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"Shaken, Not Stirred" ?

"Who am I to say whether Martin McGuinness was or wasn't an agent?" That is the unexpectedly modest question asked of himself by the English groupie of Belfast Republicanism in the early 1970s, who went on to join the *Irish Independent's* stable of anti-Irish columnists—Kevin Myers (26th June). If he was her agent, then the Queen does right by shaking the hand of "one of her truly heroic servants". And should not Myers himself also seek the honour of a handshake with this man, whom he has denounced so roundly (and ineffectually) for so long, not knowing that he was a colleague?

But what if he wasn't an agent? Then the Queen's handshake 'serves to endorse *Sfira's* toxic mythology" and that "will be a very bad day's work indeed". And perhaps it makes the Queen an agent of "*Sfira*"!

And why not? These twisted dabblers in Republicanism who have mended their ways dare not look analytically at the perverse British governing arrangements for the Six Counties, which generated the Provo movement and gave it its power. They are therefore driven to explain the Provo movement as a kind of evil which derives its power from another world. And if it penetrated Castlereagh High Security Barracks and took out the most security files in broad daylight, why not Buckingham Palace?

And, by the way, the Northern Bank Robbery, which was so confidently attributed to the IRA by Fianna Fail, and by John Bowman in his great days on RTE, has been restored to the realm of the unexplained by the quashing of the conviction of the Cork moneylender after a rigged prosecution. The overturning of the conviction has scarcely been reported. It leaves the only money from the robbery that has come to light being the hoard found in an RIC building. (Right belief requires one to think that the Provos planted it.)

In the end Myers can't believe that McGuinness was his secret colleague. So it's back to Evil as the source of Provo power—Evil as the uncaused cause of itself which generates infinite power out of nothing.

We recall a series of Secretary of State rummaging the dictionary for disgusting similes to apply to the Provos: scum, pus etc. For Myers they are serpents—anacondas. It puts one in mind of poor Laocoon in the *Aeneid* who was trying to warn the Trojans about Greeks bearing gifts, and to persuade them to destroy the wooden horse, until the serpents came out of the swamp and strangled him.

"The republican narrative is like an anaconda"—it swallows anything that is thrown at it and assimilates it to its own needs—"from the slaughtered Protestants of Wexford in 1798 to the slaughtered Protests of west Cork in 1922".

"*Sfira* lost the war, as 'republicans' always do". So why are those who hate it so unhappy?

Because it does not admit that it lost the War, say 'dissidents' like Anthony McIntyre, who denounced Adams for not keeping on fighting, and who is now a darling of the anti-Provo Establishment.

They lost the War and pretend they won it, and they are now "trying to win the peace". "Trying to"! They have won it hands down. The SDLP has been relegated to the extreme margin by the nationalist electorate, and the Provos have established a relationship with the Paisleyites that the SDLP never succeeded in establishing with the fur-coat brigade of Unionism.

Ireland's Treaty Referendum:

YES vote vindicated!

Angela Merkel has come under massive attack for her fiscal/banking union proposals—from the German capitalist class!

Following her proposals for a fiscal/banking union and the necessity for "Europe" (i.e. the Eurozone) to move towards political union, *Handelsblatt* (organ of German capitalism) (10th June) warned of the danger of Germany being made the financial "milking cow" of Europe. A few days earlier the Chancellor had met with UK Premier David Cameron:

"... the German chancellor said greater fiscal co-ordination was only one of many measures needed to stabilise the eurozone. 'It is necessary, but not the only precondition', she said. 'When we look at the medium and longer term, we need more coherence, not just in terms of fiscal policy, but also in other areas. The pact is a necessary step, but is not sufficient'." (*Guardian*, 7th June 2012).

The British Government and the *Financial Times*—organ of the City of London—have maintained an unrelenting campaign demanding that Germany drop its "austerity" policy towards Eurozone debtor states and instead flood the currency zone with cheap money without strings attached.

The issue came to a head with the Spanish bank crisis. UK Chancellor of the Exchequer George Osborne demanded: "Spanish banks should be given immediate access to the eurozone rescue fund, which can currently only disburse money to governments" (*Financial Times*, 6th June). The fund, which has been bank-rolled by Germany, France and others to an extent of €1tr and to which Britain contributes not a cent, held its nerve and insisted that the €100bn would be transferred only if the Spanish Government took responsibility for it, as there is no European control of banks operating within member states. Irish Government Ministers from Michael

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Primitive Communism And Private Property

Mondragon, Part Nine

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NEXT ISSUE:

Attitudes to Sinn Fein. Stephen Richards
An Irish Anti-Fascist Volunteer. Manus O'Riordan

But Myers does not like this peace in which the Provos are winning the "culture war in the media" with their "toxic mythology". He will not serve the cause of this immoral peace. He deploys "important moral concepts", and tries to unsettle it with "lists of IRA atrocities", such as "the IRA's drowning bath".

We must admit that the detail of the 'drowning bath' escapes us. In our long opposition to the Provo war policy—in West Belfast and not in Dublin 4—we did not refuse to see the political conditions which produced and sustained it, and we rejected the approach of making propaganda out of the last selected atrocity. But another 'drowning bath' is fresher in the memory—the one that was in regular use following the invasion of Iraq. And Myers was a propagandist for that invasion.

"Sfira's" toxic myth is that it "fought a 26-year human-rights struggle against a dastardly British apartheid system". No doubt Myers' important moral concepts blinded him to the fact that what was achieved by the war was precisely an apartheid system. The old system, which

gave rise to the War, was a bogus democracy operated by majority rule. The system which makes the present peace possible is based on a recognition of the existence of two local body politics, each of which has control of Departments of the devolved Government as of right. Apartheid—separate development—was bogus in South Africa, as it did not allow for African development. Democracy was bogus in Northern Ireland, for reasons we have often explained.

What was established in 1998 was a system allowing for a considerable degree of separate development of the two communities, each of which has its proportionate share of devolved power.

What Kevin Myers thinks about this matters little. He writes his angry column for pay every week and must find something to be angry about. What matters is that Myers' view of the Northern situation is now also the view of the leader of Fianna Fail. He declares, in defiance of the evidence of his eyes, that Sinn Fein is a force for sectarian division in the North and tries to subvert it with his selective list

of atrocities, and his support of the 'dissident' critique. His demand is that Sinn Fein should brand itself a murder gang, admit that it lost its murder campaign, and——?

Establishment 'dissident' Anthony McIntyre, who was cultivated by the Establishment's IRA man, Lord Bew, is included in Professor Fitzpatrick's little herd with a contribution to *Terror In Ireland*. The Terror he exposes is that Sinn Fein has an effective party structure and maintained an effective party discipline. It brings to mind the *Irish Times* critique of Fianna Fail under Haughey's leadership twenty years ago when it was generating economic development.

Tommy McKearney, a 'dissident' who has not lost his bearings, was interviewed on BBC's *Newsnight* on the eve of the handshake. He appreciated that the handshake was a calculated political exercise, but thought it possible that Sinn Fein would be caught by the Royalist mystique.

How far can it go while retaining effective independence of action?

Close on 40 years ago, when the War had barely taken off, we discussed the situation with Fr. Faul. Like us, he opposed the War but had a realistic understanding of the conditions that gave rise to it. He was appalled and impressed by the tenacity of the Provos. The Irish mode of warfare was like a hurling match, fast and furious and soon over. But the Provos were playing it like a cricket match. He couldn't understand it.

It soon became obvious that the Provos, who were a product of British misgovernment of the Six Counties rather than Partition as such, made war on Britain by British methods. And the most important moral lesson about warfare that is gained from British experience is not to be defeated. When Britain understood that it was confronted by a tenacity of will equal to its own—a thing which it took a long time to believe—it agreed to the drastic rearrangement of the structure of government which it otherwise would not have contemplated.

The second lesson is that for Britain an Agreement is a continuation of war by other means. Sentiment about peace can be used to disintegrate the enemy after the fighting stops. In British political discourse peace is often referred to matter-of-factly as a weapon. But in the North it found itself countered effectively in peace as well as war. And, after all of that, it is not likely that the Provos will be disabled by

the functionary of State called The Queen. It is only in the Southern Media, which has been shredding its own national culture for years and bringing it into contempt, that the starry-eyed view of Royalty is evident.

Sinn Fein has, in many ways, not yet become an effective party in the South, such as might enable it to take on the role being discarded by Fianna Fail. It has little intellectual presence. It has published little about the history of the state, and tends to trivialise it in its public statements. But, in its handling of Northern affairs, it appeared to understand what had happened in the South in connection with the Treaty and to be determined that it should not happen in the nationalist community in the North. And this was at a moment when Fianna Fail was busily denying its anti-Treaty heritage.

Micheal Martin

Micheal Martin set out his views about Sinn Fein in a lengthy interview with Pat Kenny on 30th April. His remarks feature in the Summer issue of Church & State (Issue 109). Below is a brief extract:

Michael Martin: "...I don't see Sinn Fein as a Republican party in the first instance. Their actions, not just in the past but even in the present day are the very antithesis of what Republicanism should mean..."

...Basically, Republicanism to me is the capacity to unite Protestant, Catholic and Dissenter. And I think Sinn Fein do not have that capacity. We saw evidence of that during the Presidential election when large sections of society here found it difficult to comprehend the prospect of a Sinn Fein Presidency because of the murders and the activities that they engaged in. And yesterday in my speech at Arbour Hill, you know, I made it very clear that there is no connection, nor can there be any attempt to connect the activities of the Provisional IRA with the War of Independence period, or indeed with the leaders of 1916: 1916, which is part of the narrative that Sinn Fein have been endeavouring to articulate.

Pat Kenny: You said Sinn Fein prolonged suffering because of its delay in embracing democratic politics.

MM: Absolutely. And if you talk to some ex-combatants and people who were members of the IRA, they now realise that. And they believe that there was a fundamental dishonesty at the heart of the Provisional IRA campaign from the mid seventies onwards, particularly after Sunningdale. And that thousands of people lost their lives needlessly..."

Myanmar's Aung San Suu Kyi

I raised the issue of Aung San Suu Kyi's father with a functionary of Amnesty International, who feted her in Dublin, and asked why no mention was being made in the promotional information on the visit about her Irish connection. Her visit here immediately after Oslo was because of a connection she has long felt with Ireland and which she once articulated in an interview: It was her father's reverence for Michael Collins who he had regarded as his role model when organising Burma's own war of independence.

The Amnesty man had no knowledge at all of this link and was puzzled by its relevance: "The focus of this is the human rights side", he said! Aung San was a leader of the Burmese struggle for freedom from what was a particularly barbarous British colonial regime (under which "George Orwell", serving as a colonial policeman, took part in guarding public hangings). Aung San's movement initially welcomed the Japanese war to oust the western colonial powers from Asia, and his movement sought to establish a Burmese Government in cooperation with the Japanese. The relationship soured before the end of the war. Aung San was murdered in 1946 at the hands of British agents, as was confirmed by Fergal Keane in a BBC documentary about a decade ago.

Philip O'Connor

The following letter was sent to *The Irish Post* on 22nd June

Deserters For Empire?

Last week in Dublin Burma's pro-democracy leader Aung San Suu Kyi was feted by Bono, Bob Geldof and other worthy but lesser Irish citizens.

Her immense popularity in Burma partly arises from the veneration given her murdered father, a patriot who initially welcomed the Japanese invasion of his country believing it would be less tyrannous than British rule with which he was more familiar.

You carried (June 23) a photograph of British soldiers in Burma in 1943 engaged in the return of Burma to the former undemocratic regime. It was a time when thousands of pro-democrat Indians such as Gandhi and Nehru were interned by the British and millions of Indians perished from famine as a result of British war measures. The photo included a deserter from the Irish Army, who had voluntarily sworn allegiance to Ireland, a democratic state The Irish Times reported that the deserter, Paddy Reid, fought in the Battle of Kohima, in India in 1944. That battle was fought to keep India British, in accordance with Churchill's Imperial agenda.

In Dublin last week Minister for Defence Alan Shatter did Ireland, and history, a disservice by honouring men who dishonoured their oaths. I doubt he will ever be feted in a liberated country as Eamon de Valera was in India, nor that his reputation will rest as securely as does that of de Valera's amongst the nations liberated from colonial rule.

Donal Kennedy

GET ON YOUR COAT OF DUAL COLOURS

It is not as lovers they will soon meet,
nor as enemies on a lonely road,
one indestructible in a peaceful mode,
one a government-issue, made to greet.
Some tear their hair out, some are near dumbstruck:
look who it is in the armoured carriage
with that dog-of-war who used to forage
when war was a community in flux.
Enter politics of the determined,
history hums as it is played by ear.
Two national entities predetermined,
only one Northern Ireland sheep to shear,
now only one golden fleece somewhat thinned.
Two suitors, one soul, one strategy clear.

Wilson John Haire

25th June, 2012

YES vote vindicated!

continued

Noonan to Joan Burton equally took up Osborne's call, as it would of course be nice to have state responsibility for bank debts transferred to others. It was certainly worth a try!

Germany, France and others reject the British pressure to make the Eurozone a "transfer union" where stronger economies permanently subsidise weaker economies without fiscal rules applying, a recipe they see would disable the Eurozone in the long term.

Merkel clarified the other "measures" she envisaged in a "step by step" move to full "fiscal and political union" (of the Eurozone):

"... implying, down the road—once the hard work of fiscal discipline and structural reform was well under way—a willingness to collectivize some debt and even to provide more German money to the poorer countries of Europe's periphery... The package of measures the Union is working on for its summit meeting at the end of June are important but incremental, having mostly to do with more unified regulation of Europe's banks and a European wide system of bank deposit guarantees... The Germans are also working on a package of 'growth measures'—structural reforms to promote economic activity but without incurring new debt—to go along with the fiscal discipline embodied in the fiscal treaty... And Berlin supports the Commission and French idea of shifting some European Union funds towards 'targeted investments' in key countries to produce growth, as well as pumping up the European Investment Bank and exploring 'project bonds' for private investment to create jobs..." (*International Herald Tribune*, 8th June).

So much for the "Swabian housewife" caricature! None of this is new, though that could hardly be gleaned from the international (i.e. Anglo-American) press. As far back as January German Finance Minister Wolfgang Schäuble stated that such systems could be "on the table" once a fiscal union had been achieved (*Frankfurter Allgemeine Zeitung*, 29.01.2012). Merkel's agreement with opposition Social Democrats to support a Financial Transaction Tax in Europe was followed by a statement that at the G20 summit Germany would seek further regulation of global financial markets, especially controls on "shadow banks" and hedge funds outside European control (FAZ, 14th June). The position articulated by Merkel has been fully endorsed by French President Franc-

ois Hollande, who sees his insistence on budgetary discipline plus growth measures finally vindicated.

Germany is, of course, not just Germany. What Merkel represents is the combined voice of all the mainly, but not only, northern Eurozone states, such as Finland, Netherlands, Belgium, France and others, and also including those not even in the Eurozone yet (though eager to get there), such as Poland. Some of these are much more radical in insisting on financial discipline in the Eurozone to ensure the stability and future of the currency. Estonian workers on €250 per week simply do not understand why they should subsidise transfers to yacht owners in Greece who are paying no tax at all.

We have to assume that the *Financial Times* knows what it is doing. On 29th May, two days before the Irish referendum on the Fiscal Compact, it published an opinion piece by Irish eurosceptic David McWilliams: *It's Not A Fiscal Union, It's A Fiscal Straightjacket*. He argued that in current conditions countries in severe debt crises needed not austerity but transfers of money from the Union, and a simple cancellation of bank debt, if they are to recover. The article cast doubt on the wisdom of a "Yes" vote. The *Financial Times* seems to have become something of an oracle of the Irish political class on "economic" matters. It is regularly referred to and deferred to, its commentaries reprinted or echoed in the Irish media. The edition with McWilliams's eurosceptic piece was distributed free with *The Irish Times* in the select areas where the latter provides a home delivery service. Fittingly, in the month since his starring appearance in the *FT*, McWilliams has had a series of articles in the Irish media arguing that the Eurozone had served us badly, would not solve our problems, and that Ireland should now consider a closer alignment with London and sterling instead (e.g. *Closer Ties With Britain Offer Us A Way Out Of Euro Nightmare*, *Irish Independent*, 14th June).

It can only be assumed that the aim of the relentless "anti-austerity" agitation of the *Financial Times* is to so wear down Eurozone political will that it will relent and accept a "transfer union" in which strong economies permanently underwrite profligate spending practices in weaker economies, where consumption far exceeds the value of production. The message is driven home with a reminder of German historical guilt (e.g. Empire historian Niall Ferguson, and Nouriel Roubini, Chairman of Roubini Global Economics, *Germany Is Failing To Learn The Lessons Of The*

1930s, 9th June). The end result of a transfer union, of course, would be a functioning currency zone but with a permanently disabled core. What rich pickings that would bring from the City's perspective!

There is a strong case for those in Ireland, Greece, Spain, Portugal and Spain who argue, as Bloomberg put it, that "irresponsible borrowers can't exist without irresponsible lenders" (*Hey Germany: You Got a Bailout Too*, May 24th 2012). The case is loudly made for "burning the bondholders". But the Eurozone states decided decisively on the alternative path of stabilising and securing the common currency, and moving towards a debt mutualisation system once financial discipline has been bought into.

In Greece, where an opinion poll just before the election showed the largest proportion of the population of any Eurozone country in favour of sticking with the Euro (over 70%), the election was fought out between two blocks essentially over who had the better negotiating position to achieve better terms with Europe. In Ireland, where there are healthy signs already of economic recovery, with a growing manufacturing sector and a balance of trade surplus, the strong support for Sinn Féin's "No" position maintains pressure on the Government to continue to seek improved terms on its repayment terms. This is legitimate politics, once the eye is not taken off the bigger goal.

And the bigger framework is the future of "Europe". The crisis has revealed a thorough-going showdown between the world of Anglo-American finance which is intent on keeping the world open for business for the very global financial system that caused the crisis in the first case, and the Eurozone, which is now solidifying around a programme of stabilising the currency and moving forward to a fiscal union that will seek to insulate itself from global financial predators, not least through restrictions on derivatives trading. The British veto on the terms of the Fiscal Compact last December (compounded now with its threat to veto moves towards EU fiscal union) caused the clear break which has forced the European project to break with the moribund EU and begin to re-establish itself on the ground of the Eurozone.

In this contest Ireland is at a crossroads. It is being lured to see its interests as at one with those of the City of London, while simultaneously to forget its history and see itself as not just a natural ally but a cultural continuum of the Royal Metro-

polis. This is a cultural, political and economic dead end. The referendum result demonstrates quite clearly that the Irish people know this. They are not prepared to jeopardize access to EU funds and the stability offered by the Eurozone for the unpredictable consequences of a return to sterling. Frau Merkel, M. Hollande and

the northern Europeans would be well advised to move to embed the social model that underpins their states—which combines the functioning of markets with deep rooted systems of social partnership, vocational training and high-value social security services—in the rapidly emerging architecture of the new European project.

