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A Voice From The Doldrums

Pat Rabbitte, former leader of the Irish Labour Party, and recently retired Labour Minister in the Fine Gael Government, has strongly advised the British Labour Party against electing Jeremy Corbyn as its leader. "Corbyn", he says, "is essentially a Trotskyist in disposition" (*Irish Times*, 19.8.15).

He compares Corbyn unfavourably with bungling "old style Labour socialist" Michael Foot—who did not think that winning an election was worth exchanging a donkey jacket for a suit at a war memorial service at the Whitehall Cenotaph.

And Mr. Rabbitte quotes Neil Kinnock agreeing with him about Corbyn. Kinnock, it will be recalled, had a General Election all but won when he made a wild eve-of-election speech and lost it.

And we are told that David Milliband, too, has issued a warning about Corbyn. Little David was a supporter of torture when he was Foreign Minister. That is: he supported torture, provided it was called "*cruel and unusual punishment*". He made this flimsy distinction in a remarkably frank broadcast interview. It was the kind of thing which a British Foreign Secretary should never say out loud in public, and it probably played a part in causing him to lose the party leadership by a whisker to his more circumspect brother. The British working class knows very well that what the State *does*, but it has a sense of what it is proper for Ministers to *say*.

Mr. Rabbitte aspired to make Irish Labour into a middle class business party. He was a member of Official Sinn Fein when it had equal status with the Communist Party in relations with the old Kremlin. He remained fixated on the split with the Provisionals, after which the the allegedly backward Provos conducted a purposeful war in the North to an interim settlement. He took the Officials into the Labour Party and ensured that it refused the greatest opportunity ever presented to it and remained stuck in the doldrums, where it has been ever since the 1920s.

Corbyn is traditionalist Left Labour. It is almost an extinct species. The only other surviving specimen is George Galloway. But Corbyn is sober in character while

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O'Donovan Rossa Commemorated

The Dublin regime's low key, inaccessible (ticket-only) and rather stilted commemoration of the centenary of O'Donovan Rossa's funeral on 1st August in Glasnevin Cemetery was lavishly covered by RTE and the Dublin press. But it was marred from the start by an outlandish claim in the speech of the Glasnevin Cemetery Director—presumably at the prior hinting of regime handlers—that O'Donovan Rossa on his deathbed had repented his Fenianism and become a Redmondite Great War supporter (a contemporary propaganda stunt of the British *Daily Telegraph* immediately demolished by historians, including on the RTE panel).

The regime's marred commemoration was followed, however, by a simply extraordinary popular re-enactment of the whole funeral, impressively organised by Sinn Féin. This began at 1pm with a laying out ceremony in City Hall, followed by a two-hour route to Glasnevin Cemetery. It concluded with a moving graveside ceremony. The SF re-enactment attracted

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Honohan Overruled

One issue that should now be laid to rest, and one that never should have come up in the first place, is the question of whether Brian Cowen "*overruled*" Brian Lenihan on the issue of bank nationalisation versus a guarantee on 29th September 2008. Not only Cowen himself but Lenihan's own officials at the time have now denied on oath that any 'overruling' took place and it is clear that the discussions which took place that night on the

guarantee were collegial and that the decision was arrived at by consensus.

One point that has intentionally been overlooked regarding the matter is that the Taoiseach would of course have had every right to overrule the Minister for Finance on such a matter if the situation so required. Nationalisation vs Guarantee was not merely a financial matter but a political question with major national and international dimensions.

The Banking Inquiry

Another is that Brian Lenihan had only been at Finance for three months when the crisis occurred whereas Cowen had held that position for the previous four years. The policies that Lenihan was implementing were those established by Cowen himself, including that relating to bank nationalisation. But this was a policy set up to deal with one or two Irish banks which were in evident difficulty during the course of the preceding year or two. It was not designed to deal with the post-Lehman situation where every bank in Ireland and almost every bank in the

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Labour Comment, edited by **Pat Maloney:**

Lifting the lid on the Liveries (Guilds)

Mondragon, Part 44

(back page)

Galloway tends to get carried away by his fluent intellectual eloquence. And Foot's puzzlingly incoherent flights of rhetoric are alien to Corbyn. Foot came from an upper class family that was prominent in the governing of the Empire. He was benevolently disposed towards a working class with which he was never quite at ease. Corbyn has no class problem of that kind. And a hostile political Establishment and media have not been able to find that he went through a process of Trotskyist indoctrination. He is what he appears to be. He is authentic. That is something remarkable in this era of super-spin.

If he is elected leader he will influence how Britain is governed, whether or not he wins the next Election. His election would indicate a movement in British society that the Tories would take account of. Within the apparently simple ideological antagonism of British parties, the actual relationship between the two parties is fluid and complex.

In Mr. Rabbitte's view, anything with life in it is Trotskyist. And, even if on occasion it is Trotskyist, that must have something to be said for it in the situation

brought about by Labour's refusal four years ago to seize the opportunity for which it had been waiting for 80 years. The collapse of Fianna Fail gave it the opportunity to become the major Opposition party, and the alternative Government. It preferred to take jobs with Fine Gael. The result is that there has been a general splintering of politics—and that it has been overtaken by the party against which it bears an ancient ideological grudge—the Provos.

A possible outcome of the next Election is a five-way split, Fine Gael, Sinn Fein, Independents, Fianna Fail and Labour. The Independents, of course, are not a party, and are incapable of being one, or even of being a couple. But, in the splintered condition of politics, they are the growing element.

Within Fianna Fail, Micheal Martin ousted Brian Cowen, announced the arrival of a new Fianna Fail, and blamed the old Fianna Fail for the financial crisis. He then turned on his colleague in the ousting of Cowen, Mary Hanafin, and tried to get her deselected for the next Election. And then old Fianna Fail, Cowen and Bertie Ahern, present themselves at the Banking

Inquiry, effectively disown Martin, and make a coherent and persuasive defence of their emergency conduct of the crisis which overtook the state.

As we go to print, the Northern police seem to be trying to destabilise the settlement based on the 1998 Agreement.

Chief Constable George Hamilton indulged in stream-of-consciousness musings about the IRA that could be understood in two opposite ways, giving rise to the *Irish Independent* headline of August 24th: *Coalition Cowers In Face Of New IRA Threat*. The sub-heading was: *Justice Minister fails to back up PSNI statement that Provos are back in action*.

In reality all the hullabaloo is merely yet another occasion for slinging mud at the only all-Ireland party.

It is notable that the PSNI investigations of the Jock Davison murder, which was the start of this affair, had run into the ground, with the police resting satisfied with a thin alibi presented by Kevin McGuigan, who they took in for questioning.

The *Irish News* took a more sober view than the Southern press, with Allison Morris explaining that the McGuigan shooting causing the uproar was "inevitable". It was in revenge for the killing of "IRA commander-turned-community worker Gerard 'Jock' Davison". As she explained, once a high-ranking Provo was shot, his former comrades—

"would seek revenge for his execution-style murder... his murder... caused concerns among former paramilitary figures. If a once powerful IRA Commander could be murdered in the street then in reality all former members were vulnerable to revenge attack.

The murder of Kevin McGuigan was meant as a warning: a message to those who thought the balance of power had shifted and violent retribution could be exacted without fear or consequence..." (IN 14.8.15).

Looked at this way, it is clear that the McGuigan shooting is meant to prevent further bloodshed in the North and to stabilise the peace. It has nothing to do with the War or the Ceasefire being broken. Indeed, Gerry Adams emphasised in response to these events "*the IRA has gone away*". It is our recollection such a situation had been envisaged at the time of Arms Decommissioning and that it was always understood that a small number of weapons might be kept back as personal defence weapons.

The Dublin Justice Minister, Frances Fitzgerald, appears to understand that what there was in Northern Ireland from the 1970s to the 1990s was a War, not a mass outbreak of criminality, and that in the settlement of a War the bodies that sustained the War do not disappear—cannot disappear.

The Provos (Sinn Fein/IRA, as right-thinking people refer to them), fought a war to a points victory, and became part of the devolved structure of the state. They could not cease to be what they were in the course of bringing about the settlement, and they have not pretended to have been miraculously altered into something else in the making of the settlement. Gerry Kelly has said clearly that, given the 1969-70 situation, they would do it all again. But, on the basis of what they achieved through war, they are now doing something different in politics, and are no longer engaged in war.

Fianna Fail, for seventy years, denied that the Northern Ireland system was legitimate, and that the continuing presence of the British State in the Six Counties was legitimate. The 1998 Agreement necessarily implies that the Northern Ireland system (the Northern Ireland variant of the British state) was not legitimate, and that what it led to from 1970 to the 1990s was not what could be described accurately as an outbreak of criminality.

While it was happening, British Ministers described it as mere criminality, while Fianna Fail denied that it was as simple as that. Then, in 1998, the British made a deal with those whom they had for decades been describing as criminals—but with whom they had for decades been feeling out the possibility of a deal—and imprisoned criminals became statesmen. But then New Fianna Fail became simplimindedly virtuous and could not understand how the War in the North could have been anything but a criminal outbreak.

Many elements of the Dublin Establishment are appalled by the duplicitous British understanding of the world—or the British understanding of the complexity of the world. And particularly by the tacit British admission that the system of government imposed on the North had legitimate consequences in the shape of a War, and that in the settlement of a War there can be no return to the *status quo ante*.

O'Donovan Rossa

continued

huge popular participation, included a full cortege with some O' Donovan Rossa descendants as chief mourners, Irish Volunteers on foot and horse, a dignified Citizen Army contingent, people in period dress, various marching bands and thousands of ordinary citizens. The whole thing was ably stewarded by experienced SF cadres from the North.

The atmosphere at the re-enactment—undoubtedly assisted by the brilliant Summer weather—was anything but glum. It was a dignified but high spirited display by thousands of ordinary people determined to honour the Fenian tradition and the men and women of 1916. The spontaneous applause which greeted Gerry Adams and Martin McGuinness seemed to take them by surprise. It represented an unusual show of respect by southerners for what these leaders had achieved. Northerners I chatted with on the march,

including Dominic Adams, were astounded at the turnout and the unaccustomed feeling of welcome in Dublin.

The Dublin media reaction to all of this the following day (Sunday 2nd) was a stunned silence. There were virtually no reports at all on *The Irish Times* website or in the *Sunday Independent*, and coverage on RTE ("*hundreds of people took part*") gave no inkling of the many thousands who actually participated directly or lined the route (the RTE clips are at <http://www.rte.ie/news/2015/0801/718630-odonovan-rossa-centenary/>)

On the morning of this sensational SF coup, but obviously sensing the sheer scale it was going to assume, Éamon Ó Cuív had a slightly sad article in *The Irish Times* lamenting SF's going it alone with its commemorations ('*Sinn Féin accused of undermining Rising programme*', 1st Aug.).

Whither the Republican Party now? The Fools indeed

Philip O'Connor

The *Irish Times* On The Death Of O'Donovan Rossa

"On 29 June 1915 Jeremiah O'Donovan Rossa died in St Vincent's Hospital, Staten Island. The following day the pro-British 'Irish Times' newspaper announced his death, stating that 'there was a time in Ireland when his death would have created a sensation, but it is no exaggeration to say that today there are many who had almost forgotten his existence'."

These are the opening lines of "Jeremiah O'Donovan Rossa—Unrepentant Fenian", a 300 page biography by Shane Kenna, which was launched on July 30 to a packed audience in Glasnevin Cemetery Museum, which also heard the author deliver a comprehensive O'Donovan Rossa centenary lecture.

"*The fools, the fools, the fools!*", to borrow the words of PH Pearse, in his oration at the grave of O'Donovan Rossa in Glasnevin cemetery, following a funeral where 200,000 lined the streets of Dublin to pay tribute to that unrepentant Fenian, a century ago, on 1st August 1915.

Manus O'Riordan

Report: The following letter appeared in the *Irish Independent* of 7th August

Putting the record straight on O'Donovan Rossa

"It has previously been asserted that O'Donovan Rossa had lamented his previous political beliefs and converted to Home Rule and endorsed the Allies during the final years of his life. As the biographer of O'Donovan Rossa, I feel it my duty to highlight how this assumption is based upon evidence that is not historically credible and can easily be challenged.

When O'Donovan Rossa died in 1915, a falsified report was circulated by the '*Daily Telegraph*' purporting to come from its New York correspondent who said

O'Donovan Rossa told him: "*I have fought a good fight according to my views and long ago lost all hatred, let alone prejudice against the British government.*"

The report further went on to suggest that O'Donovan Rossa had called on Irishmen to join the British Army and "*fight Germany, the common enemy of civilisation*" in the course of the Great War.

At the time O'Donovan Rossa was reported to have made this statement, he was suffering from dementia, with

evidence indicating that he knew nothing of contemporary politics let alone the experience of the Great War. This is supported by historical evidence from medical records, John Devoy and Rossa's wife, Mary Jane, who upon learning of the falsified report determined to "*stem the false tide*" and produced a statement denouncing the accusation.

This statement, printed as part of the O'Donovan Rossa funeral booklet in 1915, is freely available and was recently republished.

Lamenting Rossa's dementia, Devoy reported how Rossa—

"did not look at a newspaper for two years, did not know that the Home Rule Bill had been passed and then suspended, did not know that a great war was going on in Europe and would not have understood it if he was told".

The fictitious report indicating O'Donovan Rossa's support for Home Rule and the war should, therefore, be seen for what it was—an act of desperation on the part of the British Army and the Irish Parliamentary Party. It was an attempt by them to gain for themselves the lustre and appeal attached to O'Donovan Rossa's name, a name synonymous with hostility to the British government at a time when no Irish nationalist, least of all John Redmond, the leader of the IPP, could, or had reason to, say a good word about that government.

Aware of this in 1915, Devoy commented how the Home Rule camp was—

"surely in a bad way when an unconscious man has to be made speak for it in his last illness... The Irish people know that O'Donovan Rossa died as he had lived, an unrepentant Irish rebel".

Dr. Shane Kenna"

Honohan Overruled

continued

developed world was in some sort of crisis. No-one would have known this better than Cowen.

Patrick Honohan set this hare running in the first place, denying that he was 'playing political points', and the media played it up for all it was worth in order to be able to blackguard Cowen. Honohan should now be called back and rigorously questioned on the matter.

THE BATTLE OF THE TAOISIGH

Both Brian Cowen and Bertie Ahern defended themselves and their records with confidence and poise in July, with the Committee not really landing many punches. The essence of their defence is

that all the inputs for the making of Government decisions, including analyses from both national and international organisations, pointed to continued economic and population growth and a continuing but gradually reducing need for more output in the construction sector—a soft landing. The general critique of this policy rests on the premise that the Government should somehow have incorporated into policy a wide range of 'known and unknown unknowns' and intervened in the market on this basis to suppress commercial lending by the banking sector. This is delusional.

Enda Kenny appeared before the Committee on 23rd July, along with Richard Bruton who was Finance Spokesman in Opposition from 2002 to 2010. The focus of their evidence was to be on three lines of inquiry: the effectiveness of the Oireachtas in scrutinising public policy on the banking sector and the economy, the analysis of the key drivers for budget policy, and the appropriateness of the relationships between the Government, the Oireachtas, the banking sector and the property sector.

Kenny led off by ascribing Ireland's stellar economic performance to the 1994-1997 Fine Gael/Labour/Democratic Left Coalition Government of which he was a member:

"When the Government changed in 1997, we passed on an economy in which rapid growth had been underpinned by sound public finances, strong productivity, employment growth and a vibrant export-orientated industrial base and unemployment had dropped to below 9%."

Except of course, that the public finances were fixed largely by the Mac Sharry reforms of 1987 and a virtuous circle was created by that Haughey Government and the FF-led Governments which followed it. The wonderful economy that the FG-led coalition passed on was not created by them and the electorate knew it and voted accordingly.

Regarding the actual points to be addressed:

"The ability of the Oireachtas to scrutinise all of these things (*the budgetary process, economic policy etc, S.O.*) was hampered by the bypassing of public representatives as a result of the dominance of social partnership, where all these decisions were made away from the Oireachtas. Government choices in all key policy areas were removed from any kind of scrutiny."

He had to say something I suppose, but it is a *non-sequitur*. Agreements with Social Partners are made outside the

Oireachtas and then scrutinised and endorsed by it. This is an inclusive approach to democracy and comes naturally to Fianna Fail. The model Kenny seems to prefer is an elective dictatorship in the British style, where the Executive rules according to its mandate and majority. This style of government has produced the Water Charges debacle.

The Irish electorate has repeatedly endorsed the Social Partnership model and it was not because of its failure that Fianna Fail lost the 2012 Election.

The astonishing transformation of the Irish economy between 1987 and 2007 was underpinned by the budgetary discipline begun by MacSharry and the Social Partnership process introduced by Haughey. These were the preconditions for everything else.

As Brian Cowen in his response to questioning from Marc MacSharry (FF) earlier in July explained:

"... it's become very fashionable now to run down social partnership. I remember the '80s. I remember being a backbench Deputy in '87 and how difficult things were. And I believe that the methodology that we used then, that was undertaken by the then Taoiseach, Mr. Haughey, was the right way to go, and is the right way to go. We can't have, like in some countries, traditional arguments about capital and labour based on old 19th century models of, you know, "You come in here and talk to me about your wages and you've nothing else to say about life." You know, we have working people, we have educated people in this country. We don't have, thankfully, a class society. We have a certain sense of community and society about us. I believe that the social partnership model in many ways worked very well. Obviously, there were some mistakes, there was over-ambition in some respects. There was maybe a need to re-look at the institutional set-up from time to time. But it did work for this country and it put everyone on the same page without compromising people's right to represent their own interests. And what we now have what's called by the present Government, social dialogue. And----

Senator Marc MacSharry: Did it frame the budgets of the time? *{this is in reference to the Wright report commissioned by Brian Lenihan, which stated that the Programmes for Government and social partnership agreements dominated the budgetary process, S.O.}*

Chairman: Let him answer the question, Senator.

Mr. Brian Cowen: It framed the budgets. Of course it helped frame the budget. You had social partnership programmes to implement. It deals with people but they were on the basis that we would have a ... it was an overall fiscally

and financially responsible framework. And, unless you have people all facing in the one way in this country, it is very difficult to get things sorted. And let's remember, you know, that whilst, you know, we went through the crisis and we weren't able to, through the social partnership process, come up with some agreements on reductions in pay, etc., which, you know, is understandable, you know, would be very difficult to achieve in the best of times, the fact is that **the culture that had been inculcated through social partnership meant that we got that resolved eventually, and we got it resolved in a negotiation** [*cf. water charges S.O.*]. There are other people who don't have that vehicle for social partnership, who are now struggling greatly, to the detriment of many people that those interests represent. And I think, you know, we shouldn't take it for granted—yes, a remodelling of it; yes, ensure we don't make same mistakes as the past; maybe yes, less of the detail and a bit more generality, rather than getting into the, you know, drilling down into every area of policy. But I do believe that yes, people ... working people are interested in the number of places in universities as much as they are interested in what the health service is like as much as they're interested in what social welfare provision you can make for our ill and sick ... these are wider social contracts that are ... should be held together by the widest possible consensus of people and social parity is something, by the way, that is a stated aim and objective of our own party to pursue."

