rail service. The line between Coleraine and Derry will run four times a day instead of the present eight. These trains run relatively slowly along this beautiful stretch of the North Coast because improvements needed over the years were not carried out. A £75m upgrade which was about to begin has been postponed for five years, i.e. indefinitely. The fear that all this is a prelude to closure is very real. NI Railways tried to close it before, in 1982.

The second-in-command of the bigoted wing of Unionism is not likely to be too bothered as it's mostly Fenians over there. After all, as reported here recently, the Catholic Town of Newry was bypassed by rail from the 1942 until 1984, and then only a shack existed until Sinn Féin's Conor Murphy became the relevant Minister and a proper station was opened in 2009.

**Eight prison officers** in the North have been found drinking on duty. One resigned and the other seven were given written warnings! It's bad enough to be messed about by screws who don't like you, but having them drunk as well...! The Corporate Manslaughter & Corporate Homicide Act of 2007 states:

"... if found to be knowingly aware of staff being under the influence of drugs or alcohol while on duty in the prison, and all possible control measures had not been put in place to address the problem and as a result a fatality occurred, the employer would be in breach of legal duties and liable to prosecution."

Unlike the PSNI, the Prison Service is refusing to put in place *any* measures, such as random testing, to prevent drunk or drugged officers operating the prisons. So you can't have a drink in the Ballymena Mayor's office, but, if you are careful, it seems that Maghaberry is another matter. Republican Prisoners are protesting in Maghaberry about their treatment, especially strip searches. But who brings most of the drugs and other contraband into prisons? The staff. Perhaps the policy on strip searches

needs to be somewhat modified?

The Catholic Church in Ireland, and indeed the Irish as a whole, are being expected to hang our heads in shame because of the 'recent' scandals.. It is conveniently forgotten that it was under the British that the Industrial Schools, the Magdalen Laundries and the National Schools were set up. Fr. Peter O'Leary in his famous Mo Scéal Féin (My Own Story) described seeing the beginnings of the National Schools and was horrified. He first noted their walls. These schools, based on England, were institutions for the confinement and disciplining of children—not for imparting, let alone sharing, knowledge. Though this sometimes occurred in spite of the system. They were another way of breaking down the open and care-free traditions of the Irish, the then repealed Penal Laws having failed to do so.

This writer, while in English jails in the late 60s and early to mid 70s, was confined alongside many prisoners who had been through the Approved Schools, Remand Homes and Borstals of England, a lot of them being confined from the age of eight. Bad as their counterparts were in Ireland, and they were brutal places, they came nowhere near the brutality experienced in England. In the Public Schools attended by the upper classes the older boys were encouraged to rape the younger boys—this was designed to brutalise them for their future Imperial roles. More than that, the practice, known to all, has been treated by both participants and observers as something very funny. It should be remembered also that the largest selling newspaper in the world, the recentlyclosed News Of The World, fed its readers on a weekly diet of tales about vicars and choirboys, and scoutmasters and their charges. This stuff was lapped up by readers and considered suitable for a good snigger.

**No Pope Here!** Following Enda Kenny's opportunist speech in Leinster House, Fr. Thomas Daly, Parish Priest of Togher, Co. Louth, issued a bulletin for Sunday Mass (July 28th) headlined "Heil *Hitler*". It continued: "The last European leader to make such a blistering attack on the Pope was the ruthless German  $dictator Adolf Hitler.\ Perhaps we might$ try and find a way to build bridges with the Shankill Road people. A 'No Pope Here' sign on the Dáil gates would definitely be a draw for the Shankill Road people and marchers from Portadown". The bulletin mentioned that Hitler had threatened to imprison the Pope but was afraid of world opinion. "But our Taoiseach does not have that problem. His Dáil speech was greeted with shouts of jubilation by almost every journalist and TV pundit in the country. Is this the new Ireland? Is this the

fulfilment of the dreams of the founding fathers? Is this the way forward for a new and better Ireland?"

The Kilkenny People (29th July) headlined an article Mass Walkout at Black Abbey. (A total of three adults and the children of one of them left the church.) The paper continued:

"Fr. Eddie Conway preached a sermon saying that, while abuse by clergy must indeed be condemned, there was another agenda at work which would very soon become clear. Meanwhile the opportunity was being taken by a non–practising Jewish Minister, Alan Shatter, and an atheist, Ruari Quinn, to use the abuse revelations to attack the Church in general."

Black Abbey Priory is run by the Dominican Order which has a strong Republican tradition.

Rome replies: "Ireland can pass all the laws it likes but it should understand that the Church will never accept the obligation on a confessor to report to civil authorities." Mgr. Gianfranco Girotti from the Vatican's Apostolic Penitentiary.

## **Letter To The Editor**

## **Issues Of The Middle Past**

I am happy that Brendan Clifford is so willing to engage on these issues of the middle past that I dealt with in my letter, On Peter Hart And Other Matters, but wish to set the record straight on a number of the points he raises in his response, A Unionist Going South, in the May 2011 edition of the Irish Political Review. It is important that these areas of contention are opened up and discussed.

The Communist Party of Northern Ireland's iron grip on the trade unions was not "broken" by the Campaign for Labour Representation (CLR) after "the break-up of the Soviet Union". For a start that happened in 1991, long after the CLR was destroyed from within. The CPNI and others' grip meant that none of the key unions (the ATGWU led by John Freeman, Unison, then NUPE, led by Inez Mc Cormick, and NIPSA) moved into support of Labour organising in Northern Ireland. Indeed they worked against it at every turn, and, in relation to the political levy, ensured it did not go to the Labour Party, if it was even levied.

In relation to the 1922 Dunmanway massacre of 13 Cork Protestants, Brendan repeats an unevidenced innuendo that it was the British who carried it out.

I was criticised for arguing that the only likely candidate was the IRA, in some form or other. He assesses, as one must do in writing about history, that the lack of mutual blaming between the various IRA factions was silence indicative of non-responsibility. He also infers British involvement despite their effective withdrawal, after the truce, to Cork city, months earlier.

This begs two questions, why would the British do it and how could they be so quick in their response to the accepted trigger—the shooting of an IRA man, Michael O'Neill, during the raid on the Hornibrook household the night before.

The ten other Dunmanway dead were not horse Protestants nor even big farmers but small town citizens which explains and underlines my point that the less well-off Cork Protestants experienced the most marked decline between the 1911 and 1926 censuses. They showed mammoth declines of 40% for the county and 49% for the city. The latter's higher rate would have had something to do with the withdrawal of Cork's British administrative and military infrastructures.

On the Northern Bank robbery, about which he says "there is not a shred of evidence" of IRA involvement, I would point him to the convictions of several IRA-related people in the Republic for possession of stolen banknotes etc.

In 1987, we all, CLR, CEC and BICO, supported and worked for a 'Real Unionist' candidate, Robert McCartney, in North Down at the general election. He lost and yet won in 1995 at a by-election standing as a UK Unionist, after which I worked for him for three years trying (if not successfully) to get Northern Ireland more involved in national politics. So who slipped first into Unionist communalism and when?

On the question of the Two Nations theory, my simple point was that the Ulster Protestants did not cease to be British, not that they became an Ulster nation, even though the DUP is now in charge in a bigovernment Ulster polity.

Brendan is right to say there has not been a single Protestant recruit to onenation Irish nationalism as a result of the war. They only occur through marriage or exceptional guilt. The working classes in Belfast no longer inter-marry where they once used to because they worked together in industry, unlike the middle classes who now do work and mix together. Guilty Protestants are sadly quite numerous.

Kate Hoey was someone with whom I had no contact during this period and I cannot be accused of assisting her in the creation of Democracy Now, which I of

course later supported. Like Robert Mc Cartney, and so many MPs, she was never going to take instruction, let alone always good advice.

I have now read Professor David Fitz-patrick's review of Gerard Murphy's book on the Cork disappearances in the on-line Dublin Review of Books. It is indeed highly critical, yet states in its concluding paragraph that "despite these flaws, Murphy's book contains a great deal of detailed and interesting information on those who disappeared (or possibly did not), and draws together many unexpected connections between disparate documents". I said roughly the same in my Irish Political Review letter.

When Brendan wrote of my quotation of the remarks in 1971 of Macroom Cllr. Sean Twomey who called for the "repatriation" of Ulster Unionists that "someone is feeding Dudgeon tidbits and it is easy to guess who", it does not become him.

He must know that when researching one comes across unexpected, reinforcing facts, as happened in this case, and in my Casement book. (Itake his criticism of my failure to address there Casement's published opposition to the 1st World War in *The Crime Against Europe.*)

However in the Twomey case, I was trying to track down the mysterious and oft-quoted Black and Tan list of informers that Meda Ryan and Niall Meehan repeatedly use to justify the Dunmanway killings (except for the two mistaken identity deaths). These documents are inaccessible to modern researchers although a badly photographed page appeared in the *Southern Star* on 20 November 1971, as fortuitously did the Twomey quote. I had obtained a copy, from the National Library, of the edition with the key Flor Crowley article which came from a 1971 series on the period.

It was in that newspaper in its 'Centenary Supplement' of December 1989, another copy I obtained, that I also read that the Kilkmichael ambush witness, Ned Young, who had supposedly died, being described as "one of the few surviving veterans".

The *Star* photographs revealed nothing useful by way of readable detail, origin and current whereabouts of these documents on which the whole Dunmanway case hinges.

I challenge those writers again: produce them or at least reveal their whereabouts.

The same *Irish Political Review* edition quotes elsewhere my published view, in

the News Letter, of the Queen's visit, without its second sentence (here in italics): "It is a very heavy imposition on a British monarch to have to venerate those who waged war on her people and armed forces. It needs to be, and has been to a degree, reciprocated." My other two (unpublished) sentences read: "If this is a choreographed diplomatic necessity, so be it. There remains however a line between those now dead, and those who killed within living memory yet continue to find a faulty, historic justification for their actions." This gives fairer and proper context to my remarks.

On a separate topic, in the latest Church and State (Second Quarter, 2011), Jack Lane wrote an article entitled 'Trinity: Rack-Renter". He made repeated play of the college having "only 183 students by 1902", (p10, quoting from p76 in a book by R.B. McCarthy) to illustrate Trinity's inadequacies, not to mention its greed.

As a Trinity Seanad candidate, I feel I must make it clear that that figure is quite wrong and the point thereby lost. The figure quoted is, I suspect, a misunderstanding around the number of students who matriculated in 1902 not the total at

As TCD's courses were four years long you would have to multiply by four to get an approximate total number of students in the college in any one year. The number in 1902 was therefore actually some 800 not 183.

R.B. McDowell and David Webb note on pages 499-500 of Trinity College Dublin 1592-1952, an Academic History (1982) that "the pronounced minimum at 1902 remains, however, a mystery", indicating 1902 was the lowest year for new students to start with.

# **SCANDALKNAVIA**

Anders Fogh Rasmussen, head of Nato, a former prime minister of Denmark, sends F-16 warplanes to make his mark by the rough artistry of graffito, land of Hans Christian Andersen, bacon, contributed to defacing Libya, dead babies fills his cornucopia, he hones war-skills with the godforsaken, a united Europe of blood-brothers, Anders invites neighbours to a killing: Norway-Knut Hamsun, and whaleblubber, Sweden-Ingar Bergman, backs this thriller,

Aboard the long-ships, the US tiller. Wilson John Haire

Finland-Nokia bows, undercover.

24th June 2011

They wrote, "From 1887 to 1907 there was not to be a single year in which the annual intake exceeded 300". The authors indicate that this 20-year decline in student numbers was reversed in 1904 (p327) probably with the admission of women. They also display a graph which shows that annual matriculation was never lower than 200 after 1825.

> Jeff Dudgeon 24 May 2011

Reply

# Liberal Unionism At The End Of Its Tether

It is hard to see what areas of contention" have been opened by Dudgeon regarding "issues of the middle past", concerning the demise of the CLR and CEC. He took an active part in the destruction of both of them. He does not actually deny it. He cannot deny it. It is undeniable So he skips on to other things.

The CLR and CEC were about bringing the Six Counties within the democratic political system of the state. It was not the Communist Party, or John Freeman, or Inez McCormack, who brought those movements to nothing. It was Kate Hoey, Robert McCartney, et al, very much including Jeff Dudgeon.

It is possible that those movements would have failed anyway. The reform of State policy on a Constitutional matter to which both Government and Opposition are committed is not an easy thing. But it seemed to some of us to be the only realistic alternative to the war and we applied ourselves to it.

I made it clear repeatedly that I had nothing to do with wee Ulster ethnicism. It was one of those things bred by the system we were trying to get rid of. With the system preserved, with substantial amendment to the advantage of the Nationalist community, it seems that all that remains for the other side, particularly for the 'Humanist' pale shadows of Protestantism, is wee Ulster Ethnicism.

When the CEC was going strong I was asked by a segment of the Tory Party if I would oppose some Provo in a debate. I agreed, but explained that I would probably agree with most of what he said. It was, after all, not the Provos who were responsible for the undemocratic government. They were a product of it. The invitation was dropped.

At one time I found myself sitting alongside Peter Hitchens, neither of us knowing who the other was. He agreed that Northern Ireland had been governed undemocratically by being excluded from the democratic political system of the state, but he disagreed utterly that undemocratic government might have consequences of the Provo kind or, if it did actually have such consequences, they were not legitimate. He did not indicate what legitimate consequences undemocratic government within the UK might have.

The "iron grip" of the Communist was well broken by the CLR when Kate Hoey, assisted by Dudgeon, broke the CLR by bringing Union Jackery into the issue of party organisation. It was broken by CLR members getting directly to Labour Party Branches around England over many years, and effective lobbying of Labour Party Annual Conferences. There was increasing attendance by mainstream Labour MPs at the CLR fringe meetings. At the last fringe meeting, which was by far the biggest, discussion went beyond the discussion of general principles to figuring out practicalities and angles. That was when Hoey, having become President of the CLR, set up Democracy Now in opposition to it, with lavish financial backing and raw Unionism as ideology, having privately solicited Protestants in the CLR to join it. Whether Dudgeon engaged in sectarian soliciting or merely responded to it hardly matters.

At the point when the CLR was disrupted by Hoey, Dudgeon et al, it had Alan Johnson, leader of the Postal Workers' Union and future Home Secretary, and Eamon O'Kane, who was on the way to becoming Secretary of one of the Teacher Unions, among its activists.