Visions And Realities—

Trotsky, Stalin and the Fiscal Treaty!

Paul Gillespie is the resident *Irish Times* GEURU. He pontificates every Saturday on the issue. He is also one of its in-house Trotskyists. He goes back to the 60s student politics when he was Chairman of IALSO, the Irish Association of Labour Students Organisations, some of whose members have gone on to great things including at least one, Michael Farrell, who is now a member of the Council of State.

He told us after the referendum that: "*Visions of Europe were in short supply during the referendum campaign, which is a pity is given that the pace of European events is now so fast*" (2 June).

This was of course a very good thing. The reality of the survival of the currency was what concentrated people's minds and everyone knew that it was a case of agreeing with Germany's approach to dealing with this or not. Would you trust Germany or Britain on this pretty basic issue for people's lives? The people made their choice very clear. Visions could wait.

He goes on to explain that he was:

"Writing this column on Buyukada, one of the Princes' Islands in the Sea of Marmara off the vast Asian side of Istanbul, gives a distinctive perspective on the wider European consequences of such decisions... Leon Trotsky spent four years from 1929 to 1933 on this island in exile from the Soviet Union, before moving to Mexico. Here he observed the 1929 crash, the efforts of European governments to respond by budgetary retrenchment, and the dramatic political fallout in the radicalisation and polarisation of European politics. The eruption of Nazism in Germany and the disastrous Stalinist policy of refusing co-operation with the Social Democrats in opposing it opened up the way to the Nazis' victory in 1933. Looking out on the sea from a lovely airy villa, which is now sadly decayed and overgrown, Trotsky wrote his autobiography and his masterly *History of the Russian Revolution*."

Then he claims that:

"Parallels between that period and this are plain to see. Generalised retrenchment can turn recession into depression and

transform political forces and events. Trotsky's vision of a socialist united states of Europe survived that catastrophic defeat until his assassination ordered by Stalin six years later."

Ah, the all-important vision survived! The fact is that the reality of this revolutionary vision disappeared when Trotsky and Lenin ruled the revolutionary roost. If 'blame' has to be allocated for this they should be held responsible for that very pertinent fact. When that revolution did not happen the Fascist revolution was the alternative on offer to sort out the débâcle resulting from WWI. It was this choice and not party tactics in Germany that created a situation that helped to 'open up the way to Nazism'.

When Stalin took over in the mid-20s one obvious reality was the non-existent European revolution. He was not a man for being satisfied with visions. He dealt with realities and was enthused in doing so. In the Stalin/Trotsky debate we are always dealing with two states of mind which is why it is always ongoing in some shape or form among Marxists.

Gillespie goes on to give an illustration of this divide in the post-Fiscal Treaty context. He praises Trotsky who he says:

"always took seriously the Austro-Marxist slogan from the early 1900s: "federalism is democracy's answer to empire". It remains true in the current setting, even though it is far less intense than the early 1930s. It might be amended for the EU to read: "federalisation is democracy's answer to intergovernmentalism"."

He then contrasts this vision with the reality in Europe, i.e. the reality of the inter-Governmental arrangements that now determine politics in Europe. This is condemned:

"Intergovernmentalism as practised by German chancellor Angela Merkel and Sarkozy involved a raw exercise of power that is unsustainable in the longer term, however understandable it is in a crisis. An increasingly common perception of the EU as an unaccountable empire flows from that."

The reality is again wished away. The reality is that the EU, Federal visions, and such mantras are now irrelevant. These visions failed to deal with the current crisis. They had to be abandoned. They failed as surely as the European Socialist Revolution failed over 90 years ago. The inter-Governmental reality is the only game in town and it is gaining ground by the day. There is now political certainty among the Eurozone states and a new form of political alliance will be the net result of the banking crisis. The main reason for this certainty is that Britain is on the sidelines and less able to fish in troubled waters.

Many of those who fancy themselves as 'pro Europe' find it impossible to leave the comfort zone of the EU and such visions and keep interpreting this Treaty as something it was not—an EU Treaty. The *Irish Times* editorial of the same day said of the referendum result:

"It was a decision that is not only crucial to keeping open the possibility of renewed European funding—importantly re-emphasised in recent days in talk of using bailout funds to recapitalise banks—but also in sending a signal to EU partners and international investors that Ireland's place remains at the heart of the EU integration process and of the euro."

This is a total misinterpretation of what the Fiscal Treaty is about—not being an EU Treaty.

And, despite the unique and clear demonstration of positive support for this Treaty which the referendum result showed, the *Irish Times* concludes with its normal all-encompassing negative assessment about the Irish body politic: "*Just as the European economy and its integration has reshaped our own, Europe's politics may do likewise with our sclerotic, dysfunctional politics*".

Just what exactly can we ever do to satisfy the *Irish Times*? Wrong or right we're a hopeless case!

Jack Lane

Referendum Result

The Thirtieth Amendment of the Constitution (Treaty on Stability, Coordination and Governance in the Economic and Monetary Union) was passed by a margin of three to two in Europe's only popular vote on the Treaty. Voters backed the Fiscal Treaty by 60.3% for and 39.7% against.

Five of the 43 constituencies rejected it: Donegal North East, Donegal South West, Dublin North West, Dublin South Central and Dublin South West.

Turnout, at 50 percent, was about average for a referendum in Ireland.

Austerity, Growth and the Fiscal Compact Treaty

THE IRISH REFERENDUM

In a previous article [1] I argued for a No vote in the referendum as the vague nature of the definitions and procedures laid out in the Treaty made it very difficult to tell how these measures would pan out in reality and I believe that Ireland should have lent her voice to the growing movement against the purely austerity-driven recovery strategy to date. The Yes campaign painted a very clear picture that the Fiscal Compact Treaty was a pill the Irish people had to swallow and that if we did not do it now we would be left behind without any access to future bailout funds. In reality it is unlikely that European countries would have denied Ireland a second bailout in order to finance debt owed to European banks, as a second bailout could be significantly less costly than the repercussions of a disorderly Irish debt default. Also, regardless of whether the Treaty was in Ireland's best or worst interests, it was not at all necessary to accept it immediately, as Article 15 allows any EU country to join the Treaty at a later date. So perhaps it would have been wiser to stand back and see what effect the Treaty had in other countries before deciding if we wanted to be a part of it or not.

BAILING OUT GERMAN BANKS

A major qualm many have with the Fiscal Compact is the implication underlying it that sensible and frugal wealthy European countries such as Germany must get the irresponsible and spendthrift indebted countries to sign up to a set of guarantees before handing them more money.

Like the Fiscal Compact Treaty the Maastricht Treaty also lays out a number of fiscal rules, one of which stipulates that the ratio of gross Government debt to GDP must not exceed 60%. From 2004 to 2007 Ireland's debt to GDP ratio fell from 29.4% to 24.8% and Spain's gross Government debt to GDP fell from 46.3% to 36.3%. Germany and France on the other hand, in the same period, failed to comply with the 60% of GDP gross debt limit every single year. When the crisis hit in 2008 the gross debt of nearly every EU country rose, and Ireland's nearly doubled, yet Irish gross debt as a percentage of GDP did not overtake Germany's until 2010 [2].

While Germany herself did not manage to keep to the rules laid out in the Maastricht

Treaty, she now insists that Eurozone countries in severe crisis must abide by an even more stringent set of fiscal rules in order to receive future bailout money. It can be argued that it is fair for Germany to demand certain guarantees before she uses more of her money for bail out crisis-hit countries, yet this argument assumes that German bailout money is some sort of charitable donation.

A very large proportion of the Eurozone bailouts were for the purpose of servicing debts created by private banks which borrowed excessive amounts from private (and some public) banks in France, Germany, the UK and Belgium (in that order) [3]. According to Bloomberg, "*irresponsible borrowers can't exist without irresponsible lenders*" and by December 2009 German banks had lent \$704 billion (more than the German banks' aggregate capital) to Greece, Ireland, Italy, Portugal and Spain [4].

German-funded bailouts to states that owe excessive amounts to German banks for the purpose of debt repayment can hardly be seen as German charity. These bailouts are pre-emptive interventions to avoid the far more costly interventions that would be necessary to re-stabilise the European financial sector (particularly German, French, Belgian and British banks) if Eurozone countries began to default on their debts. Economic advisor to the German Government, Peter Böffinger, summed it up when he stated that the bailouts "*are first and foremost not about the problem countries but about our own banks, which hold high amounts of credit there*" [5].

European Central Bank bailouts are three year loans based on the premise that the economies of borrowing countries will have recovered sufficiently to be able to return to the bond markets and also repay their debts over time. As a solution to the crisis this approach is highly risky. This is particularly so as the time scale of debt repayment and the conditions attached to these loans critically undermine the capacity of these domestic economies to recover. As Hollande argued:

"I am in favour of meeting our (deficit) targets. But it's because I am in favour of serious budget policies that I am in favour of growth because if there is no growth then no matter what we do we will not meet our debt and deficit reduction targets." [6]

ALTERNATIVES TO AUSTERITY?

The main alternative proposed to the imposition of austerity regimes in order to balance state budget deficits is to reduce debt through inflation. This, however, is impossible unilaterally within the common currency. Collectively it is also impossible because, for very solid historical reasons, it is unthinkable for Germany. But Germany has offered few alternative solutions beyond fiscal austerity and borrowing to pay off debt, demanding of other countries adherence to fiscal rules she has a record of not adhering to herself. Eamon Dyas, writing recently in the *Irish Political Review*, noted that Germany's Europe policy in reaction to the crisis demonstrates no trace of what has come to be understood as the German social model [7].

The German rationale for this austerity-driven recovery strategy is that austerity played a crucial role in rebuilding post-war Germany, particularly East Germany after the fall of the Berlin Wall. But this argument fails to remember one extremely important fact; that West Germany was only in a position to develop East Germany because of a number of injections of external capital and easily-available and cheap credit. While it is true that austerity was a tool used in East Germany, this was done alongside an extensive privatisation campaign beyond any that would be possible in a modern capitalist state. This meant that a vast amount of foreign capital was injected into Germany from the early 1990s through the sale of East German property and businesses to foreign investors. It is fictitious to assume that privatisation in currently indebted countries could result in such an inflow of foreign capital, as these states hold a minute proportion of the country's property and wealth compared to East Germany's communist economy before the 1990s.

Of the \$13 billion (about \$100 billion in today's value) that the United States pledged to the Marshall Plan from 1948-1951, Germany was the second largest recipient after France. This money was received in the form of grants (that did not have to be repaid) and, at the same time, the Export-Import Bank provided long-term low interest loans. These funds were handed over to Governments, rather than banks, and the cooperation of different relevant groups, such as labour leaders, Government representatives and business people, was encouraged in their allocation.

A large contributory factor to German post-war re-industrialisation was the counterpart funds which used Marshall Plan aid money to establish Government-administered funds in each country's local

currency, the majority of which had to be invested in industry. The German Government lent these funds to the private sector for rebuilding and, as the money was paid back, further loans could be issued for the same purposes. In this way the funds were repeatedly recycled and by 1996 the German ERP [European Recovery Programme] fund had reached a value of 23 billion Deutsche Mark [8].

This system would be a very good fiscal stimulus model for Europe's currently struggling economies, rather than throwing all allocated funds into a debt pit. Maintaining a Government-administered fund for the purpose of providing sensible loans to small businesses, entrepreneurs and other private sector players could kick-start credit-starved economies in Europe. As all loans are paid back, this sustainable system could use the same funds for business loans and industry development for years to come.

Reduced spending is of course necessary in a crisis, particularly in a country like Ireland where spending skyrocketed while the economy boomed. It is unrealistic to think that we can maintain boom era spending in the depths of crisis, but austerity alone will not alleviate the crisis. Ireland, as well as other indebted European countries, requires similar capital injections as those received by post-war Germany in order to grow and meet her deficit targets without allowing her social systems and domestic economy to be strangled by the burden of debt repayment.

Some of these issues can be tackled politically with limited capital investment and in this lessons can be learnt from Germany's internal social system. As consumption continues to fall in Ireland, perhaps the Government should rethink its current tax system which follows the Anglo-American model of supplementing low PRSI [Pay Related Social Insurance], income and corporate taxes with high VAT rates. While VAT has been proven more often than not to act as a regressive tax, high yields of this type of tax are heavily dependent on a high level of consumer activity which is unrealistic to expect in these economic times. Reforming the recently-introduced Property Tax to a more progressive model based on the value of the property would diminish discontent at the introduction of the flat universal Social Charge while also increasing revenues.

The German apprenticeship model is a way in which Ireland could tackle unemployment, particularly youth unemployment, with little cost to the state. While it is not necessarily an easy system to introduce, the moves to be made are political

not financial. This would require an agreement between the private, public and education sectors and a system whereby apprenticeships across a wide range of disciplines are made available each year as an alternative to the current academic-based University system of higher education. Attaching long-term internships to University courses would also greatly reduce the number of young adults graduating with no relevant work experience and therefore few relevant job prospects.

CONCLUSIONS

"Austerity" and "Growth" have become buzz words with little meaning. Pro-growth policies mean different things to people of different political stripes and economic ideologies. To some, pro-growth means labour flexibilisation and low Corporation Tax and to others it means higher wages and increased social spending to spur the internal consumer market.

Those who advocate a pure austerity line in the recovery strategy view those on the growth side as unrealistic. Those who advocate a pure anti-austerity line are unrealistic, as spending cuts are an unfortunate necessity. The growth movement in Europe, however, is not against fiscal discipline but, rather, it opposes the premise that fiscal discipline alone will alleviate the crisis. What we need is to develop a healthy combination of austerity and growth-orientated policies that simultaneously tackle the human cost of the crisis, the consumer spending capacity deficit, unemployment, the debt issue, industrialisation to reform economies with an unhealthy dependence on the financial sector, while also developing practical apprenticeship-based vocational training systems akin to those in Germany.

Pro-growth does not necessarily mean throwing money at the situation but realising the core obstacles to recovery and tackling them with directed policies. This can include allocating a certain amount of bailout money to the creation of Government-administered funds for the purpose of sensible business lending as was so successfully implemented in post-war Germany, but other growth-orientated policies require political will rather than financial investment.

Germany seriously needs to add some of its own social policy successes to the recovery plan, including elements of its domestic social model, rather than insisting purely on a policy of austerity and debt repayment. Germany's reconstruction and re-industrialisation was based not solely on austerity but also on large injections of foreign capital into the country. This

capital was used very sensibly and an extremely efficient, stable and more or less socially equitable system of capitalism was created. Germany has a lot to offer in pro-growth policies from her own history and domestic model, yet so far these elements have remained absent from the debate, creating the impression abroad that the aim of German policy is merely to ensure her banks are repaid. One can understand why Merkel cannot advocate costly pro-growth policies in the Eurozone, as her electorate would not stand for it. But there are many growth-orientated policies within the German social model that cost very little to implement and lending these elements to the discussion would serve to soften Europe's growing distaste for German leadership as well as reminding the austerity purists that pro-growth does not always mean spending money you do not have.

Massive cuts in state spending to pay off debts incurred by private banks is a recipe for serious political and social unrest. The Marshall Plan alleviated such issues in post-war Europe by allowing Governments to relax their austerity policies. The motive behind this aid package was to quell the rising support for communism in war-torn Europe but the effect cannot be denied. The people of Europe embraced the free market economic model in exchange for increased social spending and the creation of the welfare state. Economic stimulus based on grants and long term low-interest loans created the fastest period of growth in European history, thus allowing the continuation of the welfare state and general acceptance of the market economic model. If we allow the current recovery strategy to hollow out the European welfare state, civil unrest and radicalised politics are sure to follow, on both the left and right of the political spectrum. The beginning of this process at its extreme end can be viewed in the recent Greek elections, but the recent rise in radical left and right-wing parties since the beginning of the crisis is evident across Europe from Finland to France and the Netherlands.

Given the interdependence and common interests of the Eurozone member states, those states with the economic power, credit and capital capacity should not have to wait for a new political spectre to emerge from the chaos before they start resourcing programmes for the economic revival of the Eurozone and the securing of the European social model.

Jenny O'Connor

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American finance capitalism within the wider world".

It seems, to paraphrase Polonius, Germany in her dealings with the outside world should "*neither a borrower nor lender be*"!

At this stage it might be wondered what all of this has to do with the Treaty. Eamon assures us:

"In recommending a "Yes" vote we are also asking people not just to accept austerity but an austerity that has been pre-fashioned along Ordoliberal lines. The austerity has been circumscribed to operate in terms that demand reductions in social spending, the privatisation of nationalised assets, and the relaxing of labour protective legislation."

But there is nothing about "*reductions in social spending*"; "*privatisation*"; or "*relaxing of labour protective legislation*" in the Treaty.

The Treaty is primarily about fiscal discipline, which would have the effect of reducing the influence of global finance. It does not prescribe how that should be achieved but it seems perfectly reasonable that a large creditor like Germany would want to limit her exposure to budgetary problems faced by weaker economies. The Treaty not only envisages greater fiscal discipline but also wishes to strengthen the coordination of economic policies among the contracting parties as well as "*sustainable growth, employment, competitiveness and social cohesion*".

Many of the clauses are aspirational. Others just reaffirm policies, which are already in place. A highly significant aspect of the Treaty is that the UK is not among the contracting parties. As a consequence the British Prime Minister has been consigned to the status of spectator.

The Treaty will bind us closer to Continental Europe and diminish British influence. We have already benefited from a closer relationship with Continental Europe and therefore the yes vote should be welcomed.

John Martin

Bon Nuit !

The significance of the change that has occurred in Europe is underlined by the sequencing of the European Summit of 28th June. The EU leaders met till around midnight; the British delegates had to withdraw and discussions continued till around 6 am.

A Reply To Eamon Dyas

Ordo-Liberal Austerity?

I find it difficult to agree with any aspect of Eamon Dyas's article advocating a No vote in the June issue of the *Irish Political Review*.

The article hardly refers to the content of the Treaty itself, but asserts that it is about austerity. While he concedes that some austerity might be necessary, the austerity that is demanded by the Treaty is anti-working class ("reductions in social spending, the privatisation of nationalised assets, and the relaxing of labour protective legislation") because it is inspired by "*Ordo-Liberalism*" which is a German economic doctrine.

There is no attempt to give an example of a clause within the Treaty that reflects this Ordo-liberal doctrine; the reader is just asked to take it on trust that the Treaty has been inspired by this pernicious (?) doctrine.

So what is "*Ordo-liberalism*"? Eamon tells us:

"While Ordo-liberalism believes in less State interference in the market than Keynesians it nonetheless advocates greater State interference than the classic Anglo-American school".

Leaving aside the question of whether Keynesians are in favour of State interference, it would appear from the above to be a rather eclectic economic doctrine. However, later Eamon suggests that it was responsible for the German Social Democratic Party abandoning nationalisation "*because of its belief in the primacy of the market Ordoliberal economics is not sympathetic to nationalised industries*".