It is clear from the positions outlined above that the principal political cleavage in Ireland today, as Philip O'Connor has pointed out, centres around the appropriateness of the Social Partnership model. Cowen recognises that changes need to be made to it, while Kenny wants to abandon it in favour of something called '*social dialogue*', an amorphous concept with little practical prospect of achieving social consensus on issues such as the Water Charges shambles.

Enda suffered greatly during questioning, first from Pearse Doherty (SF):

"Mr. Kenny, can I start with you in relation to ... one of the key criticisms of Government policy during the years 2002 to 2007 which has emerged during this inquiry, was the narrowing of the tax base and increasing dependence on transitional taxes. The Fine Gael manifesto in 2007 also commits to, "Cutting income taxes for all taxpayers and keep the low rates of corporation tax and capital gains tax" [*the specific commitment was to reduce the standard rate of tax from 20% to 18%, S.O.*]. So, with that in mind, would these commitments not have further eroded the tax base? And what policies, if any, did Fine Gael have to broaden the tax base to

provide a more stable revenues for government? And the manifesto is on the screen for your assistance."

The Taoiseach: Yes. Obviously, I've read it. Well, your question is about the stability of the public finances and I think it's a very relevant question. I make the point that we've always believed in sound public finances together with an unrelenting focus on national competitiveness, that these are the conditions that would apply for, you know, lower interest rates, high level of investment and, as a consequence, strong economic and employment growth. So, back in the period when my party was in government in '94-'97, I recall that was my first senior Ministry in trade and tourism. And the emphasis, really, was on being lean and competitive and, as a consequence, there were up to 1,000 jobs a week being created in terms of foreign direct investment-----"

Since this was obvious blather, Doherty asked the question again and got an even longer piece of blather, and more followed. After five minutes the question still had not been answered and the Chairman intervened and stopped the clock (time for questioning is strictly limited).

His intervention did no good and with no answer forthcoming in the end, Doherty was obliged to move on. Kenny suffered from other questioning also, including from members of his own party, and his performance overall can only be described as poor.

LABOURING THE POINT

Labour's Joan Burton and Pat Rabbitte gave their evidence later the same day. Burton, like Kenny used her opening statement as an opportunity to deliver an anti-FF party political rant, but again like Kenny got badly caught out during questions at the hands this time of FF's Michael McGrath. He asked three different questions which Burton found it impossible to answer directly. Firstly, regarding the Labour Party's 2007 Manifesto, in which:

"the Labour Party was proposing going into that election that over the following five years that current expenditure would increase by €17.4 billion, capital expenditure by about €3.5 billion. You were proposing a tax package of tax reductions of €2.4 billion. So, in total, a package of about €23 billion over the following five years. And it was based on an assumption of economic growth from the Department of Finance and ESRI of in the region of 4% and you were recommending that current expenditure would grow at double the rate of economic growth over that period. So, how can you claim—if you do claim—that the Labour Party's proposals going into that election were any less pro-cyclical than the outgoing Government at that time?"

Over seven minutes later there was still no clear answer from Burton despite the question being asked again and again and intervention from the Chairman.

The second question concerned what alternative the Labour Party was advocating to the Guarantee, given that the party opposed it at the time. The Chairman was required to intervene twice to get an answer which finally came out as:

Chairman: And I've asked the Tánaiste ... and I'll repeat it again. ... there's two ... and I will say that there's two propositions to the question. There is: why was the position taken and what was the alternative that was being put forward?

Deputy Joan Burton: Okay, the alternative that was possible was, for instance, to actually have the banks which were the most exposed, in fact, either fail or be nationalised. Now, when you look at it—and if I go back to that period of time, and you can check this—my concern was, if you like, in relation to two items. First of all, the banks which had caused the difficulty were two, in particular—Anglo and Irish Nationwide. One was a boutique developers' bank, serving a relatively small number of developers who had very large presence in the Irish market-----

Chairman: Tánaiste, I will have to press this now.

Deputy Joan Burton: The second---

Chairman: No, I will-----

Deputy Michael McGrath: We're back to commentary.

Chairman: I will really, really have to press this.

Deputy Michael McGrath: We're back to commentary now..."

And so on. The third question was under the Labour Party's alternative scenario, which was supposed to save money, who would not have been paid, as the only way to save money is not to pay someone. For a third time the Chairman had to intervene to produce an answer:

Deputy Michael McGrath: So who wouldn't have got repaid under the Labour Party model of rescuing the banking system?

Deputy Joan Burton: Well-----

Deputy Michael McGrath: That's my question.

Deputy Joan Burton: Well, for one, the sub debt ... because this was debt which had been taken out as these banks were getting into trouble at very high rates and that was a very risky sub-debt investment. That was one of them. But can I just say this, Deputy McGrath, I think there's, if I may so ... in terms of the question you're asking, if a sovereign state takes an action, which offers guarantees, once that is done, Deputy

McGrath, you have to take the fact that that is there on board. I would not have approached the guarantee in the way the Government did. I think it could have been done-----"

And finally:

"Deputy Michael McGrath: -----you have offered is subordinated debt and, as you know, there were liability management exercises of about €15 billion in respect of subordinated debt. There was a total of €1.4 billion of sub debt repaid during the guarantee because it was guaranteed. So you've offered that specific, but you haven't offered anything beyond that.

Deputy Joan Burton: The ... but the guarantee in its major purpose, which was to get deposits to flow back into the Irish banks and stop a run on the banks, did not succeed in that purpose, Deputy. So the guarantee was a disaster for the Irish people because, in effect, what happened with the guarantee was the Irish taxpayer took sole responsibility for the debts of the banks when, in fact, in my

view, the effort to save the banks should have been concentrated on the high street banks, the banks with which ordinary business, commercial, depositor life in Ireland is dependent."

This last statement is of course dead wrong, the Guarantee did succeed in getting deposits flowing back in quite spectacularly. It was the severity of the later recession and the collapse in property values which turned the Guarantee into a massive liability.

In the end Joan Burton did produce answers to the two of the questions asked: the alternative policy to the Guarantee was nationalisation or letting the banks fail, and the people who would not have gotten paid were the sub-debt holders, but why did these answers have to be prized out of her?

The answer is that she knows that in the first case the problems in the banking system would not have been solved and in the second that sub-debt holders were

largely burned as McGrath points out to her.

This entire excruciating and embarrassing exchange can be seen approximately 28 minutes in at:

<https://inquiries.oireachtas.ie/banking/hearings/joan-burton-policies-of-the-labour-party-while-in-opposition/?v=video>

The Banking Inquiry was intended ostensibly to investigate the causes of the crisis in order to prevent anything like it happening in the future. In reality, it was conceived as a way of reminding the electorate of FF's responsibility for the disaster in the run-up to an election. It is not going all the Government's way however and inconvenient truths, like the fact that the current Government parties advocated even greater Government spending and a reduction in the tax base in the run-in to the crisis, keep emerging.

Sean Owens

Report

Ireland's War On Turkey

Did you know that the that the Irish Free State woke up to a nasty surprise in the early 1920s when it found that, under the Treaty, it was now officially at war with Turkey and was required to participate in its planned destruction?

Britain launched a war of destruction against the Ottoman Empire in 1914 and in an imperial carve-up secretly agreed in 1916 allotted big chunks of it to itself, as well as 'giving' other areas to France, Italy and Russia. The Russian share was to include Constantinople (Istanbul) as its 'prize' for waging war. This scheme fell by the wayside with the Russian Revolution of 1917 which took Russia out of the 'Great War'. But the Franco-British-Italian carve-up went ahead, creating the catastrophic mess that has been the Middle East ever since. Nevertheless, Atatürk, the Turkish hero of Gallipoli, emerged as a leader and successfully held Turkey

against its multiple aggressors and went on to build a successful, independent state.

Dr. Pat Walsh spoke on these matters at a public meeting in Pearse House, Dublin, on 15th August. After a brilliant illustrated lecture there was an hour or so of very interesting and lively discussion. The councillor who appeared from the Turkish embassy received a spontaneous ovation (as a gallant ally only should). A very mixed group attended, including, a TCD dissenter (from the Fitzpatrick school of falsification), sickened by the line being peddled by the History Department. David Fitzpatrick is telling students that 1916 was the first large scale terrorist act of the twentieth century!

Philip O'Connor

Forgotten Aspects Of
Ireland's Great War On Turkey. 1914-24
by *Dr. Pat Walsh*.
540pp. €36, £20 postfree.

THE CRAIC AROUND IRAQ

Don't go to Iraq, boys,
your country's not in the mood,
for you might come back and destroy, boys,
like that liberal-Imperial paper said you
could.

Why not instead join the British Army,
there's always someone up for a fight,
but to do it alone would be barmy, boys
so we're Robin to Batman's delight.
We agree Assad must go,
(why we haven't worked out yet)
see, ISIS the Crisis is now our foe,
boys, it's a birth overseen by a vet.
Come join us in Aldershot, boys
and the tabloids will make you a hero
when we drop you over Iraq,
boys, no longer in Leicester a zero.

Wilson John Haire
27 June 2014

BOOK LAUNCH

"IRISH BULLETIN" VOL. 3
(1st September 1920 - 1st January 1921)
at
The Ireland Institute, The Pearse Centre
27 Pearse St, Dublin 2

Eamon Ó Cuiv TD and
Professor Cathal Brugha
Thursday 26th November 2015,
7.30pm
All welcome

Shorts

from
the Long Fellow

THE BANKING INQUIRY

The Banking Inquiry may have been intended as a trial of Fianna Fáil to coincide with the approaching General Election. If that was the intention, the prosecution will have difficulty in bringing in a guilty verdict. No evidence has emerged of political corruption. There has been evidence of a cosy relationship between the regulators and the financial institutions, but as Seán Owens has pointed out, part of the remit of the Financial Regulator was to "promote" the financial sector (see *Irish Political Review*, July, 2015).

Charlie McCreevy, Bertie Ahern and Brian Cowen gave spirited defences of their time in Office. McCreevy made the point that the State is obliged to respond to demands in the society. If the Government is running budget surpluses it is difficult to resist—and in some cases would be wrong to resist—those demands. McCreevy as Minister for Finance managed to hive off some of the surplus into the Pension Reserve Fund, which was used many years later to mitigate the effects of the necessary budgetary adjustment.

Ahern made the point that in his time as Taoiseach 10 out of 11 of the State budgets showed a surplus. In the 2007 General Election the outgoing Fianna Fáil-led Government resisted pressure from the Opposition parties (and the *Sunday Independent*—LF) to abolish Stamp Duty: a policy that would have added fuel to the raging property furnace.

THE GUARANTEE (AGAIN)

If the Long Fellow were to sum up in a couple of sentences the policy errors of Fianna Fáil-led Governments from 2001 to 2007, it would be that they failed to appreciate the dangers of escalating private debt for the wider economy. They thought that they only had to worry about public debt.

There was nothing in the party system that warned the Governments of errors in their policies. Indeed, the pressure was all in the opposite direction. The Long Fellow remembers Pat Rabbitte, as leader of the Labour Party, criticising the traditional Socialist position of high taxes as being masochistic.

The Labour Party has made great play of the fact that it alone opposed the Bank

Guarantee. But it was embarrassing to have to listen to Joan Burton not answering Michael McGrath's (FF) question at the banking inquiry on what alternative policy Labour would have pursued. She claimed after much prevarication and with the benefit of hindsight that she would not have guaranteed subordinated debt, which McGrath pointed out amounted to about 1.4 billion (the State put 64 billion into the banking system).

Pat Rabbitte offered the only possible defence of the Opposition Parties' behaviour during the period leading up to the crisis. He argued that it was unfair to ask what the Opposition Parties would have done since they did not have access to the information that the Government had.

It now seems clear that the die was cast by the night of the Guarantee. Even with the benefit of hindsight, a case can be made that the solution that was chosen was the least damaging option available.

Former Taoiseach Brian Cowen made the point at the Inquiry that the National Treasury Management Agency was urging that the State pay Senior Bond-holders after the expiration of the Guarantee in 2010 so as to facilitate continued access to the Bond markets.

The European Central Bank and Tim Geitner, the US Treasury Secretary, were of the opinion that, if Ireland did not pay Senior Bond-holders in the banking system, not only Ireland, but other States with deficit problems would find it difficult to obtain finance on the bond markets.

Some employees of the International Monetary Fund were initially sympathetic to the idea of burning senior Bond-holders, but they were overruled at a higher level.

Finally, Cowen made the point that a condition of the bailout programme was that there would be no burning of Senior Debt. This was at a time when we had no access to funding from the markets.

THE POLITICAL FALLOUT

The impressive defence of Fianna Fáil's record may have come too late to benefit the Party. The time for such a defence was at the 2011 Election. Brian Cowen should not have resigned as Taoiseach before the General Election. The electorate was entitled to come to terms with what had happened in the previous four years. But instead, by choosing Micheál Martin, the Party preferred to talk about something else (electoral reform etc). That was understandable, given the visceral anger of the electorate—stoked up by the media, but it was a serious error, which exacerbated the inevitable electoral drubbing that the Party received at the polls.

Fianna Fáil may obtain some benefit from the Inquiry, but not much, since its current leader tabled a motion to expel Bertie Ahern from the Party in 2012. The Party's attempt to purge its past has disorientated it.

Fine Gael and Labour must be disappointed that the Inquiry failed to inflict more humiliation on Fianna Fáil as we approach the next General Election. Indeed, questions have been raised about the current Government's stewardship of the banking crisis.

The former Chief Executive of the IBRC [Anglo-Irish Bank legacy institution], Mike Aynsley, has made the allegation that interference by the Department of Finance in the running of the bank had undermined its ability to maximise its return for the taxpayer. He gave an example of a Department official who told an Executive of the IBRC that it would be better if an asset were not sold to a certain individual or company owned by that individual, even if the next highest bid was 100 million euro less. The Department official—according to a detailed memo by the IBRC Executive—claimed that the Minister for Finance, Michael Noonan, felt the same way. Fortunately the transaction never took place since IBRC went in to liquidation a few months later.

It is possible that the forthcoming Commission of Investigation into IBRC transactions might reveal far more than the Government had bargained!

BRITISH LABOUR

The conventional view of British Politics is that it consists of a left-right continuum in which the two main parties gravitate towards the centre in order to win the floating voter. But the two main parties have been losing votes on their left and right flanks.

The story of the 2015 Election was the collapse of the centre. The Conservatives and Labour retained roughly the same voting share as the 2010 Election (37% and 30% respectively), but the Liberals dropped from 23% to 8%. UKIP rose from 3% to 13% with very little return in terms of seats because of the *First Past the Post* system. The Scottish National Party, by contrast, made an electoral breakthrough with an increase from 2% to 5% because its vote was concentrated in Scotland where it obtained 50%.

The figures show the enormous task facing the British Labour Party. If, somehow in Labour's wildest dreams, it was to regain all the seats it lost in Scotland, it would still fall short of an overall majority

in Parliament. On the other hand, if UKIP were to collapse is it likely that Labour would win more of its votes than the Tories? And if it is assumed that the Liberals lost votes to the Tories—which compensated for the loss the Tories must have suffered to UKIP—is it likely that such votes would somehow ever be won by Labour? Is it not more likely that they

would return to the Liberal Party?

In short, if Labour is ever to regain power there would need to be a significant change in the UK's political values. The Labour Party needs to stop attempting to squat on other people's political territory and begin to carve out its own political space. On that basis it makes sense for it to elect Jeremy Corbyn as leader.

A Day In Court

On 17th June 2015 there was an interesting case initiated by Barry Keane, author of *'Massacre in West Cork'*, who challenged the British Home Office, the Metropolitan Police and the United Kingdom Information Commissioners at a Tribunal held in Chancery Lane, London, to release the contents of a file listed as *'Paid informants in Irish Secret Societies 1886-1910'*.

It was a day-long hearing before a panel of 3 judges with both closed and open sessions, due to the sensitive occupations of some of the witnesses called by the Metropolitan police and the information contained in some of the files being discussed.

Keane found the file in the UK National Archives in 2013. On reading through it he found that more than half of the documents were withheld by the British Home Office. He decided to ask the Home Office to explain why they were being withheld, given that all the informants would be dead by now.

This began a process of appeal and refusal which eventually resulted in the hearing. The Home Office and Metropolitan Police are arguing that they have an absolute right to retain this information *"in perpetuity"* to protect the informer system, as some people might be put off by having their activities exposed 105 years later. However, as some of the names in the file were not redacted, then clearly no such absolute right exists and Keane argued that each informant should be dealt with on a case by case basis.

The un-redacted part of the file, for example, confirmed details of payments made to James Carey, who betrayed The Invincibles after they killed Lord Frederick Cavendish and Thomas Burke in the Phoenix Park in 1882, so it is entirely possible that the missing documents will have a significant impact on our knowledge of Irish history.

Keane's case was that the names of the informants was not the crucial issue but the

methodology involved in the recruiting and the how and the why of such activity would give an indication of the value of such information and could therefore be an important factor to take into account by researchers is assessing historical events.

This was an important test case of what records should be available from these sources and who exactly decides what is made available. Despite its importance, academia was not represented and did not appear to have made any contribution to the proceedings. And our Fourth Estate, the media, sent no representatives and has not reported on this important test case.

Keane's main task was to counter the assumption by the Home Office *et al* that anyone seeking this information must have ulterior motives, especially in an Irish context. Informants and their relations and descendants were killed there and we had the same organisations and/or their offshoots operating today as there was over a century ago. Look at Northern Ireland.

He had to explain that two quite different situations were being regarded as a *continuum*. The pre-Independence movements in Ireland created the Irish state and that war was long over. The war in Northern Ireland began 50 years later and was caused by the disgraceful set up under Stormont. That was so discredited that it was abolished by Sir Edward Heath. This seemed to be news to most in the courtroom. He emphasized that it was not comparing like with like to treat both periods as one.

He went on to explain that the descendants of real and alleged informers in the Irish War of Independence were no longer in any danger. He explained that he had interviewed a number of them in his research. The judge wanted to know how he managed to do this. Keane explained that the names and families were known to anybody with a cursory knowledge of the period and he located their descendants from the telephone book. They co-operated happily and felt in no danger whatever.

The witness for the Met appeared behind a curtain, 'Officer A'. The issue for him was simple. Every potential informant wanted anonymity as a top priority and there could

be no exceptions. When pressed, he said this would apply to Boer War, the '98 Rising and the English Civil War (sic!).

Keane identified a Dublin Metropolitan Police file held at Kew that had a letter from a Dublin resident offering his services as an informant. It contained all his personal details. His offer was not taken up as it was not considered worthwhile. He, and his large family, could be easily identified in the 1911 census. He asked for an explanation as to why that file was publicly available.

In the absence of an explanation, the Judge made the wry comment that it might be that only useless informants received confidentiality. The judge seemed unimpressed by the inconsistent approach of those responsible for decisions to make some files available and not others and withdrawing files 'for review' that had been available.

There was no judgement given on the day (and not at the time of writing). It could be that case that the Judges may set a time limit, allowing the release of documents from British Imperial records. Whatever the result, there could be an appeal to the British High Court and Supreme Court by either side.

Barry Keane is doing a great service to historical research in pursuing this case in his dogged fashion. At one point he reminded the court that the last member of his family to appear in a British Court was his great grandfather who was sentenced by it to 24 years' hard labour. And that he is now teaching a direct descendant of the informer who betrayed him—but he bears no grudges against the lad!