The CEC was directed chiefly to the Tory Party. It was set up over ten years later than the CLR but, the Tory Party being naturally more political than Labour, it made quicker progress. The Tory leadership, being under pressure from within the party, set about relieving that pressure by warning people in about the third level of leadership that their careers would suffer if they remained active with the CEC, and offering the absurd concession of nominal party membership. I argued for a contemptuous rejection of this concession. Robert McCartney was President of the CEC and began to drop hints about sinister influences from Athol. I resigned immediately from the CEC, as did David Morrison who had been running it. Both of us were then denounced to the general membership of the CEC by Mc Cartney and by Dr. Laurence Kennedy, its Secretary. As there was more talk of the

sinister influence of Athol St. I removed that influence by proposing at Athol Street that membership of Athol St. should be incompatible with membership of the CEC. The CEC was liberated from BICO and promptly collapsed—while some of my time was taken up for about a year and a half with a spin-off from the CEC in the form of a libel action brought against me by Mary McAleese.

Some time later a kind of apology about all that business was conveyed to me, by a third party, from Dr. Laurence Kennedy (a medical doctor).

Whatever his part was in the destruction of the CLR, Dudgeon was centrally involved with McCartney in this CEC business.

With regard to the red herring of the 1987 and 1995 elections: in the 1987 election campaign, McCartney was the candidate, but the campaign was run by David Morrison and much of the canvassing was done by Catholics, with the issue being closely focussed on exclusion from the democracy of the state, with no shirking of the implications of that exclusion. If McCartney had won that election, it would probably have consolidated him in the position he adopted in it. The way the election campaign was conducted made some impression in the Catholic community and many came along to hear him at a post-Election public meeting at the Ulster Hall. But at this meeting he decided to act independently of the group that had made him effective. In his speech he returned to the rhetoric of the Unionist Family, and that was effectively the end of that. His 1995 campaign was just that of a Protestant Unionist.

It was evident in the 1980s that a settlement on Protestant terms was out of the question. British Ulster had become alien to actual Britain as a result of the perverse system of government it had operated for Britain for half a century. Of course it was Britain that was responsible for what happened as a reasonably predictable consequence of its Northern Ireland setup. Britain has the happy knack of never feeling guilty about its atrocities and their consequences, of "moving on", and of foisting responsibility and guilt on to the victims. And so, having persuaded Unionist Ulster to make the "supreme sacrifice" for the Empire by accepting a degree of removal from the political system of the state to facilitate its manoeuvre against Sinn Fein, and to operate an atrocious system of devolved government, it blamed Unionist Ulster for what had happened to it in the course of doing Britain this favour. It distanced Unionist Ulster from Britain, gave it an impossible task, and held the

Unionists responsible for what they had done to the Catholics and to themselves in their attempt to perform that task. That is the British way. And that the Unionists fell for it indicates how uncertain their grasp on Britishness (leaving aside the will-o-the-wisp of aetherial 'identity') must have been even in better times.

This was the view of the matter I put for twenty years in Belfast. It was unacceptable to the Unionist mentality that had developed during the half century of privileged seclusion and exclusion, but a reasoned case was never made against it. And the fact that it could not be answered made it all the more irritating.

The Unionists were content to be as British as Britain allowed them to be, and that fact, rather than the puny CPNI that Dudgeon uses as a scapegoat, was why the CLR/CEC project was hopeless.

Why did Britain exclude the North from the political life of the British State, leaving the Catholic minority with no political option but Anti-Partitionism? The only reason I could find (leaving aside *kindergarten* stuff) was that this gave it continuing purchase on the South, enabling it to play on the remote prospect of unification as a distraction from Southern concentration on consolidating independence. And by the mid-70s one could see Whitehall doing this.

I recall a discussion within the CLR, shortly before it was wrecked by Democracy Now, but while this was being prepared, at which this question of the purpose of Northern Ireland came up. Derek Peters (formerly CP), Graham Gudgin, and Erskine Holmes were outraged by the suggestion that it was set up as a lever for manipulating anti-Partition sentiment in the South. But they could give no other good reason for it. They did not deny that it was a very bad system with predictable consequences, and could only conclude that it was set up due to some mistake or oversight. They were going to demonstrate that this was the case by bringing it to the attention of the State by bringing a legal action against the Labour Party. They were people with a stake in the country-Peters owned hotels, and Holmes owned lodging houses—so they understood these things. I, of course, had no stake in the country, and was a wayward Fenian into the bargain, and therefore could not judge these things.

That was at a moment when CLR influence within the Labour Party was growing very quickly. Legal action would not help that influence (the Labour Party being still a real party in those times) and would in any case be very unlikely to

succeed because of the exceptional status of the parties-of-state in the Constitution. In the event, after much money was spent, a right of individual membership was granted to residents in Northern Ireland but they were not allowed to contest elections as the Labour Party.

Shortly after that discussion Erskine Holmes circulated a denunciation of me in connection with the formation of Democracy Now. I got a copy of it immediately, the Athol Street approach having established a real cross-community presence. I prepared it for publication and advertised it, but I did not actually publish it, judging that the advert would be sufficient. And it was.

As I say, it was evident that Britain would not agree to a Protestant settlement, as in 1920. Unionists might make what moral points they pleased about disloyal conduct, but you can't lecture the British on morality any more than you can teach your grandmother to suck eggs. The British are a practised hand at morality and have it fully under control. And it was soon evident that the disloyal would be rewarded for the effectiveness of their disloyalty.

The CLR/CEC did briefly hold the possibility of another kind of development. Their displacement by Democracy Now and the RMcC UKUP ended that possibility.

What motivated individuals who were involved in the former to destroy those organisations and form the latter, leaving aside the influence which the highpowered Northern Ireland Office was well able to exert, seems to have been uneasiness about the indictment of Britain implicit in the CLR/CEC position, and a yearning for a return to the comfort and simplicity of the Unionist Family after spending an uncomfortable time outside it operating with ideas which might be grasped formally with a degree of intellectual effort, but which were never felt to be real and therefore did not become a medium of thought.

Anyway, Dudgeon etc. weeded out the Catholics, formed Unionist bodies with slogans half-remembered from CLR/CEC days, and made themselves irrelevant to the further course of events.

Many of these people were Protestants only by historic origins. Most were wee Humanists in current ideology. But Humanism of itself is nothing. There is no human nature which stands free, prior to all contingent engagements, from which a sheer Humanist culture, or ideology of philosophy can be drawn.

Wee Ulster Humanism seemed to consist of Protestants who had shed belief in religious doctrine but retained the habits and general world orientation inherited from generations of believers. And that seems to incline them towards ethnicism, which is a word I heard for the first time in Belfast forty years ago and then heard a thousand times without ever grasping what it was, but was repelled by it as sounding faintly racist. And this Humanist/secularist /ethnicist Protestantism seems to be very lacking in the resourcefulness I sometimes observed in believing Protestantism.

I have no idea why a sentence from Dudgeon's News-Letter manifesto about the Queen's visit to the Republic was omitted. It would have been charitable if a sentence that was not omitted had been: "It is a very heavy imposition in a British monarch to have to venerate those who waged war on her people, and her armed forces".

If we are to go monarchist about this, then King Whatsit lost an election in Ireland and made war on the disobedient electorate. And, if we are to go contemporaneous about it, we have to say then that King murdered his own people. And his mystical successor came amongst us and did not apologise.

The rest of the paragraph is gobbledegook to me. It seems to be about the North. There was a war in the North because it was systematically misgoverned under an arrangement imposed by Britain. I observed the genesis of the war from close quarters in 1969-70 and I know that it was not dreamers of ancient times acting nostalgically who did it.

If Dudgeon's implication is that the systematic misgovernment culminating in a pogrom was not sufficient reason for the insurrection—who is he, as a member of the superior community, to judge what is or is not sufficient? I never noticed that he troubled to understand the uniqueness of the form of oppression of the Catholic community in the Northern Ireland system.

We applied a democratic standard of criticism rigorously to the Northern Ireland system, and disdained debating points and red herrings, which have become the stuff of Dudgeon's method. They are appropriate to the monarchist approach. When I heard the famous Atheist/Humanist, David Starkie, defend the Anglican Establishment a couple of years ago, I understood that to Monarchists all kinds of nonsense are possible.

"In relation to the 1922 Dunmanway massacre of 13 Cork Protestants, Brendan

repeats an unevidenced innuendo that it was the British who carried it out..."

An innuendo, as I understand it, is a sly, devious hint at something that is not stated. What I said about the Dunmanway killings is that there is no actual evidence of who did them, and that there was no widely-accepted rumour in the area as to who did them. All there has been is exotic speculation. And all that Dudgeon says is exotic speculation, in line with the speculations which his Senate nominator and apparent political mentor, Eoghan Harris, presents as historical fact.

Circumstantial evidence—or just circumstances—are all there is to go on, if one cannot accept the killings as an unexplained event. But I do not think that the observation about the decline of the Protestant population in Cork between 1911 and 1926 is a circumstance relevant to the Dunmanway killings. While the Protestants had earlier reduced the Catholic population by killing Catholics in one way and another, it was not through killing that the Protestant population was reduced between 1911 and 1926. Even if all the wild speculations by Harris, Hart and Murphy about the killing of Protestants are accepted as fact, they would not amount to one percentage point of the forty percent decline asserted by Dudgeon. And that he mentions that general decline as circumstantial evidence that the Dunmanway killings were done by the IRA shows how little his mind is attuned to the critical analysis of evidence, and how much of it is in the grip of ethnic passion.

A circumstance relevant to the assumption that it must have been Catholic Republicans, driven by a desire to exterminate Protestants, who did it, is the history of County Cork during the preceding generation. Co. Cork rejected Redmond's Home Rule Party in the two 1910 General Elections, because it had taken on an anti-Protestant aspect by weaving a Catholic secret society, the Ancient Order of Hibernians, into its party organisation, and it was trying to slow down the landpurchase—which it had opposed outright at the time of the 1903 Land Act. And then the Cork MPs opposed the Home Rule Bill in 1912-14 on the ground that Redmond, by refusing to take due account of the Ulster Protestant opposition, was driving the situation towards Partition, with little likelihood of actually getting any kind of Home Rule.

Hostility to the AOH as a sectarian body was prominent at election meetings all around the County in 1910. And there were heated disputes between the All-For-Ireland League and the Redmondite minority during the passage of the Home Rule Bill.

This wasn't a dispute between small elite groups of leaders. It was a dispute within the populace in which the active popular element overthrew the established political leadership.

The dispute was shelved, along with the Home Rule Act, during the war on Germany, which the AFIL supported along with the Redmondites. In 1918 the AFIL dissolved itself and merged into the new Sinn Fein Party. One can only guess at the strength of the Redmondite position in 1918, as the party did not contest the Cork constituencies.

Is Dudgeon suggesting that the Redmondites too joined the Republican movement in 1918 and dominated it during the War of Independence, and then in 1922 engaged in a wild Hibernian assault on Protestants? Or is it that the All-For-Irelanders, having broken Hibernianism in Cork in 1910, became Hibernians themselves and in 1922 started killing Protestants for no good reason except that they were Protestants?

Which of these does Dudgeon think happened, or is it that he doesn't think at all?

In this matter, at any rate, he would have to use his own head. His other mentor, Peter Hart, chose not to deal with the AFIL development in his big book on that brief period of Cork history. And, of course, since it does not suit Harris that the AFIL development should have happened, in his solipsist world it did not happen.

The Dunmanway killings served no apparent Republican purpose. If it is taken to be a virtual certainty that Republicans were nevertheless responsible, it can only be on the assumption that an urge to kill Protestants was part of the make-up of the West Cork nationalist community, and that it needed no purpose, beyond itself, in the political dynamics of the Spring of 1922.

The Republican movement of 1921 was, in April 1922, split three ways by the Treaty, which some had signed up to under threat of immediate and terrible war by the Empire and some had rejected despite—and perhaps partly because of—that threat. The Republican split was being manipulated towards war by the British Government, which insisted that those it had intimidated into signing the 'Treaty' should act under its orders in the implementation of the 'Treaty'. Between those who accepted the Treaty under duress—and were constituting a mercenary army on British authority—and those

who rejected the Treaty and were preparing to resist its imposition, a third party arose, consisting of people who rejected the Treaty but evaded the question of what to do about it if Britain forced the issue to the point of war. It became usual to describe these as 'Neutrals'.

Which of the three had something to gain by killing a dozen Protestants? And if Dudgeon thinks that one of them gained an advantage from doing it, or had a reasonable expectation of gaining an advantage, which one was it—and what was the advantage?

This matter was gone into in an exchange of letters in the *Irish News* last year, instigated by Pierce Martin of the Southern Unionist 'Reform Society'. When the argument got down to the particulars of time, place and circumstances, which is all there was to go on in the absence of evidence—even the evidence of local rumour—Martin was soon out of his depth. Dudgeon did not come to his rescue.

Nobody claimed the killings. If one of the Republican tendencies did them, hoping to benefit from them, the anticipated benefit must have come from the act itself, without it being known who did them, or even being suspected.

Of course it might be said that all three Republican tendencies conspired to do it in an act of communal genocidal passion, and then all three clammed up about it.

Ulster Protestants tend to see Catholics as a herd, and *vice versa*. And in Northern Ireland there is something in it, each being locked into a communal straitjacket by the Northern Ireland system. But that Protestant view of Catholics as a herd, contrasted with the British individuality of the Protestants, long pre-dates Northern Ireland, and was persisted in despite Protestant success over many generations in playing 'divide-and-rule' on the Catholics. It is very much an *a priori* notion, highly resistant to facts which occur in the course of experience, many of which are filtered out.

But I would have thought that even an ethnicist Unionist, who took any trouble to understand the West Cork situation in the Spring of 1922, before offering an "unevidenced" opinion about the Dunmanway killings, would have seen that treasured prejudices about the Catholic herd did not apply there.

The Free State/Republican division in West Cork in 1922 was not of a kind with the SDLP/Sinn Fein division in the North during the generation after 1970, when the Catholic community kept up a common front against the 'security forces', (and rightly so, because the problem was not a

security matter, but a matter of democratic government). Treatyites and Republicans were at war within a few months of the Dunmanway killings. Each side fought the war in earnest, as if the fate of the world depended on the outcome. If either side knew, or strongly suspected, that the other side had done those killings, a charge would have been made to undermine the moral position of the enemy. And that charge would have been effective, because the Republican movement is heavily committed to an inclusive approach to Irish Protestants. No such charge was made. And no strong rumour took hold in the locality afterwards.