He then gives examples of privatisation which Ordo-liberalism inspired and notes that there was: "*the biggest privatisation undertaking in history when the Government of Western Germany rapidly sold off the entire East German economy in the early 1990s*".

One gathers that this was not a good

thing. But it is difficult to know what else the West Germans could have done. The industries in East Germany were moribund. The economies which they serviced had collapsed. Eamon tells us that the privatisations cost the West German taxpayer 200 billion dollars over a 5 year period. Were they wrong to subsidise the East Germans? Germany also loosened her control of the money supply. Was this wrong also?

In this context Eamon writes the following confusing paragraph:

"But the figure of 200 billion dollars is by no means the full extent to which outside capital was used to pay for the social and political experiment that went into the buying of East Germany as the Treuhand losses do not include the non-losses, in other words the money that flooded in from outside Germany in the large number of cases where the Treuhand managed to negotiate the sale of East German businesses and property to foreign investors without any cost to the West German taxpayer."

But the 200 billion dollars is not a measure of the "*extent to which outside capital was used*". It is the difference between what the German State paid for East German State assets and what it sold them for. As Eamon rightly says earlier in his article, it was "*effectively a subsidy which West German taxpayers injected into the East Germany economy*". It is difficult to understand why Eamon finds it necessary to make the indisputable point that the losses did not include "*non-losses*". The above quotation seems to imply a hidden loss as a consequence of foreign money flooding into Germany?

But Germany can never be right! Not only was she wrong to allow foreign money to flood in to her economy, but elsewhere Eamon appears to be against the export of German capital: "*German finance capitalism is just as predatory as Anglo-*

Shorts

from
the Long Fellow

CENSUS

Fintan O'Toole had a difficult challenge in reviewing the 2011 Census (*The Irish Times*, 30.3.12). There was nothing to be miserable about. The population continues to rise. People continue to marry and have children: the most irrefutable evidence of confidence in the future. And the country continues to attract immigrants.

The population of the 26 Counties at 4.6 million compares with about 3.0 million in the early years of the State. Since Independence the population stagnated, reaching a low point of 2.8 million in 1961. It then began to rise inexorably accelerating from about 1991 when it reached 3.5 million.

In the 2011 Census British residents in Ireland have been overtaken by the Poles as the largest non Irish national group living in the State.

So where did it all go right? Here is how O'Toole deals with this conundrum:

"The question this poses is a profound one: why does the official narrative of crisis and cutback correspond so poorly to the social reality revealed in the census? Why, in other words, is an optimistic demographic turned into a pessimistic insistence on the need for every thing to shrink?"

What official narrative is he talking about? And which media commentator has been the most relentless in his denunciation of the State's failure?!

IRELAND VS ICELAND

It is far easier to analyze demographic data than the economy.

What does it mean to say that Iceland now has 2.5 pc growth when her currency devalued by 50 per cent? There has been a dramatic drop in her standard of living. This has made her indigenous fishing industry, which does not import raw material, more competitive. But the middle class have had its savings and pensions wiped out, while its liabilities which were denominated in euros, have ballooned. Many such people, who are still employed, have decided to emigrate.

An excellent article by Brian Carroll (*Irish Daily Mail*, 28.4.12) documented the appalling plight of ordinary people in that country, who seemed to have fared far worse than the Irish.

Carroll asked a leading Icelandic journalist to explain the apparent contradiction between what people were telling him and the economic statistics. He replied:

"Since devaluation Iceland has become much more agreeable to our neighbours than to us."

DEVALUATION FOR IRELAND?

At the beginning of the crisis the Icelandic solution was proposed by, among others, David McWilliams: We should leave the Euro and devalue. Such a solution was described as turning on a light switch. Once the switch was pressed we would wake up one fine day poorer but more competitive. There would be no social conflict because the deed would have been done.

As it happened the light switch option was not chosen. As a consequence Fianna Fáil increased income taxes (acknowledged by the ESRI as being progressive) and a property tax was put on the agenda and is now being implemented by the current Government: all very messy, but the stuff of politics.

THEN AND NOW

There is a view that a stimulus package will kick-start the economy. All of this was said during the last recession in the early 1980s. In that era we had the "*self financing tax cut*" which very soon became discredited. By the mid-1980s it dawned on many people that the recession had been prolonged unnecessarily because there was no confidence in the future. Investment and consumption decisions had been postponed because there was no confidence in the ability of the Fine Gael/Labour Coalition to tackle the burgeoning public deficit. Fianna Fáil, with the backing of Fine Gael under the Tallaght strategy, restored confidence by introducing Social Partnership in which tax cuts for PAYE workers were exchanged for wage restraint. Tax loopholes for the wealthy were closed off. But there were also cuts in public expenditure—particularly health—that took years to reverse.

At the outset of the current crisis Fianna Fáil took the hard decisions despite a pending General Election. The incoming Government had everything laid on for it. Eamon Gilmore made good his promise not to reverse any tax increases or expenditure cuts, although his rhetoric about "*Labour's way or Frankfurt's way*" has come back to haunt him.

The difficulty that the Government faces is that, unlike the 1980s, the World is in the midst of a recession. No set of economic policies could escape from that fact. If the hard decisions had not been made, the situation would have been worse.

STIMULUS PACKAGE

Keynes's theory on stimulating the economy relies on two assumptions: that the economy is closed; and that there are domestic savings. He never considered the possibility of a marginal propensity to consume greater than one, made possible by borrowings from abroad. If he had, his famous multiplier formula ($1/(1 - MPC)$) would have told him that the consequences of a stimulus package would lead inevitably to a decline in national income. In fact a stimulus package would only be used by the private sector to pay down debt at the expense of increasing public debt.

The national accounts show that we have a balance of payments surplus on the current account. This means that the overall debt (public + private) is reducing. However the State's debt remains on an upward trajectory. If private debt is reducing and State debt is increasing, it means that there is scope for increased taxes on the private sector.

SINN FÉIN

The Long Fellow pays very little attention to Opinion Polls, especially between elections. However it is interesting that Sinn Féin showed a very slight (statistically insignificant) drop from 19% to 16% (*Sunday Business Post*, 24.6.12). This would be hardly worth mentioning if it were not for the fact that the poll was taken a short time after both the Party's Ard Fheis and the extensive coverage it received as the largest party advocating a No in the recent referendum. It should be said that 16% is still ahead of its General Election showing of just under 10% (although not all constituencies were contested by Sinn Féin at the General Election).

There were two things that struck the Long Fellow about Adams's Ard Fheis speech: firstly the party's unique selling point as an all-Ireland organisation; and secondly the contempt that he has for the democratic institutions of the Republic. In the course of his speech he joked about Caoimhín O' Caoláin serving a 15-year sentence in the Dáil. This, of course, went down very well among the delegates. It probably also impressed protest voters, but it is difficult to see how Sinn Féin can grow beyond being a protest party with such an attitude.

Sinn Féin's performance during the referendum was less than impressive. It was difficult to understand what was the point of its High Court challenge. It claimed that the Referendum Commission should have made it clear that, in the event of a No vote, the Irish Government could have access to the ESM [European Stability Mechanism] fund, the establish-

ment of which it had already agreed.

The Irish Times internet edition of 30.5.12 reported on Sinn Féin challenge taken by Pearse Doherty TD:

"Speaking outside the court afterwards, Sinn Féin leader Gerry Adams said he did not accept that Mr Doherty had lost. He said an important principle had been established. Mr Adams said the opinion expressed by Mr Justice Feeney was "only an opinion", which was as valid as the position of Mr Doherty, Sinn Féin and himself."

If the High Court's judgement is "*just an opinion*" it is difficult to understand why the Party would bother making an appeal to it.

Mary Lou McDonald retrieved the situation on the early evening news (RTE, 30.5.12) by saying that the party accepted the decision but insisted that an important principle was established; that the Referendum Commission could be subject to judicial review.

It is doubtful that anyone outside Sinn Féin considers it important that lawyers should be subject to review by other lawyers.

ROYAL BANK OF SCOTLAND

RTE's reports on the early evening news (23.6.12 and 24.6.12) of the computer problems affecting Ulster Bank were bizarre. The impression was given that this was a problem solely confined to Ulster Bank in Ireland. The report showed a picture of Ulster Bank's headquarters in George's Quay, Dublin as if to emphasise the Irish nature of the problem.

But the source of its problem was with the Royal Bank of Scotland Group. The computer problem has affected the 12 million customers of the Royal Bank of Scotland and its subsidiaries which include National Westminster and Ulster Banks.

Ulster Bank is not just an Irish Bank that happens to be owned by a British banking group. The recent problems show that its payments system is integrated with its British owners. If an Irish person wants to make an electronic transfer to another Irish bank, he is required to give the IBAN (international) account details, because the Irish to Irish transfer is routed through Britain.

The computer problem has been head-wrecking for not only customers of Ulster Bank but for anyone trying to make payments to such people. The Long Fellow is aware of two people who have not yet received their salary payment at the time of writing (24.6.12). The payment was due on 21.6.12.

In both cases the people had only had their Ulster Bank account for a few weeks before the crisis hit. Ulster Bank has been busy hoovering up potential deposit-holders in Ireland with lower bank charges. But when it comes to lending to Irish businesses, the bank doesn't want to know.

Bowen again.....

I suspect that many readers are probably fed up to the back teeth reading about Elizabeth Bowen and her activities in Ireland during WWII. I know that I am and I feel like apologising for bringing it up again but Martin Mansergh will not let it be. And what he says is more than flesh can bear.

In the latest issue of *Studies* he says:

"...Citizenship is defined by law and, except at the margins, it is not possible to deny citizenship to groups or individuals otherwise entitled to it. This is not to say that arguments against this principle are not sometimes deployed. For example, a Republican US Presidential candidate in the current primaries, Rick Santorum, has been accused of applauding an evangelical pastor in Louisiana for allegedly telling non-Christian objectors to religious practices to get out of America. Some two-nations theorists have argued that the writer Elizabeth Bowen forfeited any right to be Irish, because she sent reports to the British Government about the state of public opinion in Ireland during World War II. As it turns out, this was at the suggestion of John Dulanty, Ireland's diplomatic envoy to London, as she needed an official reason to be allowed travel to Ireland."

If Mr. Mansergh is talking about people connected with this magazine—and who else could it be—he is telling a blatant and silly lie. We never suggested that Bowen was English *because* she wrote her espionage reports from here for Churchill—she wrote them because she *was* English and did what a patriotic English person did in her country's hour of need. Moreover, the issue he raises as regards Dulanty has been debated directly with him in the pages of the *Irish Examiner* during August and September 2007 and at the Mitchelstown Literary event the following year.

There was no evidence produced during that debate that showed Dulanty was the person who inspired her to write these reports. And Mansergh produces no evidence in *Studies*. He is trying it on. Dulanty, as the Irish Government's representative in London, was duty bound to encourage anybody and everybody who could possibly help make a case for Neutrality. No doubt he also encouraged Bowen and she wrote in the *New Statesman* about the issue. If she was interested with simply reporting on public opinion, that magazine and others would have sufficed.

But her secret reports were another matter altogether and there is no evidence that she wrote them at his request, i.e., at

the request of the Irish Government. The idea that she waited until asked by them to do so is absurd. She was entitled to travel because she had property here. If she had written the reports at the request of Dulanty, they would not be classified as secret by Whitehall and there would not have been a need to have them destroyed. Otherwise, Whitehall must have been full of idiots easily fooled, as the logic of Mansergh's argument is that she was a double agent. And the alleged inspirer, or sponsor, of the Reports would surely have seen a copy or let it be known he knew about them.

She was not making the case for Neutrality—she said so—she was making Churchill aware of the hard reality of Neutrality and the total support there was for that policy and that it would be foolhardy to follow his inclinations and ignore it by invading. Most sensible advice.

Bowen had to keep all her options open including what she would do if Churchill had invaded. Listening to Mansergh *et al*, one would have expected her to become a leader of Cumann na mBan if there had been an invasion. She would of course have continued to serve her country in a very delicate situation for her. Her role would be more intriguing than anything she could have imagined as a novelist. But there is no doubt she would have relished it and played probably a pivotal role. And she would probably have got more than a lowly OBE for her troubles as well as reaping the inspiration for several novels. In her work she might well indeed, *inter alia*, have joined Cumann na mBan which could have been a very useful thing to do in her circumstances! She might even have joined a nunnery if it helped!

Like all Mansergh's notions this Dulanty idea does not originate with him. Mansergh is not a trail blazer in these things. It originated with an old friend of mine, Professor Brian Girvin. Mansergh claimed in the earlier debate that Brian gave him the evidence re Dulanty's sponsorship. But he did not divulge it and it has not seen the light of day in Brian's writings. I wrote to Brian, asking him for it but he remained silent which is a very unusual demeanour for Brian. If he had the evidence, I am sure he would tell me and the world in no uncertain terms. I hope he will respond at some point, if only for old time's sake.

(I share an *alma mater* with him in Cork, St. Kieran's College. That was then a unique lay educational establishment that catered essentially for local 'problem' students and 'problem' teachers. It was founded and run under the watchful eye of

its blind headmaster, Pearse Leahy. Pearse liked to discuss the affairs of the day that he had 'read' about in the day's paper. This was always more interesting for him than teaching. It was a congenial establishment. Micheál Martin is another beneficiary of this brainery.)

It is ironic to see Mansergh pontificating about citizenship and who is entitled to it and that "...it is not possible to deny citizenship to groups or individuals otherwise entitled to it". Oh, yes it is! He should know—he did so deny people. Mansergh did precisely that in Government when his Government with his vocal support changed one of the most basic and noble aspects of Irish Citizens—the automatic right of anyone born here to be a citizen. They repealed the law conferring automatic Irish citizenship on everyone born in Ireland. Does he have any sense of intellectual consistency or shame? How thick is his brass neck?

That change also cut the moral ground from under the oft-repeated case for Bowen to be considered Irish, the fact she was born in Ireland. But any argument will do when pure and simple caste prejudice is the issue. And so it is with Mansergh.

Mansergh does have a real contribution to make to this debate. In the discussion in Mitchelstown he referred to his father's diaries of the period. But they are not available. He is writing a memoir of his recent time in Government. I think his father's dairies would make for much more interesting reading because of his role in the espionage business during WWII. Let's have them.

Jack Lane

The following letter was submitted to Studies on 14th June

Elizabeth Bowen And Ambassador John Dulanty

Dr. Martin Mansergh writes in the latest issue of 'Studies' that "*Some two-nations theorists have argued that the writer Elizabeth Bowen forfeited any right to be Irish, because she sent reports to the British Government about the state of public opinion in Ireland during World War II. As it turns out, this was at the suggestion of John Dulanty, Ireland's diplomatic envoy to London, as she needed an official reason to be allowed travel to Ireland.*"

I can only assume he is referring to people like me who are associated with *The Irish Political Review* as we are 'two-nationist' and we have published and debated the issue of Elizabeth Bowen's espionage reports with Dr. Mansergh for

some years. I debated with him on, *inter alia*, the specific issue of Mr. Dulanty's role in the pages of the *Irish Examiner* in August–September 2007 and at the Mitchelstown Literary Festival in 2008. Dr. Mansergh did not then and has not since produced any evidence to show that Mr Dulanty was responsible for suggesting to Ms. Bowen that she write her secret espionage reports. He claimed that Professor Brian Girvin had given him the evidence. I have known Professor Girvin for over 40 years and I asked him for it. He did not provide it and it is not in any of his writings.

Neither I, nor any 'two-nationist' I know of, ever claimed that Elizabeth Bowen '*forfeited any right to be Irish*' because she wrote those espionage reports—she wrote them because she was English, said so, and did her patriotic service for her country in a time of war.

Mahon's Star Witness

In previous articles we have made the point that Tom Gilmartin was the only witness that was granted criminal immunity and as such can be considered Judge Mahon's star witness. The criminal immunity would have been set aside if Gilmartin had been found to have lied to the Tribunal. However, Mahon took a very indulgent approach to Gilmartin statements. Here is an example of the Judge's evaluation of Gilmartin:

"As has been stated elsewhere in this Report, the Tribunal was satisfied that Mr Gilmartin was an honest witness, and that he gave information and evidence to the Tribunal in the honest belief that it was true and accurate, even though it was not always so."

So in cases where the Tribunal found that Gilmartin's statements were false the Judge granted his star witness a fool's pardon. It is difficult to avoid the conclusion that Mahon had a vested interest in believing Gilmartin. The credibility of his Report is largely tied to the credibility of his star witness.

Even the question of the granting of criminal immunity is mired in controversy. Why did Gilmartin find it necessary to seek criminal immunity? Gilmartin's answer to that question is that he didn't. He was merely following the advice of his solicitor, Noel Smyth. As we have seen in a previous article this is not the only time that Gilmartin distanced himself from the actions of his solicitor. He seems to have the view that the client has no responsibility

As Dr. Mansergh seems reluctant to produce the evidence he claims to have about Mr. Dulanty he could make a very valuable contribution to that period by publishing what he does have—his father's contemporary diary—who played a pivotal role in Britain's espionage work in Ireland during the war. This would add greatly to our knowledge of the period.

He also says in the article that "*Citizenship is defined by law and, except at the margins, it is not possible to deny citizenship to groups or individuals otherwise entitled to it.*" This is not necessarily true and Dr. Mansergh proved it is not necessarily so as a member of an Irish Government that changed the law on Irish citizenship and removed its very noble and generous offer of automatic citizenship to any person born here. He was vocal in support of that disgraceful decision.

Jack Lane

Part 3

for the actions of a solicitor acting on his behalf.

However Gilmartin's passive relationship with his solicitor is disputed. A note prepared by Mr. Pat Hanratty SC, a Tribunal lawyer, relating to a discussion he had with Mr Tom Gilmartin on 30th September 1998 near Luton Airport, stated the following:

"He (Mr Tom Gilmartin) left us to Luton railway station. After John and Desmond {members of the Tribunal's legal team} had got out of the car he turned to me {Mr Hanratty} in the back of the car and said 'don't forget that matter we talked about'. I asked him which matter and he said 'immunity'. I said that we did not think that he needed immunity but that if he wanted it we would get it."

In the course of being cross-examined, Mr. Gilmartin was asked the following question:

"Mr Gilmartin, I am putting it to you that twice in each of these references, twice you lied on oath to this Tribunal."

This question referred to two occasions on which Mr Gilmartin had denied requesting immunity in discussions with the Tribunal's legal team. Mr. Gilmartin answered the question in the following terms:

"No, I did not. I did not knowingly lie to the Tribunal. I made the statement quite clearly, I would never have asked for immunity because I did not need immunity."

So he somehow obtained criminal

immunity—a privilege not granted to any other witness in any Irish Tribunal—without asking for it?!