Jack Lane

Press Release, 21.8.15

UK court rejects Freedom of Information release of 116 year old file on 'paid informers in Irish Secret Societies'

By a 2:1 majority a United Kingdom First Tier Tribunal has rejected a Freedom of Information appeal against the Metropolitan Police and the Home Office by Cork historian Barry Keane. The tribunal refused to release information contained in a file entitled *'Paid informants in Irish Secret Societies 1886-1910'* held by the Home Office. The case was heard before Judge Andrew Hamilton and two lay members on 17 June 2015 in London. The result may also provide a defence against Home Office case for the forced release of information provided to Boston College by former paramilitaries in Northern Ireland.

Some of the names in the file had already been revealed and recorded by Barry Keane. The file included the name of James Carey who had betrayed his colleagues after the Phoenix Park murders of 1884 when the Chief Secretary Lord Frederick Cavendish was murdered by 'The Invincibles'. Carey was himself murdered in South Africa where he had been sent by the Metropolitan Police. Another file from 1914 marked 'Secret' revealed that a P. McCormack from Glasnevin had offered to spy on the Irish Volunteers for the Dublin Metropolitan Police but had been rejected.

The majority rejected the appeal on the grounds that it would:

- * Endanger the ability of the United Kingdom to recruit informants if their identity could be revealed even more than 100 years after their death.
- * Expose their descendants to embarrassment or boycott if the information was revealed.
- * The majority 'believed it is by no means fanciful to suggest that on revelation that a person's ancestor was an informer, elements of the local community might choose to shun him or her, causing them distress'.
- * The minority report accepted all of Mr. Keane's arguments arguing that not to release information of such antiquity "*simply fails a very basic common sense test*". Mr. Keane had told the tribunal that it was ridiculous to suggest that members of the Provisional IRA, Real IRA, Continuity IRA, and other versions of the IRA would use information in such an ancient file.

The Metropolitan Police evidence was given by a Counter Terrorism officer from behind a screen. In cross-examination by Mr. Keane's barrister, Brian Leahy, he revealed that he failed to trace any of the informants or their descendants. He even asked the Garda Síochána. Neither had he found evidence that harm had come to the descendants of those already revealed in the file. Neither could he present any evidence that any informer had raised any concerns about their identity being revealed after their death.

Despite this the majority of the tribunal ruled that the view of Officer 'A' I strongly believe that disclosure of the information requested would have an immediate and significant effect in that it would undermine the trust in the whole system' should be accepted.

The result of the case is that any

information which could identify informants will remain secret 'in perpetuity' though apparently 'in perpetuity' does not mean longer than 300 years.

COMMENT

'The attitude of the British government is in complete contrast to the flood of information made available by the Irish Government about the War of Independence via the Bureau of Military History and the Military Service Pensions Collection which often reveal exactly who shot whom and this information comes from the 1920's. Similarly, the German Government's opening of East German police files did not result in illegal harm coming to them or their descendants'.

If the Home Office goes to such lengths

Barry Keane

The Great Disinfectant

The 1916 Relatives were meeting in the Hotel. Approximately 250 of them were there. The Hotel is welcoming. The Conference Room is spacious and well appointed. The staff there are helpful and co-operative. The seating is comfortable and well compartmentalised, the relatives divided into sections, corresponding to respective garrison locations. An expectant hum hovered about the room. These people, men and women, share a common background. Their meetings are well attended. They are bright people. Many, it seems, have done well. Some have been moulded and shaped by fame. But there is no bravado. When asked, they relate their tale. One listens to the other. Sometimes stories overlap. Connections—hitherto not known—are made. Commonality has spread its tentacles. Surprises spring up. Unanswered questions now find answers. These people are no mean people. A certain pride appertains. But they are quiet. There is an absence of bluster.

Preliminaries take place. Women predominate in the organisation's officer-ship. They seem well-versed in procedures. The attendance was well briefed on the affairs of the organisation. Progress was explained. People were put in the picture. Matters were brought up to date. Then came the main event. A buzz could be heard. There was an air of expectancy. There were a communal intake of breath. T.P.C. took the stage. His presence had its own exudation. He emanated an authority, natural and uncontrived. A hush had descended. This famous historian had them in his scholarly grip. The collective

to protect its unidentifiable informants descendants' mental well-being' from a 116 year old file then it can hardly ask the United States Government to release information that would definitely damage the mental well-being of paramilitaries who had provided witness statements to Boston College from a conflict that drew to a close only 17 years ago. 'What's sauce for the goose should be sauce for the gander'.

There is 28 days to appeal to the Second Tier Tribunal on a point of law and this is being considered. After all it took eight years for the British Government to admit that it was responsible for the torture of Mau Mau fighters in Kenya in the 1950's and they agreed to pay compensation in 2013.

knowledge would be multiplied. To listen, it is said, is to learn. But, strange. It did not happen. Or, as some say, anyway.

I was not there, but I did speak with some. Very upset people, it must be said. TPC was the guest speaker. He was the main event. He was there, free, *gratis*, and for nothing. He explained, with some pain it appears, that he had been invited. He was not being paid. He seemed to tell them off. What did they know? He told them who they were. He asked them, what did they think? He lectured on the inadequacy of the state. The awful disenchantment with the Catholic Church. The paedophilia of priests. It seemed he was basing his learned observations on The Proclamation; and, I suppose, its inadequate implementation, subsequently; especially "*cherishing the children of the nation equally*". Or, not cherishing them, I suppose.

Personally, I have failed in these matters, oftentimes. But I am not the state. Out and out idealists, I reckon, might suffer mentally by these failures of the state. But I think many people fail to measure up. Sometimes, anyway. It seems TPC is one such. Behind that massive intellect may reside a sensitive soul. He has been hurt. He is an idealist. But the failures which now prevail—the bankers, the politicians, the speculators, the get-rich merchants—how they do disappoint! On and on he went. The Great Disinfectant. But we, the masses, are not up to it.

I am glad I was not there.

Many in the attendance were upset.

They were there to listen about the Easter Rising. They did not want to hear about attacks upon the Great and the Good. Personally, the Great and the Good give my inferiority complex a sort of an uplift. If that is not a paradox—well, I am too. Later, I spoke to some very disappointed people. They had been hurt by the Great Disinfectant. They were close to tears. What was he at? What was it all about? How did he get in? Who asked him in?

It seems someone must have said their prayers. TPC was finished. There were many sighs of relief. Some must have thought, 'Could do with a drink'. People shifted in their chairs. Then, *merci, merci*. A civil servant took the mike. A fluent speaker who knew what he should speak about. And he did speak about that which he was charged with speaking. People became involved. This speaker knew his stuff. He was relating the plans of commemoration of the Rising, which the State has in mind. He rattled it off.

The day was saved. He had enthusiasm, knowledge, a reasoned response. People were breathing again. No longer were they being berated or spoken down to.

The Commemorations would be heavily dependant upon schools, people were informed, now. Education would be at the core.

National and Secondary Schools, the speaker explained, would be central. Each school would be presented with a Tricolour. A soldier would bring it. Its history and symbolism would be explained. Each school, too, would be provided with a copy of *The Proclamation*. *Amhrán na bhFiann* would be similarly subjected to analysis. All students would be taught the anthem. Each student would trace their family history. Connections, where they exist, to the national struggle and to The Rising would be made. Juxtaposing Education and The Rising, especially with the Pearsian *raison d'etre*, would feature. The emphasis on the education of the individual, and the connection with the nation, would be central.

This new speaker had breathed new life into things. People were highly impressed. After the prior *debacle*, relief seemed audible. Hope had been rekindled. Spirits rose again. He had saved the day. This bearer of good tidings was named Mr. Concannon. The people knew he was with them. They, in turn, took to him. There was a new-found *rapport*. The equilibrium had been restored.

John Morgan (Lt. Col. retd.)

Demise Of The IPP

Four score and seventeen years ago Irish voters despatched the already terminally-ill Irish Parliamentary Party of John Redmond and John Dillon to its political grave. Three generations later political grave-robbers, led by ex-Taoiseach John Bruton, seek to clobber those voters' descendants with the exhumed bones of the departed Party, persuade them that their ancestors were too stupid to know what they were doing, and even suggest that the ratios of seats won by the various parties did not reflect their popular support. The grave-robbers are rich in assertions and generous in their distribution. Alas they have been so sparing with evidence to support their assertions, that the suspicion arises that they have none.

As an amateur, armchair, student of history since the early 1950s, I'm happy to provide evidence that suggests that Mr Bruton and his supporters are, if not trying to sell us a pup, trying to flog us a dead horse, or convince us of the continued good health of a Monty Python Parrot ---

"The Sinn Fein victory in East Clare is a fact of cardinal significance, and has precipitated events. Following as it does on a course of extreme leniency and conciliation which culminated in the general amnesty of political prisoners and tacit tolerance of seditious and secessionist propaganda, it marks the definite failure of the policy to rehabilitate constitutional nationalism or disarm Sinn Fein defiance of English rule. After making all deductions for local influence and the general revolt against the Redmondite party machine, the fact remains that in a remarkably well conducted political contest sustained by excellent candidates on both sides, the electors on a singularly-frank issue of self-Government within the Empire versus an Independent Irish Republic, have overwhelmingly pronounced for the latter."

That is Ivor Churchill, Lord Wimbourne, Lord Lieutenant of Ireland, to the British Cabinet, 14th July 1917. (The text of this message was a state secret until 1967.)

The Irish Party losing candidate, Patrick Lynch, KC, Crown Prosecutor, wrote to the British Secretary of State for Ireland, also on 14th July 1917, saying—"I have come to the conclusion that the country is passing through a phase of excitement that will not last." Shortly thereafter, Patrick Lynch joined Sinn Fein. From 1932 to 1940 he served as Attorney General

in Fianna Fail Governments led by Eamon de Valera, who had beaten him in 1917 in the East Clare By-Election, on behalf of Sinn Fein.

The Redmondite Party had been haemorrhaging support and principles for some time before 1917. They lost ten seats in 1910 which they never recovered and they were found to have been involved in corrupt practices and/or intimidation in three constituencies. No such charges have ever been laid before, much less sustained, by any tribunal against Sinn Fein since its inception, despite the innuendo of academic and journalistic commentators. All eight seats in Cork went to William O'Brien's *All For Ireland League*, which stood down in 1918 and endorsed Sinn Fein. Larry Ginnell, who had been Private Secretary to John Dillon, stood as an Independent in 1910 and was elected. In 1918 he stood, and was elected as a Sinn Feiner.

There seems to have been no defection from Sinn Fein, Labour, or any other interest, to the Redmondite/Dillonite party. There were no able, ambitious and thrusting men ready to step into the old leaders' shoes and offer a vision for Ireland's future. And the Party was too faint-hearted to attempt to win fair, brunette or auburn ladies to its ranks and its support. In separate interviews with C.P. Scott in of *The Manchester Guardian* 1913, both John Redmond and John Dillon had declared their vehement opposition to Woman's Suffrage, and publicised their jettisoning of a cause they had espoused in their youth. Dillon said that a year earlier he had been pulled two ways on the subject, and had, as a democrat been in favour, but as a Catholic opposed. Redmond did not oppose suffrage from Catholic principle, but said the attitudes inculcated by the Church in women—reserve, retirement and modesty—were adverse to it.

The General Election of 1918 left the Irish Party with a mere 6 seats in Ireland, some of which they owed to an anti-Unionist pact with Sinn Fein. Sinn Fein won 73 seats and the Unionists 26. Subsequent Local Elections and the General Elections of 1921 and 1922 confirmed Sinn Fein's popularity, and for nearly a century most elected politicians in Ireland have come from parties, including John Bruton's Fine Gael, with their origins in Sinn Fein.

The seat de Valera first won in 1917 for Sinn Fein he retained in each General Election until and including 1957. The 1917 By-election had resulted from the

death of Major Willie Redmond, brother of John Redmond, in the Great War. In 1918 de Valera not only retained that seat but also contested and won John Dillon's seat in East Mayo.

Dillon wrote an undated letter to C.P. Scott in December 1918-

"According to my reports I have been beaten in East Mayo by a two thousand majority. The result was brought about by a system of intimidation—the most ferocious and elaborately organised I have ever known. Organised by the secret society. Armed bands were brought from other counties—400 or 500 from Clare—and the people were threatened with death if they voted for me—"The friend of England" (!!!) . If the people had been free to vote as they wished, I am quite certain I would have won *at least two to one*. Redmond, in his zeal for the War, allowed all our organisation to lapse—we had no campaign to meet this campaign of intimidation."

Had there been a smidgin of truth in Dillon's rant, it would have been in all the papers. Ireland was swarming with reporters, before, during and after the election. C.P.Scott had been a Liberal MP and had known and been friendly with Dillon and the other Irish Party MPs. He was, when when Dillon wrote him in 1918, the long-standing Editor of the *Manchester Guardian*, whose professional reputation is still invoked by *The Guardian* a century later. There was nothing about Sinn Fein intimidation nor any suggestion that Irish voters could be browbeaten in any of the papers. Besides, since 1872 Ballots had been secret.

De Valera and most of Sinn Fein's leadership were in British Jails during the election, having been rounded up for the spurious "German Plot". Sinn Fein's Manifesto had been mauled by the British Censor, its meetings broken up, and posters hauled down by the well-armed Royal Irish Constabulary.

Republicans were virtually unarmed in 1918 and remained very poorly armed until the 1921 Truce. There were never as many as 400 firearms in Republican hands in Clare, or Mayo.

John Dillon had lost the plot, his party was finished. John Bruton's campaign to resurrect its reputation is perverse and may yet be regarded as the repetition of the historical activities of Burke and Hare, but this time as farce.

Donal Kennedy

PS: Sources include "*Changing Times—Ireland since 1898 as seen by Edward MacLysaght*", published by Colin Smythe, Gerrards Cross, England, 1978 and *The Political Diaries of C.P.Scott 1911-1928*, Edited by Trevor Wilson.

Calais Refugees: *And Where Responsibility Lies*

There has been considerable discussion about illegal migration into Britain.. The fact is that there is a significant black market, particularly in London where tourism in particular creates a shadow economy that provides opportunities for illegals and refugees to find employment and for unscrupulous employers to make significant profits. But those unscrupulous employers would not survive a second if it was not for the fact that the 'respectable' employers on the interface with the black economy did not also see something advantageous in retaining that relationship (hotel and restaurant chains are riddled with such relationships—the areas where traditionally it has always been difficult to unionise).

On the subject of numbers, having been up close and personal with refugees for some time, I've come to the conclusion that the official UK figures on this bear no relationship with the actual situation. There is a veritable industry in illegal trafficking of people into the UK and it's been going on for years. The unfortunates at Calais are the flotsam and jetsam that represent those who are not aware of, or cannot afford, the actual means by which others continue to enter the country. Those at Calais are a minority.

Such is the situation that in London the extent to which illegal labour permeates the tourist-based sectors that there is a reluctance to seriously address the problem by the authorities for fear of it impacting on the wider economy. The legal refugee aspect of this issue also feeds into the black economy. People seeking asylum as refugees are left years waiting for a decision and in the meantime those lucky enough to have the address of a friend or family member to declare as their residence are not housed in the refugee compounds. They have to find some means of making a living and the only place they can do that is in the black economy. They are not permitted to work legally or even to study English or volunteer for charity work. The authorities are well aware of the impact of these restrictions.

I have been told of a situation where three family members from the Middle East managed to get across the Mediterranean to Italy and then made their way to Belgium. They were caught by police in Belgium where they were advised to apply for asylum. Two of them decided to accept and the third one declined, preferring

instead to continue to attempt to get to the UK. Eventually the third one got into the UK and immediately applied for asylum. The asylum application of the two in Belgium was processed within 4 weeks and they were accepted. Within a week they had legal employment and somewhere to live. The one in the UK is still waiting for his application to be processed and has been told that, despite the six months indicated by the authorities as the period within which asylum applications are to be processed, he is unlikely to hear from the Home Office for at least a year. But even after a year the chances are that it will be deferred and I have personally met people whose applications have been deferred for several years. In the meantime those people have to live and the meagre allowance is not enough so they are compelled to work illegally.

The way in which mainland Europe processes its asylum seekers seems to create a situation where the actual numbers are more accurately reflected in the official figures whereas the manner in which the UK handles these things is guaranteed to conceal the true figures. Having said that though, it still seems to be the case that the UK is accommodating far less immigrants than other European countries like Germany.

I see that Britain, having turned its back on Greece and Italy a few weeks ago when they made a similar appeal, is now calling for help from the rest of the EU to deal with the Calais problem. Of course they will not see any irony in any of this.

There continues to be a fanfare of publicity surrounding the measures that the Government is to introduce in order to control the shadow economy that provides the main attraction for illegal immigration into the UK. Throughout the Summer the provisions to be contained the proposed Immigration Bill have been drip fed to the media in order to sustain the impression among the electorate that the Government is serious about dealing with the issues created by the evolving shadow economy in Britain. However, much of what is proposed is either patently irrelevant or superfluous. For instance it was announced earlier this month that landlords were to be given the power to evict, without a court order, those who have lost their right to stay in the UK. At first sight this appears

to be a significant additional weapon for dealing with illegal immigrants and it has certainly been dressed up as such. However, on closer inspection, it can be seen to be quite irrelevant to the problem at hand. The fact is that illegal immigrants cannot find accommodation through the normal avenues of estate agencies. They rely upon word of mouth or the advertising card in the corner shop window to find landlords who are by definition working outside the established conventions in the first place. These landlords form part of the shadow economy and are extremely difficult to track down as they usually operate within the embrace of immigrant communities which see nothing wrong in the service they provide. Offering such landlords the power to evict tenants who are illegally working is patently absurd.

Then there are those who apply for refugee status (not synonymous with illegal immigrants) who the authorities deem fit to be released into the wider community while their case is being considered. They are usually housed with families or friends who can offer the applicant accommodation while their status is being considered by the Home Office. Again, in these instances what is proposed for landlords in the Immigration Bill will have no relevance in this instance. It is difficult not to conclude that in neither the instance of the illegal immigrant or the refugee applicant will the proposal in the Immigration Bill constitute any effective means of dealing with the shadow economy as it actually operates in most cases.

The Immigration Minister, James Brokenshire, has just announced that the new bill to be introduced in the autumn will mean that "anyone who thinks that the UK is a soft touch should be in no doubt—if you are here illegally, we will take action to stop you from working, renting a flat, opening a bank account or driving a car". It would come as a surprise to most illegal immigrants that they thought the UK was a soft touch when it came to renting a flat, opening a bank account or driving a car. All of this is already quite impossible for illegal immigrants to do within the confines of the law. What is proposed in the Immigration Bill are measures that simply rely upon extending or increasing the penalties for those caught breaking the existing laws. Regarding the proposal that those caught working illegally will be subject to six months imprisonment does anyone seriously believe that the prison system in the UK is capable of accommodating the numbers associated with any serious efforts to

implement such a thing?

As to the proposals for increasing the penalties on those employers who fail to initiate the proper checks on people they employ and who subsequently prove to have been illegal immigrants. Again, this is simply a matter of increasing the existing penalties. However instances of successful prosecutions of people found guilty of consciously employing illegal immigrants are rare because it is extremely difficult to prove this kind of thing because such people are employed 'off the books'. Of course it can be done but only through a significant and sustained investment in police resources.