When the matter was raked up by Peter Hart and his admirers in their propaganda of genocide and ethnic cleansing, somebody suggested that the British had the means and a motive for doing it. The suggested British culprit in this case was Field Marshal Sir Henry Wilson, organiser of the First World War for the Committee of Imperial Defence and recently retired Chief of the Imperial General Staff who had a hand in organising the Ulster Protestant paramilitary forces, and was attempting the formation of an Imperial Party to save the Empire which the "frocks" in Whitehall were undermining. Such a party would have been a new force in the British political system and would not have been a welcome development to the governing parties of the time.

Wilson was appalled by the Truce and outraged by the Treaty. Britain had fought and won a great Imperial War, the greatest the world had ever seen; it had expanded the Empire but ended up with a Government that had neither the will nor the ability to govern the expanded Empire; and it had sunk to the depth of making terms with a bunch of mere Irish rebels. The suggestion was that he could have instigated the killing of a bunch of West Cork Protestants to create the appearance of a deadly sectarian chaos which would justify an Imperial restoration. Such an outcome would also have discredited the Government which conceded the 'Treaty'.

The motive attributed to Wilson is intelligible by comparison with such motives as I have seen attributed to any Republican group for the Dunmanway killings.

Wilson was assassinated two months after the Dunmanway killings by two exsoldiers who had served under him in the Great War, so we cannot know how his bid for power would have gone. We only know that the Lloyd George Government collapsed a few months after Wilson was

killed; that the expanded Empire conquered in the Great War was left with government that was erratic, incompetent and disgraceful in its methods; and that Imperial policy followed the mad course of building up pillaged and humiliated Germany as a counter to France before launching a disastrous war on Germany for a second time, a bare twenty years after the end of the first war.

It seems that Wilson had the means of organising the Dunmanway killings and a possible motive in doing so as a move towards aborting the Irish Agreement. And if he did so, that would account for the absence of local rumour about who did it.

I am not saying he did them. I am only saying that, since Dudgeon and his mentors have caused the mystery of the killings to be speculated about—and have pointed the finger on the strength of nothing more than ethnic passion in one instance; Professorial instructions in another; and a sheer desire to be noticed by a defunct Republican dogmatist and defunct Marxist-Leninist dogmatist in the case of the third:—that the possibility of the British doing it is not weaker than the possibility of one of the Republican tendencies doing it.

There is also the interesting fact that the assassination of Wilson was ordered by Britain's man in Dublin in April 1922, Michael Collins, and that Collins's man in London, where the assassination was carried out, was a Dunmanway Protestant, Sam Maguire. That is not a fact to be overlooked by anyone dispassionately concerned to lay bare the possibilities and probabilities of the situation.

The killing of Wilson on Collins's orders was made an excuse for Whitehall giving Collins an ultimatum to make war on the Anti-Treatyites and start what is called the Irish Civil War.

Midway through the writing of this article I received a list of Dudgeon's nominators for the Senate and that altered the way I wrote it. In the light of that list, Dudgeon must be seen as front runner for the drag-end of Liberal Unionism which, having messed up its own proper business, is now attempting an intervention in Southern politics. In a further article I will therefore look at Dudgeon's writings on the South.

**Brendan Clifford** 

## NEWLY PUBLISHED:

## Northern Ireland What Is It?

Professor Mansergh Changes His Mind by *Brendan Clifford*. 278pp. €18, £15.

## ITEMS FROM 'THE IRISH BULLETIN' - 2

The "<u>Irish Bulletin</u>" (7th July 1919 – 11th Dec.1921) was the official organ of Dáil Eireann during the 1919 – 1921 period. Lawrence Ginnell, then Director of Publicity for the Dáil, first started it in mid 1919 as a "summary of acts of aggression" committed by the forces of the Crown. This newssheet came out fortnightly, later, weekly. We reprint below the summary published for a week in August 1919, as well as examples of the many reports on what was happening throughout the country during that month. The items are in the format in which they were originally published and we hope to publish a monthly selection from the Bulletin.

\*

## THE WEEKLY SUMMARY FOR THE WEEK ENDING 9TH AUG. 1919 IS NOT AVAILABLE.

\*

# THE FOLLOWING ARE ACTS OF AGGRESSION COMMITTED IN IRELAND BY THE POLICE AND MILITARY OF THE USURPING ENGLISH GOVERNMENT – AS REPORTED IN THE CENSORED DAILY PRESS –

## FOR WEEK ENDING 16th AUGUST, 1919.

<u>Date</u>							TOTAL.
August.	11th	12th	13th	14th	15th	16th	
Arrests:-	7	2	2	4	-	-	15.
Sentences:-	5	1	1	3	-	-	10.
Armed Assaults:-	3	1	-	-	-	1	5.
Militarism:-	-	-	-	1	-	-	1.
Suppressions &							
Proclamations:-	2	-	3	-	6	1	12.
Courtmartials:-	-	-	3	8	-	1	12.
Raids:-	20	2	1	1	-	13	37.
Total:-	37	6	10	17	6	16	92.

Sentences for the week, as reported in Press, amounted to 52 months imprisonment.

\*

## THE WEEKLY SUMMARIES FOR THE WEEK ENDING 23 AND 30 AUG. 1919 ARE NOT AVAILABLE.

\*

## TUESDAY, AUGUST 12th, 1919.

Raids:- For the 42nd time in 12 months the house of Mr. John Meagher, Golden Grove, and Roscrea was raided by military and police. Mr. John Meagher himself has just been released from Cork Gaol where he underwent the torture of seven and a half months solitary confinement.

Arrests:- Mr. James Sugrue, Moulnahone, Waterville, Co. Kerry, was arrested by military and police at his father's house which the armed forces forcibly entered and searched. Mr. William O'Shaughnessy, Limerick, who is Organist at the Ennis Catholic Church, was seized by English military and carried to Limerick where he was lodged in prison. No charge has been brought against him.

<u>Sentence</u>:- Mr. James Sugrue, above mentioned, was sentenced at Listowel, Co. Kerry, to six months' imprisonment for "illegal drilling".

Armed At Kilbeggan, Co. Westmeath, when Mrs. Sheehy Skeffington (widow of Mr. Francis Sheehy-Ssault:gathered to celebrate a Language festival, the crowd was attacked by armed police and many were injured among whom was Mrs. Sheehy-Skeffington herself. English military were also present.

#### WEDNESDAY, AUGUST 13th, 1919.

## Suppression &

Proclamation: By order of the English military the "Kilkenny People" a largely circulating weekly journal has been suppressed. By a proclamation issued by General Hackett-Pain, an Irish Language Festival at Ballysheal, Co. Down (Ulster) was suppressed. Military in great strength accompanied by armed police, and attended by aeroplanes mounted with machine guns were drafted into the district and occupied the field where the festival was to have been held, as well as the roads leading to it. Meanwhile the aeroplanes scouted the adjoining country in order to prevent the festival being held elsewhere. It was nevertheless held secretly at Ballynanny, Co. Down. General Hackett-Pain who proclaimed this festival was, in 1912, the Chief of the Staff of Sir Edward Carson's revolutionary Forces. He was in 1914 attached to the English Staff and can now employ English forces to suppress Republican meetings. An Irish language festival to be held at St. Cronan's Well, Carron, Co. Clare had to be abandoned owing to the threats of the English Military.

## es ahora \*

#### PURITANISM AND THE MODERN STATE

In 2009, the American award-winning documentary-maker, Michael Moore, made a film about the problems facing America called Capitalism: A Love Story. He began it by showing a clip of an old Hollywood film about the fall of the Roman Empire and interspersed it with modern shots of the US as a fallen power. But Moore the polemicist hadn't to look far to prove his thesis. A shot of Dick Cheney, the power behind the presidency of George Dubyia Bush, was quickly followed by a formal portrait of the Supreme Court and then the infamous image of an orangeclad-inmate chained to a guard in Guantanamo Bay. Something had happened to the US which Moore claimed was allied to Capitalism and his documentary aimed to flesh out exactly what that something was.

So, from the start, where a farm was in the process of being repossessed by the Bank of America and the family evicted by seven patrol cars led by the local sheriff, we were to see how one of the richest States in the world treated its people who were made homeless and hopeless by the system. This scene, played out in Peoria, Illinois, left the beaten-down farmer (who was disabled) acknowledging that what the bank had done to him was "lawlessness and nothing less than a bank robbery put together by a lawyer and a judge". He stated to camera that "some people had it all and then there were the people who had nothing". Moore in an overvoice said: "welcome to capitalism which is all about giving and taking but really all the taking was being done to the ordinary working class people whose jobs were being destroyed, homes being repossessed and whose families were being pushed into destitution". In Florida, one man was doing well out of all the homes being foreclosed. His company 'Condo Vultures' tapped into data in the various banks and saw the homes that were being up for foreclosure and quickly moved in, and sold them on at a profit. He called the people whom he dealt with "bottom feeders" and said the "housing crash" allowed him to live well and buy a new car every year. When challenged about the name of his company, he said vultures cleaned up a mess made by other people and he was only doing what others would do in the circumstances.

So what was capitalism, US-style,

about, asked Moore? There were black and white advertisements from TV endorsing capitalism. It was about "free enterprise", "the profit motive" and "competition". There was a time in the US where the rich paid 90% tax and still lived like "Bogie and Bacall". And, with those tax dollars, the State built the infrastructure of the country—roads, bridges, dams, houses, schools, hospitals et cetera. The Unions after savage times got a good deal for their workers; Moore's uncle was one of those who fought for Union recognition in General Motors in their headquarters in Flint, Michigan. It was 1936 and they took over the factory in a sit-in that lasted 44 days. The local police and company thugs beat up the workers and their families until finally the President of America, Franklyn D. Roosevelt sent in the National Guard—to stop the police and company thuggery. It was a victory for the workers that would reverberate throughout the country. The Unions secured free collage fees for their children, free dental plans, and 4 weeks' paid holidays per year and the people saw that capitalism was a good thing.

Of course, being Moore, he contextualised the worker's victory by showing what was done to their biggest competitors. Germany and Japan were pulverised in World War 2 and their countries were in rubble and shots were shown of that. Gradually both these countries built up their industries with initial loans from the US (heavily weighted in the latter's favour) but soon they pulled ahead of the US because their cars and other goods were better-made and were cheaper on fuel and lasted longer.

It took President Jimmy Carter to go on TV and tell the American people some home truths. It was prescient of him to see that the "self-indulgence and vast consumption" of the Americans, "with their reliance on riches as a self-acknowledged good", that was leading them astray. There were other values that needed to be guarded—like those of community and family-based ones; otherwise the country was going to face disaster. Wall Street had enough of Carter and they started looking for a new Sheriff who would act like a President and they eventually settled on Ronald Reagan from the B-movie industry. By this time Reagan had become one of the best-known corporate spokesmen in American TV. Corporate America had found their President and so in 1980 a new era was ushered in that would have repercussions world-wide.

Don Reagan, who had been the

Chairman of Merrill Lynch, became the new Secretary of the Treasury and later White House Chief of Staff as the President began to fail in health. In the documentary there is a remarkable film in which the President is giving a speech and the man next to him leans in and is heard to say to the former to "speed it up", which the President does as if he is a dummy ventriloquist -which many now acknowledge he was, as Alzheimer's Disease was already evident to those around him. But the message now was the country was going to be run like a corporation. And President Reagan stated: "We are going to let the Bull lose". From then on it was a race to the bottom and everything was run for short-term profits.

War was declared on the Unions. Margaret Thatcher, Prime Minister of the UK, was learning from the US experiment. The US rich had their tax rate cut in half. The workers of America had their wages frozen—at least those of them who were still in work. Household debt rose to 100% of GDP. The Stock Market became the new Government in reality. In 1988, Michael Moore made a documentary, Roger and Me, and he went to his birthplace of Flint, Michigan and watched as General Motors went bankrupt. The town of Flint was a metaphor for the new America, broken families, foreclosed homes, workers cut adrift from any prospect of employment and in place of the giant factory that was General Motors there was now a vacant lot-it was as if there was never anything there. Moore brought his father, by now a very thin frail old man who had worked for General Motors for over 33 years to see what was left. They spoke of the good old days when their home-making mother used to bring the children to see their father finish his shift at 2.30 p.m. and their excitement at seeing him. They remembered a good life brought up in a Catholic community where capitalism according to Moore was good to them and the CEO's of companies like GM understood the manufacturing ethos of a profitability that was good to all.

What ideology underpinned this new form of Capitalism? Both Presidents Reagan and Bush—father and particularly son—spoke of a God who loved the rich and thought the poor were slothful and lazy. And somehow the American people bought into this way of thinking. But why would they, when it was absolutely against their interests? Could the idea of the American dream really explain why ordinary Americans so readily assisted in their own economic demise and even continue to do so when all the facts fly in

their faces? President George Bush told his television audience that, "Capitalism is the best system devised in the world. It gave them the freedom to choose what to do", he declared. Moore then looked at a factory in Chicago called 'Republican Windows', that shut down without giving their workers what was owed to them after firing all 200 Union employees. At first the workers went away crushed in spirit and totally hopeless about their fate. Then some few thought better and they broke into the factory and commenced a sit-in. More and more joined in, expecting the police to cart them off and they were ready to go. This was just after the Wall Street crash, where the banks got the tax-payer to give them a bail-out of billions of dollars in 2007. After a while the community of workers rightly said that they had a right to their earned money and they weren't leaving until they got what was owed to them. The Catholic Bishop of Chicago, Bishop J. Wisaski came to the workers and told them: "We are with you and we will not abandon you". The workers received Holy Communion and eventually President Obama told a news conference that the workers have right on their side they should be paid what they are owed. Then a strange thing happened—the local community and even some people from far away brought the workers food and many pledges of support. The sit-in lasted six days. The police did not show up. Eventually the company gave in and the Bank of America, which owed the money, paid each worker almost \$6,000 in all. It wasn't much but, as one of the leaders said, they had to reach rock bottom before they got what they were owed and she wondered how the rich could sleep at night. She was referring to the bail-out of the Banks-one of whom was Bank of America.