The problem with Gilmartin's evidence is that it is mostly hearsay. Even Judge Mahon has to concede:

"Both in his sworn evidence, and in other information provided to the Tribunal, Mr Gilmartin referred to information which he alleged had been provided to him by third parties, to the effect that substantial payments were made by Mr O'Callaghan to politicians, including Mr Bertie Ahern, Mr Ray MacSharry and Mr Albert Reynolds. These payments, if in fact they had been made, and were made for the reasons which Mr Gilmartin alleged were indicated to him by his sources, would have almost certainly constituted corrupt payments. Mr Gilmartin however emphasised to the Tribunal that this information was provided to him by others, and that he himself was not claiming that any such payments had in fact been made, nor was he in a position to provide any proof of such payments."

It is all very well for Mahon to enter this cautionary note, but Gilmartin's allegations were made in public. The Tribunal protects witnesses from the laws of libel. So an individual whose reputation has been traduced has no legal redress. As the old saying goes: if enough muck is thrown at a wall some of it will stick.

Every so often Gilmartin comes tantalisingly close to producing some hard evidence. But at the moment of truth it eludes the Tribunal's grasp. In the May issue of the *Irish Political Review* we referred to a meeting in early February 1989 at Leinster House that Gilmartin claimed he had with Charles Haughey, Albert Reynolds, Bertie Ahern, other senior Fianna Fáil figures and an unknown person. As the meeting ended Gilmartin was ushered out of the room by the unknown person and a request was made for IR£5 million. The unknown person handed Gilmartin a slip of paper with the account details that the payment was to go to. When Gilmartin refused to pay the unknown person attempted to grab back the slip of paper, but to no avail.

So Gilmartin had retained the slip of paper with the account details. At last the proverbial "*smoking gun*"! But alas it was not to be. The slip of paper was destroyed by his son some time later. Gilmartin never took a copy of such precious evidence. He couldn't remember the account name. All he could recall was that it was a Bank of Ireland account based in the Isle of Man.

However, he did make his close friend Paul Sheeran aware of both the incident and that he had the bank details of the intended payee. Sheeran was a Bank of Ireland manager who was quite intimately involved with Gilmartin's business affairs. He represented him at Barkhill board meetings. He was also the Bank of Ireland official who facilitated the payment by Gilmartin of IR£50,000 to Pádraig Flynn intended for Fianna Fáil (allegedly). Sheeran features quite often in the Tribunal Report as a witness who supports Gilmartin's evidence.

But, although Sheeran was made aware of this incident and knew that Gilmartin had retained the bank details given to him by the unknown person, he did nothing about it. We are being asked to believe that, although Sheeran knew that the bank account was a Bank of Ireland account and that Gilmartin had all the relevant details, no attempt was made by Sheeran to identify the beneficial owner of the account.

The only evidence for the IR£5 million comes from Gilmartin. All other witness statements relating to the incident are based on what Gilmartin told them. Nevertheless, Judge Mahon accepts Gilmartin's evidence on the unknown man and his IR£5 million demand.

A few months later in May 1989 Gilmartin made a successful bid for land at Quarryvale owned by Dublin Corporation. His offer of IR£5.1 million was significantly greater than a rival bid by a subsidiary of Green Property PLC. This offer was approved by Dublin Corporation in June 1989. It might be thought that the reason why Gilmartin was successful in his bid was that his offer was significantly higher than the only other bid, but that is not what Gilmartin thought. Before the bid was approved by the Corporation Gilmartin says that he contacted Bertie Ahern, who sent Councillor Joe Burke to meet him.

According to notes of a telephone conversation between Tribunal Counsel and Gilmartin in January 1999:

"Mr Gilmartin said that he believed that Bertie Ahern sent Burke in as damaged limitation exercise for Fianna Fail and for the purpose of protecting the Party. In any event Mr Burke went in and did something. Mr Gilmartin says that the Corporation has details of the Burke intervention. Mr Gilmartin did not know precisely what Bertie Ahern did. However, at the second meeting a week later, the tender was approved."

Gilmartin made a number of statements to the Tribunal which even Mahon

concedes contain inconsistencies and are unreliable as regards to dates. In an early statement in January 1999 he had two meetings with Councillor Burke, but in a later statement he concluded there were four meetings.

In an Affidavit in 1998 Gilmartin makes no mention of a request for money by Burke. However, in two statements in 1999 and one statement in 2001 Gilmartin said that Burke had suggested in an ambiguous way that Gilmartin should make a contribution because of the alleged favour that Ahern had given. There was no mention of the amount. However, by March 2004 the story had improved dramatically in the telling. By then Gilmartin was claiming that Burke had asked him for IR£500,000 for the "*favour*" that Ahern had done. This presented a large question mark over Gilmartin's credibility. How could he forget a sensational detail such as a request for IR£500,000 in his previous statements?

When the Tribunal's Counsel asked him about the IR£500,000 Gilmartin initially seemed to backtrack. He claimed that "*it wasn't a demand; it was talking about 500,000 pounds*".

But the Tribunal Counsel persisted as the following exchange with Gilmartin shows:

"Q. There's no ambiguity about that statement, Mr Gilmartin, is there, in fairness. It says he asked me would I not be prepared to pay half a million pounds because I knew that Bertie Ahern was looking after me?"

A. Yeah.

Q. There's no ambiguity about that.

A. That's the only figure that was mentioned, half a million pounds."

After numerous inconsistencies regarding dates of meetings Gilmartin finally settled on September 1990 as the date on which Councillor Joe Burke requested the IR£500,000. While there is no ambiguity in Gilmartin's statement of March 2004 concerning the IR£500,000 demand, it is unclear as to whether the money was to be paid to Fianna Fáil or Ahern himself.

From Gilmartin's testimony it appears that he was non-committal about the demand. After the meeting Gilmartin says that Burke offered to give him a lift to the airport. On the way to the airport Burke wanted Gilmartin to meet Ahern.

Here is what Gilmartin says happened in his March 2004 statement:

"Mr Burke then drove to the Deadman's Inn Public House... I recall that Mr Burke was in the pub for about 20 minutes. When he came out he told me that Mr Ahern was not inside but he thought he might be in another pub. I recall Mr Burke then driving me to another pub

located in the vicinity of Beaumont Hospital. Again, I remember Mr Burke going inside and being in the pub for about 10 minutes, while I waited outside in his car. When Mr Burke came out he told me that Mr Ahern would be there shortly.

"However, I was very anxious at that stage that I would miss my flight back to Luton. I told Mr Burke that I had a commitment to attend a meeting the following morning which I could not miss and I had to insist that he drive me immediately to the airport. Mr Burke tried to persuade me to wait for Mr Ahern's arrival but when I refused to do so, Mr Burke got very upset..."

It is difficult to know what Gilmartin is suggesting in this statement. Is it that Burke felt that if Gilmartin could meet Ahern that Gilmartin would be more likely to hand over the IR£500,000? If so, it all seems a little haphazard for such a large sum of money. Councillor Burke said he had Ahern's mobile number. Why would he have gone chasing around the pubs in Dublin for Ahern when he could contact him by phone? Also, this attempt to meet Ahern happened in September 1990, more than a year after the alleged favour was done. Why had he waited so long? Finally, if Burke had felt that a meeting between Gilmartin and Ahern could result in a IR£500,000 payment, why did he not make a later attempt to do this. To put it mildly Gilmartin's story is implausible.

Councillor Burke responded to the Tribunal in a clear and unambiguous statement:

"At no time did I mention or solicit any sum from Mr Gilmartin. I have never solicited money on behalf of Mr Bertie Ahern, nor has he ever asked me to. I deny categorically Mr Gilmartin's evidence regarding mention of a sum of 1/2 million pounds or any sum being sought by me from him on any occasion."

Judge Mahon is unable to decide on whether Burke, acting on behalf of Ahern, made a demand of IR£500,000 from Gilmartin. However, it is not really possible that Gilmartin could be mistaken on such a sensational claim. It is difficult to see how someone could misunderstand or fail to remember accurately a demand of IR£500,000 on behalf of a future Taoiseach. Either Gilmartin is telling the truth or he is an outright liar. If he is lying on this important issue, how can any of his evidence be trusted?

Gilmartin made a number of quite trivial allegations to the Tribunal. These are only worth considering because they touch on the question of Gilmartin's credibility.

On 17th December 1992 Dublin County Council was due to vote on the Quarryvale

zoning. Owen O'Callaghan strategy was not to lobby for an unrestricted zoning. Instead he wished to confine the retail element in Quarryvale to 250,000 square feet. The reason for this was that he felt that if a proposal for unrestricted retail development was put before the Council it would fail.

This seems a plausible explanation but Gilmartin smelled a rat. In Gilmartin's view, Mr O'Callaghan, in agreeing to scale back the project, was engaged in a deliberate ploy to diminish his, Mr Gilmartin's, equity in the project, and that in the longer term, the scale of the project would then be increased with Mr Gilmartin no longer part of the picture. This assumes that O'Callaghan had absolute control over the Council and that he could dictate at any time how it would vote. The facts suggest otherwise. About 30% of the Council was opposed to all rezoning and there were other powerful developers and community interests opposed to the development of Quarryvale.

A few days before the 17th of December, Gilmartin had threatened to go to the Press on the Quarryvale issue. What Gilmartin was going to say to the Press is unclear. Two AIB managers (Mr Kay and Mr McGrath) flew to London on December 17th to attempt to persuade him that it was in all their interests that the Council vote would be passed, even on the basis of the retail element being restricted to 250,000 square feet.

Gilmartin said that the meeting was delayed for a few hours because Mr McGrath was late. He said to the Tribunal that he:

"...suddenly realised that the main reason for Mr McGrath being late, or that was my opinion, was to stall me until after the Council offices were shut, so, when I did try to get through the people answering the phone was John Deane, Frank Dunlop and John Gilbride".

It is not always easy to follow Gilmartin's logic. But he seems to be saying that, if he had had the opportunity to make a telephone call from London before the Council Offices were shut, he could have influenced the outcome of the vote. It seems that Owen O'Callaghan was not the only one who had such decisive power over Council votes!

It is worth noting that Mr McGrath told the Tribunal that he was not late for the 17th December 1992 meeting in London but added that Mr Gilmartin was two hours late!

Amazingly the Tribunal takes all this quite seriously. It concludes:

"The Tribunal heard evidence of attempts by Mr Gilmartin to make contact

with Cllrs McGrath and Gilbride on the evening of 17 December 1992. It was established, to the Tribunal's satisfaction, that his attempts were not successful largely because the telephones in the Fianna Fail rooms in Dublin County Council were, on the evening in question, being manned by Mr Deane, in order to control contact by Mr Gilmartin with Cllrs McGrath and Gilbride."

But Gilmartin in his evidence (quoted above) said that John Gilbride was also manning the phones on 17th December. So was Gilbride manning the phones to prevent Gilmartin from speaking to himself (Gilbride)?!

There are two other incidents, which have nothing to do with the payments to politicians (the terms of reference of the Tribunal), but they relate to Owen O'Callaghan and they give some insight into the credibility of Gilmartin.

The first incident is trivial and has the comic elements of a bedroom farce. On a date unknown there was a meeting at AIB headquarters, which was attended by among others O'Callaghan and Gilmartin. Here is what happened according to Gilmartin:

"...we had a break and went into the gents and Mr O'Callaghan had been outside the door talking to someone and he disappeared when we went out and he fell out of a broom cupboard. I literally—we heard this rattling and when I looked, here he opened the door of the broom cupboard and he fell out of it."

Mr. Gilmartin confirmed that the 'we' was a reference to himself and Mr. Maguire (Gilmartin's solicitor). In the course of his taped interview, conducted with his then solicitor, Mr. Noel Smyth in London in May 1998, Mr Gilmartin said the following:

"Just before there was a break up, you know, for tea or something and you'd go to the toilet, and he'd be out from front of you and he'd be in the broom cupboard in the toilet. He done that. I caught him out, deliberately caught him out."

So what has Mr. Maguire, the only other witness to this bizarre incident, to say about this? In a letter to the Tribunal dated 6th July 2007 he stated:

"I do recall a break during a meeting when I went to the bathroom with Mr. Gilmartin. I did not notice any broom cupboard in the bathroom. I did not see Owen O'Callaghan in the bathroom if he was there. I left the bathroom before Mr. Gilmartin and returned to the meeting room. Later on Mr. Gilmartin said to me that Mr. O'Callaghan had been 'ear wiggling' our conversation."

This was confirmed by Mr. Maguire in his sworn evidence to the Tribunal.

Is that not remarkable? It would not be unusual for business rivals to keep their eyes and ears open (eavesdropping?) when they are in the general vicinity of each other. But for one such businessman to hide and then fall out of a broom cupboard is, to say the very least, memorable. And yet Maguire remembers that Gilmartin claimed there was eavesdropping, but cannot recall the broom cupboard part even though Gilmartin says he was a witness to it.

So what does Mahon make of all this? He can't determine whether there was any eavesdropping because, apart from Gilmartin's testimony, there is no evidence of it. He accepts Owen O'Callaghan's "*absolute lack of recollection*" of this as being true and notes his denial. However, he also accepts that Gilmartin "*genuinely believed*" there was eavesdropping. Mahon goes on to say:

"The Tribunal did not believe it to have been the case, having regard to the foregoing, that Mr Gilmartin concocted the incident, although it was possible that he embellished aspects of it (and in particular his belief that Mr O'Callaghan fell from a cupboard)."

If the cupboard incident never happened the word "*embellish*" hardly describes Gilmartin's assertion that it did happen. In such an event Gilmartin could be more accurately described as being a "*fantasist*" if he "*genuinely believed*" that it happened.

If Mahon thinks that there is a possibility that the cupboard incident did happen, how can he accept Maguire's evidence that Gilmartin did not mention it to him at the time or O'Callaghan's "*absolute lack of recollection*" of such a memorable incident?

The second incident has none of the comic elements of the broom cupboard. It has more of the dark tones of a mafia thriller or at least Gilmartin's version!

Mr. Gilmartin gave sworn testimony to the Tribunal that, on an occasion in or around the "*Autumn of 1990*", he was taken by Mr. O'Callaghan to a public house in Clondalkin for the purpose of meeting residents from the Quarryvale area, as part of the campaign to bolster local support for the Quarryvale rezoning project. Here is Gilmartin's sworn testimony:

"..We arrived into a pub. And when I went in there, there was nobody there. There was one or two people at the bar. We went over and sat at a table and I asked Mr. O'Callaghan. I says, 'where are those residents I'm supposed to meet' and he says 'well just wait, just wait'. So we

waited about five minutes or more, I'm not quite sure of the time. And then three people arrived, three people, two of them had dark glasses on them, they had dark sun glasses on them, they walked over and sat at a table not looking at me but just looking in my direction and one came over and sat at our table. So I asked Mr. O'Callaghan, you know, what is this about and he says 'oh, well listen'. So this gentleman said to me 'I am the Sinn Féin representative for this area' and he said 'you are on our patch'..." (There appears to be a 'not' missing after the word 'table'.)

According to Mahon, Mr. Gilmartin went on to say that the man whom he said introduced himself as a Sinn Fein representative, said to him "*we have a file on you*". Mr. Gilmartin testified that, when he inquired of the individual if he, Mr. Gilmartin, was being threatened, Mr. O'Callaghan ordered him to listen to the man. Mr. Gilmartin stated that, following strong words from him to the individual in question, he, Mr. Gilmartin, got up and walked out of the public house, whereupon he was joined by Mr. O'Callaghan; both then travelled back into the city by taxi. Mr. Gilmartin also stated that *en route* back to the city, he confronted Mr. O'Callaghan about the nature of the meeting, but that Mr. O'Callaghan merely advised him to take heed as to what had been said.

Mr. Gilmartin explained that this meeting was intended to frighten him and to ensure that he would not continue any development in the Clondalkin area.

Could this have really happened? In the course of his evidence, Gilmartin said that he had recorded the encounter with a dictaphone which he had with him at the time.

At last some tangible evidence to support Gilmartin's evidence! Gilmartin even claimed that he had replayed the recording to himself on occasions, thereafter, but doesn't say if anyone else heard it. He certainly didn't bring it to the police. But alas this recording was destroyed in 1996. And, like the account details for the IR£5 million mentioned above, the Tribunal was denied the hard evidence.

The "Sinn Féin representative", who Gilmartin claimed had threatened him, did not tell him his name, but Gilmartin, years later identified the man from an internet photograph as Cllr Christy Burke, who was at the time an elected Sinn Fein Dublin City Councillor.

Gilmartin was adamant that the person who threatened him was Christy Burke. In the course of it being put to him that Cllr. Burke had never met Mr. Gilmartin (or indeed, Mr. O'Callaghan), and that he had

never been in a public house in Clondalkin, and that therefore Mr. Gilmartin had been mistaken in identifying Councillor Burke, Mr Gilmartin stated "*the only admission I will make to making a mistake, if I see an identical face*" (to Mr Burke's), and he went on to state "*it will have to be practically identical...down to the glasses...down to even his teeth*".

Asked if the individual had any distinguishing features or marks, Mr Gilmartin responded that he "...*didn't see ... any birthmarks on him, but I remember his teeth were uneven...*" Mr. Gilmartin also stated "*I didn't get the photograph wrong, that face is embedded on my memory*". Counsel informed Mr Gilmartin that Cllr. Burke had in fact a birthmark on his neck. Oh dear!

When asked about this, Cllr. Burke telephoned the Tribunal and advised that, "*(a) he had never attended a meeting in relation to Quarryvale, (b) he had never met Tom Gilmartin in his life, and (c) Quarryvale was not in his ward*".

Following some assistance from Burke, the Tribunal discovered that there was a Sinn Féin representative, with a similar appearance to Burke, who had met Gilmartin and O'Callaghan in Clondalkin in connection with Quarryvale. This person was John McCann. He was the Secretary of the Quarryvale Residents' association and was accompanied by the Chairperson, Patrick Jennings. It does not appear that Jennings had any connection with Sinn Féin. Interestingly, the person who organised the meeting, but didn't attend, was the almost ubiquitous Liam Lawlor.

According to McCann the meeting took place at the Jenson Hotel in Clondalkin Village in early Spring of 1991. He thinks Frank Dunlop was also an attendee, but for some reason Mahon does not think Dunlop was there. There were no men in dark glasses or other Sinn Féin representatives. The meeting was unremarkable except for "*one unusual comment made by Tom Gilmartin*". During the meeting Tom Gilmartin described encounters with certain Government "*local and national*" representatives and he ranted loudly about how they were a bunch of corrupt bastards. He was about to mention an individual by name and Owen O'Callaghan seemed to prod him under the table with a gentle tap of his leg with what seemed like a gesture to get him quiet and to say nothing more. The local representatives indicated their support for the Quarryvale development.

In his testimony to the Tribunal, Mr. McCann acknowledged that, at the time of his meeting with Mr Gilmartin, he was

a member of Sinn Féin, and was a Sinn Féin representative in the Clondalkin area. However, it was Mr. McCann's evidence that his political affiliations were not raised at the meeting, and that it had been made clear that he was attending the meeting as a community activist, and more specifically in his capacity as the Secretary of the Quarryvale Residents' Association.