If the government did nothing more than announce an appropriately resourced campaign to enforce the existing laws it would represent a more serious under-

taking to deal with the issue than the current public relations exercise that the electorate have been subjected to throughout the Summer. That this has not been the case shows just how embedded the shadow economy has become in the wider economy and how reluctant the Government is to actually address the issue. The prevailing suspicion that all the Government measures announced throughout the Summer is simply a public relations exercise has been hinted at by the likes of Alp Mehmet, of Migration Watch UK, when he says:

"Let us hope that the authorities will not shy away from acting on the powers they are to be given, since their record on that front has not always been exemplary."
<http://www.bbc.co.uk/news/uk-34047686>

Eamon Dyas

Review *'And so began the Irish Nation' Nationality, National Consciousness and Nationalism in Pre-modern Ireland* by Brendan Bradshaw SM. Published by Ashgate (Regular price: £75.00)

Nation-Building ?

Brendan Bradshaw has long been regarded as a major critic of the revisionist trend that dominates Irish history studies in recent decades. This book is a very useful collection of his writings across nearly four decades. He convincingly traces the origin of modern Irish revisionism to the trend that was fashionable in some quarters in Cambridge in the 1930s and which was taken up by people who became the dual doyens of Irish history, Robin Dudley Edwards and T.W. Moody. He describes this as essentially an attempt at value-free and past-centred history. However he is in favour of the "empty/sympathy which enables the historian to enter imaginatively into the minds of historical actors with whom he/she in involved and into their human predicament". And he says

"The first obligation of the historian, it seems to me, is to the society in which he/she lives. It is to help explain 'how we have got to where we are,' to understand the historically conditioned values, prejudices, aspirations that weigh upon us and by doing so enable us to come to terms with them" (p.5).

And so say all of us!

It can hardly be denied that when considering "where we are" in Irish history the most important fact is the 30 year war in Northern Ireland. In terms of Irish history there has been nothing else that compares with it in the past half century. It would therefore be quite reasonable to

expect that, by his own definition of what a historian should be, Bradshaw should provide a convincing explanation for this phenomenon. But he does not provide it. He refers more than once to the "recrudescence" of Republican violence in Northern Ireland as if that was an explanation. He elaborates at length on how history should be written, the correct methodology and the faults of others—and is always spot on—but despite all this there is no analysis that explains the longest war in Irish history.

Bradshaw's strength of analysis is confined essentially and very usefully to the merging of what became the genesis of the Irish nation, the Old English and the Native Irish. He explains very well, following Geoffrey Keating, what was involved in this phenomenon and the context in which it happened. It has long been taken for granted but he brings out very well what an achievement it was. It was genuine nation building in that it involved the merging of two ethnic groupings, two traditions to use the modern lingo, and was done in the face of common enemies, the Reformation and the new English planters.

This is clearly his area of expertise and subsequent periods are by comparison glossed over and this would not be a problem, except that he uses this merging as a sort of template to comment on the current situation. This leads him into very

unconvincing conclusions in his final summing up in the chapter "*Irish Nationalism*" that gives us his view of current political trends. This appears to be his most considered view on what has arisen from the War in the North:

"However, from the standpoint of the audit of nationalism at this historic moment, the most profitable reconsideration has taken place under the impact of the recrudescence of militant republicanism in Northern Ireland in the quest for a final solution of the Irish problem. At a very high cost on both sides of the divide the lesson has been learned, at least in the South, and more slowly on the part of Northern nationalists, that the future of Ireland lies not in the domain of absolutes, whether of the 'green fields' unity or the orange 'no surrender' variety. Rather it lies with the proposition of a flexible dialogue and provisional 'two-tradition' formula. Loyalists at least have come to the point of finding it possible to negotiate on such a formula.

In that connection it seems important to emphasise in conclusion the capacity the island has shown throughout history for absorbing successive waves of ethnically distinct settlers: prehistoric Picts and Celts, medieval Vikings, Scots, and Anglo-Normans, early modern English planters. The experience had been mutually enriching. It does not seem unreasonable for nationalists to hope that the 'Northern troubles' of contemporary times have created the catalyst for yet another such historic mutation. Just as it possible to see in the closing decades of the 18th century the origins of a process that only culminated in the middle decades of the twentieth, whereby the 'Protestant Nation' and the more ancient Catholic one could comfortably share a common identity, so the troubled closing decades of the 20th century may yet be seen as the point at which the nationalist and loyalist traditions began to merge to their mutual benefit. What is ungainsayable surely is that Ireland North and South is in the process of a social, cultural and political revolution. The point of nationalist taking stock at this juncture is not to harden prejudices or to narrow horizons. It is to show that the past does not foreclose upon the future. The 'backward look'—a supposed Irish psychopathology—need not conduce to a state of intellectual and imaginative sclerosis. The point of doing so is not to weigh anchor in the past, to shut off options for progress. Rather it is to lift the burden of history, to create the possibility of going forward hopefully, secure in the knowledge of where one is coming from" (p.270).

There are a number of problems with this "*audit*."

The "*recrudescence*" of the War was not simply "*the quest for the final solution of the Irish problem*". This quest was not the cause of the War but it was the default

position of the Northern Nationalists when the agents of the State launched a pogrom against them and the British State went on to launch Internment and tried to intimidate them with Bloody Sunday type actions. What the nationalists really wanted was their place in the sun and it turned out that they were prepared to support the War that had to be waged to get that. The unexpected development was the emergence of a leadership that was equally able to wage war and peace to achieve that end. This is what changed the War from being a mere "*recrudescence*" of nationalist violence. There is a need for an Irish Tolstoy to emerge to do it justice.

Bradshaw sees the divide between Unionist and Nationalist as simply "*two traditions*" that can be merged as the earlier two traditions were into a new nation. But there is a flaw in this. The earlier two traditions merged and formed the basis of a nation but it happened, *inter alia*, in opposition to the new English planters and those same planters in Ulster did not go away just because they were not included in the formation that laid the basis of the Irish nation. What became of them? They certainly did not remain a "*tradition*" hanging around to merge with the nation that was formed in opposition to their very presence. They evolved into a nation and after four centuries it is about time that fact was acknowledged. If not, fantasy takes over and that is what happens with Bradshaw.

Pre-national formations can merge and form nations and this is the very essence of nationalism and nation-building and this is what happened in—for want of a better word—mediaeval Ireland. But nations when formed do not merge with one another. They are no longer just traditions. They have traditions but they are more than traditions. The only 'merging' that can then occur is conquest and/or extermination of other nations. The only experiment in the genuine merging of nations is the EU and I think we must accept that the jury is still out on that one. It remains to be seen if it sets a historical precedent. When Germany merges with Greece we can re-assess the situation.

It is just incongruous to talk about the "*absorbing of successive waves of ethnically distinct settlers*" as "*mutually enriching*". That is not how it always was—if ever—experienced by those affected. And by his own admission the creation of the Irish nation of the Old English and Native Irish was based on opposition to the New English planters. That is hardly an indication of a mutually

enriching relationship between these groupings.

Confiscation, plantations and variations of same with subsequent wars was part and parcel of these "*waves*" and were never experienced as mutually beneficial as far as the victims were concerned. This "*enriching*" thesis seems to be a relapse to the very value-free history he despises in historians.

Drawing comparisons and creating some sort of continuum between what some of the Protestant Ascendancy wished for in late 18th century Ireland and the position in late 20th century Ireland is far-fetched beyond credibility. The relationship he speaks of in the 18th century was in any case a hope by some, rather than any realisation of that hope. All that happened in the two centuries in between makes it simply not historical to seek a continuum, except perhaps in some purely genealogical sense which is politically and socially irrelevant.

But more significantly it indicates that he fails to see the Northern Ireland Protestants as anything but just another set of Protestants that will be merged like the remnants of the Ascendancy in the South have been—allegedly—and as the Old English were. And without appreciating the basic fact of how different the Northern Protestants were/are he loses his bearings. It is the rock he perishes on. A rock that is strewn with wrecks already.

It is disappointing to hear a historian of his standing conclude on a desire to "*lift the burden of history*". How could that be the wish of someone who makes his case for proper history as being to show us "*how we have got to where we are?*" The logic of his conclusion is that we are a burden on ourselves! Our modern revisionists would be salivating at that prospect as it perfectly sums up their *raison d'être*. And Bradshaw undoes all his good work with such a conclusion.

Tá brón orm. *

Jack Lane

* There is sadness on me.

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The Malicious Mallet And The Censor's Scissors

Anatomy of an "Irish Times" book "review"

On 4th March 1933, an *Irish Times* editorial welcomed the ascent to power in Germany of "Herr Hitler", and hailed him (or should it be 'Heiled' him?) as "*Europe's standard-bearer against Muscovite terrorism*". All that, of course, is in the past—water under the bridge, so to speak. Nowadays, in these more enlightened times, that paper generously provided plenty of space this May 23rd for a call to Socialist Revolution, although this, too, was no less zealous in its crusade to confront that same "*Muscovite terrorism*". The call in question was supposedly a "review" by Mike Milotte of a newly-published biography by Sean Byers, entitled "*Sean Murray: Marxist-Leninist and Irish Socialist Republican*". The 'review' carried the subheading "*Minimising Stalin's legacy helps only those who want nothing in capitalist society to change, argues Mike Milotte*", and the byline was: "*Mike Milotte is the author of 'Communism in Modern Ireland: The Pursuit of the Workers' Republic Since 1916'*." Milotte began:

"It would be hard to overstate just how much the politics of the tiny Irish Communist Party were shaped through the course of its history by its loyalty to the old Soviet Union, the state fashioned by Joseph Stalin. Difficult, too, to exaggerate the extent to which its eager subservience damaged its own prospects. In his new biography of Sean Murray, one of Ireland's most prominent communist leaders and life-long devotee of Stalin's Russia, Sean Byers manages to avoid exaggeration by going to the other extreme: he grossly understates the Irish party's acquiescence."

Milotte attributed to Byers "*as his ultimate verdict*" a view, that Milotte himself both summed up and denounced, that "*Stalinism, after all, did more good than harm*". And, certainly, that might well be a 'crime' on the part of Byers—if it is considered a matter of supreme indifference that it was Stalin's "*Muscovites*" who defeated "*Herr Hitler*". Apart from the overall heading of "*Stalin and his Irish cheerleaders*" that the *Irish Times* gave to Milotte's diatribe, the so-called "*paper of record*" grotesquely distorted the 'record' by choosing—as the version it wished to maintain online—one which purported to portray Byers as actually entitling his biography "*Treading Lightly on Stalin's Grave: Sean Murray, Marxist-*

Leninist and Irish Socialist Republican"! Meanwhile Milotte proceeded towards his own "*ultimate verdict*":

"Why does any of this matter today? Living as we are in the depths of a prolonged capitalist crisis, with the poorest compelled to pay most to save the system, one might wonder why those offering a socialist alternative haven't yet made the breakthrough. Looming large among the reasons is the popular conception that socialism has already been tried and failed, by which of course is meant Stalin and the Soviet Union. If the profoundly oppressive, top-down police state that Stalin and his successors presided over in Russia was socialism, then the game is indeed up. But if socialism means the oppressed and exploited liberating themselves, then maybe there's still hope. That's why Stalin's legacy still has to be confronted. Minimising it, for whatever reason, helps only those who want nothing to change."

Well, fair play to the "*Irish Times*" for promoting such revolutionary zeal! Except, of course, that the 'paper of record' believes in anything but "*fair play*". On May 29th Sean Byers posted on his Facebook page that he had submitted a letter to the "*Irish Times*", in reply to Milotte, which argued, *inter alia*:

"Marx once wrote that, 'The tradition of all dead generations weighs like a nightmare on the brains of the living.' It is unfortunate that the bitter rivalry between Stalin and Trotsky, two men long deceased whose interest in Ireland was tangential to their differing conceptions of socialist revolution, should continue to have such a profound impact on the fragmented Irish left. I am not interested in rehearsing old debates here. Instead, I wish to take issue with aspects of Mike Milotte's recent 'review' of my book. Convention dictates that a book review says something about the individual or subject under discussion. Yet, Milotte has achieved the remarkable feat of telling the reader nothing about Seán Murray and very little about the Communist Party of Ireland, other than to question the personal and political integrity of those who committed their lives to political struggle in the adverse climate engendered by the Catholic hierarchy and the Unionist state. Where Milotte briefly engages with the book's subject matter—the 'wealth of information about Murray's misgivings' with Comintern policy—it is only to dismiss it out of hand. He fails to identify specific problems with my treatment of the evidence or, conversely, acknowledge the points on which he agrees. Writing as though the historio-

graphical landscape has remained static for thirty years, with little regard for the Comintern papers released in the 1990s or the range of newly-available state and private archives employed throughout the book, he reaffirms, without amendment, the thesis laid out in his 1984 general history of Irish communism. In many respects, Milotte could have made his contribution without reading the book under review."

"Having read the book, he nonetheless misrepresents my position on a number of important issues. For example, it is one thing to characterise as 'legitimate' the stageist conception of the revolution and its application to the Spanish Civil War, quite another to defend Stalin's policy and the outworkings of his approach. He omits to mention that the term 'overly zealous' which he finds so offensive—not my words, but those of McDermott & Agnew, authors of an authoritative history of the Comintern—is followed by an acknowledgement of 'the murderous activities of Stalin's security organs' and criticism of what E.H. Carr dubbed 'the savage victimisation of POUM and its allies'. Once again, Murray's considerable efforts are overlooked in favour of a tedious denunciation of Stalin and the Soviet Union."

I here omit Byers' reply to Milotte on Gulag victims, as this is a subject on which I myself have written extensively over four decades, most recently in the December 2014 issue of "*Irish Foreign Affairs*", where I described Patrick Breslin as "*the Gulag's noblest Gael*". Byers' reply concluded:

"One could almost be forgiven for thinking the book under review has Stalin as its subject, not the Glens of Antrim man who rooted himself in the key struggles of his era: the Irish War of Independence, the outdoor relief strikes, the Republican Congress, the Spanish Civil War, and the decades long campaign for civil and political liberties across the island, to name but a few. It may in one sense represent a vindication of the book that Milotte has no comment to make on Murray's role during these events. A key radical figure in twentieth-century Ireland, Murray deserves his place alongside Peadar O'Donnell, Frank Ryan and Roddy Connolly in the history of Irish socialism and republicanism."

"*Fair play*" promptly went out the window when the "*Irish Times*" refused to publish the author's response to such a 'review'. The sponsoring (and careful protection) by that self-styled 'paper of record' of Milotte's call to Socialist revolution turned out to be not at all an example of hammer and sickle, but rather one of malicious mallet and censor's scissors. But whence the venom of that 'review'? For it is clear that Milotte bears a personal *animus*, not only towards Stalin,

but towards Byers himself. But why? The clue is to be found in what Milotte has left unsaid in the following paragraph:

"During the second World War, Irish subservience to Soviet foreign policy led the party first to advocate war against Hitler, then denounce the war as imperialist and call for peace on Hitler's terms, before finally supporting it as a war for democracy. Byers' critique of this period is typically vague. He talks of an initial 'cloud of ambiguity' which was superseded by a 'blinkered approach', before morphing into 'greater sophistication'. But the consequences for communist politics were again disastrous with the party dissolving itself in the neutral South and warmly embracing unionism in the North."

The 'crime' of Byers was to have caught Milotte out on what he himself had written on this same period, as I myself had caught him out 30 years previously. On pages 184-5 of his 1984 book Milotte had written:

"In April 1940 the (Communist Party of Ireland newspaper) 'Workers' Weekly' was banned in the Six Counties under the Special Powers Act. Its virulently anti-British tone, its sympathy for the IRA, and support for illegal strikes in the war industries had inevitably brought it into conflict with the authorities. Henceforth the paper was restricted to Eire, while the Northern communists produced their own—the 'Red Hand'—which carried on the same propaganda. In October it too was banned, and Betty Sinclair and Billy McCullough were jailed for one and two years respectively—reduced on appeal to two and four months—for publishing an article by Belfast IRA man Jack Brady which advocated 'enlisting foreign aid for our cause', taken by the courts to imply Nazi aid. ('Red Hand', 24 August 1940)."

Milotte's innuendo that Sinclair, Mc Cullough and Murray were open to the idea of a CPI-Nazi alliance was both a despicable red-baiting smear and a contemptible exercise in character assassination. Under the heading of "*Communism and Nationalism: A Complex History*", I reviewed Milotte's book in the Spring 1985 issue of "*The Democratic Socialist*", a publication of Jim Kemmy's Democratic Socialist Party, producing chapter and verse to show how Milotte's 'account' of the 'foreign aid' jailing amounted to downright distortion. I returned to the issue nine years later in an essay on 1930s Irish Communism that was published in a 1994 book edited by H. Gustav Klaus, entitled "*Strong Words, Brave Deeds*". It is this, more condensed account, from pages 233-4 of that book, that I repeat hereunder.

In his 1969 pamphlet, "*The 1934*

Republican Congress", George Gilmore had written how "*O'Duffy led a remnant of his Blueshirts to demonstrate his sympathy with the Fascist destruction of Republican Spain, and on his return from that campaign he succeeded in making contact with the extreme Right wing of the IRA in its fantastic flirtation with Nazism.*" As we've seen, in 1984 Milotte suggested that in the Summer of 1940 the Communist Party of Ireland connived at a similar "*fantastic flirtation*" with Nazism. But the very opposite was the truth. The article by the IRA's Sean Mac Bradaigh (Jack Brady) had been published by the CPI in both the "*Red Hand*" (Belfast) and the "*Irish Workers' Weekly*" (Dublin) for one purpose only. This was to provide CPI General Secretary Sean Murray with the opportunity to reply a week later, on 31st August 1940, in outright opposition to Brady's line of reasoning, under the incredulous heading of "*Freedom With German Aid?*". Yet, as I pointed out in both 1985 and 1994, Milotte had chosen to make no reference whatsoever to the fact that Murray had penned a refutation of the Brady line. Murray argued:

"Sean Mac Bradaigh in his reply to my criticism of Republican policy ... wants no truck with fascism or Nazism ... (but) he supports the idea of aid from Germany. I wonder has he thought out all the implications of such a course? Does he not see that this will inevitably mean Ireland being turned into a battlefield for two contending imperialist powers?"

As befits his subject, Byers' 2014 biography of Murray provided even greater detail concerning this episode, over the four pages 129-132 inclusive. He also drew attention to Murray's critique of the IRA that had preceded Brady's, provoking the latter's "*foreign aid*" response. Byers related how, in the "*Irish Workers' Weekly*" of 10th August 1940, Murray "*criticised the IRA leadership for their admiration of the same forces responsible for the 'slaying'*

of Spanish democracy". Murray further criticised the IRA for effectively asking the Irish people to "*hitch their fortunes*" to those propagating "*the theory of the superior race, the doctrine of overlordship and dependence*".

Byers could not, of course, avoid commenting on Milotte's 1984 distortions, even if he did so ever so politely:

"Mike Milotte draws attention to the aforementioned Mac Bradaigh article in his pioneering study of Irish communism, but fails to note the contributions preceding or succeeding it. This omission suppresses the fact that the CPI only published Mac Bradaigh's article as part of a debate with Murray, and could mislead readers into believing that the communists drifted towards some sort of alliance with Nazi Germany."