## THE BAIL-OUT

Deregulation was the name of the game. In the US and UK all the laws were relaxed to allow the markets to determine the workings of the banks and the economy. And even here, in good old Ireland, Fianna Fail, with fellow Government Ministers of the Progressive Democrats, was keen on promoting this new fad. Mary Harney had long supported deregulation with fellow ardent marketer Charlie McCreevy and of course they were strongly supported by that BP/Goldman Sachs Chairman, Peter Sutherland. Harney even went so far as to say that ideologically she was closer to Boston than Berlin. Well look who is singing now—and it certainly is not Boston. After all, as the latter went down the swanee, we were not far after them

with our own falling banks and look who has to bail us out—yes good old Berlin. But that is another story!

As the American banks collapsed, the people were engulfed in a tidal wave of debt. Michael Moore asked the financiers of Wall Street to explain the "complex financial instruments" that they were selling, like "credit default swaps" and "derivatives". One banker, who worked in Lehman's for 15 years, tried to answer Moore about derivatives. He couldn't. Moore then asked a Harvard Business Professor and after much starting and stopping—he too gave up.

Then the economic guru of the US, Alan Greenspan, told the people to "tap your home equity". Borrow against your home which was your very own bank. "Refinance" was the new catch-phrase and it was at this stage that the New York Exchange became really an insane casino where you could bet on anything including your home. In 2005-2006 there was a leaked email from Citibank, which developed the argument that American was no longer a democracy but a "plutonomy" where the rich 1% owned everything and the 99% owned nothing. But this came with a warning that there was still oneman one-vote and that could yet threaten the interests of the rich. I looked up this word and could only find the word "plutocracy" which translated as "an elite or ruling class whose power derives from their wealth". Stephen Moore, (no relation to Michael Moore) a columnist in the Wall Street Journal, said "democracy was not as important as Capitalism and he would go for the latter preference every time". This gave Michael Moore the chance to look up the American Constitution itself to see where capitalism was mentioned as a "right" way of government. He found instead no mention of it but saw "we the people", "union" and "welfare"—which gave him the chance to talk to Professor Black who was a young financial regulator who saw what was being done under the New World Order. He predicted the crash and the subprime criminality of the mortgage lenders who were the banks. He also stated that the FBI had said that there was an "epidemic of mortgage fraud"; some put it at 80% but then over 500 FBI whitecollar workers working on fraud were transferred by Bush to the 'War on Terror'. And then came the collapse of the Banks. Fear was used by the politicians to protect the banks. If they all went to the wall, there would be a "meltdown", a "recession", and George Bush took to the airways to warn the public: "If there was a run on the banks, Martial Law could be declared". Congress was asked for a bailout.

The crises developed very quickly as many politicians had left Capital Hill on the Friday and now they were being called back urgently. It was two months before the elections. Everyone felt squeezed by fear. Bush leaned on Congress and Hank Paulson, Secretary of the Treasury (former CEO of Goldman Sachs) pushed for the bailout. Robert Rubin (Clinton Administration), Larry Summers, Tim Geithner, the Secretary for the Treasury under President Obama, all were former Goldman Sachs men. As Fannie Mae, Freddie Mac, AIG etc went to the wall the pressure was on Congress. The American people flooded the latter with pleas not to give the bailout. If the free market was free, they said, then let it fall as their livelihoods/ homes had done. Congress said No and the bailout package was defeated by the Republicans and the voices of the American people. But that weekend Paulson headed up to the Hill and behind closed doors, the Democrats gave the banks their bailout. Quite literally the American people saw their taxes used as a billion dollar bailout by the Dept. of the Treasury. The deal was put beyond court review. A Republican Congresswoman, Marcy Kaptur, asked why Wall Street couldn't clean up their own mess when Main Street had to. Goldman Sachs became the Kings of Wall Street because of the deal.

Afterwards Michael Moore asked Kaptur what did she think of the deal and what forces were behind brokering it. She turned and pointed up to Capital Hill and said "it was not from in there". Moore asked what did she mean? Did she mean a Coup d'Etat? A financial Coup d'Etat? And she said without doubt that this was what had happened. And, as if to compound the real power-play at hand, Treasury adopted a "don't ask, don't tell policy" about what was being done with the money. And then along came the young Senator Barak Hussein Obama, who was called a "socialist" by the Republican politicians and media. He wanted to change things. And Wall Street did what they always do—they threw money at him. Goldman Sacks was his single biggest private contributor. But it is one of life's terrible ironies that under a black President there has been the biggest number of homes lost to foreclosure in the USA —one for every 7 seconds. And one of the last images Moore left us with was Hurricane Katrina and the Flood, with the poorest Americans in New Orleans fighting for their life. He asked why it is never the Bernie Madoffs or the CEO's who are left clinging to their roof tops for rescue. We may ask that same question yet in Ireland and quietly wonder if change will ever come.

Julianne Herlihy ©

Part 11 of this article will analyse the ideology of Puritanism

# Comment On Desmond Fennell's articles

One could argue about the causes of the current political orthodoxy but in my opinion Desmond Fennell's description of how a correctorate, preponderant in the media, ensures that the new doctrine is imparted to the society and dissident elements are controlled is accurate.

In my book on *The Irish Times* I noticed that the most effective liberals were also those elements that were the most nationalist and anti British such as Douglas Gageby and Donal Foley. The liberalism of the pro British elements had no purchase in the society.

It might be said that the liberalism of Gageby and Foley was superficial because it had no basis within the society. Nevertheless it connected with a powerful global phenomenon and ensured that the newspaper would survive.

Jack Lane is correct to say that Irish people were more receptive to American rather than British liberalism. Classical British liberalism was overwhelmed by the American variant in the 1960s and as a consequence liberalism in Britain was modified out of all recognition.

My book on *The Irish Times* was prompted by a remarkable document unearthed by Jack from the British Records Office. As readers of this magazine will know the document was a letter from the British Ambassador describing a lunch meeting with Major McDowell, the Managing Director and part owner of *The Irish Times*, in which the latter suggested that the newspaper should be brought under British State influence because his editor Douglas Gageby was a "renegade or white nigger" on Northern matters.

Since my induction into the new American Liberal orthodoxy had been retarded by a long association with this magazine, I was at first unable to appreciate the true significance of the document. I thought that the most embarrassing element from *The Irish Times*'s point of view was the proof that the newspaper was placed under the influence of the British State and its agent (McDowell) dominated the institution for the next 30 years.

But the item that caused most discussion was the use of the phrase "white nigger". It caused no embarrassment to McDowell that the phrase showed that he considered the Protestant pro British population racially superior to the native Catholic population and that a Protestant who developed sympathies for the native Catholic population was a renegade. The embarrassment was instead caused by the mere use of the term "nigger". This is a taboo word which the prevailing orthodoxy prohibits in all circumstances even when the context has nothing to do with Afro Americans.

The controversy surrounding the so

called "white nigger" letter illustrates the prevailing orthodoxy in our society as well as its source (the USA).

John Martin

*Irish Times*: Past And Present, a record of the journal since 1859, by *John Martin*. Index. 264 pp. 2008. €20, £15.

# **Seeing Clearly**

Desmond Fennell replies to Jack Lane

I am glad that, after I had presented my trial sketch of the contemporary West in the *Irish Political Review* for July, Jack Lane, in the August issue, took up my general invitation to debate it. He disagrees with three of my statements.

The first of these was a historical aside, not part of my main theme.

When referring to the ideological takeover of Western Europe from the 1960s onward by American left liberalism—in parallel to the earlier Marxist-Leninist takeover of Eastern Europe—I wrote that this new American liberalism was—

"the secularist left wing of that classical liberalism which Daniel O'Connell had adopted from the British Non-conformists and which remained the basic political ideology of Catholic Ireland to the 1980s."

Jack denies that classical liberalism became 'the basic political ideology of Catholic Ireland".

But I am sure that Jack recognises that the right to liberation of a nation dominated by another nation was a principle of classical liberalism since the French Revolution. And he surely recognises that government by the people, freedom of expression, the right to private property, legal separation of Church and State and equality before the law were also principles of classical liberalism throughout Europe. What I was saying was that all these principles remained tenets of Irish Catholic nationalism after O'Connell. And not surprisingly, therefore, they were represented, along with principles of Catholic provenance, in the two Irish Constitutions after Independence, especially in that of

Second, with regard to the immediate origins of the contemporary West, Jack says two things. He denies that from the 1960s onward there occurred that ideological takeover of Western Europe, Ireland included, by American left liberalism. But then, later in his comments, he writes that after the Americans had won both world wars, naturally "they came to dominate culturally over those they had saved in the wars". "That" he writes, "is the source of the Americanisation of the West..."

Well, to keep things simple, for my part I was talking about the ideological "Americanisation of the West" by means of American left liberalism, This takeover, beginning in the famous 'Sixties', followed,

as Jack says, from America's victory in the two wars, especially in the second; but it was also provoked by the competing challenge of Russia's Marxist-Leninist takeover eastwards.

It made London—'Swinging London'—its first West European conquest and its centre of diffusion. First British, then Irish and other European left liberals, joined with their American comrades in decrying, as oppressive and unjust, the social rules of the inherited European civilisation. They preached, instead, a new set of correct do's don'ts and do-as-you-likes affecting behaviour, mental attitudes and language

(rules with which we have all become familiar).

Having converted a majority of the West European, including Irish, legislators, this post-European doctrine had its new ethical system enforced by laws.

Allying itself with economic neoliberalism, it became *de facto* consumerist liberalism, encouraging and promoting, along with the new rules, the consumption of buyable goods and recreational sex. Thus it guided Westerners into the greatest period of material wealth that they had ever known. I think that Jack must recognise what I am talking about.

Finally, Jack takes issue with my statement that, on their home ground, the American left liberals had first "signalled their rejection of Western civilisation in August 1945 when they joined in the official American justification of the atomic bombing of Hiroshima and Nagasaki". Jack, assuming correctly that I meant the morality of European civilisation, replies that "Liberals, classic or otherwise did not have to wait until Hiroshima to reject Western civilisation". He points to the crimes against that morality committed by European colonisers "through the centuries...in colonies beginning with Ireland and North America".

It is true that many such crimes were committed by Europeans in Europe and overseas, and some of those who committed them deemed themselves liberals of the earlier, classical sort. But, in the first place, that fact takes nothing from the fact that the American left liberals first signalled their rejection of Western civilisation when they joined in the official American justification of the atomic bombings.

In the second place, there is a difference between committing a crime and justifying it. Before Hiroshima, in the earlier part of the twentieth century, the prevalent judgment of the West had pronounced those massacres by the colonisers inhumanly wrong, thereby restoring with regard to them the validity of Western morality. The atomic massacres, on the other hand, were not only explicitly justified by the American state with the support of the American liberals: that justification has been acquiesced in by the governments

and the prevalent judgment of the West.

As I wrote on page 79 of my book The Postwestern Condition. Between Chaos and Civilisation:

"The contemporary West is built, not on Auschwitz and Treblinka to which we have said 'No', but on Hiroshima and Nagasaki to which we have said 'Yes'."

As to what Jack says about the influence of the myth of Darwinian Progress on Britain's behaviour since the nineteenth century, I am in accord. European civilisation in Britain, while continuing to be formally upheld, was also being transgressed against by that other force. But the overthrow of European civilisation in the West—Russia performed it for a time in the East, Germany at the centre tried and was prevented—was finally carried out by the American empire of the West which emerged from Hiroshima onward.

**Desmond Fennell** 

Part 13

# **Naval Warfare**

Thomas Gibson Bowles was of the opinion that England's reorientation from vigorous asserter of the rights of the belligerent in war to those of defender of the neutral was a premature development brought about by generations of peace—or rather the habit of waging small wars against lesser breeds rather than the fighting of first-class continental powers, which it had had to do to attain its state of predominance in the world in the first place.

Of course, England had a tendency to progress in this respect. It had been the great builder, organiser and profiteer from the slave system and then it became the champion of anti-slavery when it had exhausted its economic usefulness. And in more recent times, from being the great producer of racialist thought and organising an empire on racial hierarchy, it has metamorphosed into deciding that racial concepts are dysfunctional and lecturing the rest of the world about its racism and intolerance.

Bowles argued that Manchester Capitalism had established a kind of immunity from the inconveniences of war for English commerce and the making of profit through the Declaration of Paris. This immunity applied to the private property of the few but not to the public property of the many and raised the possibility that whilst the rest of the nation was at war the trading classes could even profit by trading unmolested with the enemy. So Bowles concluded that the national fighting power of the Royal Navy had been traded in by the free-traders in the interests of profitmaking.

The Declaration of Paris, therefore, represented a kind of pivot point between the former era of aggressive expansion and the latter period which involved the defence of the spoils.

But in 1910, Tommy Bowles was warning the Empire that the progress it had instituted to facilitate the expansion of

free trade across the globe through the fighting of small wars (against those who resisted it) would have to be set aside to fight a big one to preserve predominance in the world:

"...since 1856 Great Britain has never been at war with any power possessing a navy capable of disputing or even questioning her command of the sea or with any power possessing overseas trade. Her wars have been with the Chinese, Ashantis, Abyssinians, Afghans, Zulus, and Boers. The war with a great power possessing a navy and a mercantile marine is yet to come; and... will be the first conflict of the kind Great Britain has affronted since the end of the war with France, and for a time with all Europe headed by Napoleon.

"Of such a war all real remembrance is lost. The lessons burnt into every Englishman's mind a century ago have been forgotten. Nobody now remembers what was then so well known, that it was by the stoppage of their sea trade and the severing of their sea communications, and by the terrible distress thus caused, that Napoleon's allies were detached from him one after the other, and he himself finally reduced to submission. Men who still recall with pride how England then saved herself by her exertions and Europe by her example, and who remember the glories of the Nile, and Trafalgar, neither remember nor have ever really become aware that both battles would have been fought in vain had they not been accompanied and followed up by that constant ceaseless sap of the enemy's trade the capture of his property, the raising of his prices, and the consequent drying-up of the sources of his taxation, which more effectually distressed him than any lost hattles

"Had there been any memory of this, the Declaration of Paris could never have been signed on behalf of England. But all that belonged to war of other than the 'little war' kind, which involved none of these vital questions—all that belonged to serious deadly war was forgotten. The new generation of Englishmen believed only in great exhibitions and perpetual peace—at least for England. They saw

indeed wars of the old sort raging, and their deadly harvests shaken out over agonised states. They saw the American Civil War of 1861, the beginning in 1863 of that series of Prussian wars which successively wrested Schleswig and Holstein from Denmark, struck down Austria and dismembered France. But they saw all this only with a pitying eye as distant spectacles, as things that passed by afar-off and were never more to come near their own island. And they grew to believe (as most of them in their secret minds believe to this day), that England would for ever remain what she has been for nigh upon a hundred years, only a sad looker-on at the wars of other nations, never again to be touched herself by real war involving national independence and possibly national existence; that, whatever may happen elsewhere, peace would henceforth, for England at least, be permanent and unbroken.