Mr. Jennings provided a statement to the Tribunal, which largely confirmed McCann's version. Regarding Gilmartin's outburst he noted that the meeting:

"...had been positive and upbeat, however the tone changed when Mr. Gilmartin started to recount the difficulties and road blocks that had been put in his way by local authority officials and politicians. At one point he stated that 'they were worse than the Mafia' and were bleeding him dry by making outrageous demands for money. I took this to mean that these demands related to redesignation of the lands in Quarryvale and planning permission. Both Mr. O'Callaghan and Mr. Dunlop appeared discomfited at these disclosures {sic}. Mr. Gilmartin went further and stated that he had paid a single politician £50,000. At this point he yelped in pain clutching his shin, exclaiming, 'Jesus Owen, what are you kicking me for!...'"

It is interesting that Jennings thinks that Gilmartin had "*paid a single politician £50,000*" and not that politician's political party.

Owen O'Callaghan had no significant disagreements with McCann and Jennings's version of the meeting.

Mr Gilmartin denied that he had ever met Mr McCann, save to the extent that he may have been one of two men who remained at another table in the public house, while the man (whom Mr. Gilmartin identified as Councillor Burke) sat with himself and Mr O'Callaghan. In the course of his cross-examination by Counsel for Cllr Burke (Day 770) Mr. Gilmartin strongly denied that at the meeting described by him he had mentioned corruption, or corrupt politicians.

What does the Tribunal make of all this? Gilmartin's evidence is completely different from that of the other three attendees (O'Callaghan, McCann and Jennings) on the question of men with dark glasses and a Sinn Féin threat.

Mahon accepts that a meeting took place in the Spring of 1991 with the four people. He thinks (with no evidence but as a "*matter of probability*") that McCann's association with Sinn Féin was made known to Gilmartin.

He thinks that the meeting was the only occasion that Gilmartin attended with a

Sinn Féin representative. So there is no question of Gilmartin confusing this meeting with another meeting. Furthermore, even though Gilmartin was adamant that Burke was the Sinn Féin representative that made threats, Mahon is satisfied that Cllr. Burke never met Mr. Gilmartin or Mr O'Callaghan and that he (Gilmartin) was confusing Burke with Mr McCann.

So how does Mahon explain the discrepancy between Gilmartin's version of the meeting and the version of the other three, which are diametrically opposed on the question of the men in dark glasses and the Sinn Féin threat? His explanation is similar to his "*O'Callaghan in the broom cupboard*" allegation. It may not have happened but Gilmartin "*believes*" it happened. Here is what Mahon says:

"The Tribunal was satisfied, as a matter of probability, that reference was made to Mr Gilmartin's previous business involvement in Northern Ireland. It was also satisfied that matters which almost certainly contributed to the strained atmosphere of the meeting included references made by Mr Gilmartin to corruption, and a reference by Mr Gilmartin to a payment of IR£50,000 to a senior politician (and which resulted in Mr O'Callaghan kicking him under the table).

"While the Tribunal could not determine with any degree of probability whether or not Mr Gilmartin was threatened in the manner described by him, it was nevertheless satisfied that Mr Gilmartin believed himself to have been threatened in the course of the meeting. Conceivably, this belief by Mr Gilmartin may have arisen as a consequence of the negative tone of the meeting, and because of references made to him about his previous business dealings in Northern Ireland.

"Mr Gilmartin was vigorously cross-examined with regard to discrepancies and/or inconsistencies in the various accounts he gave (both informal and formal) concerning his encounter with '*men in dark glasses*'. While, undoubtedly, there were inconsistencies in the account, the Tribunal was satisfied that there was a written record of Mr Gilmartin's claims in relation to the encounter, at least from February 1998, in the course of his early contact with the Tribunal."

It should said that the only evidence of mention of Northern Ireland at the meeting came from Gilmartin. None of the other three attendees said the subject came up. If there was strain at the meeting, it was caused by Gilmartin himself introducing the topic of political corruption. So Mahon is saying that Gilmartin felt he was threatened as a result of the strain that he (Gilmartin) had introduced into the meeting. But how does he explain the

"*men in dark glasses*" and the Sinn Féin threat? How could anyone be mistaken about such significant details? The last paragraph in the above quotation is an admission that the only evidence is the record of Gilmartin himself, and even this contains inconsistencies.

It should be remembered that, if Gilmartin is to be believed, he recorded the meeting on a dictaphone which he played back and had in his possession up until 1996. So of all the four people, he should have the best recollection of what happened. But even Mahon cannot bring himself to believe the "*men in dark glasses*" story. Of course, neither does he say that Gilmartin is a fantasist or liar.

So much for the credibility of Mahon's star witness!

At this point it is worth concluding with a quote from the statement of Bertie Ahern following the publication of the Tribunal report:

"...not a single witness at the Mahon Tribunal directly stated that I was given a bribe (other than Thomas Gilmartin). And he stated he was only repeating what he claimed he had been told by Owen O'Callaghan. Mr O'Callaghan was always clear that he never made that claim to Mr Gilmartin."

The only reason why the Tribunal investigated Bertie Ahern was the allegations of Thomas Gilmartin. A consequence of these uncorroborated allegations and the Tribunal's investigations of them was that Ahern felt that he had to resign as Taoiseach in order to defend his good name.

The whole affair beggars belief.

The following letter, appeared in the Sunday Times on 24th June

The Dunmanway Killings

Justine McCarthy's article (10 June) stated the position exactly about the mystery of the Dunmanway killings. "How can we know the killers' motives if we do not know who they were?" Martin Mansergh says that the motive was revenge on "a Protestant/Loyalist population" for the shooting of an IRA Commandant by a Protestant/Loyalist. This implies that he knows who the killers were. If he revealed who they were, the killings would cease to be the mystery they have been for 90 years, without even local rumour about the culprits.

Jack Lane

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SUMMER HOLIDAYS

As I squelched my way through Cork city last Saturday (23rd June 2012) I thought about how the papers said that it was our wettest summer since 1958. The rain never let up and then on the RTE News at 6 they showed a huge cleaving off of Mount Brandon into the sea. A local farmer stood nearby with his sheep dog and he thought much more of it would fall. Hill walkers were warned (urbanites all) and indeed I have never seen the land so full of water. It brought to mind the poor people from Rossport in Co. Mayo who did everything in their power to stop Royal Dutch Shell from laying their highly dangerous pipe across their land—precisely because it was bog-land and thus subject to erosion. Our State answered them by criminalising them and throwing them into gaol. Royal Dutch Shell is jointly owned by the UK and Holland. And this week they will finally lay their last bit of pipe. Their victory over the people of Rossport, aided by our Governments (both the last one and this one) is a bitter pill for the poor farmers as this is the County where Michael Davitt was born and where his Land League began their successful campaign to take our land back from the colonials. Davitt and his family were evicted off the land and had to go to Lancashire where he began working and was only a boy of 11 when in the cotton mills he lost his hand up to the arm in a milling machine. In one of the many surreal things that now happen in Ireland, Phil Hogan TD, Minister for the Environment, warned all high bog owners that they were now prevented from cutting their own bogs, while the Taoiseach, Enda Kenny TD, in his now aggressive mode, warned them that they would be considered as breaking the law if they cut their turf and would have to face the consequences. Some of the bogs have been put under Special Areas of Conservation (SACs) by the EU. Yet the biggest and most important area of an SAC was the lake which Shell managed to get through without any problems or threats from the Government of the day. And the most bitter pill of all—Ireland will not make a cent from our own gas and oil—it will be exported directly to Scotland through another pipe which we as tax-payers have mostly paid for.

But when Aung San Suu Kyi from Burma, or Myanmar as it should be called

by our media but of course they go for the Anglicised Burma, it was like something I have never seen. This politician from a remote land was flown in by Bono's private jet with Sir Bob Geldoff, some of the Redgraves and other luvies for a six hour marathon of ceremonies. She was awarded the Freedom of Dublin, an Ambassador of Conscience by Amnesty International (who were conspicuous by their absence during the Northern Ireland troubles) went to the Áras to see the President who was beside himself with joy (who though based in Galway—his conscience was never too bothered with the farmers of Rossport and their unequal fight against the oil joint who destroyed the Niger Delta—except when they hung the poet Ken Saro-Wiwa) and had a concert in her honour. When the celebrations were shown on RTE1 News at 6 o'clock, the ordinary Irish hadn't too much of a clue but, as the camera panned around those excited faces, the State broadcaster overlay the proceedings with a song by U2. I would urge readers to look at the Weekend Section of *The Irish Times*, 16th June 2012 and the front page article written by Kathy Sheridan. She writes such tosh about Aung Suu Kyi's father Aung San who was the national leader and who went to London "*to negotiate a settlement with the British*" where he told journalists that he wanted "*complete independence*", not dominion status from Britain.

"It is said that Michael Collins was one of his inspirations. In any event, the British were ready to deal. In the Burmese elections in 1947 his party won 248 of the 255 seats and Aung San became the pre-eminent leader of the nation. Three months later, at a cabinet meeting, five men stormed the building and assassinated him, along with most the council".

So that is how Kathy Sheridan describes the Cabinet slaughter in 1948. But who were these men? How could any journalist worth their salt just leave the story at that? Or was she told by Kevin O'Sullivan, her Editor that such exemplary discretion was the better part of the paper's interests? After all a former British Ambassador to Ireland stated that it was the British who "*were involved in a little light shooting*" and brought to an end Burma's little foray into democracy. Isn't it amazing then that his daughter was educated in Oxford and married and settled down there? When Bono was on TV he compared Aung Suu Kyi "*to Nelson Mandela, Vaclav Havel*" and almost sotto voce to "*Collins*": The call-up of the West's favourite people. Meanwhile the arms trade goes on and military juntas are big buyers—grand altogether really.

More locally, crops are obviously a huge concern but the rain seemed to be spread out over other areas of Europe too so things are getting a bit hairy. We had just come back from our usual trip to France where we drove around Brittany and ended up staying in Camaret again. During our stay there we had some days of rain but we still got out and had a great time. And it was a great relief to be away from the constant bad news at home which never seems to stop.

One evening as we were eating in our little hotel, I saw two ships come into our bay. I went outside for a better look and there to my amazement was also a huge warship with all the bells and whistles. The coms. were just massive. I came inside and told himself to go out and have a look and he was able to confirm that one ship was customs but the other two were French navy. The lady of the house called to "*my monsieur*" and indicated with much hand gestures and bits of French and English that they were taking shelter in the bay of Camaret because of huge gales that were out at sea. A heavy sea mist finally settled also and nothing could be really seen again that night.

I don't know where people get the idea that Ireland is more expensive than other countries. Certainly, France is that much dearer, as is definitely the UK and amazingly enough Spain. And I can say with absolute certainty that our food is so much better—not just the taste but the cooking as well. We have one of the great cuisines of the world—our fish dishes alone and great tasting vegetables are simply wonderful. So too with our beef and pork. When our Government talks about growth and other such *raméis*—they would be far better pushing the fruits of our seas and land. Yet they still talk about returning to the building trade and NAMA have announced that it intends finishing off some building estates by using at least €10million. Take a tour around Ireland and you would weep at the number of housing estates that are finished and still never been occupied—not to mind the ones with severe infrastructure faults because they were built the first day with poor building materials and shoddy labour. The Fine Gael Minister of the Environment, Phil Hogan TD, has now put the kibosh on looking into the scandal of the planning permissions given out by County and City Councils all over the country. Perhaps it is better that way. The dog in the street knows what happened so let's move forward.

STATE ABUSE

For some time now there have been

It Is Time

alarming stories about our young dying in State care. Now and again a particular gruesome death/murder is highlighted by the media and then forgotten. The HSE has been throwing money at the problem making it one of the most expensive systems in Europe. Staff are paid sums of money that are breathtaking and yet—oh my—how they have failed our children.

The HSE put off for ages making any information available, except on cases that came into the public arena because of bodies found, making them then fall into the Gardaí remit. Now we finally have the *Report of the Independent Child Death Review Group*. The Report was authored by child law expert and solicitor Geoffrey Shannon and Barnardos Director of Advocacy Norah Gibbons. They have established that between 2000 and 2010 there were 196 deaths of children in the HSE system. 112 were as a result of non-natural causes such as suicides, drug-overdoses, road traffic incidents or unlawful killings. No matter what one says, those figures are truly horrific.

They cannot be let there as just cruel statistics because this is a very small country. On the night the report was released, RTE 1 News at 6 dealt with the issue. There was an interview with the two authors, though I would have a difficulty with Norah Gibbons as it could be perceived that there is a conflict of interest between her authorship and her job with Barnardos, which gets money from the State to look after children and act in their interest. But the most important interview was with Fine Gael's Minister for Children and Youth Affairs Francis Fitzgerald TD. Brian Dobson asked the Minister soft questions and never once put her on the spot. He did *not* ask her if she intended to resign or her Senior, Minister for Health, Fine Gael's Dr. James Reilly TD—who was nowhere to be seen. I couldn't help but contrast this with RTE's attitude to the way it treated Church people over the years. Instead Brian Dobson almost leaned over backwards trying to be co-operative with Ms Fitzgerald who was clad in a most fetching fuchsia coloured suit.

Then it was announced by the Minister that a new Ministry for Children would be hived off from the HSE altogether and there would be a Referendum to give new Rights to the Child that over-rules family law. This (liberal) agenda is now well advanced yet there are laws guaranteeing absolute care to children in this country but more money is to be made by pretending otherwise. And of course the groups lapping up the money will continue to make a dog's meal out of helping these same children as has happened in the UK and elsewhere. But, as the media wants us to know, anything is better than the old Catholic Church. QED.

Julianne Herlihy ©

Film Review

Desmond Bell's *Frank Ryan*

Desmond Bell's film, *The Enigma Of Frank Ryan*, begins with Ryan experiencing an RAF bombing raid on Berlin in a late stage of World War 2. The story of how he got there is told in a series of flashbacks connected with his telling of the story to German Military Intelligence. He is being recorded by a German recording machine, the Grundig, which went on to become one of the technological marvels for the post-1945 generation of the world. For the most part Ryan replied to questions put to him by his handler, but on one occasion the machine was left with him overnight, so that he might give an account of aspects of his life which his handler did not wish to be known that he had heard. The point of this seemed to be that the Gestapo did not know about Ryan's activities in the Spanish Civil War, and that it was important that they did not find out. This presumed ignorance of the Gestapo came up a number of times. It seems improbable to me that the Gestapo did not know of Ryan's Spanish activities, or that they could not have found out easily if they sensed that information was being withheld from them.

The Gestapo were the Special Branch of the police of Nazi Germany. If they exercised a general intimidating influence, that is what police forces do. They could scarcely function as police forces if they did not do so. And, if they tortured suspects and subversives, then, judging by all the Hollywood or Ealing films in which they have been represented, what they did is only what guardians of the peace in democracies now do openly, especially in the foremost democracy, the United States—the democracy on which the maintenance of Democracy as an element in the structure of the world is now held to depend.

Ryan was held (as a free agent) by Military Intelligence, the *Abwehr*, commanded by Admiral Canaris. Military Intelligence was a slightly detached, slightly subversive component of the Nazi regime. Ryan was under its protection.

The reason he was taken to Germany—the reason he was rescued from a Fascist prison in Spain—was to go on a mission to Ireland with Sean Russell. One of the interesting scenes in the film showed Veessenmayer, the SS Officer in the Foreign Office who had responsibility for this mission, explaining about the many resistance groups with which they had

contact. He was standing by a set of about fifty pigeon holes, each holding information about a possible ally. Most of them, he said, would turn out to be useless. The thing was to discover which would be usable.

He pulled out one drawer and said it had to do with Indian nationalists opposed to Gandhi. I suppose that must have been Subhas Chandra Bose's group. If so, Germany never got as far as India to make use of it. It was the Japanese that Bose acted with. Japan had been forced by the USA to become a capitalist imperialist power, as the alternative to being a simple victim of Western Imperialism. Faced with an American ultimatum, backed by Britain, in 1941, which would have wrecked its economy if complied with, it attacked an American naval base in the mid-Pacific and invaded the British Empire in Asia. Bose formed his Indian National Army in alliance with Japan, but Japan was defeated before it could become operative. Nevertheless Bose remains to this day one of India's most admired men of action. In neighbouring Burma, Aung San formed a national government under Japanese protection and thoroughly undermined British rule. When Britain tried to restore its Imperial sovereignty in 1945—helped by Irish 'Anti-Fascists' like Cathal O'Shannon—it found the task was beyond its power. Churchill demanded that Aung San should be prosecuted as a war criminal, but Britain found instead that it had to recognise him as the legitimate leader of independent Burma (Myanmar, as it is now known).

If Sean Russell's group was in one of Veessenmayer's pigeon holes, then it had some good company.

I don't recall what the relationship was between Bose and Gandhi. I only know that Gandhi refused to support the British war on Germany. And, when Churchill sent a Socialist, Sir Stafford Cripps, as Imperial emissary to India to urge Nehru to support the British war effort, Nehru expected that he would be offered independence in exchange for participation in the war as an ally. But, when he found that Sir Stafford was only urging him to do his duty as a subject, he turned him down flat.

Britain then set about raising an Imperial Army in India, in defiance of the Indian national movement, Congress, as well as Bose—in defiance of all the vital political forces in India. The outcome was the catastrophic collapse of the Empire at the

end of the War, without there being a developed Indian administration capable of taking over, and religious rioting in which a million people died while the last Viceroy, Lord Mountbatten, looked on, and Partition resulted.

Veesenmayer, with whom Ryan had some discussion, was a member of the SS. The SS was a kind of ruling class, or caste, in the Nazi regime. It was modelled on the English ruling class, which Hitler admired greatly. and the English Public Schools were the model for the educational system set up to produce an elite for the German state.

The German state never had a ruling class. The English state, from the beginning of its evolutionary development around 1715, was entirely the product of the ruling class. It might almost be said that throughout the 18th century and well into the 19th there was no State, only a ruling class—certainly no apparatus of State, recruited from the populace, such as we take for granted today. The construction of this State apparatus began in earnest after the 1832 reform, supervised by the ruling class. It was gradually democratised as successive strata were granted the vote. The Parliamentary franchise was fully democratised only in 1928.

Britain declared war on Germany in September 1939 without having a serious will to fight it, and effectively lost it in June 1940. After that point the defeat of Germany depended entirely on others.

Within Britain, the defeat of 1940 effectively brought a Socialist Government to power. The Tory Party was demoralised. Labour took Office under Churchill and governed at home while he conducted a heroic foreign policy which lost him most of the Empire which it was his greatest wish to preserve. On the basis of its wartime record, Labour won a crushing victory in 1945 and established the welfare state. It might also have peacefully wiped out the remnants of the ruling class. In 1948 it found it was in danger of doing so and pulled back. But the stinking rich of today are a very pale reflection of what the ruling class was. The resemblance between the ruling class remnant one sees on television and the SS as portrayed in the endlessly-repeated Anglo-American war films may therefore not be apparent. But it takes little historical investigation to discover that what the SS did for about ten years was what the English Public-School-bred ruling class did for centuries. Even in the matter of extermination, the SS emulated the English ruling class. Many weak peoples were literally exterminated

as a requirement of English progress, and it is now being discovered that the killing in the suppression of the Indian national revolt of 1857—which is usually trivialised by being called the Indian Mutiny—ran into millions. It was thought to be better for the sense of public well-being in England that the English public should not be too well informed of what was being done in its interest. The SS was of the same opinion. Himmler told his colleagues that it was necessary that what they were doing should be done for the welfare of the German people, but that it was also necessary that it should be kept secret from the German people.