But no amount of politeness on Byers' part could act as a bulwark against Milotte's flood of vitriol. The problem that Milotte was faced with was that, once again, three decades down the road, he had been rumbled. The word that must have hit him hardest was "*suppresses*", because it so accurately described what he had been up to in 1984. In being let out of the trap so early by the "*Irish Times*", Milotte must have thought that his hatchet job in the 'paper of record' would succeed in rubbishing the Murray biography. But every other review since then has recognised—beginning with the words of Wilson John Haire's review in the July issue of "*Irish Political Review*"—just how "*breathhtaking*" has been Byers' research. One can, of course, take issue with aspects of Byers' commentary, but the fact is that Byers is upfront with all the sources concerning which conflicting views may contend. For, unlike Milotte, Byers has suppressed nothing. And, by denying Byers a right of reply to Milotte, the 'paper of record' has itself committed an act of suppression.

Manus O'Riordan



Origins: British Labour And Ireland

The British Labour Party And The Establishment Of The Irish Free State 1918-1924, by Ivan Gibbons, Senior Lecturer in Irish Studies at St. Mary's University, London, published by Palgrave Macmillan this year, confirms what anybody who has taken any interest in the matter probably assumes was the case: that British Labour took care not to alienate British opinion during the British War on the Government that the Irish elected for themselves without British permission, and that, when British Labour became the Government in 1924, its stance on the outstanding Treaty issue of the Boundary Commission was no different from that of the Tory Government that preceded it.

All of this is said clearly enough, and it is useful to have it documented. But there is much extraneous comment that is either misleading or plain wrong—which is only to be expected in an English academic narrative on British/Irish affairs, whether written from a Left, Right, or Centre standpoint.

The scheme of the book is that:

"It examines the relationship between the British Labour Party and the emerging Irish nationalist forces from which was formed the first government of the Irish Free State. It was a period when both parties were in a state of transition, metamorphosing from opposition and extra-parliamentary politics towards becoming the governments of their respective states and having to cope with the responsibilities and realities that invariably resulted from moving in such a direction..." (p2).

This is a false parallel, both substantially and formally. The Irish nationalist forces in question—usually described as "*militant nationalist*" or "*extremist*"—were not in transition towards becoming the Government of their "*respective state*". They had no "*respective state*"—unless it was the state which they had established after winning an election on a programme of establishing it. From January 1919 onwards Sinn Fein was the governing party in that state, and it faced up to the responsibilities and realities of government. It was as far as could be from the character attributed to it by the Government of the British state—that of anarchist rebelliousness.

If one does not regard it as a responsible Government in its own state, where then was the state which it was in transition

towards becoming the Government of?

The British Parliament had assumed the responsibility for governing Ireland 120 years earlier and in all that time it had established no semblance of an Irish state which a democratic party in Ireland could aspire to govern.

If there was to be an Irish state, it would have to be established by the Irish against British authority, because British authority had made clear that it would not tolerate the existence of an Irish state.

The Irish acted within the terms set by Britain. They attempted to gain independence by means of a military insurrection in 1916, at a moment when electoral government was suspended by the UK Parliament. Then, when electorally-based government was restored, they voted to establish independent Irish government, and proceeded to establish this without Westminster or Whitehall authority.

An Irish State existed from January 1919 onwards. The issue for Sinn Fein was not how to come to power in it, but how to prevent Britain from destroying it.

{I gather that in the E-Mail world, to which I do not have access, it has been denied that the Westminster Parliament suspended its electoral base when its mandate ran out in 1915. The ground of the denial is that Parliaments were elected for seven years and were reduced to five years only after the 1910 Election. I published something about this many years ago, where I pointed out that the five year term ran out in December 1915. The fact the Parliament decided to run on without an election late in 1915 was something I got from the Parliamentary Report. I cannot recall where I published this, but it should be easy to confirm the fact by consulting *Hansard*.

As I recall, the reduction of Parliaments from seven years to five was part of the agreement under which the power of the Lords was drastically reduced after the 1910 Election.

I did not argue that Parliament became illegitimate when it decided to continue sitting after the five years were up. Parliament is sovereign in the British state. The British Constitution is no more than an understanding between the major parties that sit in Parliament. The decision not to hold an Election until after the War was taken by agreement between the

British parties, who were representative of British public opinion—of which they were in large part the creators.

The Irish Party expressed agreement with the decision. I believe I argued it did not stand in the same relationship to the matter as the British parties. It was not an integral part of the political system of the state, being committed in principle and practice against taking part in the Government of the state. Its constituents were not committed to the Empire and war as the constituents of the British parties were. And its Election Manifesto had given no hint that it would support war against Germany, even though John Dillon saw that there were plans afoot for such a war.

The Irish Party effectively stood outside the British Constitution, and it eroded its legitimacy by following the British parties in these matters, as if it was part of the British Constitution, while still refusing to become part of it by joining the Government in running the War into which it was directing scores of thousands of men. The British parties did not need an electoral mandate to act as they did. The Irish Party did need an electoral mandate. If it had resigned its seats and re-fought them, in what would have been an Irish Election, and had won, the subsequent course of events would undoubtedly have been different..

The seven year Parliaments were introduced by the Whigs around 1715, following their *coup d'etat* of 1714. They used their majority in Parliament to increase its life retrospectively from three years to seven, in order to consolidate their position. That's Parliamentary sovereignty.

{PS: I find that the Parliamentary decision to carry on without an Election is dealt with in my contribution to the book, *Coolacrease* (p189-193). The Bill to do it got its Second Reading on 14th December 1915. An MP who protested that the Bill was unconstitutional provoked the response "*We are told by the hon. Member that it is unconstitutional for Parliament to extend its own life. I wonder what makes him say that?*"

The reduction of the life of Parliament from 7 years to 5 was part of the deal by which the Lords' veto was reduced to 3 years. The draft Bill was published before the 1910 Election and was part of the Liberal Election programme. As far as I know, nobody proposed that, since the Bill was not enacted until after the Election, the Septennial Act still applied. Parliament was made functional by understandings, not by legalisms. There was in fact no law by which it could be bound.}

In the aftermath of the 1918 Election the British Labour Party was suddenly presented with the opportunity of leap-frogging to power in the state. It was a minor party in 1914, but emerged as the second party in 1918. The Liberal Party had launched the World War but it undermined itself in the course of waging it. In 1916, during the period when the election system was suspended, the top layer of the Party went into alliance with the Unionists to form the Lloyd George Coalition, while the bulk of the Party went into Opposition. At the end of the War, the two Liberal factions could not re-unite, so Labour became the second party—the Official Opposition, with the status of the alternative Government. And many of the Opposition Liberals defected to the Labour Party, to help it to be Imperialistically patriotic and prepare it for power.

What Gibbon implies about Sinn Fein was then true of the Labour Party. It had in great part been an irresponsible Party, far removed from the prospect of taking over the government of the state, and therefore free to hold ideals with little regard for their practicality. But, if they were to achieve the great object that was put within their reach by the Liberal split, they would have to lay aside their fancies and their hobby-horses and show that the Empire would be safe in their hands.

The Labour interest in Britain was Imperialist. That is, the working class in Britain was a construction of a capitalism that developed within the conditions set out for it by the British Empire. It was not a development within a largely self-sufficient national capitalism that expanded overseas in the form of an Empire. The Empire, with the Triangular Trade based on slavery as its economic power-house, was the cocoon within which it was hatched.

The founder of British Socialism as a mass ideology, Robert Blatchford, began with the ideal of restoring an English way of life that was being destroyed (*Merrie England*), but he soon came to see that the standard of life of the English workers, poor though it was in many respects, would become much worse if the fruits of Empire were lost. He therefore became an Imperialist and a strong supporter of the dominance of the Royal Navy in the world.

I have seen the slogan, "*My country right or wrong*" attributed to him and, although I have not come across that actual form of words in his writings, there is no doubt that they express the substance of his position. And it had to become the position of the Labour Party when it

became the probable next Government—phrased differently, in order to preserve a hangover of the disinterested idealism of earlier days.

The middle class socialism of the intellectuals of Fabian Society circles—G.B. Shaw, the Webbs, etc—became decisively Imperialist by supporting the Boer War of 1899. This was a straightforward war of conquest, one which the British Empire could well have done without. It appears to have been fought out of Imperial high spirits—and to show that England could still do it. Since the Crimean War, which ended in 1856, England had only been fighting what were called Fuzzy Wuzzies. With the Boers it took on white men, almost of their own stock, beat them, incorporated them into the Empire, and were very pleased with themselves.

In making war on the Boer Republics—or putting the Boers under extreme pressure to launch a pre-emptive war of defence—British did not put the Empire in any danger, even when the war went badly at first, and therefore the Boer War was a war that English politicians could oppose without discrediting themselves. One could say that there was real freedom of choice in the matter, and that it therefore performed the function of developing incipient Imperialism in both Liberals and Socialists.

The Liberals who came out explicitly as Imperialists in the Boer War (Asquith, Haldane, Grey) came to occupy the dominant positions in the Liberal Government in 1908, and they used the European War of July 1914 to launch the World War. And, likewise, the Socialists who supported the conquest of the Boer Republics led the way for Labour participation in the World War.

One used to hear on the British Left a generation ago about how the German Social Democracy betrayed the cause by voting War Credits for the Kaiser, but the fact that British Labour supported the War and entered Government Office for the first time as a active war party in alliance with the Tories (Unionists) and Liberal Imperialists was somehow not regarded as being similar in kind.

Of course there were great differences in the circumstances of the two parties, but I cannot see that those differences condemn the German Social Democrats and justify the British Labourites. The German Social Democracy was a much bigger part of the German body politic than Labour was of the British body politic and, by the time the SPD voted the War

Credits, the German state was caught in a war on two Fronts against long-established Empires, both expansionist, and both experienced at waging war.

The German Empire, established following French aggression against Prussia in 1870, had fought no wars—unless the suppression of rebellion in its colonial possession in South-West Africa is to be described as a war.

Britain joined France and Russia in making war on Germany in early August. It was free to join or not to join. Germany made no claims on Britain or on its Empire scattered around the world. But Britain saw advantage in joining France and Russia to make war on Germany. Its first act of war was to blockade Germany and stop its foreign trade by sea—which it was able to do because of the absolute dominance of the Royal Navy. It then instructed its merchants to seize the German markets abroad. And its war propaganda described Germany as an Evil Power, whose existence was incompatible with the peace of the world, and which therefore needed to be dismantled.

The British Labour Party might have opposed Britain's war effort without endangering the existence of the domestic state or its foreign Empire, and some of its leaders—those of the Independent Labour Party segment—actually did so: Ramsay MacDonald, Phillip Snowden, Keir Hardie.

Labour was then a group of Socialist and Trade Union organisations, rather than a centrally-organised Party. It was made into a Party in the course of the War, chiefly through the efforts of Arthur Henderson, who was strong on both the Socialist side and the Trade Union side. Henderson was against British participation in the European War until it became certain in early August that it would participate. (He was Lib-Lab by political origin—that is, he was Labour under Liberal Party patronage. But he was in earnest about constructing Labour into an independent Party, and he had won a seat for Labour in competition with his Liberal patrons in 1906.)

Lloyd George was the guiding star for many Labourites whose orientation was Liberal, and it seems to have been his defection from the anti-War party in the Government to the War-party that decided Henderson in favour of war.

In 1915 Prime Minister Asquith was obliged to end Liberal Government and establish Coalition Government. Reasons for this were that the Liberal Government was a minority Government depending on the 80 MPs of the Home Rule Party who

supported the British war effort unconditionally but refused to take part in government; that the Unionist Party demanded positions in government as a condition of agreeing that the Parliament elected in 1910 should continue when its mandate ran out at the end of 1915; and that the Liberal Party just did not have the ruthlessness required for the conduct of the War which it had brought about.

The 1915 Coalition was made up of the Liberal Party, the Unionist Party, and the Labour Party, with Henderson representing Labour.

I am aware of British Labour history only in outline. I don't know if the killing of James Connolly by the Government of which Henderson was a member caused him any unease. Ivan Gibbons refers to it only as follows:

"The fact that the most influential section of Irish Labour (Connolly's Irish Citizen Army) had taken part in the Rising did not motivate the British Labour Party to enquire as to the significance of this or to re-examine its own position. Labour, in effect, acquiesced in Connolly's execution when Arthur Henderson did not resign from the War Cabinet. The party was obviously concerned about the likely adverse political consequences of linking the British Labour Party with Connolly's seditious act. Ireland for the British Labour Party was a marginal issue... with a propensity to explode politically and cause conflict within the party" (p41).

It must be said that Gibbons, writing as a historian almost a century later, does not go into the matter much more closely than Henderson did as the member of a Government conducting an Imperialist war.

Connolly was not unknown in British Labour circles. His political origins lay in British politics and he was a frequent contributor to the Glasgow ILP paper, *Forward*. The fact that he raised a socialist Army within the British state and went to war with it against the British state as a declared supporter of the German state on both Socialist and anti-Imperialist grounds is something that should be taken due account of, isn't it?

At the end of 1916 Asquith's Coalition was broken by a Liberal *coup* organised by Lloyd George, supported by the Unionists. Lloyd George carried most of the Liberal Ministers of Asquith's coalition with him into his own Coalition but he split the Liberal Party. The mass of the Party went into formal Opposition under Asquith's leadership, though continuing to support the War.

The 1915 Coalition, which brought the Unionists into the Government a year and

a half after they had raised a non-state Army to prevent the implementation of a Home Rule Act, was a watershed in Irish affairs. The ground on which Redmondism stood crumbled beneath it.

The 1916 Coalition was a watershed in British affairs. It destroyed the Liberal Party. And, since the Labour Party supported it, and gained increased representation within it, it opened the way for the construction of Labour into the second party of the state.

I assume that Henderson, who was Secretary of the Party, and its *de facto* strategist, saw that the Lloyd George/Unionist *coup* was to the advantage of the Labour Party, presenting it with an opportunity for advance as a Party which would not exist if the Liberal Party remained function to the end of the War, and that this was an element in his decision to support the *coup*—which he did by agreeing to take Office in a Government that was predominantly Unionist. And I suppose he also saw that Asquith, though a pioneer of the Liberal Imperialist development that broke free of Gladstoneism, retained too much of Gladstoneism in his attitudes to be an effective leader of the War that he had launched.

In a remarkable achievement he maintained the unity of the Labour Party and enabled its anti-War element to remain in the party, and rise to the leadership later. The anti-War leaders had put themselves out of court, requiring police protection for their anti-War meetings. However, they remained in the Party and the mantle of respectability, gained by participation in the Wartime Coalitions, was spread over them, enabling Macdonald to go on to become Prime Minister, with Snowden as his Chancellor of the Exchequer..

If this aspect of things has been written about, I have not come across it. About 25 years ago I looked for information about the formation of the wartime Coalitions and it seemed that no major book had been written about them, although they were the means by which the Unionists slipped from armed rebellion into Government without the awkwardness of an Election.

The Liberal Party was broken by those Coalitions, as was its Redmondite ally. When the dust settled in the early 1920s they were not there anymore. In their place were the Labour Party and Sinn Fein. Labour could have seen no advantage in probing the murky side of its emergence as the second Party of the state. Sinn Fein was a beneficiary of Redmondite self-destruction through the mode of its

involvement in British politics, but had played no part in it as it had cut itself adrift from Britain and its war right at the start.

And there was the further matter that the Unionist Party itself disappeared from the scene so far as its name was concerned. Some Irish historians have written about it as if it was the Tory Party, which had somehow fallen under the control of the Ulster Unionists. It was in fact an alliance between a social reform tendency that developed in the Liberal Party in the 1880s and the Tory Party. The Liberal Party under Gladstone was the party of *laissez faire* capitalism. It saw any restriction of the market as an erosion of freedom. Joseph Chamberlain's Liberal movement in Birmingham was convinced that *laissez faire* capitalism was not viable in the long run because its victims would rebel against it.

The Chamberlain Liberals drew up a social reform programme in which the welfare state of a later generation was envisaged and they contested the 1885 Election on this programme—called at the time the *Unauthorised Programme*. There were in fact two Liberal Parties. The first Irish Home Rule Bill in 1886 was the occasion rather than the cause of their parting of the ways. The 2nd Home rule Bill in 1893 was the occasion of the merger of the social reform Liberals and the Tories as the Unionist Party. The Tories, as the party of the landed gentry, were the first social reform party in industrial capitalist Britain, having restricted capitalist freedom by means of the Factory Acts.

The Unionist merger was a development within British politics, and its Irish Government of 1895 to 1905 was the best reforming Government Ireland ever had under the Union.

I assume that it was the era of Unionist dominance of British politics that caused the Liberal Party to drop its doctrinaire adherence to *laissez-faire* capitalism and emerge as a social reform party after the 1906 Election.

When H.M. Hyndman formed a Marxist organisation around 1900 he naturally looked for a development on Tory lines. But the groups which Henderson joined up into the Labour Party in 1917-18 took their orientation from the Liberal Party—from the party of pure capitalism.

The great issue in the 1906 Election was the international Free Trade versus an Imperial Tariff. The Unionists were considering Chamberlain's proposal to constitute the Empire into a kind of national segment of the world economy, bound together by a common tariff. The Liberals

came out strongly for international Free Trade, and many Tories in the Unionist Party came over to them on that issue.

The practical implication of the difference as far as I could see was that the Unionists were willing to call a halt to the expansion of the Empire by tightening it into an economic region of the world under a political superstructure and accepting that there would be other large regions of the world outside its control, while the Liberals, in the name of world Free Trade, were committed to bringing the world as a whole under British industrial, naval and financial dominance. The world was to be treated as Britain's hinterland—with the exception of the United States, at least for the time being.

The Liberals had followed the Unionists by acknowledging the need for social reform at home, and hoped by this means to ward off the development of a major party based on the working class interest against the interest of capital, but *laissez faire* relations were to be maintained between Britain and the rest of the world, based on British naval dominance of the world.

The growth of a strong, independent Labour Party was successfully prevented for a quarter of a century after Keir Hardie's election victory as Independent Labour in 1892. It happened in 1918 because the Liberal Party had torn itself apart. Labour asserted itself as an independent political force, but its foreign policies were much the same as Lloyd Georgeite Liberal policies, and so many eminent Liberal politicians had no problem about joining Labour and helping it to govern as the successor-party to the Liberals.

It served an apprenticeship to Imperialist government in the War Coalitions. In 1924 it was put to the test of governing alone as a minority government, and it was seen to be reliable. It had arrived.

Did it know that it was an Imperialist party, exploiting Britain's power relationship with much of the rest of the world which had been established by the aristocratic ruling class through a series of wars over two centuries? Of course not! It was Imperialist in the Gladstone manner of an anti-Imperialist rhetoric which was never applied to the dismantling of the British Empire.

The anti-German War Propaganda condemned Germany as Imperialist. The German state established in 1871 was called an Empire because it was established by a number of German kingdoms coming together, not because it had conquered territories overseas. (Alsace and Lorraine

were of mixed German and French populations, and one of Britain's Great Wars had been fought to prevent the French state from acquiring them.)

In the 1890s the German state did acquire overseas possessions, and became an Empire in the British sense, but in 1914 it was a very small Empire by comparison with the British. Nevertheless, the British War Propaganda could carry on about Germany being an Imperialist State in a way that implied that Britain was not. And Labour slotted itself into that mode of discourse—and therefore, I suppose, of thought.