"Thence arose the consequent conviction that, however often other European nations might be belligerent, England would always remain a neutral; and thence again a general hazy notion that the interest of England, which had once no doubt been to maintain the rights of the belligerent against those of the neutral, must now and would thenceforth be to change over and to affirm the rights of the neutral against the belligerent. The emotional and the humane who hope to abolish war and therewith belligerency and neutrality together, seized the opportunity to enforce their most respectable aspirations and their most foolish expectations. The shipowners who thought their own private interests best served by what promised them immunity from the consequences of war and even a greater trade because of any war, these joined in. And at last a great unthinking chorus arose that trade was sacred, that if there might conceivably be military war there must at least be commercial peace, and that it was barbarous, inhuman, and wicked to capture goods at sea at all under any circumstances whatever.

"Thus there came to be preached the last and newest doctrine—the immunity of private property from capture, which some excellent persons to this day press. The evolution was completed, the change of front made. England was presented to the world no longer as the stem asserter and guardian of belligerent rights, but as their opposer and the champion of neutral privileges. War was forgotten, peace alone remembered. But for that, the Declaration of Paris could not have been endured, nor could the final surrender have been in these our own days entertained..." (*The Law of the Sea*, p.12-16)

Tommy Bowles's book *The Law of the Sea* was written to prevent further progress based on the misapprehension that England could indefinitely pursue life in her free trade idyll. This progress was being contemplated through proposals, formulated

at The Hague in 1907, and embodied in conventions then signed by British representatives, which had been carried farther towards adoption by the Naval Conference of London, and the resulting Declaration of London of 1909.

Germany proposed the establishment of an international jurisdiction to discuss the legality of captures in maritime war—a kind of Higher Court of Appeal that could over-rule national courts.

Bowles complained that the Liberal Government declared that the ratification of these proposals (which had been negotiated and settled in secret) needed no sanction from Parliament. But Parliament could not be entirely passed by because the proposals involved the supersession of British Courts, the Admiralty Prize Courts and the Judicial Committee of Privy Council, and the abolition of their final jurisdiction in matters of naval prize, and the submission of them and their decisions to a new foreign court sitting at The Hague.

The Naval Prize Bill was therefore introduced in order to effect the proposals. According to Bowles:

"On the second reading of that Bill, Parliament will have to decide whether it is prepared to part with the remaining maritime rights of the country; to leave it only with a navy, more powerful it may be than any yet known, yet forbidden by new laws from using its powers in the only effectual manner; to submit every act of that navy to the final judgments of a foreign court; to enforce these judgments itself; and to strangle its own fleet with its own hands."

In December 1911 the Bill was rejected by the House of Lords, despite Sir Edward Grey's insistence that it would be forced through by the two-year mechanism introduced under the Parliament Act. And although it was reintroduced into Parliament it was allowed to fail before the war began.

That meant the strange situation that going into the Great War England had signed up to The Hague Convention and The Declaration of London but the British Parliament had not ratified this signing up.

Lord Loreburn was appointed Lord Chancellor in Campbell-Bannerman's Liberal Government of 1905. Loreborn was a traditional Liberal rather than a Liberal Imperialist and advocated the complete exemption of private property from capture at sea through negotiation at The Hague. Bowles includes a 1905 speech of Lord Loreburn's to illustrate the traditional Liberal free-traders argument to which he was opposed:

"I urge it, not upon any ground of

sentiment or of humanity... but upon the ground that, on the balance of argument coolly weighed, the interests of Great Britain will gain much from a change long and eagerly desired by the great majority of other powers...

"Half our food is imported; if the sea is closed we are half starved. We are mainly a manufacturing people, and an enormous proportion of our raw material is imported. If the sea is closed we are largely reduced to idleness. We are immeasurably the greatest carrying nation of the world.... If the sea is closed we can no longer carry... The facts I have mentioned alarm us because they mean that war might restrict our supply of food and raw materials, and ruin our carrying trade. Which of them would alarm us if we were agreed that private property at sea should be free of capture? We could then in security import our supplies in time of war as in time of peace. Our merchant ships could traverse the ocean with no risks except those of nature. But so long as the present law prevails, we are not only liable to be ruined by naval defeat; we are also liable to be ruined by doubtful war...

"Foreign nations would soon cease to load their goods in British ships, because, though the goods could not be confiscated, the ship might be captured, and the owners of the cargo would necessarily suffer delay, depreciation, and the cost of transshipment They would employ foreign ships free from war risks. So would our own merchants for a different reason, viz., that under the Declaration of Paris, British merchandise carried in a neutral vessel in a state of war is exempt from capture, while British merchandise carried in a British vessel is liable to capture by the enemy...

' I will suppose Great Britain at war with one or more great continental powers, and let it also be supposed that the British fleet has established its naval supremacy, and has even blockaded the entire coast-line of its enemies, which latter is an uncommonly strong hypothesis... No supremacy could be so absolutely effective that we could be sure of sealing up every hostile port, and preventing the furtive exit of swift commerce destroyers from time to time... Many British merchant ships might be captured and sunk. Our merchant marine is vulnerable in proportion to its size and ubiquity."

In the decade before the Great War, British ruling circles faced a dilemma in relation to how they saw events in the world. There were the traditional Liberals who wished to persevere with the situation established for nearly century under British preponderance and exploit and expand the world market that had been established through Free Trade. Under such a scheme there would have been numerous small Free Trade wars but no big war with British involvement (and in the modern

era it took British involvement to make a global war.)

But there were also Unionists and Liberal Unionists who wished for a different development.

During 1901/2 Joseph Chamberlain's project of an Anglo/German/American alliance seemed to be coming together, even in the midst of the growing number of publicists who saw an entirely different future for the world. Chamberlain was of the opinion that the South African conquest should be the final enlargement of the Empire and an era of internal consolidation should take precedence through Imperial trade preference.

But the Boer War unleashed a different dynamic and it was undoubtedly the turning point in England's relationship with the world. The views of those who were seen as individual eccentrics thereafter became the thrust of Imperial policy. Chamberlain's scheme for Imperial consolidation ultimately fell victim to the internal dynamic of British political life with its impulse for continuous unlimited expansionism and the superseding of all inferior social, economic and political formations in its path.

Liberal Imperialism set out to establish the best of both worlds but was responsible for the worst of both. By establishing itself within the body of traditional Free Traders it could not leave behind the expansionist globalism of Liberalism. And yet it acted in secrecy and by subterfuge in pursuance of the grander political objectives of super-Imperialism, to out-Imperialist the Tory Imperialists.

Can it be any wonder that naval policy, and what was to be done about the seas, became such a mish-mash of contradiction under such a regime and at such a point in Imperial affairs that it appeared the left hand did not know what the right was doing?

I think that is why Thomas Bowles rounds off his book with these pertinent questions:

"If Peace is cried more loudly, War is more constantly and secretly prepared and more suddenly sprang; that Ambition stalks the earth no less predatory than ever but only smoother spoken; and that Force is but more completely cloaked in Fraud

"Any day we too, with little or no warning, may have to fight for our own.

"In that day what alone will avail us will be our sea power and our maritime rights; what alone will check our enemy, their full exercise. As they sufficed before, even against all Europe, so they would still suffice. For nothing essential is changed.

"In that day it will avail us nothing that we have the most powerful fleets, if by our own folly we have in advance suffered them to be protocolised and declared out of their effectual powers, and subjected to a foreign court.

"Is that day so remote that we need now and henceforth think only of our neutral profits in Peace, and not at all of our risks, rights, and powers in War?

"If so, why all these Dreadnoughts? Why this present concentration in the North Sea of British fleets recalled from all quarters of the globe? Why Rosyth? Why this sudden, feverish, ruinous race in armaments? Is it all for nothing?

"Is that day so far off? Is it not rather, quite manifestly, believed by those who know most and are most responsible to be near at hand?" (*The Law of the Sea*, pp.223-4)

In *The Law of the Sea* Thomas Bowles imagines three British wars of the future and their possible consequences. He argues that of three potential enemies the United States would be worst in consequence for England, France the second worst and Germany the least.

When one reads his calculations of the consequences of war with Germany it is easy to see why the Great War that was actually fought, four years after *The Law* of the Sea, turned out to be so unpredictably disastrous.

Bowles imagines a traditional British war against a continental power—a traditional Balance of Power war, that is to say—in which England gradually wears Germany down through sea power, accumulating allies on the way as the Navy impresses its power on the continent. The Declaration of Paris proves a handicap and makes the war last 3 years. But the Germans make little impression on British commerce and ultimately their own trade is destroyed by the Royal Navy.

But that is it. There is no large scale continental fighting engaged in by England and there are no exhalations to save civilisation or to destroy evil because the war is simply a commercial struggle fought between trade rivals until one submits to the other, as its economy suffers.

That is why honest and straightforward men like Thomas Bowles appear so creditable in retrospect and those who organised the Great War so damnable by history.

Pat Walsh

# Kilkenny In Defence Of Two Republics

(Introduction: The following is an address which I delivered on 25th June 2011, in my capacity as Ireland Secretary of the International Brigade Memorial Trust, in Woodstock Gardens, Inistioge, Co. Kilkenny. The occasion was the rededication of an olive grove in memory of four Kilkenny International Brigade volunteers, held during the Fourth Annual George Brown Commemoration, which also fell a week after the 90th anniversary of the Coolbawn ambush, the last military engagement of the War of Independence in Kilkenny. See http://irishvolunteers.org/ 2011/06/coolbawn-ambush/ for more on Coolbawn, and see also http://www.ireland scw.com/docs-GB-MoR.htm for my inaugural lecture "George Brown and the Defence of the Spanish Republic", which was delivered on the occasion of the first commemoration on 27 June 2008, when the memorial to him was unveiled by Jack Jones, second husband of George's widow Evelyn. See <a href="http://free-downloads.athol">http://free-downloads.athol</a> books.org/ for "The Vindication of Jack James Larkin Jones", a new online book comprising the full series of my five articles first published in Irish Political Review. Manus O'Riordan)

Comrades and friends:

"DEMOCRACY REMEMBERS HER SONS". This is the heading on the 1938 memorial banner honouring the Irish dead of the International Brigades. It had been unveiled by Father Michael O'Flanagan, that outstandingly courageous Republican priest who had delivered the invocation at the January 1919 opening of Dáil Éireann, Ireland's first freely elected Parliament that ratified the Republic proclaimed by the 1916 Rising, as he was now defending the Spanish Republic. And the banner itself, which is on display at the National Museum in Collins Barracks, with its twin Eire-Spain pillars, unites those two struggles in affirmation of the democratic will of both peoples—in defence of two Republics.

Next month marks the 75th anniversary of the commencement of the Spanish Civil War on 18 July 1936, when Franco staged his military rebellion against the democratically elected Popular Front Government of February 1936, and for the next three years, aided by Nazi Germany and Fascist Italy, he waged that war to its bitter conclusion:

'36 the year, defying fear, saw the Spanish people vote

A Republic for the Rights of Man, but Franco would revolt

Gernika ablaze from Hitler's planes, the Republic overthrown

Despite the brave 15th Brigade and Kilkenny's own George Brown

Today we rededicate this olive grove, first unveiled by the Chairperson of the George Brown Commemoration Committee, Pádraig Ó Murchú, to the memory of those four Kilkenny men who volunteered to fight in defence of the Spanish Republic in the ranks of the 15th International Brigade, la Quince Brigada: two from this part of South Kilkenny—the brothers Michael and George Brown, sons of Mary Lackey of Ballyneale and Francis B of Inistioge; and two from North Kilkenny—the Castlecomer mineworkers, Michael Brennan and Sean Dowling.

These latter two had been nurtured by the struggles during the 1930s of the Castlecomer Mine & Quarry Union, founded and led by the War of Independence IRA veteran, Nixie Boran. It was an internationalist struggle. In October 1931 a solidarity meeting with the miners was held in Castlecomer Town Hall, addressed by the Indian revolutionary Shapurji Saklatvala, the first Communist to be elected to the British House of Commons, in 1922, and the only one of 615 MPs to stand by the Irish Republic and vote against the Free State Treaty, as he himself told that Castlecomer meeting.

The 15th Brigade's British Battalion, in which all four Kilkenny volunteers served, was initially named the Saklatvala Battalion, and it was in its ranks that George Brown gave his life on 7 July 1937, in the battle of Brunete. Democracy remembers her sons.

We are proud of the British Battalion And the stand for Madrid that they made, For they fought like true sons of the people As part of the 15th Brigade

Moreover, that British Battalion was an anti-imperialist one. While it had many World War One veterans in its ranks, it held no Poppy Day commemorations of the Imperialist War. Its commemorations were anti-imperialist, in honour of James Connolly and Wolfe Tone, and held, not by its Irish volunteers in isolation, but by the British Battalion as a whole. Democracy remembers her sons. My late father, Micheál O'Riordan, also vividly recalled the June 1938 anti-imperialist solidarity visit, to that Battalion's Ebro front, of Indian National Congress leader Pandit Nehru and his daughter Indira Gandhi.

As I have already said, this olive grove memorial unites both South and North Kilkenny, as South Kilkenny had also been united with Castlecomer in one of the last military engagements of Ireland's War of Independence. Last Saturday was the 90th anniversary of the deaths, on 18 June 1921, of Nick Mullins from Thomastown and Seán Hartley from Glenmore. They had been killed in action in the Coolbawn ambush near the Castlecomer coalfields, in one of the last actions of the 20th century's first war for democracy defending that Dáil freely elected in December 1918 and the Irish Republic it had ratified. My wife Annette's grandfather —Martin Hennessy from Glensensaw, a few miles down river from here—was a cousin of Nick Mullins and soldiered shoulder to shoulder with him in that same War of Independence. Democracy remembers her sons.

There should be no doubt about the democratic character of that struggle, as the following report from the *Irish Times* on 18 December 1920 makes crystal clear:

"Richard O'Keeffe of Woodstock, Co. Kilkenny, was charged before a court martial. The evidence showed that outside the house of the accused was found a notebook, containing the oath of allegiance to Dáil Éireann. The accused was sentenced to imprisonment for six months."