Desmond Bell is to be commended for presenting Veesenmayer as a human being of the English Public Schoolboy type.

The showing of the film on 3rd June, in the Queen's Film Theatre, Belfast, as part of the Belfast Festival, was followed by a discussion about it with the audience.

Feargal McGarry, author of a pamphlet on Ryan, a book on the Irish in the Spanish Civil War, and a contribution to the Oxford University project of *"Re-Writing Irish History"* with a book on 1916, was, as Historical Consultant on the film, on the platform along with Bell. In the film Ryan is shown questioning his German friend, Clissman, about the Camps, and Clissman is shown looking evasive and advising Ryan that that was a subject best avoided. A question was asked about the authenticity of this scene. McGarry replied, as far as I recall, that, while there was no documentary evidence that Ryan knew about the Camps, it was a reasonable presumption that he could have known.

I think that is an unreasonable presumption. Irish revisionists who condemn Irish neutrality seem to take it to be self-evident that, not only did the German public know, but that the Irish Government knew and chose to keep quiet. I have been on the look-out for evidence one way or another for almost fifty years, and all I can say with reasonable certainty is that the British Government knew about the systematic extermination of Jews but chose not to make it a war issue. The extermination was conducted in Poland the Ukraine. But the Polish Resistance, which got to know of the exterminations, went to a lot of trouble to carry the information to Whitehall. But Whitehall already knew because it broken the most secret German codes and was very much better informed than the German public. It did not act on its knowledge, or reveal it and make it a war issue, lest it affront domestic anti-Semitism.

A Hungarian Jew who survived and became a Rabbi in England, Hugo Gryn, was a popular broadcaster on BBC Radio. About 15 years ago I heard him describe the round-up of the Hungarian Jews in 1944. He said they had no idea what was in store for them. If what was being done in the camps was not known on the Jewish grapevine, it is a very rash assumption that it was widely known in Germany.

Systematic extermination was undertaken in the Baltic/Polish Ukrainian hinterland of the War with Russia. Those were areas where popular anti-Semitism merged with anti-Communism and there was popular participation in the exterminations. During the three years of the extermination campaign the German population had more pressing things to think about. So I think that was a false note in a film that had many good notes.

All readers may not be familiar with the outline of Ryan's career. He joined the IRA at the tail-end of the War of Independence. During the 1920s the IRA had a function as part of the anti-Treaty movement in the South. Its existential problems became after Fianna Fail came to power in 1932 and started breaking the Treaty.

I'm sure that the existence of the IRA in unofficial alliance with Fianna Fail played a part in ensuring a peaceful transition from Treatyite to anti-Treatyite government in 1932. In 1933 the defeated anti-Treatyites remade themselves into a Fascist Party, Fine Gael, and organised a mass Fascist movement, the Blueshirts. The rationale of Fine Gael Fascism was that the IRA was Communist, that Fianna Fail was dependent on IRA support, and that the IRA was biding its time, letting the situation ripen for a take-over. When the moment was right De Valera would be discarded, as Kerensky was discarded by Lenin in 1917, and a Communist regime would be established. Some very intelligent and respectable people, including eminent academics, held that view.

Holding such a view, they would have been justified in refusing to vacate Office in 1932. I assume that they did so because otherwise they would have found themselves engaged in an authentic civil war—as distinct from the bogus affair brought about by Britain in 1922-23—with all the vital forces of the country aroused against them.

So they conceded power and then organised a Fascist movement to prevent the IRA/Communist ousting of De Valera. It was an odd situation.

The IRA was then active for a period in

the curbing of the Blueshirt development. Some of its members, represented in the film by Sean Russell, soon felt that they had done enough for Fianna Fail while getting nothing in return and wanted to go into outright opposition to the 26 County State. Others wanted the IRA to develop a kind of socialist programme. Ryan belonged to this tendency. A parting of the ways came about. Ryan and his colleagues formed the Republican Congress while Russell held to an anti-Treaty policy focussed on Partition.

With Fianna Fail operating a *de facto* Republican social policy in Government there was no ground for a Congress development.

In 1936 an elected Republican Government in Spain was challenged by a military insurrection led by General Franco. The situation was complex but was soon simplified down to a battle between Communism and Fascism. General O'Duffy, Fascist President of Fine Gael at its foundation and leader of the Blueshirt movement, took a Brigade to Spain to fight the Communists. Ryan too went to Spain with a contingent of Left Republicans and fought as part of the International Brigades organised by the Communist International.

The Fascists won in Spain. Ryan was taken prisoner. He was subjected to particularly harsh treatment by Franco at the urging of the Irish Fascists.

Britain declared war on Germany about six months after the end of the Spanish Civil War. It did so purportedly in defence of Poland, to which it had given a guarantee of military support. It did not fire a shot at the Germans or drop a bomb on them during the German/Polish War, but it set about working up its declared war on Germany into a World War. And Sean Russell, who had declared war on Britain before Britain declared war on Germany, and carried out a number of operations in England, went to Germany in search of arms after the British declaration of war.

In the film, Ryan is shown in a Spanish prison reading a newspaper account of Russell's bombing campaign in England, and being disgusted with it to the extent of saying that he was tempted to become an informer against the IRA.

Britain did not prosecute its declared war on Germany. Nine months after being subjected to the declaration of war, Germany responded to it. Unexpectedly it broke through the British and French Armies in May--June 1940 and swept along Northern and Western France,

bringing it to the Spanish border.

At that point the Irish Government, which had been making representations to Franco on behalf of Ryan, authorised its Ambassador in Spain, Leopold Kerney to make an approach to the Germans to use their influence with Franco to release Ryan. Franco would not release him, but he agreed that the Germans might rescue him. So the Germans came and whisked him out of his cell and carted him off, watched by a Machiavellian Kerney, impressively played by Niall Cusack.

I don't know if Bell intended to suggest that it was Russell's bombing campaign in England that caused Veessenmayer to think that Irish Republicanism was not one of the worthless items in his card index files, and that this led to the 'rescue' of Ryan.

A couple of weeks after his 'rescue' Ryan went on a submarine trip to Ireland with Russell. Russell died on the submarine of a burst appendix and Ryan, who apparently knew nothing of the mission, returned to Germany. And that is the end of the story.

The film ends abruptly with a caption telling us that Ryan died in Berlin in 1944 and that Fascism was defeated in 1945.

But of course Fascism was not defeated in 1945. The Fascism against which Ryan had fought established a very successful regime in Spain and, in the course of the next thirty years, created modern Spain and organised an orderly transition to democracy under a constitutional monarch. And, by its armed neutrality in the British/German segment of the World War, it saved Britain from the need to make a settlement. If it had joined Germany in the War, Britain would probably have been disabled by loss of Gibraltar.

In making this film Bell made his way through ideologically difficult terrain without resorting to caricature. But there is one very great flaw in it. The actual Irish Fascist movement is missing from the film, and I think an innocent viewer would have taken Russell to represent Irish Fascism.

I would have asked about this in the post-showing discussion. It is almost twenty years since I did anything in Belfast and I thought I would be unknown and might therefore be able to ask a question. Being short-sighted I sat in the front row. The panel were about ten feet in front of me. I don't think it's possible not to notice somebody ten feet in front of you raising his hand four times, but somehow they managed it—though none of the three

panelists were personally known to me. So it seems that I am still far from being unknown in Belfast.

I don't think the existence of actual Fascism in Ireland then was any more unnoticeable than was my existence with my hand up in the front row of the Queen's Film Theatre. And it had a direct bearing on the course of events being described. But for its influence, Ryan might have been released from Spanish captivity and come home.

I suppose the film was made with public money, and that depicting the Fascist origins of Fine Gael was therefore out of the question. Fine Gael dominated Irish academia in that period, and for a generation after 1945. When it reverted to the orthodox Parliamentary system maintained by Fianna Fail it falsified the historical record with regard to its origins (as 'Official Republicanism' has done with regard to its lunatic terrorism of the 1970s since its entry into the corridors of power), and would not react kindly to being reminded of them. But it no longer dominates academia. Dominance has passed to a generation of historians shaped by Oxford and Cambridge and made influential by British patronage. It seems, however, that 'revisionism' has been advised that Fine Gael's post-Fascist story about itself in the 1930s is not to be revised. And so we get Sean Russell, the purely Republican military leader who would have no truck with social ideologies, being used as a scapegoat for the actual Fascism of the time.

In one strange scene set in the mid-thirties he is shown giving an ultimatum to Ryan, which led to a decisive parting of the ways between them, while flicking food into a goldfish pond. It somehow put one in mind of Dr. No—even though they were goldfish, not piranha.

In another scene the Russellites are shown preventing a Northern group of Congress Republicans from taking part in the Bodinstown event because they were Protestants. My understanding was that the fracas happened because the Congress had not abided by an agreement that the rival groups should not display banners. But I am probably wrong. After writing a pamphlet about the Congress a long time ago, I lost interest in it—and likewise with Mellow's *Jail Notes* after I had published them, I think for the first time. It seemed to me that there was little social Republican space remaining to be worked on after Fianna Fail got going, and there was certainly no social revolution to be made against Fianna Fail, which in those times was the national party by virtue of carrying

the bulk of the middle to lower section of society with it in an effort that was generally felt to be worthwhile.

I grew up in a constituency where there were safe Fianna Fail and Labour seats and the third seat was in contention between Fianna Fail and Labour. Fianna Fail was responsive to pressure from the Left, but the prospects of its being overthrown by a Left movement against it were nil. But pure and simple Republicanism was far from being despised. Brian O'Higgins' publications—which have no equivalent today—kept people in mind of what it was all about, and they made sure to remind themselves of it at the appropriate season.

The last major Republican event that happened while I was still living in Slieve Luacra was the very pure and simple invasion of the North in 1956 (which had been fuelled by the enthusiasm generated by Fine Gael's return to Republicanism in 1948). The general response was one of approval because what was going on in the North was a disgrace. I don't recall any expectation that it would lead to the ending of Partition. But, because of the condition of the North, it was a good thing to have done.

Political science does not understand such attitudes. And the Dublin Establishment of the past generation deplors them.

The media mouthpiece of the post-1970 Dublin Establishment, John Bowman (who in his radio archive on June 17th regurgitated the nonsense that "*The Emergency*" was the Irish name for the 2nd World War), when he was Chairman of *Questions & Answers* regularly interjected with a reminder of Russell's collaboration with the Nazis.

Russell went to Germany for guns without being a Nazi, as he had gone to Russia without being a Bolshevik. He stood on his own ground as an Irish Republican. He did not concern himself with what the world was doing to itself. His concern was with what Britain was doing in Northern Ireland. And, if he took it that what was going on in the North was simply the result of Partition as such, rather than the result of the perverse mode of government imposed by Britain along with Partition and as the means of enacting and sustaining it, he was only taking it as it was generally taken. And, however one takes it, the fact stands that Northern Ireland was a disgrace and that the cause of it was Britain.

Russell, a Volunteer since the foundation of the Volunteers in 1913, took part

in the Rising, the War of Independence and the Civil War. He stood for the Republic pure and simple. That is to say, he stood for the independent statehood of the nation without going into the matter of how it should be governed. That now seems to be treated as a disreputable position with regard to Ireland, though the assertion of an unconditional write to independence is otherwise the norm. And, if he took the island to be the nation, that was nothing unusual. When, thirty years after Russell's declaration of war, I questioned the equation between the island the nation, I was treated as a kind of traitor.

Russell went to Germany as an unconditional Republican after Britain had declared war on Germany, and expected assistance from the Germans if they were serious about the war. His position was clear.

He met Ryan, who found himself in Germany as an accidental consequence of having departed from pure and simple Republicanism by taking part in the class war. Republicanism based on class war had little scope for development in Southern Ireland after Fianna Fail had established an effective class compromise—and the prospect of shifting the Protestant industrial class in the North away from Unionism by class slogans was always illusory.

The rise of Treatyite Fascism in Ireland, and its active support for the insurrection against the Spanish Republic that was seen as being strongly Socialist in tendency, seems to have been what led Ryan to Spain. There was a kind of displacement to Spain of a conflict which had no scope for development in Ireland after Fianna Fail had enacted a functional social compromise.

Simple class antagonism is not a possible mode of social existence. A class compromise of one kind or another must be made. The Great War, launched by Britain in 1914, broke the evolving culture of Europe and set the social elements in free antagonism with one another. In Russia a working class ascendancy was established in the form of a Socialist dictatorship. In Italy a capitalist ascendancy was established by the Fascist movement acting in place of the liberal bourgeoisie, which was incapable of acting effectively on its own behalf within the political forms of Parliamentary democracy. It was widely recognised in Western liberal circles that Fascism was a form of class compromise that warded off Communism

The Free State Government of 1922-32 acted in a blunt authoritarian manner that

might have generated fundamental social antagonisms that made society dysfunctional, but in 1932-3 Fianna Fail quickly established the functional compromise that deprived Treatyite Fascism of a realisable object.

It seemed to me that in Spain the outcome was determined by the political effectiveness of the internal forces rather than by the outside interventions. And Ryan found himself stranded in a Spanish prison at the end of it because of the influence used against him by the Irish Fascists, who are conjured away in the film. He was released into German hands by means for which he was in no way responsible, at a moment when England's reckless launching of another world war had put Nazi Germany in control of France. Within weeks he was put on a boat for Ireland with Russell—against whom any charge of being a Fascist collaborator would be absurd—and he returned to Germany when Russell died *en route*.

Feargal McGarry describes him as a Fascist collaborator, apparently because he did not take the dingy to the Kerry coast when Russell died.

There were actual Fascists in Ireland in those days, but the focus is on an alleged collaborator.

Treatyite Fascism withered in the course of the War through supporting Neutrality. The outstanding figure who did not support neutrality was John Dillon. He wanted Ireland to make itself available to Britain. And we have Elizabeth Bowen's word for it that Dillon as a Fascist.

And then there was Northern Ireland. What was Northern Ireland? I have described it as an undemocratically-governed region of the British state, but the prevailing opinion is that it was itself a state. If it is taken to be a state, I can see no substantial grounds for disagreeing with the view of thoughtful Northern nationalists at the time that it was Fascist. And McGarry, as one would expect from a contributor to the *Oxford Re-Writing Of Irish History*, does seem to regard it as a state.

In the discussion following the showing of the film, McGarry played around with the word *collaborator*. He said it did not always have the meaning, or the overtones, that it has now. Maybe so. But, when he characterised Ryan as a collaborator, he did not indicate that he was using the word in some archaic sense.

If one looks for collaborators with Nazism, in the sense of people who supported it actively and helped to establish

it as a major Power, then one should give pride of place to Britain, the guarantor of the Versailles restrictions on Germany, which helped Hitler to break those restrictions. It allowed the militarisation of the Rhineland, made a Naval Agreement giving Hitler the right to construct a Navy, allowed Conscription for a standing Army etc., culminating in the gift to Hitler of the Sudetenland. None of this was "appeasement", which carries the meaning of conciliating a Great Power. Hitler was not the leader of a powerful state in 1933. He became so only in 1938, after five years of active English support.

English policy in 1938-9 makes a kind of sense if one assumes that Nazi Germany was being prepared for action against Russia in a scheme which miscarried. It is hard to find any other sense to it.

McGarry mentioned the German/Russian Pact of August 1939 as something which perhaps helped to explain Ryan's collaboration.

Britain has always acted internationally in pursuit of its interests as a state, regardless of the prevailing ideology of the moment, but its apologists profess astonishment at the agreement made by Germany and Russia in 1939. It was unprincipled of them of them not to be so locked into their ideologies as to be incapable of defensive manoeuvre when they were being manoeuvred into war against each other.

Fascism was the saviour of Central Europe from Communism and Fascist Germany had been built up into a Great Power so that it might realise its full destiny by destroying communism at its source. and then, instead of acting as an ideological robot, it responds to overtures from the ideological enemy for a Non-Aggression Pact, throwing the British position into disarray, and bringing about the fiasco of September 1939-May 1940.

When Ryan was whisked out of his Spanish prison, Britain had withdrawn its Army from its War, and independent reports say that there was relief in England that the danger of another war of masses of infantry had receded.

Ryan must have acquired a pro-Russian orientation in Spain, where Russia was the only Power that stood by the Republic. He emerged into a world in which the ideological forces that had been in conflict in Spain had undertaken not to make war on each other. Both were making peace propaganda. Only England was at war—trying to spread the war so others would fight it. Ireland, like most of the world was neutral. And I don't know where the

The following letter appeared in the *Irish Times*, 28th June

That Handshake!

Two newspapers with long imperialist traditions, The Irish Times (June 26th) and the Times of June 27th, carried cartoons of a be-gloved Queen Elizabeth shaking hands with a bloody-handed Martin McGuinness.

What bloody nonsense is this? When McGuinness was a young child the queen's agents were up to their necks in blood: in Kenya alone during the first eight years of her reign they hanged over 1,100 Africans after farcical trials.

All the perfumes of Arabia could not sweeten such episodes. Perhaps Lady Macbeth's failure to wash the bloodstains from her hands accounts for the tradition of later queens always wearing gloves in public.

Donal Kennedy

morality comes from which says that most of the world was wrong, and that Ireland—kept unarmed by Britain, and with a section of its nationality being tormented within a region of the British state in a system that those who suffered under it described as Fascist—should have handed itself back to Britain for use in the war that Britain had bungled, and had never made any serious preparation to fight.

If actions are not judged in the circumstances in which they are undertaken, historical understanding is discarded and is replaced by mythologies spun by the victors—as is done by McGarry.

*

Eoin O Broin of Sinn Fein was on the platform for the post-showing discussion to give a contemporary Republican comment on the film and the events it depicted. He disagreed with the practice of taking your enemy's enemy for a friend. He questioned whether the United Irish had been wise to invite French assistance. Would a French despotism really have been any better than the British? It was strange hearing this echo of Conor Cruise O'Brien from a Sinn Fein speaker.

What would French despotism have consisted of? A bourgeoisification of the country by the action of the peasantry and a section of the urban middle class, acting against the aristocracy under French protection, I assume. And if, when that reform was accomplished, there was friction between the Irish Republicans and the French, and France had insisted on having its way, that oppression would have been utterly different from the oppression actually suffered at the hands of Britain during the 19th century. And Ireland would have been normalised as a European country. France was defeated by Britain in a 22-year war, but the foundations of modern Europe were laid by France (Revolutionary and Napoleonic) during those years.