Familiarity breeds content. That is a thought that struck me over sixty years ago when Pat Murphy decided to produce a magazine in the Working Men's College in London and I had to write something for it. The Working Men's College was established in the mid-19th century in Camden Town by Christian Socialists, who were pioneer Liberal Imperialists, and the thought processes of Liberal Imperialism were still evident in the gentry who conducted it. Through observing them I got an insight into what is called *morality*, and I saw that the standard form of the maxim was wrong: Familiarity does not breed contempt; it breeds content.

"We are us, and not them. And we thank God for conferring on us the blessing of being us and not them". That was English morality as I observed it in the attitudes of that segment of the Liberal Imperial gentry. They expelled me for seeing it.

The attitude was far from being exclusive to the gentry. It was successfully transmitted to the elements that were trusted with the leadership of the masses. Arthur Henderson had it—and I don't think anybody was more influential in the history of British Labour than Henderson. (Ernest Bevin, after the 1931 fiasco, built up a great body of working class power and used it as Minister of Labour in Churchill's Coalition to lay the foundations for the comprehensive welfare state while Churchill played at war, but he had no heritage.)

Henderson was Northumbrian working class, of Scottish origin. He took in the world as a Wesleyan Methodist, and began to act on it as a Methodist lay preacher. He was influenced by the great Spurgeon, who is now forgotten everywhere but the Evangelical Bookshop in Belfast.

George O'Brien, Redmondite Professor of Political Economy at UCD, described Ricardo and Marx as *"two Jews tugging at the same rotten rope"*, meaning that the

one was a systematic defender of capitalism and the other its systematic negator, neither seeing that viable human existence lay in between.

Well, English Capitalism—the pioneer Capitalism of the world—is intimately connected with English Nonconformism. And the two typical classes of Capitalism developed within Nonconformism. The sceptical ruling class of gentry set the scene for it, but the history of the realisation of Capitalism as the organiser of society is inseparable from Nonconformism. The Bible was the spiritual bond between capitalist and wage-slave.

Henderson was in the first instance the Election Agent for the local Nonconformist Industrial magnate. Then he acknowledged an incompatibility of interests in the material world, wrenched himself free of his patron electorally, and won the seat, but remained within the Nonconformist culture, with its host of unspoken Imperial assumptions.

In 1916 he helped Lloyd George enact the *coup* against Asquith in alliance with the Unionists. Then in 1917 he resigned from the War Cabinet and organised the Labour groupings into a Party in preparation for the post-War Election.

The occasion of his resignation was disagreement with Lloyd George over the Stockholm Socialist Conference that was supporting the first Russian Revolution, that of February 1917 which is called Democratic.

While in Cabinet he was sent to Russia to survey the situation. He took Kerensky at face value and wanted him to be supported substantially, in order to keep Russia in the War. But—

"he did not much like Russia or what he saw of revolution. He found more Syndicalism than Socialism. As for the Bolsheviks, they struck him as alien and rather fearsome... They were out to capitalise war weariness in the interest of a revolution of their own pattern; if they were to succeed, good-bye to Russia as an ally in the war or Russia as a Socialist state" (Mary Agnes Hamilton, *Arthur Henderson*, 1938, p130).

(In recent times I have noticed that there has been some discussion of Connolly as a Syndicalist, but no discussion at all of the material that he published about Germany, and his support for Germany on socialist grounds. I assume that Henderson, who was a methodical person, informed himself about Connolly and dismissed him as an enemy on the basis of his publications on Germany. Syndicalism would have been a very secondary matter: the War was primary.)

The issue on which Henderson resigned from the War Cabinet was the sending of Labour delegates to a Socialist Conference at Stockholm at which German delegates would be present and a negotiated end to the War would be discussed. Henderson argued a case for sending delegates in terms of war strategy, refused to be dictated to by Lloyd George, resigned, and constructed the Labour Party. The issue itself hardly warranted resignation. But Henderson, as party-builder, had the concern of keeping the various bits of the Labour movement (some of which opposed the War) together for combination into an organised party. Resignation served this purpose, as well as demonstrating that, although he had helped Lloyd George to power, he was not Lloyd George's man.

And so the Labour Party was constructed, took the place of the Liberal Party, and was trusted with the governing of the Empire in 1924.

As far as one can tell, this made no difference at all to the British attitude towards Ireland—and I don't think that Gibbons suggests that it did. He shows that Henderson led the way in supporting Irish self-determination without saying what they meant by the term, and certainly without saying that they supported recognition of the elected Irish Government.

A condition of permissible Irish self-determination for all concerned at Westminster was that it should be ensured that Ireland could not be a source of danger to Britain in the next war. Gibbons records this without comment. He does not deal with the Great War at all—it is just there in his narrative. He does not ask why Britain launched the World War in August 1914, and therefore he does not need to recall that it was to make the world safe for Democracy and the Independence of small nations.

The world was to be made safe for Democracy by destruction of the source of evil in it—the German State that had been formed around Prussia. The spirit of it was well summed up in the title of H.G. Wells' very famous and influential war pamphlet: *The War That Will End War*. The elitist *Times* and a couple of soldiers who wrote books dissented from it, but there is little doubt that the middle classes acted as if they believed it and that the populace was energised by it. And the British Empire, the source of Goodness in the world, won, didn't it? And Germany was plundered, bits were cut out of it, and it was made to confess that it was Evil, and was put in a straitjacket.

But then, straight-away in 1919, it was

generally agreed that Irish independence was out of the question because it would be a menace to Britain in the next war! What can one say, other than to commend the French Gallican theologian, Bishop Bossuet for his insight: "*perfidious Albion*".

Who, in 1919, was to be Britain's enemy in its next war? Well, it turned out to be Germany, but in 1919 the prediction of another Great War on Germany would have been absurd.

There were two potential enemies, the United States and France, and the most likely was the United States. In an Anglo-American War an independent Ireland would certainly have been a menace to the British Empire. But Britain had developed a disabling inferiority complex with regard to the USA, and at the Washington Naval Conference it submitted to US terms, the chief of which was that it should not renew its alliance with Japan by which its Asian Empire had been protected in 1914-18.

If France had gained the Peace Settlement it desired in 1919, it would have been restored to hegemonic authority in Europe, and would therefore have been restored to the status of Britain's Enemy No. 1 on the Balance-of-Power principle: a position which it had held for two centuries before the formation of the German state. But Britain ensured that it did not get the secure frontier with Germany that it desired, and that it was not allowed to free the 'good Germans' from the evil influence of Prussia; and that Germany after being plundered and humiliated, was enabled to build itself up again, in breach of the conditions imposed on it by the Versailles Treaty; and that under Hitler it could rearm at will.

Surely it would have been relevant to discuss this course of actual events in connection with the general British insistence that Ireland could not be let become independent, lest it should pose a naval or military threat to Britain?

Labour criticised the 1920 Government of Ireland Bill because it partitioned Ireland. It did not take issue with it for establishing an enclave of undemocratic government, communal Protestant government, within the UK, in the Six Counties. Nor does Gibbons say anything about this, though he can hardly be unaware of the 25 year war to which it led. He describes the 6 Counties as a *state* on one page, and describes them as part of the the *UK state* in another, and sees no need to explain how it could be both.

An unusual feature of Gibbons' book is

that he quotes fairly extensively from the Parliamentary debate on the Bill. Did he read the report without seeing the case that Carson argued against its Northern Ireland provisions?

When the Bill was introduced Carson said that the Ulster Unionists did not want a separate Parliamentary system in which they would have to govern Catholics. But the general Unionist Party insisted that they must have it. Then, in discussion of the detail of the Bill, Carson argued that the development of normal politics in the North would be impossible if the issue of abolishing the Parliament and merger with the South was left hanging in the air to be decided by a snap vote in the Parliament. "*Under that arrangement you will never get over the old political differences which are dividing the people... at present*".

There was a strong Labour interest in the North—

"and my belief... is that when they come to work the Parliament in these industrial districts the elections will turn probably on Labour questions, probably on a Labour Government... because they have a great preponderance of voting power... Would it not be most unfair that a Parliament elected upon that kind of question should have the power of saying, 'We will agree, although this was not the question at the election at all, to the fusion of the North of Ireland with the South of Ireland. It seems to me to be disastrous to lay down any such matter as that' (10 Nov 1920).

Carson retired from politics when Northern Ireland was set up. His place was taken by James Craig, who had been a Junior Minister at Westminster and had agreed to operate the Northern Ireland system. He averted the kind of situation envisaged by Carson by ensuring that the only question at every election was what was called "*the Constitutional question*". And he kept the Labour interest content by ensuring that the North, though excluded from British politics, should have the British social welfare system, financed by Britain. Northern Ireland, therefore, had no internal political life. Protestants and Catholics voted against each other, notionally on the issue of Partition, but it was always certain that the Protestants would win. And, within this Purgatory, the Protestants policed the Catholics.

The chief responsibility for the continuation of this state of affairs for half a century lies with the British Labour Party, which virtuously washed its hands of concern for the working class in the Six County region of the state of which it became a governing party.

*

Eilis O'Hanlon, who conducts what seems to be a family feud against Sinn Fein from her safe haven in the *Sunday Independent*, contributed a resentful little jibe to the paper on August 2nd: "*Snatching victory from defeat the Adams way*". She took issue with a factual remark by Adams that the IRA was undefeated:

"In a way of course, the Sinn Fein President is right. Republican terrorists were never decisively finished off by the Brits, but that's only because the boys in balaclavas gave up fighting for a united Ireland before they got to the point where they had to admit that they'd been killing people for decades for no reason, just like everyone had been telling them all along. We'd all be 'undefeated' if we ran away to avoid a final pasting.

"There's a simple way to solve this mystery. Unless Norn Iron has stopped being part of the UK without anyone noticing, you'd have to give victory to the ones who wanted it to stay under the Union Jack rather than to those who swore they'd never administer British rule but are now being well paid to do it anyway..."

Barren anti-Partitionism, the stock-in-trade of Independent Newspapers for generations, is the inheritance of Redmondism. He brought the antagonism to the brink of civil war—and died. He antagonised the great bulk of the Ulster Protestant community to the point of provoking them into raising an illegal army, and he left the matter there. And the *Independent* hero, Michael Collins, called on the Northern Catholics to rise up against Northern Ireland, promising to send his Free State Army (armed by Britain) in to help them, and then, having got them to rise, he abandoned them and let the Specials mop them up.

Provisional Republicanism was the first nationalist force that applied itself to the internal structure of Northern Ireland, instead of merely to Partition. It forcefully altered the communal terms of the 1921 arrangement, and then let these altered terms work by attritional evolution. And then it gave Anti-Partitionism a dimension of reality it never had before by becoming a substantial all-Ireland Party.

Eilis O'Hanlon—like Anthony Mc Intyre and other die-hard Dissidents—manages to see that as nothing. And to get well paid for it.

Brendan Clifford

To Be Continued

Coolacrease. **The True Story of the Pearson Executions in Co. Offaly, an Incident in the War of Independence by Paddy Heaney, Pat Muldowney, Philip O'Connor and others.** 427 pp. 2008. £30, £25

Our Gallant Allies?

"I cannot refrain from expressing my astonishment at your leading-article of to-day, and the prominence you are giving to virulent English propaganda directed against the Turkish army, who are on the point of freeing their native land from the invader... We, who have suffered more than any other nation in the world from English propaganda, have no right to accept it when directed against another nation which for four years has been fighting for its life, and whose leaders have in public and in private expressed their sympathy and admiration for Ireland. I notice to-day that the Armenian Archbishop, who was massacred last week, has turned up safely in Greece. The same fate awaits at least ninety-per cent of the 120,000 Christians, slaughtered by Reuter's news-agency this morning! It is more than probable that at least three zeros have been added inadvertently to the correct number of the victims... The new Turkish army and the Turkish National leaders are clean fighters, and the same type of men as those who have carried through the evolution in this country" (O. Grattan Esmonde, Sinn Fein diplomat writing to the *Irish Independent*, from *Catholic Bulletin*, October 1922).

The Easter Proclamation which Padraig Pearse read from the steps of the GPO at Easter 1916 is the founding document of the Irish Republic. It makes specific reference to "*our gallant allies in Europe*". Who else could these "*gallant allies*" be but the Germans and Turks?

The founding fathers of what was to become the independent Irish State quite deliberately chose to mention "*our gallant allies*", even in the teeth of British propaganda about the behaviour of these allies. All during 1915 and early 1916 Ireland had been bombarded with this propaganda about the "*evil Hun*" and "*merciless Turk*" and yet Pearse chose to associate the emerging Irish Nation with its "*gallant allies*" in Germany and the Ottoman Empire! It was a quite deliberate decision, presumably in order to prevent the volunteering of Irish cannon-fodder, procured through the British propaganda used by the Redmondite recruiting sergeants.

During 1915 and 1916 Lord Bryce, the Belfast born Liberal, made highly-reported speeches in Parliament and helped document and publicise official reports about German and Ottoman atrocities. The leaders of 1916 not only ignored these but attacked them as British lies against "*our gallant allies*".

Sir Roger Casement, Bryce's former colleague in investigating atrocities in

South America, took a very hostile view of Bryce's war work in his article "*The Far Extended Baleful Power of the Lie*" (published in *Continental Times*, 3.11.1915). Casement condemned Bryce for selling himself as a hireling propagandist. According to Casement, Lord Bryce, had presided over a Government body "*directed to one end only*":

"the blackening of the character of those with whom England was at war... given out to the world of neutral peoples as the pronouncement of an impartial court seeking only to discover and reveal the truth".

Casement particularly criticised Bryce's methods of reporting atrocities. He noted that, in relation to the reporting of Belgian atrocities in the Congo, he had investigated these reports "*on the spot at some little pain and danger to myself*" whilst Bryce had "*inspected with a very long telescope*".

Casement continued with a point that is very relevant to any estimation of the validity of the *Blue Book*:

"I have investigated more bona fide atrocities at close hand than possibly any other living man. But unlike Lord Bryce, I investigated them on the spot, from the lips of those who had suffered, in the very places where the very crimes were perpetuated, where the evidence could be sifted and the accusation brought by the victim could be rebutted by the accused; and in each case my finding was confirmed by the Courts of Justice of the very States whose citizens I had indicted."

Casement added: "*It is only necessary to turn to James Bryce the historian to convict James Bryce the partisan...*"

Casement wrote the above about Bryce's work on the German atrocities but the criticism stands equally against his companion work directed at the Ottomans. Sir Roger was incapable of commenting directly on the *Blue Book* since he had been hanged by the British in 1916 as a traitor, for doing in Ireland what Bryce and other British Liberals had supported the Armenian revolutionaries in doing within the Ottoman Empire.

Casement had followed through on the principles of small nations on which the War was supposedly being fought by Britain and advertised by Lord Bryce. But Casement was found to be a traitor whilst the Armenians and others who went into insurrection were lauded as patriots in Liberal England. T.P. O'Connor, the Redmondite MP, for instance, appeared on a platform in Westminster during June

1919 with General Andranik, the butcher of thousands of Kurds in eastern Anatolia. (Andranik had led the Armenian forces around Erzerum with General Dro, who later fought for Hitler with a Nazi Armenian Legion.)

The present writer made it his business to read a lot of Irish newspapers produced between 1900 and 1924 in order to understand the development of Redmondism and the Republican counter-attack against it. What was found was much anti-Turkish propaganda produced by Redmondism and much pro-Turkish sentiment generated in opposition by Irish Republicans. In the book *Britain's Great War on Turkey—an Irish perspective* what was found was republished in extensive extracts to demonstrate that Irish Republicans, and particularly those who were Anti-Treaty, were fully behind Mustapha Kemal Ataturk and his war of liberation against the British, French, and Italian Imperialists and their Greek and Armenian catspaws.

In the Redmondite hold-out of West Belfast there was continued credence given to British war-propaganda about the massacres of Armenians and Greeks. The *Irish News* and other Devlinite publications continued to keep the Imperial faith to get Irishmen into British uniform as the rest of Ireland sloughed it off and broke free of the British sphere of influence. But then, even the *Irish News*, under pressure of what was done to the Northern Catholics who had kept the faith with Joe Devlin and Britain until the end, began to have second thoughts, when they were awarded 'Northern Ireland' as their reward for loyalty.

In October 1922 the *Irish Independent* published a British account of alleged Turkish atrocities in Smyrna (now Ismir). It was immediately attacked by Sinn Fein.

The context of the Sinn Fein counter-attack (reproduced below) on behalf of the Turks was the Greek evacuation of Anatolia after the defeat of their invading army, which had been encouraged to go in by Lloyd George to enforce the Treaty of Sevres on the Turks. Smyrna was burnt and many died.

The reply to the British allegations comes from O. Grattan Esmonde, Sinn Fein's most famous diplomat—who had held the record for being expelled from more countries in the world than any one else (by the British, who held these countries at the time). Esmonde was the son of Sir Thomas Esmonde, who had briefly left the Irish Party in 1906 to stand for Griffith's Sinn Fein. The son went with the Treatyites in the Treaty split and was

later elected in 1923 as a Cumann na nGaedheal TD for Wexford and was returned in the 1927 Election. He was re-elected at the 1932 and 1933 Elections.

In the statement he dismisses allegations that the Turks had massacred Greeks and Armenians as British propaganda and puts the Irish Republican forces and Mustafa Kemal (Ataturk) forces together as brothers in arms, fighting British Imperialism:

"I cannot refrain from expressing my astonishment at your leading-article of to-day, and the prominence you are giving to virulent English propaganda directed against the Turkish army, who are on the point of freeing their native land from the invader... We, who have suffered more than any other nation in the world from English propaganda, have no right to accept it when directed against another nation which for four years has been fighting for its life, and whose leaders have in public and in private expressed their sympathy and admiration for Ireland. I notice to-day that the Armenian Archbishop, who was massacred last week, has turned up safely in Greece. The same fate awaits at least ninety-per cent of the 120,000 Christians, slaughtered by Reuter's news-agency this morning! It is more than probable that at least three zeros have been added inadvertently to the correct number of the victims... The new Turkish army and the Turkish National leaders are clean fighters, and the *same type of men as those who have carried through the evolution in this country*" (from the *Catholic Bulletin*, October 1922)

The political and military assault launched by Britain on neutral Greece and the devastating effect this ultimately had on the Greek people across the Balkans and Asia Minor is almost completely forgotten about these days. The Greek King Constantine and his Government tried to remain neutral in the World War but Britain was determined to enlist as many neutrals as possible in their Great War. So they made offers of territory in Anatolia to the Greek Prime Minister, Venizélos, which he found to hard to resist.

The Greek King, however, under the constitution had the final say on matters of war and he attempted to defend his neutrality policy against the British. Constantine was then deposed by the actions of the British Army at Salonika, through a starvation blockade by the Royal Navy and a seizure of the harvest by Allied troops. This had the result of a widespread famine in the neutral nation—and this under the guise of '*the war for small nations*'!

With the Royal Navy's guns trained on

Athens the King was forced to abdicate with a gun to his head.