Democracy remembers her sons.

As we proudly continue to commemorate both the Spanish Anti-Fascist War and our own War of Independence, assorted scribes—mainly to be found in this country in the stables of Sir Anthony O'Reilly's Independent newspaper chain can be expected to intensify their campaigns of denigration and character assassination against those who fought for both the Spanish and Irish Republics. One of them has regurgitated the sneering slander of the Irish International Brigade leader, Frank Ryan, as "Republican Saint / Nazi collaborator", while another penned a cowardly and vicious attack upon the death of brigadista Bob Doyle before his family even had a chance to hold his funeral. Thinking he had a good stick to beat Bob with—who had endured real fascist beatings and Gestapo interrogations in a Spanish concentration camp—he invoked the three Irish victims of the Soviet Gulag. But he received a fitting response, not only from the huge crowd that turned out in Dublin to process with Bob's ashes from the Garden of Remembrance to Liberty Hall, but especially from the daughter and granddaughter of Gulag victim Patrick Breslin who made a particular point of coming to pay their own tribute to Bob. And the same shameless pair of Sindo/Indo columnists have

continued give a non-stop Royal Command Performance that portrays the War of Independence, not as the war for democracy it most assuredly was, but slanders it as some supposed sectarian war against Southern Protestants. Indeed, the experience of Protestants under the democratic rule of the Irish Republic's Dáil has been obscenely compared to the ultimately genocidal fate awaiting Jews at the hands of that Nazi German client state, Vichy France.

Let me nail that sectarian slander by reference to the struggle here in Kilkenny itself. In July 1921 a house was burned down near Castlecomer and its female owner banished into exile to England. Revisionists would have us believe that this was because the lady in question was a Protestant, but nothing could be further fro the truth. That woman had, in fact, gotten off lightly, for she had the blood of Nick Mullins and Seán Hartley on her hands. Far from having any sectarian inclinations, when the Army of Dáil Eireann lay in wait, 90 years ago last week, to ambush the British Army of Occupation at Coolbawn, a Protestant workman came across the ambush party and was about to be detained until after it was scheduled to take place. But the IRA felt sorry for that Protestant worker's pleas that he would be sacked by his employer if he did not show up for work, and they let him go. She, nonetheless, insisted that he explain why he had been at all late, and he was bullied into telling her of the Republican roadblock. No blame was ever visited on him for blurting out that information. She alone was held to be the villain of the treachery that followed, with her betrayal of the forces of the democratically elected government of the Irish Republic. She immediately set off for Castlecomer barracks to inform the forces of the Crown of what was afoot. They, in turn, were enabled to strike first with a surprise ambush of their own, killing Mullins and Hartley. It was in tribute to the integrity and bravery of Nick Mullins, and the high esteem in which he was held by adherents of all creeds in this county, that the daughter of a local Church of Ireland clergyman presented the Mullins family—in memory of Nick—with her own father's original copy of John Mitchel's "Jail Journal".

History may more often than not repeat itself as either tragedy or farce. But it can also be capable of happier forms of repetition, as this morning the George Brown commemoration was welcomed to St. Mary's Church of Ireland here in Inistioge by its newly appointed rector, the Reverend Martin Hilliard. Democracy does indeed

remember her sons, for he, in turn, is the nephew of the Reverend Robert Martin Hilliard, who soldiered in defence of both the Irish and Spanish Republics, and who gave his life in February 1937 in the battle of Jarama. To quote Christy Moore's song:

Bob Hilliard was a Church of Ireland pastor From Killarney across the Pyrenees he came. From Derry came a brave young Christian Brother

Side by side they fought and died in Spain. Viva la Quince Brigada!

"No pasaran!" the pledge that made them fight.

"Adelante!" was the cry around the hillside. Let us all remember them tonight.

I should also refer to a second house burning in this County, in July 1922, that of Woodstock House, alongside us here in this Republican olive grove. But it was not burned because the Tighe family had lived there. They, in fact, had left it unoccupied for several years before the War of Independence, when it was taken over as the British Auxiliaries Headquarters for the whole South East region of Kilkenny, Wexford, Waterford and Tipperary. It quickly became a house of horrors and torture. For what else could be its role? As one writer went on to reflect in 1932: "The British Government of 1920-21, as dictatorial, and therefore as nearly Fascist, as any British Government is ever likely to be, failed completely in its attempt on Irish democracy", and he further condemned what he called "this intolerable fascism". Out of the horse's mouth. For the writer was none other than Frank Crozier, the Auxiliaries' own first commanderin-chief, who was to resign in disgust at the increasingly vicious war he was being asked to wage against Irish democracy.

With the Auxies gone, Free State troops took over Woodstock House, and in July 1922 Irish Republicans burned it down to prevent it serving as a house of horrors yet again during our own Civil War. For horrors there were. In Kilkenny Jail, that same month, where Martin Hennessy was also incarcerated, the Waterford Republican prisoner Jack Edwards was brutally murdered in his prison cell. His brother, Frank Edwards, would be one of the earliest Irish International Brigade volunteers to go out with Frank Ryan in December 1936 to fight in defence of the Spanish Republic.

Here in Woodstock Gardens, in the shadow of the ruins of what the Auxies' own first commander-in-chief described as "the rule of intolerable Fascism" in Ireland, we commemorate the four Kilkenny volunteers who fought against Fascism in Spain. We in the International Brigade Memorial Trust also remember our member veterans of the Spanish War

who have passed on during the past year: brigadista Bernard Knox from Bradford; our IBMT chairperson, brigadista Sam Lesser, brigadista Joseph Kahn and nurse Penny Feiwel, all from London; Liverpool brigadista Jackie Edwards and militiaman Roma Marquez Santo of Barcelona—these latter two being the very last veterans to address public meetings in Dublin two years ago in July 2009; and the very last Irish participant in that War, ambulance driver Paddy Cochrane, whose first experience of the horrors of war came at the age of 7, when he saw his father murdered in their own Dublin backyard by Britain's Black and Tans in 1920.

I will add one more name for remembrance at today's commemoration, not of a Spanish War veteran, but of one of the most incisive and honest chroniclers of the history of International Brigaders. An outstanding journalist, he would put the opinionated columnists of today to shame. I am aware that more than 50 years ago he had been the dear friend and comrade-inarms of Pádraig Ó Murchú and Seán Garland, present with us at this commemoration. Notwithstanding political differences, he and I also maintained a firm and warm friendship for over 30 years as on both sides of the Atlantic we strove to tell the truth about the Spanish Anti-Fascist War. I therefore honour here today the memory of Seán Cronin from Kerry's Ballinskelligs who passed away in Washington this past March. The historical record owes a debt of gratitude to Seán Garland and Repsol Publications for having published, in 1980, Seán Cronin's biographical tour-de-force, entitled "Frank Ryan: the Search for the Republic". That indeed was a well named sub-title, for Seán had left not a single fact undescribed or unexamined in chronicling Frank Ryan's struggles in defence of both Republics, Irish and Spanish, and his biography still serves to give the lie to the character assassins of today. As President Éamon de Valera declared: "This great Irishman Frank Ryan always put Ireland first in everything he did or said, at home or abroad. He has earned his place in history."

In conclusion, as we here rededicate this olive grove to the memory of those four Kilkenny International Brigade volunteers, especially George Brown who gave his life in defence of the Spanish Republic 74 years ago next month, we also honour all those others I have mentioned, and in particular those two Kilkenny volunteers, Nick Mullins and Seán Hartley, who gave their lives in defence of the Irish Republic 90 years ago last Saturday. An Phoblacht abú! Viva la República! Democracy remembers her sons!

Manus O'Riordan

This was sent to the Sunday Times, but not published

# The RIC

Adam Lively scores a Double Whammy with one sentence of his Review -

"Her sweetheart Tadg (sic) , joins the notorious "Black and Tans", the irregular force employed to confront the Republican menace."

Anyone calling themselves Tadhg, Donal, Cathal, Eamon, Seumus, Sean or Liam and applying to join the Black and Tans, founded in 1920 would risk being skinned alive. In 1918 candidates using such names when standing for election would have them rendered Timothy, Daniel, Charles, Edward, James, John and William. Whitaker's Almanack for 1919 can be compared with Dail Eireann records for 1920. The latter records show Gaelic names, whilst Whitaker's, the British official record ,shows Hebrecised, Classical or Anglicised versions of the names

.To opt for the Gaelic version was a political act, as birth registrations were not done in Irish.

The idea of "the Republican menace" of 1920 suggests that the Spectre of Democracy was haunting Britain. By 1920 Republicans had won

73 of Ireland's 105 Parliamentary seats and similar support in municipal, county and other local elections. The physical force employed by the British Government in Ireland was the clearest denial of democracy, which saw the first deployment of tanks in a European capital to suppress a virtually unarmed people.

**Donal Kennedy** 

The following letter was sent to several papers on 5th August but not published

# **David Norris**

David Norris has lost his bid for the Presidency because he wrote a letter to an Israeli court as a plea of mitigation for an ex-lover convicted of a sex offence against a Palestinian boy. Public representatives and "respected" figures send mitigating pleas to courts as a matter of course and indeed feel it their duty to do so (though usually via the defence lawyers). After all, convicted prisoners of all kinds are usually a bit short of friends or helpers. The pomposity displayed in Norris' letter along with his propensity to deny saying things he is recorded as saying should make anyone hesitate to promote him for President.

But amid all the recent furore (sex sells papers), Norris' lack of fitness for the job of President is mostly down to his attitude to the State of which he would be President. He is closely associated with the self–styled Reform Movement run by Robin Bury and Roy Garland which is hostile to the very existence of an independent Ireland. It also attempts to stir up Protestant resentment in the State as witnessed last year at a conference sponsored by the Church of Ireland Bishop of Cork. God knows we have more than enough sectarianism in Ireland as it is. Mr Norris, on 14th May 2010, helped launch the Reform Movement's new book, "Ireland and the Commonwealth: Towards Membership". On the same date, on his blog, he said: "Sinn Féin is a party that is only mildly tainted by constitutionality".

Most puzzling is the flirtation by some Sinn Féiners with the Norris campaign. In Kerry it was more than a flirtation. Only two members of Kerry County Council voted to support Mr. Norris: Labour's Terry O'Brien and Sinn Féin's Toireasa Ferris. On two occasions in 2005, Mr. Norris was critical of the 1916 Rising, though he appeared to change his mind earlier this year when he decided to run for the Áras. On 26th March 2010 he described the IRA as "filthy scum". That's your father he was talking about, Toireasa!

Conchúir Ó Loingsigh

Does It

Up

Stack

#### THE CATHOLIC CHURCH

Taoiseach Edna Kenny's recent outrageous tirade in the Dail against the Vatican and the Catholic Church—following on his release, seven months late, of the Cloyne Report—is purely unscrupulous politics. The Report was released opportunistically to deflect media interest from Mr. Kenny's impalement by untruths in connection with the closure of the A&E at Roscommon Hospital and the stroke succeeded. Mr. Kenny's attack succeeded in the Dail and in the anti-Catholic media in driving the Roscommon embarrassment off the headlines. Mr. Kenny's speech was a blatant abuse of Dail privilege and, instead of objecting to it, the Opposition led by Mr. Michael Martin, Fianna Fail TD—joined the baying herd. Had they examined the Cloyne Report? It was released onto the Internet only because, even seven months after it was signed off, it was not yet ready for publication. Why the delay? Retail booksellers were told it was not yet printed nor bound and it was to be a further ten days before the Report was available in book form. It has become apparent that most of the baying herd had either not read the Report or had purposely misrepresented the Report's findings. If they had read it, they would have found that the most important and most immediately relevant findings of the Commission are in Chapter 6 which is headed: "The Health Authorities, the Office of the Minister for Children and the National Board for Safeguarding Children. Chapter 6 also refers to the Gardai.

The Cloyne Report makes it quite clear that the HSE is virtually powerless in dealing effectively with child sexual abuse occurring outside of family situations. The HSE powers consist of removing the child from the situation—which can be extremely traumatic if a child is taken away from its family—and leaving the abuser in position which can lead to other children being abused. Did Taoiseach Kenny rant in his well-simulated anger against the HSE and against the State for the shortcomings and delays exposed in the Cloyne Report? He did not! He blamed the previous Government. He did not say what he was doing in Opposition for so many years. He did not say what his Government is now doing about it in the wider community.

Approximately 2% of child sexual abuse has been by clerics—what is Taoiseach Kenny proposing to do about the 98% being dealt with, or not, by State

Agencies? He didn't say because his tirade was intended as a furious attack on the Catholic Church in Ireland and in the Vatican. Taoiseach Kenny was intentionally and brazenly picking a fight where no cause existed for him to do so. The Cloyne Report is a report on procedures followed. It is not, and the Report stresses that it is not, an investigation into child abuse. No new cases were uncovered. The Report shows that the guilty priests were dealt with and were removed from their Ministry efficiently. The victims were dealt with compassionately and provided with professional counselling. The Bishop of Cloyne, Bishop Magee, put Monsignor O'Callaghan in charge of the cases and the Monsignor is praised in the Report. His humanity, his Christianity and his generosity and his effectiveness are obvious from the Report. The Monsignor did not always have the documentation correct, but he always did the right thing. The Report refers to his huge workload. He did not refer every case to the HSE but, where he did report cases, the HSE did nothing about them, except fill their own files with paperwork while Monsignor O'Callaghan was doing the actual work getting rid of the offenders and helping the victims.

Taoiseach Kenny vented most of his ire and rhetoric against the Holy See which, he says, made "an attempt... to frustrate an enquiry in a sovereign democratic republic as little as three years ago...". I have read the full Report and I cannot find a reference to anything that would amount to an "attempt to frustrate an enquiry". The Report on page 54 quotes a Holy See "Guide to Congregation for the Doctrine of the Faith Procedures concerning Sexual Abuse Allegations" and the relevant sentence is:

"Civil law concerning reporting of crimes to the appropriate authorities should always be followed".

That is in the *Cloyne Report*. I can find no evidence of "an attempt to frustrate an enquiry as alleged by Taoiseach Kenny.

On page 21 of the Report is the high-lighted sentence. "The Commission wishes to acknowledge the full co-operation it received from all parties involved in the investigation and their legal advisors."