The strength of the Provos is that they are the specific product of the Northern Ireland system wantonly set up by Britain in 1921 as a means of enacting and continuing Partition. Their effectiveness is provincial. Danny Morrison once said that, if they were given a fair deal, they would out-revise the revisionists, and that is certainly the tendency of the moment in the South. Some old-fashioned pure and simple Republicanism would be welcome now.

*

A final word on the film. The scenes between Ryan and Rosamund Jacob are awkwardly poised between token romance and pornography, being neither one nor the other. The purpose seems to have been to make some point about Catholic inhibitions in sex matters, but what the point was I cannot say. It all just seemed out of place. And Ryan in Germany is shown as living a solitary life, which I understand was far from being the case. He lived a sociable life while waiting to see what the outcome would be. And why shouldn't he? It was not he who threw the world into flux.

A few months ago John Gray, a kind of *Guardian* philosopher, did a daring think-piece on BBC Radio. *What if* Halifax had replaced Chamberlain in May 1940 instead of Churchill? It came close to happening. The awful result would probably have been a settlement with Germany. Unthinkable. But wait a minute! Wasn't it the continuation of the War by spreading the War after the defeat in France that led to the extermination of the Jews etc! Having raised that daring thought, Gray rushed on to say that all of those things would have happened anyway because Hitler said he would do them and he was a man of his word.

It is a comforting thought, though not a realistic one, that it would all have happened anyway

Brendan Clifford

THE PASSING OF ENGLISH RULE.

NINE-TENTHS OF IRISH ELECTORATE DECLARE FOR FREEDOM.

The following are the first detailed returns of the County Council Elections in Ireland. With the exception of County Antrim the returns are complete, and although in the final declarations which are not yet available, it may be found that Republican Labour has secured a few seats now attributed to other parties, the results are approximately accurate.

In examining these lists those points should be remembered:-

(1) In the three provinces of Munster, Leinster and Connaught Sinn Fein and Republican-Labour agreed not to oppose one another as the national policy of each party is complete independence but to divide the seats in respective areas according to the wishes of the electorate. For that reason the seats won by Sinn Fein and Republican Labour in these three provinces represent the full Republican gains.

(2) In the province of Ulster the Nationalist party agreed with Sinn Fein not to contest the same seats in order that a straight vote should be taken in that province on the question of Irish Self-Determination versus the Union with England. For that reason the Republican vote in the North is merged in the Nationalist vote and the whole represents the demand of the electorate of Ulster for complete self-determination for Ireland. The total number of County Council seat for all Ireland is given as 699.

* Of these Sinn Fein as a distinct party secured	525	seats or 75.1 per cent.
* Sinn Fein and Republican Labour secured	566	" or 80.9 per cent.
* Sinn Fein, Republican-Labour and Ulster Nationalism secured		590	" or 84.4 per cent.
* The Unionist Party which alone in Ireland stands for the present connection with the British Empire secured only	86	" or 12.3 per cent.

"Poor Law and County Council elections throughout Ireland have resulted in a series of overwhelming victories for Sinn Fein. Independent and Moderate candidates have been submerged everywhere, and Labour has not repeated its victories at the recent municipal elections. In many places the new councils and poor law bodies are Sinn Fein from top to bottom. The Republican Party has had striking successes in Ulster, even within the limits of the six county councils of Fermanagh and Tyrone now have Nationalist majorities."

London "Times" 9th June 1920.

"Without firing a shot the Republican forces have got control of all the effective machinery of government in the entire area of the proposed Southern Parliament and in a great part of the area of the proposed Northern Parliament."

London "Daily News" 9th June 1920.

"Immediate and Terrible War"

— *Some British Army plans*

Hearts and Mines: The British 5th Division, Ireland, 1920-1922 (Collins Press, Cork, 2009) is a reprint by William Sheehan of a section of what was to have been the official British history of its Irish war, the *Record Of The Rebellion In Ireland*.

Compilation of the *Record* was coordinated by the War Office in 1922 and, under judicious political management, written by senior officers who had served in Ireland. *Record Of The Rebellion* exists only in draft form, long inaccessible to the public. Sheehan tells us (p.xvii): "*There is correspondence in the files... in the National Archives that contain instructions to remove the criticism of politicians and the British Government contained in the history*". Sheehan makes few other comments on the text except to make a breath-taking statement comparing it favourably with the Irish records of the war contained in the *Witness Statements* of the Bureau of Military History:

"Accuracy is, of course, a matter of debate, but I would suggest that the British material that has been preserved, giving the army's perspective on events, is as reliable a record as the competing narratives produced by the Irish veterans of the campaign."

But this official history of the Irish War was suppressed. It must be assumed that by late 1922—when the project was shelved—it was no longer regarded as politic to publish it, especially as things had started turning out surprisingly well in Ireland from the British perspective with its new found allies, the Treaty Government, ruthlessly suppressing the forces of the Republic and enforcing the terms of the Treaty. It was perhaps thought wiser to change tack on the story of the "*murder gang*".

Official histories of a similar nature were (and continue to be) regularly produced of British military campaigns across the globe. Official versions of many

other wars in which the British were engaged in the years 1921-2—e.g. in Afghanistan, India, Egypt, Russia etc.—were published. Official war histories have a very clear and obvious purpose: to justify in an as apparently objective and matter-of-fact way the political and military decisions and actions taken by Britain in any particular war, and thus continue the unbroken progressive narrative of the doings of Britain in the world.

The 5th Division history starts in January 1919 and makes not a single mention of the November 1918 Election, in which the country overwhelmingly endorsed the Sinn Féin programme to establish an independent Republic based on the principles of the 1916 Proclamation and the principle of the Rights of Small Nations for which Britain had just allegedly fought a World War. It was all simply a matter of a lawless and seditious conspiracy that needed to be put down:

"The failure of the Rebellion in 1916 had convinced the Sinn Fein extremists, whose nucleus was the secret society of the Irish Republican Brotherhood, that a fight in the open with the forces of the Crown in Ireland was useless, and they

definitely decided to resort to passive resistance in matters of local government, and to guerrilla warfare, to attain their end. As their instrument in the last named form of activity they had the Irish volunteers, or as they were called later, the Irish Republican Army" (*History of the 5th Division*, 'Introductory', p.1).

The history is liberally laced with racist contempt for the "murderers and organisers of murder" with whom the poor troops had to deal (nothing comparable appears in *IRA Witness Statements*). It nevertheless paints a picture of an entire society in rebellion and, while occasionally describing public opinion as "terrorised" by the Sinn Fein "gangs", concedes the overwhelming nature of Sinn Fein popular support and collusion in the "rebellion". It also interestingly describes the labour activism of the ITGWU as an integral "Bolshevik" and equal element of the entire "rebellion".

While the 6th Division coordinated all British military units operating in Munster and the south, the 5th Division controlled those across much of Leinster, the Midlands and Connaught. This was a very wide area.

The British military occupation of Ireland was massively reinforced following the Sinn Fein election victory in November 1918 and given the task of suppressing the independent Dáil in Dublin and dispersing its support base. The Republicans organised in the Irish Volunteers began acting to counter this, firstly by passive means, and then, as British military suppression escalated, by going over to a war of resistance, which developed from Munster. As the official but unpublished *History Of The 5th Division* puts it:

"But as the extremists resorted to violence, the natural moral cowardice of the population, their dislike of "foreign rule", and the uncertainty of the future political situation were some of the contributing reasons for the lack of any assertion of public opinion against the methods of the campaign .

"A section of the population considered that, as all constitutional means had failed to redress their political grievances, resort to arms was justifiable {this sentence has the ring of retrospective insertion by a judicious War Office editor!—PO'C}.

"...It may be of interest to note here that throughout the years 1920-21 the "driving power" of Sinn Fein activists came, in practical form, from the south (*i.e.* the 6th Division area). Whatever may have originated in theory at Sinn Fein headquarters in Dublin, it was first put into practice in the south of Ireland, and it was certain that, sooner or later, any

new form of activity started in that more turbulent area would be taken up, though on a less extensive and intensive scale, in the 5th Division area. Either by example, or by the exhortations of inspecting "officers" and extremists on tour, the "quiet" districts of the centre and west had to be wakened up to take their due share in the fight for freedom" (*History*, pp.1-4).

On the gathering of information and Intelligence against Sinn Fein extremists, the *History* bemoans the lack of assistance from the population ("*all civilians had to be regarded as potential enemies*"—p.68), leading to reliance on the police for assistance in compiling "*Black Lists*" on which the names of known leaders and 'bad men' were entered", adding "hence their {the IRA's} attacks on the RIC" (pp.20-21). The *History* displays a grudging respect for IRA discipline, not least in rigorously enforcing a ban on alcohol consumption: "*This compulsory temperance amongst the rebels certainly prevented the Crown forces from getting a good deal of useful information*" (p.40).

5th Division commander, Major-General Jeudwine, in "*classifying*" the "people of Ireland", categorised active IRA members as "*Extremist {sic.} , or 'gunmen'... actuated by so-called patriotic motives, or impregnated with Bolshevik doctrines, or merely murderers for the sake of what they can make out of it*". He was equally dismissive in his jaundiced views of southern Loyalists, who he categorised as mostly "*Loyalists in name, who, perhaps excusably, take no part in aid of law and order for fear of Sinn Fein reprisals*" while the "*Active Loyalist*", a very much more rare species, represented "*an inconsiderable class*" (p.210).

While loyalists generally, much to the chagrin of the British Army leaders, refrained from active involvement, "*active loyalists*", although an "*inconsiderable class*", did provide useful assistance. Large-scale cross-country "*drives*" involving infantry, armour and cavalry were instigated by 5th Division as the War escalated in early 1921. After thoroughly combing a large area: "*All male civilians between the ages of 16 and 45 were taken to collecting posts, where they were examined by local police. Wanted men were retained, whilst the remainder were released.*" The identification of "*wanted men*" required concealment of the "*identifier*":

"It was found essential that the police, or other 'identifiers', should not be seen, otherwise, if recognised as identifiers, they became marked men and liable later to assassination" (pp. 90-3).

On Jeudwine's suggestion, local British Army veterans were also mobilised, with twenty per unit being enlisted for "*temporary duties*" at base, thus freeing up younger soldiers "*for more active work*" (p.80). During 1920 the Army considered enrolling "*loyalists and law-abiding citizens in southern Ireland as special constables or as members of 'protection committees'*" but, as they did not believe they could provide total protection for them, the idea was dropped. In June 1921 General Headquarters suggested the formation of armed "*Local Defence Corps*" comprising "*ex-soldiers and other loyal and law-abiding citizens as a means of self-defence*", but General Jeudwine rejected this as impractical "*until the whole of the neighbouring IRA companies had been disarmed or removed*" (p.79). This idea was later to make a re-appearance.

The intensity of the War greatly escalated from the end of 1920, with wholesale cross-country "*drives*", armoured reinforcements, mass internment and a policy of "*official*" and "*unofficial*" (*i.e.* deniable) reprisals in the form of house burnings and mass arrests, as well as targeted assassinations. The 5th Division was reinforced with a further five battalions and began to employ undercover troops, their own flying columns, and what were called "*circus patrols*" (nowadays known as "*search and destroy*" teams). Aerial bombing was also prepared for: at the end of May 1921: "*permission was given for aeroplanes to carry machine-guns and bombs*" (p. 83). As the *History* puts it:

"Given a definite and unchanging policy—time only was needed to break the power of Sinn Fein and to restore the country to such a state of order as would allow of a political remedy being offered and accepted" (p.69)

—presumably capitulation and implementation of the Government of Ireland Act.

Following the Truce, which came into effect on 11th July 1921 to allow for negotiations, and under the terms of which all Intelligence activities were to cease, the *History* states coyly: "*Naturally, the collection of military intelligence was curtailed {sic.} after 11 July; but reports were received of large quantities of rifles and ammunition being landed at the coast ...*" (p.110). A review of IRA troops in the West by De Valera in December 1921 was—

"noticeable for the temporary arrest, until the end of the parade, of certain intelligence and other officers of units of the {British Army's} Galway Brigade who attended as interested spectators. Their cameras and pistols were taken

from them by the IRA, but were returned to them a few days later through the liaison officials" (p.111).

Following the Truce, the British Army re-organised and prepared for the "*possible reopening of activities and the proclamation of Martial Law*" in the event of the breakdown of the London negotiations. It was particularly concerned at the "*increased morale and fighting efficiency of the IRA*" (p.114):

"However many 'rabbits' and unwilling fighters there may have been among the ranks of the IRA in the autumn of 1921 (and it was reported that the IRA numbered over 200,000 at this period), the arrival of Thompson sub-machine guns and the many opportunities given for the training of officers and others, and for re-organisation generally, were warnings that could not be disregarded by Crown forces in the event of activities being resumed... It is highly probable that an intensified form of guerrilla warfare would have been adopted officially *after* the Crown forces had started to make arrests and searches, and that one of the most likely forms of annoyance would have been a general destruction of roads and communications" (pp.111-2).

The re-organisation of the 5th Division after the Truce was to prepare it for a resumption of war on a much more thorough-going basis. From what the *History* tells us, we get some inkling of the preparations for the "*immediate and terrible war*" with which Lloyd George threatened the Irish negotiators. And the thorough preparations for it which the *History* reveal show that it was no empty threat.

Besides cavalry and artillery brigades and specialist forces based at the Curragh, and restructured Intelligence units throughout its area, the 5th Division's infantry brigades were consolidated with headquarters at Athlone (13th Brigade) and the Curragh (14th Brigade) and new Brigades established at Galway, Sligo, Castlebar and Tullamore (full breakdown Appendix XXIII). An influx of reinforcements in June, just before the Truce, made the strengthening of these units possible. Local units were consolidated at intervals throughout the region in fortified buildings with a minimum strength of 80 soldiers to ensure each unit could dispatch mobile forces of at least 50 strong, while leaving sufficient forces to defend the base. This is the "*blockhouse*" system that had been implemented during the ruthless crushing of the Boer Republics twenty years previously. Public buildings were commandeered to serve as the fortified bases and all units were kept in readiness with two weeks' food and ammunition supplies. Most of this reorganisation had been implemented by November.

The terms of the Truce allowed for a notice period of 72 hours following any breakdown of the London Conference before hostilities would re-commence. During this period the Army planned for all troops to be concentrated at their bases. Orders prepared for 5th Division stipulated that after this, army action should commence immediately, engaging any "*organised parties*", raiding arms dumps, rounding up all "*known members of the IRA (not necessarily officers)*", seizing all bicycles and cars without permits and imposing general curfews "*pending the coming into force of martial law*". Raids were to be carried out in force by groupings of at least 50 soldiers.

Martial Law, which had previously been implemented only in Munster, would be imposed throughout the 5th Division area too. This would involve the issue of identity papers to all inhabitants, the closing of certain ports, the institution of "*drumhead courts martial*", the arrest of all members of Cumann na mBan and Fianna, and the evacuation, including by sea, of all Republican internees to England. The RIC and Auxiliaries would come under direct army command and additional volunteer forces would be recruited in England. To prepare for its role in the resumed war, the RIC was withdrawn from the smaller barracks they still occupied and concentrated in groups of 30-70 men in larger barracks, and their arms, food supplies and ammunition doubled (pp.114-7).

The memoir of A.J.S. Brady, *The Briar Of Life*, which records the experiences of his family in Macroom, Co. Cork, during the War of Independence, and provides such extraordinary testimony in relation to Kilmichael, Dunmanway and other events, was quoted extensively by Manus O'Riordan in a previous issue of the *Irish Political Review*. The article concluded with the following quote and comments by Manus:

"A '*truce-time*' British intelligence operation that Brady personally witnessed, however, found him more than forthcoming in relating in all its horrific detail—a blueprint to turn the country into one massive concentration camp:

'A British officer, bringing a map, called to the rectory one day. He wanted the names and addresses of all parishioners who were known to be loyal to the Crown, and also wanted particulars of any other people for whose loyalty my father would vouch. He told my father that plans were in hand for the reconquest of Ireland, if negotiations for a Treaty should break down. Loyalists were to be moved to specific areas; the rest of the country would be treated as hostile and subjected indiscriminately.

Block houses were to be established ten miles apart. Their positions were marked red on the map. Lloyd George was apparently not making an empty threat when he announced that the alternative to peace was immediate and terrible war' (pp.191-2).

"We are indebted to this Protestant for bearing witness with such integrity" (Manus O'Riordan, *A West Cork Protestant Testimony*, IPR, April 2012, pp.22 ff.)

This evidence is confirmed by the *History Of The 5th Division*, which, as shown above, reveals the plans for this system to be applied throughout nationalist Ireland. As seen earlier, the creation of militias from the active loyalist population had already been considered in 1920. But, in its preparations for a breakdown of the Truce, 5th Division likewise prepared for an evacuation and arming of the loyalist population, though the *History* relates this with some obvious dishonesty:

Had hostilities reopened, it was proposed to concentrate loyalists at certain centres at which troops were already stationed, and to arm them when there. This would have been a difficult problem, as no warning of this intention could be given out. It would have involved the dispatch of troops all over the country to bring in civilians and their families, and would have seriously interfered with the carrying out of quick and energetic action against the rebels. Luckily for the loyalists the problem had never to be faced in practice (*History*, p.116).

The *History*, which reveals these plans was intended for publication, but was suppressed by the War Office in late 1922 as events in Ireland would have made its publication problematical. Considering that the draft was being prepared for publications, it must be assumed that only those aspects of the plans for a ruthless terrorist war against Republican Ireland considered fit for publication were included.

In the event the Treaty was signed, and the Collins-Griffith Government established under the very Government of Ireland Act they had rejected contemptuously the previous year, set to with a will to enforce its compliance, raising an army of paid men stiffened by many British Army veteran cadres. With the country safely in hand, the 5th Division was not required to implement its thorough plans for the "*reopening of activities*" and was demobilised and gradually withdrawn from Ireland between January and May 1922.

Needless to say, Sheehan, in his introduction to the *History*, makes no mention at all of the horrendous plans for a war of terror against Republican Ireland of which the suppressed *History* he reprints allows us some glimpses.

Philip O'Connor

Does
It
Up

Stack
?

CHARTERED ACCOUNTANTS AND AUDITORS AND REPORTING

About forty years ago in London one very big public company, I think it was General Electric, took over another big public company and a few months after the take-over it was discovered that the Balance Sheet of the taken-over company had been grossly incorrect because the value of trading stock was greatly overstated. The auditors were sued. The Institute of Chartered Accountants investigated the misconduct of their members. Though millions of pounds were involved, no chartered accountant was named by the newspapers but the papers did say that the partner-in-charge of the audit had retired and was now the owner of a four hundred acre farm, clearly implying that he had been substantially bribed to sign the overstated Balance Sheet. The *Daily Telegraph* stated, in connection with the case that "*to the ordinary person two and two is four but to an auditor two and two makes three or perhaps five depending on the opinion of the Board of Directors*".