These events led to the Greek tragedy in Anatolia because the puppet Government under Venizélos, installed in Athens through Allied bayonets, was enlisted as a catspaw to bring the Turks to heel after the Armistice at Mudros. Use of the Greeks to invade Turkey was necessary because Lloyd George had demobilised his army before he could enforce the punitive Treaty of Sevres on the Turks. Britain was also highly in debt to the US after its Great War on Germany and the war on the Ottomans had proved costly. So others were needed to enforce the partition of Turkey whilst England concentrated on absorbing Palestine and Mesopotamia/Iraq into the Empire.

The Greeks were presented with the town of Smyrna first and then, encouraged by Lloyd George, advanced across Anatolia towards Ankara, where the Turkish democracy had re-established itself after it had been suppressed in Constantinople (Istanbul). Ataturk had seen that Constantinople was open to the guns of the Royal Navy, as Athens had been, and he established a new capital inland in a small town.

Britain was using the Greeks and their desire for a new Byzantium in Anatolia (the *Megali* or Big Idea) to force Ataturk and the Turkish national forces to submit to the Treaty of Sevres, and the destruction of, not only the Ottoman State, but Turkey itself.

But the Greek Army perished on the burning sands of Anatolia after being skillfully manoeuvred into a position by Ataturk in which their lines were stretched and defeated. Then the two or three thousand year old Greek population of Asia Minor fled on boats from Smyrna, with the remnants of their Army, after Britain had withdrawn its support because the Greek democracy had reasserted its will to have back its King.

Esmonde's statement on behalf of Sinn Fein is interesting in referring to the links between the Irish Independence movement and its gallant ally, Turkey.

There was an early contact between the independent Irish Parliament (the Dáil) and the Grand National Assembly of Turkey, established by Mustafa Kemal at Ankara. This contact was made through the Dáil's '*Message to the Free Nations of the World*', delivered to the revolutionary Grand National Assembly at Ankara, on a date following 10th August 1921. The Dáil, in its first act of foreign affairs, sent out this message to the other free nations

of the world (including Turkey) declaring the existence of an independent Irish Government. It was read out, in Irish, to the Dáil by J.J.O'Kelly, the Editor of *The Catholic Bulletin* in January 1919.

The Catholic Bulletin, which published Esmonde's letter and which was run by De Valera's teacher and friend, Fr. Timothy Corcoran, drew attention to the many parallels between the experience of Ireland and Turkey between 1919 and 1923. Turkey had agreed to an Armistice (ceasefire) at Mudros in October 1918. But that Armistice was turned into a surrender when British and French Imperial forces entered Constantinople and occupied it soon after it was signed. Turkey found its Parliament closed down and its representatives arrested or forced 'on the run', at the same time as England meted out similar treatment to the Irish democracy. Then a punitive treaty (The Treaty of Sevres, August 1920) was imposed on the Turks at the point of a gun, sharing out the Ottoman possessions amongst the Entente Powers. Along with that, Turkey itself was partitioned into spheres of influence, with the Greek Army being used to enforce the settlement in Anatolia, in exchange for recognising Greece's irredentist claims in Asia Minor.

The Turks, under the skillful leadership of Mustapha Kemal (Ataturk), decided not to lie down and resisted the imposed Treaty of Sevres. The Greek catspaw was pushed out of Turkey and their Imperialist sponsors were forced back to the conference table at Lausanne, after the British humiliation at Chanak.

In February 1923, at the Conference in Lausanne, the Turkish delegation refused to be brow-beaten by Lord Curzon and his tactics, reminiscent of the Anglo-Irish negotiations, when the Irish plenipotentiaries were strong-armed into signing a dictat under the threat of "*immediate and terrible war*". The Turks stonewalled. When Curzon told the Turks that "*the train was waiting at the station*", and it was a case of take it or leave it, the Turks left the offer and Curzon had to depart on his train, never to return. Terms much more advantageous to the Turks were signed by Sir Horace Rumbold six months later, and the Turkish Republic came into being—a free and independent state.

At the Lausanne negotiations the Turks, when confronted with the accusation that they had massacred Christians, replied "*what about the Irish, you British hypocrites!*" The British from there found their moral card was trumped and

discarded it, getting down to the real business. They had no care for the destruction of the centuries-old Christian communities that their War on the Ottoman Empire had produced. They saw that Turkey had emerged under a strong leader and they were prepared to do business, as England always was.

The Catholic Bulletin publicised Atatürk's great achievement in defeating the British Empire and saw it as an inspiration to other countries in the world resisting the Great Powers. It was particularly impressed with the Turkish negotiating skill at Lausanne and contrasted it to the Irish failure in negotiating with the British in the Anglo-Irish 'treaty' of 1921 that had left the country part of the British Empire. The Turks had successfully achieved independence and *The Catholic Bulletin* described Ataturk as the "*man of the year*" and one of the few causes for optimism in the world.

Sinn Fein in 1920 was in no doubt that what is now called "*the Armenian Genocide*" by new Sinn Fein was a construction of British propaganda. Esmonde's statement was issued a number of years after the Bryce Report of 1916 which was the centrepiece of this. But new Sinn Fein seems to have departed the traditional Republican position. An article in *An Phoblacht* in April 2015 calling for the "*Armenian Genocide*" to be recognised did not even mention Britain! That really must be a first for Sinn Fein—not blaming Britain!

There are, in fact no judicial or historical grounds for what is termed the "*Armenian Genocide*". It is merely an emotional assertion. No International Court has ever found for such a thing and historians are extremely divided over the issue. It is mindlessly repeated that "*most historians*" agree on the "*Genocide*" label being applied. But when has this assertion ever been quantified? And, if such an exercise is ever completed, how meaningless it will be. This "majority" of historians referred to is, if it actually exists, made up of those from the Anglosphere, predominantly originating in the Armenian diaspora, along with some career-minded Westerners, with a few guilty Turks thrown in (the Roy Fosters and Trinity College Workshops of Turkey, people like Taner Aksam). The vast majority of historians are actually "*denialists*" (on the terms of the lobby) because they do not use the word, Genocide.

The campaign for recognition of an "*Armenian Genocide*" is, in fact, a political one, begun quite lately. It is an attempt to

muster legislators together to pronounce on a historical and legal issue when they have no competence to do so.

If "*Genocide*" is just a question of the deaths of a large numbers of people, then it is hard to explain why new Sinn Fein is not pursuing the Irish Famine (for which the Ottoman Sultan provided the only international assistance) as an international case against the British Government, or indeed applying the term to the Cromwellian settlement?

One of the leading British legal advocates of an "*Armenian Genocide*", the famous Mr. Geoffrey Robertson QC has written a book on his great hero, John Cooke—who was, as he may not realise, Cromwell's judicial legitimiser of what he did in Ireland (i.e. Cromwell's Hans Frank)!

A new Sinn Fein spokesman says: "*If we do not accept what happened in the past we cannot learn from the mistakes and move on. Collectively we must ensure that we oppose the manipulation of history...*"

What manipulation of history, one might ask? Surely that is what is being suggested in demanding that a word that didn't exist in legal form at the time of an event, genocide, be applied retrospectively to events within a complex historical context by people who do not have competence to make such judgments.

Sinn Fein in 1920 knew that the Turks were no dupes of Imperialism. The Turks know the danger of pleading guilty to such a charge with regard to their self-respect and standing in the world. They were battle-hardened, having engaged in a monumental fight for survival between 1914 and 1922, a struggle that not only created their nation, but also ensured its very survival. Turkey was invaded by all the Imperialist powers, with only the Bolsheviks as allies, and with Greek and Armenian armies massacring within their territory.

The new Sinn Fein has done a marvellous job of resurgence on behalf of the Northern Catholics, improving the community's standing and self-respect to a position nobody would have thought possible in 1969. The present writer will always recognise the achievement of that transformation, having lived through it.

But West Belfast was the storm-centre of Redmondite Hibernianism in the days of Joe Devlin, the most Imperial part of Ireland by a long chalk. And it was saturated with British War propaganda. When a famous pamphlet was produced

to highlight the plight of Belfast Catholics in the new construction of 'Northern Ireland', Fr. Hassan of St. Mary's compared the Unionists to Turks and the Catholics to Armenians.

Modern Sinn Fein's participation in Great War Remembrance can be justified as part of the necessary reconciliation of the Unionist community that the Peace strategy involves. But perhaps it has been forgotten what the bits of the "*Foggy Dew*" about "*Suvla Side and Sud-el-bar*" were supposed to teach about being an Irish Republican!

The new Sinn Fein has been a product, to a very great extent, of the unusual events of half a century ago in the Six Counties. 1969 was Year Zero. That, and the subsequent War and its transition to a peace settlement against substantial and multi-layered opposition, has given it a tremendous ability within the confines of the political situation it operates. It achieved out of brilliant improvisation, drawing from its experience of life in the Six Counties as its stock of knowledge. And it really had to imagine it was something it really wasn't to carry through its war to a functional peace settlement. And in such a situation too much thinking about its past may have actually proved detrimental to the carving out of a different future.

But that is no longer enough, if greater things are to be done.

Sinn Fein has now made itself a competitor for state power in the 26 Counties. That brings upon it different responsibilities. If it attains that power, will it be able to exercise it with reference to the traditional Republican position? Will it be able to exercise the responsibility that this entails, which goes far beyond sloganeering and politicking?

If Sinn Fein persists with its belief in an "*Armenian Genocide*" surely it should delete the offending phrase in the Proclamation of 1916, or perhaps change it from "*our gallant allies*" to "*our genocidal allies*"? That would be logical. But it would be very problematic for next year's centenary commemoration.

Pat Walsh

Forgotten Aspects Of Ireland's Great War On Turkey. 1914-24 by Dr. Pat Walsh. 540pp. €36, £30

The Armenian Insurrection And The Great War by **Pat Walsh, Garegin Pasdermadjian ("Armen Garo"). 218 pp. €20, £18**

Review: *The Brother* by Sam Roberts. Random House, New York, 2001. Available from Abebooks, second-hand and rare books dealers, online.

The Rosenbergs And The Greenglasses

A blurb states:

"The Untold Story of Atomic Spy David Greenglass and How He Sent His Sister, Ethel Rosenberg, to the Electric Chair."

It is quite a tome of 543 pages which includes pages of Acknowledgements, extensive Notes, pages of selected Bibliography and a huge Index. There are also a number of family photographs of the Rosenberg and Greenglass families, including a startling one of Ethel and Julius Rosenberg in their coffins. Ethel has a silk scarf to cover the top of her head, Julius wears the yarmulke on his head. The purpose of this is to hide the burn marks from the electrodes as people pay their last respects..

Sam Roberts, the author is, or was, a *New York Times* Editor and journalist.

His story starts in Sing Sing Prison, Ossining, on the Hudson River, North of New York City. This is the prison that spawned the idiom: '*Sent, down or up the River.*' It is Friday, 19th June 1953, the day Ethel and Julius Rosenberg are to die in the electric chair.

(Sing Sing got its name from the Native-American tribe Sinck Sinck from whom the land was bought in 1685. Bought with what? There is no mention of that.)

Executions are usually carried out at 11pm when the rest of the prisoners are in their cells.

The prosecution team, including the judge, is Jewish, hand-picked in order to deflect any accusations of anti-Semitism. But no Jew wants to be on the jury. In the 1950s one in three of the population of New York City was Jewish.

There is an argument going on at Sing Sing, headed by the Jewish chaplain who doesn't want the Rosenbergs executed at 11pm as the Jewish Sabbath starts at 8:13 pm. He seems more concerned about the Sabbath being violated than by the fact the Rosenbergs are going to the chair.

There is also another problem: the executioner can't be found. He was Joseph P. Francel. His day job is as an electrician. He is paid \$150 a killing. His occupational hazards as executioner are the stench of urine, the smell of singed hair and burning flesh and—

'... the indelible image of a human body

bolting upright like a rag doll against the restraining straps.'

FBI agents were sent out to find Francel. They searched for more than two hours until they found him the hamlet of Cairo in the Catskill Mountains, 105 miles away from Sing Sing. He is brought back in an escort of police cars, sirens blaring.

Ethel wrote her last goodbye to her sons Robert and Michael, and thanked her defence lawyer, saying she had no fear and no regrets, only that she was sad she couldn't now expand her qualities to their fullest capacities. She had an extremely good voice as a singer and was a good stage actor, besides being politically active as a Trade Union organiser and a member of the Communist Party.

In desperation their defence lawyer tried to deliver in person a clemency request to President Eisenhower but was rebuffed at the White House gate by the guards.

"In part because Rabbi Koslowe and prison officials have determined that Ethel is better prepared, Julius will taste death first. He was a little nervous. She was composed, stolid. There was no question in my mind', says the Rabbi: 'that they were both determined to die. Also, Julius's holding cell is closest to the death chamber, which means he doesn't have to pass Ethel's.'"

As the last person scheduled to speak to the Rosenbergs, Rabbi Koslowe is charged by the Attorney-General Herbert Brownell with delivering the final entreaties:

;'Brownell said to me that if they gave the name through me to him, or names, a stay of execution would be determined', Koslowe later recalled:

Julius offered no names. He volunteered no other words either".

The younger son Robert Meeropol (Rosenberg) said later, as an adult, that his parents were offered a hammer and encouraged to kill some guy. He stands by their decision not to name names, or to manufacture any, nor to point the finger at innocents in order to save themselves.

Stenographers are standing by in an office in Sing Sing waiting to take down a name or names the Rosenbergs might be willing to give.

"At 8.04 Francel throws the switch. After three jolts, he cuts the power. At 8.06:45 Julius's body is placed on a white

metal cart and wheeled away."

"Ethel's body will offer more resistance. Rabbi Koslowe appeals to her one last time to save herself. For her children's sake: 'I came back and told her her husband was dead, did she have anything to say to me, a name to stay the execution.' She said: 'No, I have no names to give. I'm innocent'."

Her hair is closely cropped. She is barely five feet tall. She is perfectly composed.

Just as she about to be seated in the electric chair she extends her right hand to the two prison matrons who have been assigned to her. The older one grasps it.

Ethel gently kisses her on the cheek. There is a lingering smell of ammonia that the guards used to mop up after Julius.

"Racing the setting sun, Francel flips the switch at 8.11:30. An initial 2000-volt-shock for three seconds, dropping to 500 volts, back to 2000 volts for 57 seconds, back to 2000 volts, to 500 volts for another 57 seconds, and then another 2000 for a final few seconds. Three jolts in all. The intermissions are to prevent the surge of electrical energy from cooking the flesh. As it is, body temperature reaches about 130 degrees, roughly the lukewarmness of rare roast beef. The temperature of the brain rises almost to the boiling point of water. Wisps of blue-gray smoke curl from the leather face mask. The mask is worn not as a convenience to the condemned but as a palliative to the witnesses. It prevents the eyes from popping out of the head.

Ethel's heart is still beating. Surprised the prison doctors signal Francel. Two more massive jolts. The job is finished at 8:16. The Sabbath began at 8:13."

On previous visits to Sing Sing the older Rosenberg kid Michael asks his parents if the electric chair will hurt. They assure him it is painless and over in a second.

"At 8:45 pm, after receiving confirmation from Sing Sing Judge Kaufman, the judge at their trial, left the federal courthouse for Connecticut to celebrate his wedding anniversary. A congratulatory telegram from J. Edgar Hoover, FBI head, is waiting. Federal guards are also waiting. They shadow the judge for months afterwards."

Many years later Judge Kaufman makes a request to his friend Arthur Ochs Sulzberger, the publisher of the *New York Times*, not to mention the Rosenbergs in his obituary.

Some years after that the Times Square electronic news zipper prematurely announces his death with three words:

ROSENBERG JUDGE DIES.

When death did come to him from pancreatic cancer at 81 the *New York Times* did mention him as the judge at the Rosenberg trial. He donated his private papers to the Library of Congress, but they remain sealed until 2026.

Julius had made a request that only his family or attorney Emanuel Bloch be allowed to claim both their bodies—and not Ethel's family (the Greenglasses).

"The Rosenbergs were buried on Sunday, 20th of June, 1953 in Wellwood Cemetery on Long Island, to the apparent surprise of cemetery officials, who complained that the plot had been bought under false pretences, supposedly on behalf of two sisters killed in an automobile accident."

Tessie Greenglass, mother of Ethel, didn't go to the funeral. None of the Greenglasses turned up. But 10,000 people did.

The Lower East Side where the Rosenbergs lived was a radical cauldron. In 1914 the district elected a socialist to Congress. Tessie Greenglass claimed to be a democratic socialist and not a communist. Anything called socialist was okay by her. She even mistakenly contributed to the National Socialists (Nazis) when they came around the door collecting. Communist Party membership was strong in the area to which the Rosenbergs belonged, and some of the Greenglasses belonged.

Jews particularly felt that only the Soviet Union would deal with a rising Nazi Germany. Looking at Britain and their own country's attitude to the Nazis in the 1930s, there was no other option. Anti-Semitism was also rife. Though stuck in ghettos, the Jews were probably the most international people on earth with contacts around the globe, including fellow Jews in the Soviet Union. There was also the Jewish autonomous Republic of Birobidzhan in the Soviet Far East, bordering China. Many Jews living in the Lower East Side of New York City also had connections with Russia through their parent being Russian. Many communist, and non-communist, Jews felt they had to help the Soviet Union and this feeling became even more to the fore when the Soviet Union and the USA became allies during WW2.

The membership of the CPUSA (founded 1919) back in the 1950s was 54,000, with half a million sympathisers—maybe not a lot out of about 300 million of a population, but they were a dynamic driving force in the Trade Union movement

and the Universities. Today membership is around 2000.

The Rosenbergs and the Greenglasses were working class and didn't pretend they were middle-class as a lot of Americans were doing and still do today. Though the Rosenberg boys went on to become middle-class because of their university professions and lifestyles, they are still keen to emphasise the majority of US citizens are working-class and therefore have to reinforce their rights in their place of work and to be careful when it comes to voting. Julius Rosenberg had become an electrical engineer through attending technical college. His brother-in-law David Greenglass was a machinist. During WW2 Julius became a junior engineer for the Army Signal Corps, inspecting electrical equipment that defence contractors were manufacturing for the Government. The job was in New York. Ethel was hired as a clerk in the US Census Bureau. As early as 1939 a neighbour had informed the FBI that Ethel had signed a nominating petition for Peter V. Cacchione, the communist candidate for the City Council. He lost on a technicality but two years later he was the first avowed communist to hold elective public office in New York State. Another anonymous informer alerted the FBI on 25th May 1940 that Ethel Greenglass Rosenberg was:

"Extremely communistic."

David Greenglass complained continuously about anti-Semitism and was beaten up on occasions in his neighbourhood by Italian fascists. He worked at Federal Telephone for three months. He was told he couldn't take off Yom Kippur and was eventually sacked for helping to organise the shop for the United Electrical, Radio, and Machine Workers of America. After Union arbitration, he was offered a lesser job but asked his Union to find him something better. Peerless Laboratories hired him. Peerless produced parts for aircraft and weapons. He was working 60 hours a week.

The Red Army was turning back the Nazi tide at Stalingrad: he was restless and wanted to enlist but as he was on vital war work he couldn't be drafted. He went ahead just the same and tried to enlist in the Seabees but was rejected because he was colour blind. But, by trying to enlist he was no longer draft-free. His employer tried to prevent him being drafted through the courts but lost. It seems Greenglass was a top-skilled machinist. The Army was also desperate for machinists of his calibre and enrolled him. After being carted around the country to various bases he

ended in Los Alamos, in New Mexico, the highly secret facility working on the atom bomb, known as the Manhattan Project.