Where does this leave Taoiseach Kenny? Apparently it leaves him lying to the Dail. Who do we trust now: Judge Yvonne Murphy and the Cloyne Report or Taoiseach Kenny?

Tánaiste Gilmore, Labour TD, meanly sees the publication of the Report as a vote-catching opportunity and he adds to the hue and cry by wanting to know, publicly, about "the Vatican's role in the cover up". If he had read the Report (but why confuse himself with the facts?), he would find no "Vatican role" and there was no "cover up". There was one success-

ful prosecution and another prosecution was stopped by the Supreme Court on the basis that the incident alleged was a very long time ago and the (by now) ex-priest was 87 and in ill-health.

The victims did not want publicity and under our State Law and Constitution, the alleged abusers were each entitled to be presumed innocent until proved guilty.

Matthew Chapter XX11.17: The Pharisees try to trap Jesus and said:

"Tell us therefore what dost Thou think, Is it lawful to give tribute to Caesar, or not?"

Jesus said: Show me the coin of the tribute and they offered him a penny.

And Jesus said Whose image and inscription is this?

And they said Caesar's and then he said Render to Caesar the things that are Caesar's

And to God the things that are God's."

So exactly what does Tánaiste Gilmore want? Does he care what he wants as long as he gets publicity for himself as a 'Church -basher'? He certainly has not added anything appropriate to the Cloyne Report. He is leaving down the Labour Party, which is a party of the civil State and has nothing to do with any religion in Ireland.

While the politicians are making political footballs out of Child Abuse Reports -Michael Martin got in a few kicks too just to show he's still in the game—what is really being covered up is the state of the economy and how much the politicians are taking from us (because they can) in pensions, compensation for loss of office, and golden handshakes. Not for them the basic redundancy package which ordinary workers receive. Brian Cowen, at the age of 51, has a pension which is equivalent to a fund of €6 million. Ex-Ministers, TDs, and all public servants receive these massive pensions. Not only are they indexlinked into the future but, unlike the rest of us, the payment of the pensions is guaranteed by the State. Not like pensions in the private sector which go down with the stock market on which most of them are based. It just doesn't stack up.

## RECENT READING

I recently read a book *The Cheating Classes—How Britain's Elite Abuse Their Power* by Sue Cameron. It was published by Simon & Shuster in 2002. The book consists of an Introduction of twenty pages, eight true tales of UK maladministration, and a closing chapter on *Future Prospects*.

It is a chilling book. No thinking British person could read these eight tales without realising "this could be me". The tales reveal man's inhumanity to man at an administrative level. Lives ruined by civil servant's decisions, doctor's decisions, lawyer's decisions and passing the buck from Department to politicians to Court and around again.

The twenty pages of Introduction are a

direct and challenging indictment of the system of government in the UK today. Names are named and blame is heaped on those who richly deserve it. But are the perpetrators ashamed? Probably not—most of them have tough skins like elephant's hides. But "ordinary men and women... are starting to recognise that their right to a fair deal is being hijacked by an unaccountable and mainly unelected elite" and "more and more people feel excluded from decisions that affect their lives, decisions that are often arbitrary and against which there is no appeal".

Also:

"The Victorians used to talk of the Upper Ten Thousand—the ruling elite that controlled much of the country's wealth and nearly all the power. That concept of an Upper Ten Thousand is alive and thriving in the twenty first century. The centres of influence may have shifted over the years: the landowning set no longer holds complete sway while those in the media have become more prominent. Yet as in the Victorian era, a close-knit and largely self-appointed group of people still dominates. They are found among the key personnel of the Government, the Opposition, the civil service, business, the universities, the law, broadcasting, the press and the City."

The Labour Party under Tony Blair is accused of rigging elections and of dismantling the checks and balances of (the UK) democracy. Peter Mandelson, one of Tony Blair's closest confidants, said publicly that "the era of representative democracy might be coming to an end".

Indeed! So we have been warned. In the final chapter, Future Prospects, Sue Cameron attempts to say how the present situation could be remedied. She proposes local and national referenda to deal with local and national issues respectively. A good idea for direct democracy proposed by Robert Alexander in his book, The Voice of the People. She makes an excellent suggestion that the Chairman, Governors and Director-General of the BBC be elected by the TV licence payers. Various other very worthwhile ideas for improvement are outlined as is the tendency for politicians to centralise power in their own hands and not release it to the people.

"Do not be intimidated.... that is just what the cheating classes want. Take heart. Your ideas may be imperfect but they will be at least as good as theirs."

This is a book which deserves a wide circulation. It gives some idea of the powerlessness of the British people—a **powerlessness which is one of the causes of the recent rioting**—no matter how much law and order is being talked up.

Could it happen in Ireland?

Michael Stack ©

# Social Engineering With Munitions

Conor Lynch, in mentioning the Omagh bombing in his article, *The Queen Of England Descends Among Us* (IPR, June, 2011) is correct in writing that the RIRA was not going to massacre people in a mainly Republican/Nationalist town. And I don't believe they would do that amount of killing and injuring in a Protestant loyalist town.

My mother was born in Omagh in 1902. Her father Joseph Boyce was born in Ashbourne, Co.Meath in 1868 and started life in journalism and newspaper management in Kilkenny City where he met his wife Mary, who was born there in 1870. After the birth there of two of their children they moved to Omagh, where he took over the management of the *Ulster Herald*, County Tyrone's leading nationalist paper and at the same time developed interests in farmland, shops and houses.

At the outbreak of the War of Independence he assisted with IRA publications (under an assumed name). He also hid IRA personnel involved in the same tasks in his own home and in his various properties.

Relations with the Protestant minority in Omagh was good, despite the Black & Tan raids in the middle of the night, which my grandfather's family suffered on three occasions.

The people of Omagh have been accused of being reluctant nationalists, but nationalists they are in peace time and republican in time of war.

Omagh, a market town, being the capital of County Tyrone is a commercial centre and many of the people were the first to have telephones and cars and outdid Belfast in proportion to the population during the early part of the 20th Century.

British propaganda suggested the RIRA hit Omagh on the 15th of August 1998 because of it disdain at Omagh's lack of resistance during the 30 year war. Its role in the War of Independence Omagh produced its share of IRA units after Sinn Fein's overwhelming victory in the elections of 1918 was not recognised by the Brits. One of my mother's sisters was married to an active member who served a seven year prison sentence in the Crumlin Road Prison as well as on the notorious prison ship, the Atgenta, which had been purchased by Argenta for £3000 from the US Government and converted into a prison hulk. Here, as well as the sentenced, were the first people to be held without charge or trial

During the War of Independence the Omagh courthouse, being a building that held records, was targeted by the local IRA and burnt down. My mother was a friend of the live-in woman caretaker, a Protestant. Seeing the flames she went out and she saw this woman staggering around in shock. Unfortunately the woman died of a of a heart attack in the street.

Again in 1998, the courthouse looked like it was to be a target again. I resented the RIRA sending a car bomb across the border to attack an area that had already waged war and had won considerable concessions. The Catholic population of the North has shown what they are capable of and there is no going back. The war was not about unification. If it had of been then it would still be going on. I am apt to believe only individuals fight for ideals, not a whole population, who can only fight when it hurts.

And how about the killing of the Catholic Ronan Kerr of the PSNI (Police Service Northern Ireland) in Omagh on the 3rd of April, 2011? Did the whole Catholic population of Northern Ireland say he deserved that?

Even without the horrendous casualties there is no doubt the people of Omagh would not have wanted that amount of damage done to their town. Any commercial success the town had was homegrown and nationalist. They didn't deserve this onslaught on their economy plus the unforgettable and unforgivable death and injury brought upon it by, it has been said, the machinations of the British Intelligence services. There have been a few theories of why the Brits did it. One theory says they wanted to embolden Sinn Fein's chances of holding to a peace settlement. These killings are probably legitimate, in their eyes, if it helps to stop any more attacks on the British State. It would be interesting to hear what they have to say, what they felt about it. This will have been their fifth social engineering job by munitions if you count the two bombing attacks south of the border, Bloody Sunday in Derry, and the Ballymurphy Massacre.

Whatever their explanation it would most likely be well above the heads of the population. If the British State is caught out after the event, and the operators are dispensable by being safely dead or retired abroad, they may look to their father-confessor, the *Guardian* newspaper. But that won't stop such work being carried out again in the future if it is deemed necessary.

Wilson John Haire

# Partnership continued

covering the guarding sector of the industry:

"It is understood that while disparate voices were heard at the meeting, a consensus emerged that in the absence of the old ERO, there was a need for some form of mechanism to regulate pay and conditions" ('Decision on JLCs made, but vacuum to remain until autumn', *Industrial Relations News*—IRN 29—27.07.2011).

Meanwhile the hapless Richard Bruton has moved on to a more general agenda, issuing a "consultation paper" on overall streamlining of the employment regulation bodies through the National Employment Rights Agency (NERA), an institution established under Social Partnership a few years ago following Trade Union pressure.

Though we will have to wait to see what emerges, it appears that an important pillar of the system of Social Partnership has yet again weathered a judicial/political onslaught that had been intended to consign it to history.

Philip O'Connor

# **Historical revision**

The Labour Court is a product of a De Valera-led Government. Historical revisionism has long thought us that Republican Ireland of the De Valera era was one of isolationism and economic protectionism leading to stagnation and a catalogue of failure. Lemass allegedly redeemed us later in the 1960s by opening Ireland to the world in the teeth of conservative resistance, symbolised through his rapprochement with Britain over Northern Ireland and the opening of the Irish economy to world trade and inward investment.

This view of things was enthusiastically seized upon by Eoghan Harris's Official Sinn Féin/Workers Party ideologues, notably Paul Bew and Henry Patterson in their hagiography *Seán Lemass and the making of modern Ireland* (1982). But this perspective is blind to the very simple fact that Lemass's rise to power and his reformist programmes in the 1940s were due to De Valera himself, as then Minister Seán Haughey forcefully reminded a conference on Lemass in 2009 organised by Harris's associate Oliver Donohue:

"If I may say, as a grandson of Seán Lemass, I think De Valera gets a very bad press. He certainly gets a bad press in relation to what has been said here this morning and, generally speaking from a historical perspective, but I don't think we should underestimate the role that De Valera played in supporting Lemass. As somebody said, it is very difficult to unravel the relationship between De Valera and Lemass... Obviously they were comrades in 1916 so they had a deep personal friendship and solidarity apart from anything else... De Valera as Taoiseach must have given Seán Lemass some scope as a minister and I don't think that should be forgotten..." (Lemass International Forum, 23 June 2009, p38).

A new biography of Lemass by Dr Bryce Evans (*Sean Lemass: Democratic Dictator*) has appeared which seems to be getting to some home truths about him, if a caustic review is to be believed:

"The highly critical new biography... paints the former Taoiseach as an authoritarian figure with Stalinist tendencies... It was his idea to withhold dole payments to force the urban unemployed into labour camps set up in remote bogs to increase turf production during the war... His ideas also included plans in the 1930s to 'proletarianise' Gaeltacht dwellers by forcing them into special camps where they would learn modern industrial trade ... Dr Evans raises key questions about Lemass's industrial policy before the economic expansion in the late 1950s. Far from being an advocate of the free market, he argues, Lemass had socialist tendencies and the main driver of the change was the senior civil servant TK Whitaker" (Irish Independent, 17 August 2011).

Lemass had great ambitions for the Labour Court which he created. In his *Trade Unions In Ireland 1894-1960*, Charles McCarthy, a former President of the ICTU himself, captured the real social democratic Lemass in his intentions in relation to the Labour Court. The Court was designed to operate on the basis of voluntary consensus between employers and workers:

"...I am proposing the creation of this Court... in the firm conviction that the great majority of workers and employers, the rank and file members and elected leaders, will welcome the prospect of securing an adjustment of industrial differences in a rational and commonsense manner, and will readily and generally use the Court established by the Bill provided that their freedom to take other action is not thereby impaired" (p533-4).

He did not believe in compulsory arbitration, as this must involve State regulation of wages and compulsory enforcement of decisions, as the employers had demanded. He believed that rational and fair decision-making would lead in time to the general acceptance of its decisions. While the Labour Court was given extensive legal powers—notably the system of JLCs and EROs—he refused to make provision for legal representation before it or to appoint any legal personalities to its staff. McCarthy comments:

"We must remember that this was to Lemass only a part of a larger strategy, the first step, in this country, towards a voluntary, integrated prices and incomes policy, supported by statutory institutions. This larger idea, fascinating in its possibilities, was still-born in the election of 1948 and we were left with the Labour Court alone" (p536).

The Court, however, became the machinery by which the first "National Wages Policy" was negotiated just before the 1948 Election, setting a national agreement linking wages and prices. The agreement collapsed under the Inter-Party Government, but was re-negotiated and restored when Fianna Fáil returned to power in 1952.

In an interview with the present writer in 1984, John Swift, a great Trade Unionist, internationalist and former President of Congress, described the Labour Court as the most "revolutionary institution" established in Ireland in his time. But the revisionist 'left' has little time for any of this. Bew and Patterson's biography contains only one minuscule and inconsequential reference to the Labour Court and Francis Devine's recent 1,200-page (!) history of SIPTU has only a few derogatory references to it as an ineffectual and unhelpful institution of State imposed on the Trade Unions (see Organising History. A Centenary of SIPTU, 2009, esp. p422 ff.)

In the 'new democracy' which we are led to believe was inaugurated by the recent election, the first major reactionary attack on an inherited Social Partnership institution appears to have run into the sand. If this transpires to be actually the case, the credit for it must go to SIPTU and Fianna Fáil, and the outcome will be that the position of Labour in the coalition will be enhanced.

Philip O'Connor

# Partnership continued

lobbying the European Commission to influence its response to the proposed new Irish legislation. Much French comment on Ireland's 12.5% Corporation Tax rate is symbolic of a broader general perception that elites in Ireland are shaping the reform agenda in an anti-social manner. *Le Monde Diplomatique* commented on its front page on IBEC's offensive:

"IBEC's directors went to Brussels on 15 June to ask the European Commission to pressure Dublin to dismantle some of Ireland's labour legislation, fast. After the meeting, Brendan McGinty, IBEC director of Industrial Relations and Human Resources, warned: "Ireland needs to show the world it is serious about economic reform and getting labour costs back into line. Foreign observers clearly see that our wage rules are a barrier to job creation, growth and recovery. Major reform is a key part of the programme agreed with the EU and the IMF. Now is not the time for government to shirk from the hard decisions." ...The lever of sovereign debt enables the European Union and International Monetary Fund to impose the Irish employers' dream order on Dublin" ('Europe's wakeup call', Le Monde Diplomatique, July 2011).