So it is not today nor yesterday that the big Chartered Accountancy firms have been lacking independence. And yet we all lived in hope. We thought the Chartered Accountants Institute was being properly regulated. The Investigation Committee and the Disciplinary Committee of the Institute were busy investigating and disciplining those Chartered Accountants who stepped out of line, who did not adhere to the International Financial Reporting Standards (IFRS) or who misappropriated client's funds or who didn't reply to correspondence promptly or who had not kept proper working papers. It was all rattling along very comfortably—except for those minnows who were caught. The big fish were not caught, or were not caught very often.

The big firms made sure they controlled the Institute Committees. The canvassing among Chartered Accountants at the Annual elections is intensive. The voting is by post and once the voting papers are sent out, nearly all except the most urgent work in the big firms' offices throughout the country is stopped while the partners and qualified staff canvass for their candidates to be elected onto the Council

of the Institute. The Council of the Institute appoints the Committees and it is the Committees which control the investigations, the disciplinary hearings, the education, and the examinations etc etc. So the Big Four firms must get their people into positions of power within the Institute. It may lead to the ruination of the qualification "*Chartered Accountant*", but it is doable and so they do it. And then they make money by the millions. They don't feel embarrassed about it. Deloitte Consultants put in a bid of €166,000 plus VAT to prepare a report on the €3.6 billion accounting error in the Department of Finance and later agreed to accept €50,000. Both the €166,000 and the €50,000 were excessive. Minister for Finance Michael Noonan TD knew the mistake arose from double counting the €3.6 billion and so why did he want a report from Deloitte's?

Incidentally the Secretary-General of the Department of Finance when the original mistake occurred was Kevin Cardiff on a salary excessive for the job. The Department has a long history of getting the sums wrong! Mr. Cardiff then applied for a position in The European Court of Auditors and was rejected by a vote of the budgetary Committee of the European Parliament. However, the European Parliament itself later overturned the decision and appointed Mr. Cardiff to the post—no doubt after intensive Irish Government lobbying. It is a tough life isn't it? For us, the taxpayers I mean. Mr. Cardiff gets €276,000 per year tax free! Out of our taxes. Where is the recession or austerity for Mr. Cardiff and his likes? This does not stack up at all.

Deloitte also were the auditors for Bloxhams Stockbrokers who at the end of May this year could not meet the minimum capital required by the Central Bank. The shortfall is reported to be between €4 million and €5million. The shortfall was not discovered by Deloitte's but by Bloxhams itself when it got the enquiry from the Central Bank. Perhaps it is significant that the Bloxhams partner in charge of finance and compliance is Tadhg Gunnell—a chartered accountant who formerly worked for Deloitte's the auditors. It may have been a hand-in-glove arrangement? The Bloxhams income was overstated over a number of years. The other partners say they knew nothing about it but is not that an admission of neglect? Partners are supposed to know these things. They posed as financial experts to their public. Will Tadhg Gunnell be sacrificed or saved? It may depend on how much he knows—about Bloxhams and Deloitte's. Where did the €4million or €5million go to? It sure did not vanish. Maybe it went on bonuses? We're unlikely to get the truth but a version will come out eventually. Some very unpleasant stuff is out already, such as some investors who are claiming €20million

losses on Investment Bonds. Also the staff were more or less dumped out. They were told first that they would get their May and June salaries and then on 1st June they were left off with only statutory redundancy. And in 2009 they were all asked to take a pay cut of up to 20% while for the same year it now turns out the partners got profits of €5million between them. These guys were mean! As dirt! The liquidator is Kieran Wallace of KPMG Chartered Accountants.

The Bloxhams *debacle* of course is nothing new in the present recession. Anglo-Irish Bank was actually bankrupt at a time when it announced very big profits. There was a mountain of bad loans undisclosed within the Anglo Balance Sheet. The auditors were able to not comment on the bad loans because the IFRS rules classed the loans as good as long as they were "*performing*" in accordance with the loan agreement. A loan agreement, for example, might specify that interest only should be paid and so as long as the interest was paid, the loan was "*good*". Even where as often happened the interest was paid out of another loan made for that purpose. The IFRS rules are not fit for purpose and are well known to be not fit for purpose. The rules allow banks to pay bonuses out of paper profits. Regulators such as Paul Applebe and Mathew Elderfield are well aware of the IFRS faulty rules and are well aware that audit reports which are in accordance with IFRS are just so much rubbish and they know that they are just going through the motions while they draw their huge salaries.

Not only have Chartered Accountants ignored Company Law so as to protect themselves and their clients but they have actively lobbied Government for Company Law to be relaxed further. It is proposed for example that the present requirement of "*prudence*" is to be eliminated in forthcoming legislation. If the present Government is genuinely wanting to clean up the area of auditing and Company Law and company Financial Statements then it should insist that the law will require Directors and Auditors to sign Financial Statements as showing a "*true and fair view*" of the company's profit and loss account and Balance Sheet and close off loopholes which allow Auditors to waffle out of the truth. It can be done if the will is there to do it.

If it is not done, there is a very big black hole just waiting to be opened up and it is the Insurance and Assurance business. Nearly every loan given out by every bank is covered by some form of credit insurance. Fire insurance, vehicle insurance,

life insurance are all big business but credit insurance is the greatest insurance of all. It has the capacity to do more damage if it fails than the banking crisis.

Credit insurance is mostly hidden from the public and it is an enormous industry. The IFRS rules are approved, in fact insisted upon by the European Union and under IFRS the same faults and misrepresentations exist as occurred with the Banks. Under IFRS the Auditors of insurance companies do not have to take into account any losses until the losses actually occur. Not when they hear of them, not when they know of them, only when the losses actually occur do such losses have to be taken into account.

This fact about IFRS is known to auditors and to directors of insurance companies. Is it a known fact to EU regulators and to Government regulators? Probably, because these regulators have that experience. But is it known to Minister for Finance Michael Noonan? Maybe not. It is high time Minister Noonan got passionate about getting rid of the IFRS as they are now. The IFRS allowed auditors to misrepresent the position of the banks with EU approval and as a result the banks are blown.

But if the insurance and reinsurance companies are insolvent or bankrupt—we can say goodbye to any prosperity for fifty years or more.

Michael Stack ©

WHO WEARS THE PANTS?

Let's get this straight:

you hide explosives in your underpants and wait

at some airport terminal to catch a plane, and, with views doctrinal

you take everyone to hell:

Allahu Akbar!

you yell.

Wait a minute:

a few ounces of explosives is the limit?

I thought you meant some pilot in his khaki underpants

sitting in a AF-15E Strike Eagle

ready to decant

a precision GBU-28 smart guide bomb that goes stupid (wink wink) and finds

that civilian infra structure, and,

with relief and aplomb

you shout:

thank God!

over

a no-fly zone,

in joy,

for the evil

that was stability

has been

cut to the bone.

Wilson John Haire
20th May, 2012

COMMUNISM continued

naturally in favour of those who, by a reasonable interpretation of the meaning of poverty, were fighting for the efficiency of their Order. But this drove the extreme party into still further extremes.

They rejected at once all papal right to interfere with the constitutions of the friars, and declared that only Francis could undo what Francis himself had bound up. Nor was this all, for in the pursuance of their zeal for poverty, they passed quickly from denunciations of the Pope and the wealthy clergy (in which their rhetoric found very effective matter for argument) into abstract reasoning on the whole question of the private possession of property.

The treatises which they have left in crabbed Latin and involved methods of argument make wearisome and irritating reading. After pages of profound disquisitions, the conclusions reached seem to have advanced the problem no further. Yet the gist of the whole is certainly an attempt to deny to any Christian the right to temporal possessions. *Michael of Cesena, (1270-1342) the most logical and most effective of the whole group, who eventually became the Minister-General of this portion of the Order, does not hesitate to affirm the incompatibility of Christianity and private property.* From being a question as to the teaching of St. Francis, the matter had grown to one as to the teaching of Christ; and in order to prove satisfactorily that the practice of poverty as inculcated by St. Francis was absolute and inviolable, it was found necessary to hold that it was equally the declared doctrine of Christ.

Even Ockham, (1288-1348), a brilliant Oxford Franciscan, who, together with Michael, defended the Emperor, Louis of Bavaria, in his struggle against Pope John XXII, let fall in the heat of controversy some sayings which must have puzzled his august patron; for Louis would have been the very last person for whom Communism had any charms. Closely allied in spirit with these "*Spiritual Franciscans*", as they were called, or *Fratricelli*, were those curious mediaeval bodies of *Beguins* and *Beghards*. Hopelessly pantheistic in their notion of the Divine Being, and following most peculiar methods of reaching on earth the Beatific Vision, they took up with the same doctrine of the religious duty of the communistic life. They declared the practice of holding private property to be contrary to the Divine Law.

"THE MAD PRIEST OF KENT"

Another preacher of Communism, and one whose name is well known for the active propaganda of his opinions, and for his share in the English Peasant Revolt of 1381, was John Ball, known to history as "The Mad Priest of Kent". There is some difficulty in finding out what his real theories were, for his chroniclers were his enemies, who took no very elaborate steps to ascertain the exact truth about him. Of course there is the famous couplet which is said to have been the text of all his sermons:

"Whaune Adam dalf and Eve span,
Who was thane a gentilman?"

—at least, so it is reported of him in the *Chronicon Angliae*, the work of an unknown monk of St. Albans (Roll Series, 1874, London, p321). Jean Froissart (1333-1400), that picturesque journalist who naturally, as a friend of the English Court, detested the levelling doctrines of this political rebel, gives what he calls one of John Ball's customary sermons. He is evidently not attempting to report any actual sermon, but rather to give a general summary of what was supposed to be Ball's opinions. As such, it is worth quoting in full.

"My good friends, things cannot go on well in England, nor ever will until everything shall be in common; when there shall be neither vassal nor lord, and all distinctions levelled; when lords shall be no more masters than ourselves. How ill have they used us! and for what reason do they thus hold us in bondage? Are we not all descended from the same parents—Adam and Eve? And what can they show, and what reason give, why they should be more the masters than ourselves? Except, perhaps, in making us labour and work for them to spend."

Froissart goes on to say that for speeches of this nature the Archbishop of Canterbury put Ball in prison, and adds that for himself he considers that "*it would have been better if he had been confined there all his life, or had been put to death*". However, the Archbishop "*set him at liberty, for he could not for conscience sake have put him to death*" (*Froissart's Chronicle*, 1848, London, Book II, p.652-653).

John Ball was captured following the Peasant Revolt and on 15th June 1381 hanged, drawn and quartered.

(To be continued: *Thomas Aquinas and Private Property*).

COMMUNISM continued

whole conception of legal rights was, therefore, considered simply as private rights.

Yet, on the other hand, and by the development of identically the same principles, the individual gains. His tenure of land becomes far less a matter of contract. He himself escapes from his feudal chief, and his inferior tenants slip also from his control. He is no longer one in a pyramid of grouped social organisation, but stands now as an individual answerable only to the head of the State. He has duties still; but no longer a personal relationship to his lord. It is the King and that *vague abstraction called the State* which now claim him as a subject; and by so doing are obliged to recognise his individual status. This new and startling prominence of the individual disturbed the whole concept of ownership.

Originally under the influence of that 'pure' Feudalism which nowhere existed in its absolute form, the two great forces in the life of each member of the social group were his own and that of his immediate lord. These fitted together into an almost indissoluble union; *and therefore absolute ownership of the soil was theoretically impossible*. Now, however, the individual was emancipated from his lord. He was still, it is true, subject to the King, whose power might be a great deal more oppressive than that of the barons had been. But the King was far off, whereas the baron had been near, and nearly always in full evidence. Hence the result was the emphasis of the individual's absolute dominion. Not, indeed, as though it excluded the dominion of the King, but precisely because the royal predominance could only be recognised by the effective shutting out of the interference of the lord. To exclude the 'middle-man', *the King was driven to recognise the absolute dominion of the individual over his own possessions*.

CARDINAL THOMAS WOLSEY (1475-1530)

Consequently feudalism, which turned the landowners into petty sovereigns and insisted on local courts, &c., though seemingly communistic or socialistic, was really, from its intense local colouring, far less easy of capture by those who favoured State interference. It was individualistic, based on private rights. But the new royal prerogative led the way to the consideration of the evident ease by which, once the machine was possessed, the rest of the

system could without difficulty be brought into harmony with the new theories.

To make use of comparison, it was Cardinal Wolsey's assumption of full legatine power by permission of the Pope which first suggested to Henry VIII that he could dispense with His Holiness altogether. He saw that the Cardinal wielded both spiritual and temporal jurisdiction. He coveted his minister's position, and eventually achieved it by ousting both Clement {Pope Clement VII-Medici} and Wolsey, who had unwittingly shown him in which way more power lay.

Primitive Communism and Private Property

"Primitive communism was the mode of production in the first stages of history when men lived in small groups or communities, and when labour in common, inevitable for that early period, led to the common ownership of the means of production" (*History of the Communist Party of the Soviet Union*, Moscow, 1939).

"The primitiveness of production precluded class divisions or class exploitation; there could be no conception at that time of private ownership of the means of production" (*Marxist Glossary*, L. Harry Gould, Sydney, Australia, 1947).

There have always been religious teachers for whom all material creation was a thing of evil. Through the whole of the Middle Ages, under the various names of Manicheans, Albigensians, Vaudois, &c., they became exceedingly vigorous, though their importance was only fitful. For them property was essentially unclean, something to be avoided as carrying with it the in-dwelling of the spirit of evil.

Etienne de Bourbon, (died 1261), a Dominican preacher of the thirteenth century, who got into communication with one of these strange religionists, has a record, exceedingly unprejudiced, of their beliefs. And amongst their other tenets, he mentions this, that they condemned all who held landed property. It will be here noticed that as regards these *Vaudois* (or *Poor Men of Lyons*), as he informs us they were called), there could have been no question of Communism at all, for a common holding of property would have been as objectionable as private property. To hold material things either in community or severalty was in either case to bind oneself to the evil principle.

Yet Etienne tells us that there was a sect among them which did sanction Communism; they were called, in fact, the *Communati* (*Tractatus de Diversis Materiis Predicabilibus*, Paris, 1877,

p281). How they were able to reconcile this social state with their beliefs it is quite impossible to say; but the presumption is that the example of the early Christians was cited as of sufficient authority by some of these teachers. Certain it is that a sect still lingered on into the thirteenth century, called the *Apostolici*, who clung to the system which had been in vogue among the Apostles.

St. Thomas Aquinas (1225-1274) mentions them, and quotes St. Augustine (354-430 AD) as one who had already refuted them. But these were seemingly a Christian body, whereas the Albigensians could hardly make any such claim, since they repudiated any belief in Christ's humanity, for it conflicted with their most central dogma.

Still it is clear that there were in existence certain obscure bodies which clung to Communism. The published records of the Inquisition refer incessantly to preachers of this kind who denied private property, asserted that no rich man could get to heaven, and attacked the practice of almsgiving as something utterly immoral.

The relation between these teachers and the Orders of friars has never been adequately investigated. We know that the Dominicans and Franciscans were from their earliest institution sent against them, and must therefore have been well acquainted with their "errors". And, as a fact, we find rising among the friars a party which seemed no little infected with the "spiritual" tendency of these very Vaudois.

FRANCISCANS

The Franciscan reverence for poverty, which St. Francis (1181-1226) had strenuously advocated, had in fact become almost a superstition. Instead of being, as the founder had intended it to be, merely a means to an end, it had in process of time become looked upon as the essential of religion. When, therefore, the excessive adoption of it made religious life an almost impossible thing, an influential party among the Franciscans endeavoured to have certain modifications made which should limit it within reasonable bounds.

But opposed to them was a determined, resolute minority, which vigorously refused to have any part in such "relaxations". The dispute between these two branches of the Order became at last so tempestuous that it was carried to the Pope, who appointed a Commission of Cardinals and theologians to adjudicate on the rival theories. Their award was

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Comment

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MONDRAGON — PART NINE

Primitive Communism and Private Property

Guilds were first formed for religious and social purposes and were voluntary in character. The main object of these guilds was the preservation of peace, right and liberty.

Also, mediaeval society was impregnated with the belief that ethical and moral values dominated economic activity.

ORIGINS OF FEUDALISM

When the West drifted out from the clouds of barbaric invasion, and had come into calm waters, society was found to be organised on a basis of what has been called Feudalism. That is to say, the natural and universal result of an era of conquest by a wandering people is that the new settlers hold their possessions from the conqueror on terms essentially contractual. The actual agreements have varied constantly in detail, but the main principle has always been one of reciprocal rights and duties.

So at the early dawn of the Middle Ages, after the period picturesquely-styled *the Wanderings of the Nations*, we find the subjugating races have encamped in Europe, and hold it by a series of fiefs. The action, for example, of William the Norman, as plainly shown in *Domesday Book*, (1086) is typical of what had for some three or four centuries been happening in England and on the Continent.

Large tracts of land were parcelled out among the invading host, and handed over to individual barons to hold from the King on definite terms of furnishing him with men in times of war, of administering justice within their domains, and of assisting at his Council Board when he should stand in need of their advice. The barons, to suit their own convenience, divided up these territories among their own retainers

on terms similar to those by which they held their own. And thus the whole organisation of the country was graduated from the King through the greater barons to tenants who held their possessions, whether a castle, or a farm, or a single hut, from another to whom they owed suit and service.

INDIVIDUALISM

This roughly (constantly varying, and never actually quite so absolutely carried out) is the leading principle of Feudalism. It is clearly based upon a contract between each man and his immediate lord; but, and this is of importance in the consideration of the feudal theory of private property, whatever rights and duties held good were not public, but private. There was not at the first, and in the days of what we may call "*pure Feudalism*", any concept of a national law or natural right, but only a bundle of individual rights. Appeal from injustice was not made at a supreme law-court, but only to the courts of the barons to whom both litigants owed allegiance.

The action of the King was quite naturally always directed towards breaking open this enclosed sphere of influence, and endeavouring to multiply the occasions on which his officials might interfere in the courts of his subjects. Thus the idea gradually grew up (and its growth is perhaps the most important matter of remark in mediaeval history in the period of the Guilds), by which the King's law and the King's rights were looked upon as dominating those of individuals or groups.

The Courts Baron and Customary, and the Sokes (the right of local jurisdiction) of privileged townships were steadily emptied of their more serious cases, and shorn of their primitive powers. This, too, was undoubtedly the reason for the royal interference in the Courts Christian (the feudal name for the clerical criminal court). The King looked on the Church, as he looked on his barons and his exempted townships, as outside his royal supremacy, and, in consequence, quarrelled over investiture and criminous clerks (clergy who had committed a serious crime), and every other point in which he had not as yet secured that his writs and judgments should prevail.

There was a whole series of courts of law which were absolutely independent of his officers and his decision. *His restless energy throughout this period had, therefore, no other aim than to bring all these into a line with his own, and either to capture them for himself, or to reduce them to sheer impotence.* But at the beginning there was little notion of a royal judge who should have power to determine cases in which barons not immediately holding their fiefs of the King were implicated. The concern of each was only with the lord next above him. And the

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