The Trade Unions vociferously rejected the ruling of the High Court. They cautioned against appealing to the Supreme Court and instead sought the straight forward solution of immediate legislation to introduce the "policies and principles" necessary to underpin Employment Regulation Orders, pointing out that a commitment to such legislation had been promised by the previous Government in 2008 ('JLCs ruling devastating for workers says union', The Irish Times, 8th July).

In an editorial in SIPTU's Liberty, Frank Connolly revealed that, at a meeting with Congress on 13th July, representatives of the EU/ECB/IMF Troika "confirmed that they had not asked the previous administration to cut the pay of low paid workers through reforming the JLC/ERO and Registered Employment Agreement system. However they said that they had sought an independent review of sectoral wage agreements..." SIPTU Vice President, Patricia King, stated that the Troika did not seek the cutting of wages of low paid workers through JLC/ERO reforms (Liberty, July 2011).

### FF FORCES GOVERNMENT HAND

Fine Gael had fought the election on the basis of restoring the Minimum Wage to £8.60 following the one-euro cut of the previous Government. This affected less than 50,000 workers, many of them casual workers such as students. FG made no mention of any intention to dismantle the more substantial and socially based JLC system, which affects far more workers and a whole system of collective bargaining through corporatist institutions of state.

Minister Bruton stated his belief shortly after the formation of the new Government that the system of EROs and JLCs was "archaic", a barrier to job creation and competitiveness and should be abolished. Nevertheless, the independent review sought by the Troika and whose report appeared on 21st May, while agreeing that numerous aspects of the system should be reformed, including through allowing exceptions where companies were experiencing economic difficulties, and eliminating archaic provisions and some aspects of premium payments, found in favour of retaining the JLC system and the registering of collective agreements with compulsory application across sectors. The report-The Independent Review of Employment Regulation Orders and Registered Employment Agreement Wage Setting Mechanisms (Walsh/Duffy Report)—which had been commissioned by the outgoing Government, came as a major disappointment to employers and to what Éamon Ó Cuív called the "free marketeers in Fine Gael".

Earlier Richard Bruton had issued proposals for a new framework law which would allow JLC orders to be circumvented by "local collective bargaining" and many other 'reforms'. At the time, Labour leaders Eamon Gilmore and Pat Rabbitte, while aligning their party with the Duffy/Walsh proposals, supported the Minister's agenda for 'reform' (www.rte.ie/news/2011/0529/pay.html).

The July High Court decision and the reaction of the Social Partners led to an impressive political initiative by the otherwise moribund and demoralised Fianna Fáil. In 2008 it had promised, in government, to introduce legislation modernising the JLC system and removing the basis for constitutional challenges to it. It finally put an Industrial Relations (Amendment) Bill on the order of business in 2009 but this went by the wayside with the fall of the Government in March 2011.

On 19th July 2011, following continuing vacillation by Richard Bruton, FF's Willie O'Dea reactivated the Bill, with some additional amendments. Alex White (Labour) had in fact first proposed that the Bill be re-introduced and made more robust to deal with the "significant flaws" in the 1946 and 1990 Acts identified by the High Court ruling (www.labour.ie/alexwhite/).

The Fianna Fáil Bill was debated over two evenings in the Dáil to much Labour criticism concerning its lack of constitutional "robustness". Richard Bruton rejected it ostensibly on the same grounds: "the policies and principles outlined are insufficient to address aspects of the judgment. This is the legal advice...they are not sufficient to meet the flaws exposed in the court judgment."

The Government also rejected the "tactic" of appealing to the Supreme Court so as to achieve a "stay pending appeal", so that JLC/ERO protections could remain in place until new legislation could be enacted. The FF Bill was parked at Committee Stage before dissolution of the Dáil.

On 28th July, Bruton finally issued heads of a Bill of his own that would be introduced in the Autumn following discussions with the Troika. It is a very much diluted version of previous proposals and meets most Union objections. While John Douglas of Mandate—the shop workers' union—denounced its proposals on Sunday premium rates (to be replaced by rates already legislated for), his main objection was the kicking of the issue to touch until the Autumn (ICTU, *Union Post*, August 2011).

SIPTU has kept up the pressure on the issue, and immediately responded favourably to the proposed Government Bill. It compared it favourably not only to Bruton's May proposals but also to the recommendations of the Walsh/Duffy report. SIPTU has pursued an effective strategy of pressurising Labour back benchers to influence the direction of Government on the issue. In effect, a SIPTU-FF pincer movement has brought a change in Government policy on reform of JLCs/EROs.

## Limbo

Until a new Bill is presented in the Dáil in the Autumn, the system of EROs remains in a type of limbo. But nature famously abhors a vacuum, and real life asserts itself. An emergency meeting of security employers met at the end of July to discuss the implications of the end of the ERO

continued on page 29

# Partnership continued

powerful business interests that if only they could persuade ordinary workers to take less, our economic woes would be solved. I do not agree with the Cuban solution of being poor and happy while refusing to pursue economic wealth. However, I am also far from believing that the pursuit of wealth and notional increases to GNP creates a good standard of living in itself. I would argue that the Cuban model simply makes everyone poor and I believe in the creation of wealth but it must be fairly distributed... I did not object if those who created the jobs enjoyed a reasonable living as a result but the current narrative worries me" (Dáil Éireann, 20 July 2011).

#### TECHNICAL ISSUES

When an ERO is issued, it cannot be changed-including by the JLC itselffor a period of six months. Under IR 1946, EROs are issued "without supervision of the Oireachtas" and are enforceable in regular courts. These Labour Court rulings that have legal effect (EROs) are included among the general rights of the Labour Court: "no appeal shall lie from the decision of the [Labour] Court on any matter within its jurisdiction to a court of law". The fast food employers, in their case to the High Court, claimed that these aspects infringed Article 15.2.1 of the Constitution which establishes the sole sovereign jurisdiction of the people through the Oireachtas and the judicial system. Their view was that the JLCs, in issuing EROs were acting ultra vires, i.e. outside their competence. Their claim regarding infringement of property rights related to the 2008 Catering ERO which covered particular geographical locations and hence applied varying rates to adjacent territories, imposing unfair conditions on employers immediately adjacent to each other, hence infringing their property rights. In this matter they certainly had a case, and this is one aspect of the JLC system which is archaic.

On the substantial issue of the constitutionality of JLCs, the High Court ruled that legislation had perforce to make provision for numerous legal orders subsequent to legislation itself, e.g. Ministerial Orders that give effect to legislation. What matters, according to the High Court, is that primary legislation contains general "principles and policies" and "identify any standards, goals or factors" by which decisions are made on the basis of the legislation. The defendants in the case—

the JLC, Labour Court and Attorney General—argued that such "principles and policies" were contained in the "Long Title" of the Act which set out its purposes (e.g. creating "harmonious relations between workers and employers"). The High Court found, however, that this was not sufficient, as the actual articles covering the workings of the JLCs in making Orders (Articles, 42, 43, 45) which could be enforced by "criminal prosecution" against employers were "silent as to how a committee" was "to carry out their functions". The JLCs were therefore acting ultra vires and hence unconstitutionally.

#### JUDICIAL PREJUDICES

The courts have previously pointed to the potential constitutional weakness of the 1946 Industrial Relations Act. In a ruling in 1980 in a Supreme Court case where the constitutionality of IR 1946 was not a issue, Justice Henchy warned that the Act needed reform precisely because the absence of clear "principles and policies" undermined its constitutionality.

But in the latest ruling, Justice Feeney's dismissal of the principles, which seem to me—an admittedly legally unschooled observer—to be clearly contained in the so-called Long Title of IR 1946, goes beyond the issue of the JLCs and represents an attack on the whole system of the Labour Court. In Section 28 of his ruling Feeney implies that not just the JLC but the entire edifice lacks constitutional legitimacy:

"Those provisions [of the IR Act 1946] provide no assistance, guidance, principle or policy in relation to the making of recommendations by the Joint Labour Committees or of orders by the Labour Court (emphasis added—PO'C).

The hostility of the judiciary to the Labour Court has form.

At the time of the 1946 Act, which was developed by Lemass bringing Trade Unions and employers along with him, employers had sought a system of compulsory State arbitration and Wage Orders, while the Unions vociferously opposed this and sought a voluntarist system institutionalising collective bargaining instead. To the Unions, the judiciary was not a neutral, objective body, but the upholders of a class system, and it was only the exclusion of lawyers from the Labour Court that finally made it acceptable to the Unions. As Charles McCarthy, a former President of Congress, commented:

"The legal profession confessed to be somewhat scandalised by this decision, but no doubt the decision contributed to the legitimacy of the court in the eyes of trade unions, not surprisingly in view of their distrust of the courts of law..." (*Trade Unions In Ireland 1894-1960*, 1977, p535)

The Union view was expressed at the time by Cathal O'Shannon, ITGWU leader and President of the Congress of Irish Unions:

"The Central Council put it to the Minister that the Chairman should not be a lawyer, and they had succeeded with their point. They had also asked that legal gentlemen should not be allowed to appear before the Court, because they did not want any of the humbug and expense associated with the appearances of these gentlemen. While the Minister saw a difficulty there, he met the Council more than half way by making the provision that legal gentlemen cannot appear before the Court except under special rules to be made by the Court itself for special and rare occasions" (History Of The Foundation Of Comhar Ceárd Éireann, 1946, p414-2)

Employers have always favoured a return to an individualist legal courts-based system, and they have been assisted in this by the multi-layered system of employment legislation that has followed membership of the European Union. Richard Bruton's initial proposals that have now been binned also wanted greater reliance on the regular courts for solving industrial disputes.

## EMPLOYER AND UNION RESPONSE

The reaction of employers' bodies to the ruling was euphoric. In a circular to members issued on the day of the ruling, IBEC's Danny McCoy commented:

"The decision of the High Court.... represents a major opportunity for Irish business to improve competitiveness and create jobs. The High Court has struck down the legislation which allows Joint Labour Committees and the Labour Court to dictate sectoral minimum wages which can be significantly higher than the national minimum wage. These sectoral arrangements... also set onerous and bureaucratic obligations on businesses which are deeply unhelpful... The biggest impact will be that employers will be able to hire new employees on more competitive conditions... IBEC believes that the JLC/ERO mechanism was an anachronism and should be abolished."

IBEC also brought its case to Europe,

continued on page 30

VOLUME 29 No. 9 CORK ISSN 0790-1712

# Saving the Social Republic

# Legislation to underpin the Labour Court system

On the surface of it, the conflict over the Joint Labour Committees (JLC) is a matter of legal technicalities and a failure of legislation. A grouping of employers from the "fast food industry" brought a case to the High Court challenging the constitutionality of the JLC system itself, and also claiming that the particular Catering JLC Employment regulation Order of 2008 infringed their private property rights under the Constitution.

The 1946 Industrial Relations Act transformed the wartime system of emergency wage orders into a system of collective bargaining through corporate institutions centred on the Labour Court. Apart from the extensive and widely used voluntary conciliation and arbitration systems of the Court itself, the Act allowed for the establishment of Joint Industrial Councils (JICs) to regulate wages and conditions across various sectors as well as Joint Labour Committees (JLCs) to establish minimum wages and conditions in sectors where free collective bargaining failed to achieve minimum standards. The JLCs are composed of representatives of the Social Partners in the sectors concerned and the standards they set are then given force of law for all workers in these sectors through Employment Regulation Orders (EROs).

There are currently 13 such JLCs covering about 200,000 workers in sectors such as catering, contract cleaning, retail, agriculture, lawyers' offices and others. It is a civilised system of Social Partnership, ensuring that minimum standards set by society, and unmediated by the judiciary, apply in industry.

On 7th July 2011 Justice Kevin Feeney of the High Court ruled in favour of the fast food employers.

The effect of the ruling is that Employment Regulation Orders (EROs) are deemed unConstitutional with immediate effect. Workers covered by them will not be immediately affected as the terms of existing EROs are incorporated in their employment contracts. But new workers in the sectors concerned will not be covered.

Legislation is now immediately required to prevent chaos and regression throughout the lower paid sectors.

### **DEEP CONFLICT**

The conflict is the first deeply political crisis facing the new Government, going to the roots of the social contract of the Irish Republic developed in the 1940s by Seán Lemass from the basis of De Valera's Constitution of 1937. It is also a challenge to the Social Partnership system inaugurated by the Haughey Government in 1987 that has still stubbornly refused to unravel, despite a widespread consensus from Ed Walsh to Ruairi Quinn that it should. This

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 33 Athol Street, Belfast BT12 4GX or PO Box 6589, London, N7 6SG, or

Labour Comment,

C/O Shandon St. P.O., Cork City. TEL: 021-4676029

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 from:

https://www.atholbooks-sales.org

system has long been in the sites of those who have been irritated by the 'peculiarities' of the Republican system and have worked to restore social arrangements in the Republic to British norms.

The Irish social constitution is also in the sights of a Europe which, in the chaos of its post-Lisbon decline, is falling back on neo-liberal free marketism. Richard Bruton, Minister for Jobs and Innovation, in preparing the heads of a bill to resolve the impasse caused by the High Court ruling, is first submitting these to the EU/ IMF/ECB "Troika" for approval before proceeding with a bill in the Dáil in the Autumn. The EU/IMF loan deal requires the Government to take steps to make the Irish labour market "more flexible" and, immediately following the election, Bruton declared his intention of tackling the "archaic" structure of JLCs with the clear intention of abolishing the system.

The High Court ruling is seen by the abolitionists as providing an opportune moment. As Bruton's Minister for State, John Perry, told the Dáil: "the Government is determined to proceed with urgency to a substantial reform of the current JLC/REA regulatory system in order to protect existing jobs in these vulnerable sectors of the economy and to increase the likelihood of employment in these sectors being increased". In reply, Fianna Fáil's Éamon Ó Cuív said:

"There is a conflict between the people who sit on this side and those who sit on that side of the House as to the approach that should be taken. The free marketeers in Fine Gael would like to drop the whole thing but the Labour Party is very wedded to it. There is an ideological conflict between them, which is understandable because the two parties claimed prior to the election that they were totally different ... We are hearing a narrative from

continued on page 31