The question was: how did David Greenglass get to Los Alamos? Greenglass himself didn't know. He had admitted to being a member of the leftist United Electrical, Radio, and Machine Workers of America. He didn't mention being a member of the Young Communist League at one time. Nobody asked him if he was a communist, which he was, despite not joining the CPUSA, though Ruth his wife was a member.

General Goves, head of Los Alamos, though fiercely anti-communist, was realistic enough to know that the Great Depression of the 1920s--1930s would have produced a lot of left radicals and to have a purge in Los Alamos would have depleted a talented and skilled work force that were there to machine and construct the A-Bomb.

Klaus Fuchs, refugee physicist from Nazi Germany, was also to arrive at Los Alamos to work on the Manhattan Project. The British authorities knew he was a communist but didn't tell the Americans. American Intelligence is said to have not investigated him in case of insulting the British. General Goves later said the British thought English people were incapable of treason and that a foreigner becoming a British citizen had become English and thus would be incapable of treason. But maybe that was an American looking at quaint little old England.

Albert Einstein was not allowed near Los Alamos. He was considered a security risk though part of his theory of relativity was said to supply information in the making of the bomb. He had in 1940, in a shared letter to Roosevelt, urged the Government to develop a nuclear bomb as checkmate to Nazi Germany which was working on the same project. Overall, Einstein was a pacifist and said as far back as 1929 he wouldn't be part of any army. Weeks before Hiroshima he did beg the Government not to drop the bomb on that city. Another one of his checkmates might have been to wish the Soviet Union to also have the bomb. Checkmating was to save the world.

"Everyone in Santa Fe knew there was a secret installation at the 7,200 foot-high mesa, until February 1943, [when] a rugged ranch school [which] boasted the highest tuition in the United States (\$2,400 per year) had imposed its own brand of conformity on, as Gore Vidal later described it, 'allegedly disturbed, allegedly rich teenage boys'—among them

Gore Vidal. The school was founded in 1917 and was called Los Alamos—the poplars—after the trees that were abundant in the canyons that bordered the mesa to the south.'

Los Alamos was fifty-four thousand acres—nearly four times the size of Manhattan. It was isolated to protect the installation from intruders and to safeguard the nearest neighbours from any accidental detonations. Whether an atom bomb would work at all, or whether it would touch off a chain reaction that would ignite the atmosphere and incinerate the planet, was the stuff of cold-sweat nightmares—and also of a great deal of friendly wagering among the project's physicists."

Despite the security, with mounted military police patrolling the fences, holes were made in the fencing that let in Indians in, to watch films at 12 cents a time in the cinema and to do a bit of shopping.

A turret lathe was stolen from Los Alamos. A machinist met a stranger in a bar in Santa Fe and sold it to him. The machinist unbolted the lathe from the floor, disassembled it, used a portable crane to lift into a borrowed army truck, covered it with a tarpaulin and drove through the gates. He was arrested when the buyer turned out to be an undercover agent.

Workmen who were too lazy to go through the gates cut holes in the fences as well to enter the facility. One scientist discovered this and decided to go out through one of these holes and then enter by the gates. He did this a half a dozen times until the guards began to wonder why they never saw him leave by the gates but seemed to be entering out of thin air. One girl pinned her ID to the back pocket of her jeans. When questioned by the guard why she did this she said: "*You never look at my face.*"

"But a second wire-mesh fence, nine and a half feet high, topped with two strands of barbed wire, and equipped with automatic alarms and sophisticated sensors, surrounded the Technical Area, which was bathed with 1,500-watt floodlights at night. High-level employees, who were allowed or required to take trips away from Los Alamos were accompanied by armed military police."

So David Greenglass settled in quite happily, machining parts that the scientists brought to him as drawings. It seems they came directly to him instead of going through the procedure of handing the drawings to a runner who would then contact the workshop management. He was apparently a star machinist and understood the drawings. He was also able, as a result of having close ties with

the scientists, to enter areas forbidden to the manual workers.

His wife Ruth moved to Albuquerque to be near him. She was proven to be more active as a Communist than he was in carrying out her neighbourhood tasks like distributing the *Daily Worker* around the Lower East Side of New York. He said his only reason for not joining the CPUSA was because they might get him out of bed early at the week-ends to do some missionary work when he preferred a lie-in.

David Greenglass was having a great insight into Los Alamos and what was happening there. Though he was described as a lowly machinist by some aloof, snooty arrogant scientists during his court appearances on stealing atomic secrets, he was becoming aware of how the bomb worked by scientists who explained the drawings to him and what they wanted and why.

The Soviet Union had been working on a nuclear weapon since 1939 and maybe it wanted a comparison to the work of its scientists. Germany had been working on it as well and Britain knew that and decided to sabotage its heavy water installations in Norway.

Greenglass's machine work was just as important as Klaus Fuchs's work as a scientist. The Rosenbergs' importance was quite low compared to what Greenglass was doing. The Rosenberg sons did come to realise their father had been into espionage work mostly during WW2 but didn't believe he had any atomic secrets to give to the Soviet Union. David Greenglass was the man for that.

"Actually, said Bernice Brode, whose husband Robert, headed the group that designed the fusing and firing mechanism for the bomb, anyone who wanted could have given away secrets. Only a few tried which was all the more remarkable considering that so many of the scientists were suspects:

In the vanguard of the allied invasion, a Manhattan Project counterintelligence force swept through the Black Forest and captured Otto Hahn, who with Fritz Strassman had first split the uranium atom in 1938, and Heisenberg himself."

Russian Intelligence noted that in 1940 the names of leading US scientists were disappearing from the most prestigious technical journals. Papers on the spontaneous fission rate of uranium-238 had been published in 1940. A Canadian physicist also recalled the disappearance of US scientists from the public arena thinking that they must be working on something secret. Another scientist

remarked wryly: "*Secrecy itself gave the secret away*".

"Of the two Los Alamos alumni who would be prosecuted for atomic espionage, one was a foreigner Klaus Fuchs, a refugee from Germany. The other, David Greenglass, an American soldier."

No one knows what the FBI said to David Greenglass when they went to his apartment after he had been out of Los Alamos for five years. There are no FBI records. He was said to have said (recorded in *An Execution In The Family* by Robert Meeropol) that he and his wife were threatened with execution.

The Greenglasses had, like the Rosenbergs, two young children. Greenglass did admit in old age that a wife is more important than a sister, more important than even a father and a mother. He does have a point there. Though he does go on to crudely say you can't sleep with your sister. There must have been some deal in which Ruth his wife wouldn't be charged with espionage if he would name names.

When reading this book about the court scenes, you begin to marvel at David Greenglass's memory all those years ago when he worked in Los Alamos. He gives a very scientific explanation of how the atom bomb worked as if he had rehearsed it with someone with that knowledge. He also reproduced a rough sketch of a cross-section of the bomb, again like he has been coached. This is what he said he had given to the Rosenbergs. The Rosenbergs in court invoked the Fifth Amendment which would prevent them from incrimination themselves if they were asked certain questions. The Rosenbergs were both sentenced to death on the word of a liar like Greenglass, one made so by government agencies. The trial was supposed to take three months but ended after just over two weeks.

"David Greenglass wasn't surprised by the verdict. He was apoplectic. Not because his sister and brother-in-law were convicted of capital crimes and might receive the death penalty on April 5, but because he was scheduled to be sentenced on the very same day."

He managed to have himself sentenced the day after the Rosenbergs.

The death sentence on Ethel was more than likely a way of pressuring Julius to name names. In much the same way that Greenglass' wife Ruth was held hostage to make sure her husband carried out the Government role set out for him. There was more proof against her of knowing

about her husband's atomic secrets than could ever be proven against Ethel, who was really an outsider in the whole business.

The court was totally against the Rosenbergs from the beginning. Even Judge Kaufman intervened to play the prosecutor. He is so biased he reminds me of one of those shouting judges you see in old Nazi German newsreels. Kaufman was known as the hanging judge as far as Communists were concerned.

At first J. Edgar Hoover wanted to see Ethel get 30 years: "*then she might inform*".

Unlikely when you consider that the prospect of the Chair didn't alter her strong outlook in not becoming an informer.

Some think the whole business ended up as the Rosenberg Family versus the Greenglass family. In some way there is some truth in this. Even Tessie Greenglass, Ethel's mother, in visiting Sing Sing, tried to persuade her daughter to name names and divorce Julius, blaming him for preventing her from naming names. Ethel decides she wants no more visits from her mother. The Greenglasses are totally discredited now, while the Rosenbergs hold the moral high ground. I personally think they did the right thing.

Ruth Greenglass campaigned continually for parole for her husband, who had been sentenced to 15 years—so continuously and insistently that a member of the prosecution team said she was as driven as a trained communist. He was right there. What Communists learn is not to be overawed by the elite. She thought nothing of phoning the Attorney-General to make a plea for her husband. She phoned around a lot and travelled a lot to get face to face with many of those with state power. In the end he served ten years.

She herself had a visit from an elderly rabbi, a chaplain at the Lewisburg Prison where her husband was. The rabbi said that her husband was rending his clothes and covering himself in ashes in atonement:

"*Ask him to tell the truth*". said the rabbi. Ruth Greenglass threw the old boy out of the house.

After that the Greenglasses disappeared under an assumed name. The author managed to track David Greenglass down. He didn't want to speak. Then, some time at the latter end of the 1990s, he tracked him again. This time, as an elderly man, he did want to speak, for a share of the

royalties this book might bring. Why for money? Because he needed the money was the simple reply. He gave fifty hours of his time talking to the author. But the truth never came out—the Government fit-up and set-up. So the author throughout the book can only hint—as best as a *New York Times* journalist can—as to a setup in league with the US Government to convict the Rosenbergs, unless they gave names that is.

Robert Meeropol was asked his opinion about the book but he refused to comment on the grounds it might make the book sell even more copies with still more cash going to his uncle.

Some ask about the children.

The Rosenberg boys appear to have grown up—with the help of their Communist foster-parents the Meeropols—as concerned about injustice in their country. They have kept to that theme all their lives, especially for the fate of children whose parents have been persecuted for progressive activities in the Trade Union movement and anti-racist activities. The Greenglass children on the other hand still insist their father was innocent of every charge. The Meeropols brothers tried to find something in common with their two cousins in a meeting-up but gave up on them since.

The lasting image I have of the Rosenbergs in Sing Sing is of them serenading one another from their adjoining death cells. Ethel sings *One Fine Day* from *Madame Butterfly*. Julius sings *Goodnight, Irene*, and the *Battle Hymn of the Republic*. No couple could have been so united under such terrible conditions.

James Bennett, Director of US Prisons, was against their execution. After the foul deal was done he received the bill from Sing Sing:

"Board, cell and female guards for Ethel Rosenberg, 801 days, a record for a woman inmate at Sing Sing, at \$38.60 per day: \$30,918.60.

Board and cell for Julius Rosenberg, \$4.43 per day for most of his 767 days: \$3,398.98.

Two executions at \$150 each: \$300."

All in all a fascinating book, a hard-to-put-down-book, that gives you a blizzard of facts and leaves it to you the reader to make your way through it and assume a position that this is a foul deed that came from echelons on high with David and Ruth Greenglass as the bit players.

Wilson John Haire.

August 16, 2015

Does
It
Up

Stack
?

COMMON LAW JURISDICTION?

The 1937 Constitution of Ireland is a very interesting document. It used to be a source of comfort to read it, providing as it does for security of the person, security of property, security of marriage and so on. All very right and proper and conveying a sense of societal stability established within a national context. But alas no more! Because now the Government of the State does not seem to heed the Constitution any longer and instead of being the guardian of the Constitution and of the rights and duties enshrined in it, the Government of the State ignores the Constitution when it suits it to do so.

In open defiance of Article 15.2.1 of the Constitution all the law schools in Ireland are now teaching lawyers that Ireland is a Common Law Jurisdiction. According to Article 15.2.1 the Courts in Ireland do not have power to make laws, so how can a system of Common Law as used in the UK be taught in Ireland's law schools? It is the essence of the Common Law of England that the Common Law consists of the accumulated decisions of Judges in the Courts of Law on cases argued before the Courts including the Law Lords in the House of Lords at Westminster in London. Thus in England, the Common Law is Judge-made Law. Also in England there is Statute Law which is law enacted in Statutes of the Monarch (King or Queen as the case may be) acting with the Parliament of Lords and Commons. Thus England has two sources of laws.

In Ireland since 1922 the Constitution of the Irish Free State (Saorstát Eireann) Act 1922, Article 12 states:

"The sole and exclusive power of making laws for the peace, order and good government of the Irish Free State (Saorstát Eireann) is vested in the Oireachtas".

And since 1937 The Constitution of Ireland Article 15.2.1 states:

"The sole and exclusive power of making laws for the State is hereby vested in the Oireachtas: no other legislative authority has power to make laws for the State."

The Courts have made it quite plain and definite that the Courts and the Judges in Ireland have no law-making function. Lawyers who were trained under the English system or those who used English

law books tried on many occasions to have English methods of Court-made law to be applied in Ireland without success.

The Supreme Court in the case of *Cityview Press v. An Chomhairle Oiliuna* on 20th December 1978 stated:

"the ultimate responsibility rests with the Courts to ensure that constitutional safeguards remain, and that the exclusive authority of the National Parliament in the field of law-making is not eroded by a delegation of power neither contemplated nor permitted by the Constitution."

Usurping the legislative function was made an offence by section 6 of the *Offences Against The State Act 1939* where S.6.1 makes it a felony punishable by up to ten years penal servitude to usurp or unlawfully exercise any function of government whether by setting up, maintaining, or taking part in any way in a body of persons purporting to be a Government or a legislature but not authorised in that behalf by or under the Constitution.

However our lawyers hanker after the "Common Law" of our English neighbours and perhaps their inclinations in this direction are facilitated by the common language—English—in which English legal matters are published and promulgated into Ireland by academic lawyers who, if they do not read Spanish, French or Italian, are otherwise starved of foreign material with which to compare and contrast and improve Irish Jurisprudence and Irish Law.

Some of our lawyers are fluent in the Gaelic language as well as in English but, since the Brehon Laws were forbidden to us by the English conquerors over four hundred years ago, initially under the English King Edward III in 1367 and subsequently under the English King Henry VII and Henry VIII, the facility in Gaelic is not of much use at the present time so that the Irish lawyers are in effect monoglots and as a result they consult with only legal texts from the Anglophone world—USA, (except Louisiana which was a French Colony) Canada, (except Quebec which also was a French Colony) New Zealand, Australia and the UK (except Scotland where the legal system is mostly based on the French system) and these Anglophone texts are imbued with the spirit of the common law.

The English colonies were expected to be administered under English Common Law and this applied to the original thirteen States. However, as the people in these States expanded across what is now the geographical USA in the early years of the nineteenth century, the law was admin-

istered on the "frontiers" quite often by lawyers who had not formal training or very little experience of proper law courts and so there was what could be viewed as a certain 'creative' period in US law.

Judges, whether formally trained or not, had to make the law as they went along. Thus the law was Common Law and bearing in mind the multiplicity of judges, many of whom worked alone hundreds of miles from other lawyers, thereby allowing a remarkable job to be done in creating a corpus of laws acceptable to the people throughout areas before States were formed and hence before State Legislatures were established to enact statutory laws.

In the early years of expansion of the Union where there was some give and take between Anglo-Saxon white people and Native Americans and French whites and creoles and Spanish-Mexicans, parts of the laws of all of these people were incorporated into the Common Law when adjudication of disputes had to be judged in specific local circumstances where there were existing rules of law. The Sioux Nation had laws for resolving disputes as had the Cheyenne Nation and all the other American Indian Nations. The American lawyer Karl Llewellyn collaborated with anthropologist E.A. Hoebel in studying the Cheyennes and produced *'The Cheyenne Way'* showing the Cheyenne legal system and that there was no basic qualitative difference between Cheyenne laws for solving disputes and the basic State laws today. Another treatise on American law is *'The Political Organisation and Law-Ways of the Comanche Indians'* published by the American Anthropological Association (No. 54.)

Therefore the USA is a genuine Common Law Jurisdiction.

Canada, Australia and New Zealand each copied the legal system of England and copied their Common Law systems from the English Common Law system and so, like England these countries are Common Law Jurisdictions.

Ireland is not a Common Law Jurisdiction precisely because the Constitution of Ireland does not permit the Courts to make law. The Judges may interpret the Statutes to find out what the Statute Law is in a particular situation before the Courts but they cannot make new law.

Article 50.1 of the Constitution of Ireland states:

"Subject to this Constitution and to the extent to which they are not inconsistent therewith, the laws in force in Saorstát Eireann immediately prior to the date of the coming into

operation of this Constitution shall continue to be of full force and effect until the same or any of them shall have been repealed or amended by enactment of the Oireachtas."

This Article allowed for the necessary continuance of laws previously enacted by the English Parliament at Westminster. The Article does not refer to the continuance of English Common Law from before 1922 but lawyers continued as a matter of practice to import English Common Law into Irish Courts wherever there was no statute or Irish Law to suit a specific case. This usage of English Common Law will fade out after a time when Irish Statutes are enacted to deal with new situations. This usage of old English Common Law does **not** make Ireland a Common Law Jurisdiction.

No Common Law has been made in Ireland since 1922 and—despite this—lawyers are clinging to the myth of Ireland as a Common Law Jurisdiction. Lawyers do not like to be out-of-step with those who they see as their colleagues in other Anglophone countries. Lawyers and particularly academic lawyers like to attend foreign lawyers' conferences in exotic locations to play golf on internationally-renowned golf courses and to claim it all as a tax-allowable expense and perhaps have it paid for out of university funds (tax-payers of course.) And so some of our lawyers have to make a common bond which in fact does not exist.

Another reason for the continuance of the "Common Law" myth is that most of the textbooks in Irish Law Schools are published in the UK or by subsidiaries of UK book publishers in Ireland. One such text book calls for special opprobrium—in my opinion. It is *'The Irish Legal System'*, 4th Edition by Raymond Byrne of Dublin City University and J. Paul McCutcheon of University of Limerick published by Butterworths—a member of the Lexis Nexis Group of Dayton, Ohio, USA. Included in it is "Foreword to the First Edition" by Mr. Justice Niall McCarthy, Judge of the Supreme Court of Ireland 1982-1992.

The honourable Judge in his Foreword is not overly kind to Irish lawyers. He says that, even though we are a Republic, proclaimed in 1916, Constituted in 1937 and legislated in 1948 as a Republic:

"the strictures, formal approach, and, most regrettably, attitudes of lawyers in Ireland remain English orientated. ... It is the fault of the lawyers of this generation because of a failure to examine and analyse the law, rather than take refuge in an unthinking and uncritical citation of precedent. Forensic forelock touching is

as much part of the cultural cringe that has beset our country as the mimicry of English accents and manners, but it may be more damaging in its long term effects."

Judge McCarthy's reference to "*precedent*" is to the decided cases under English Common Law system. Perhaps he was hitting out at the lawyers Messrs Byrne and McCutcheon who do not refer to the fact that no new Irish cases have been added to the Common Law since 1922. The authors approvingly provide a history of English Common Law as dating from the Norman Invasion of England in 1066 and on page 4 there is a bold headline in black: "*The Irish Legal System as a Common Law System*", followed by a history of English law-making which is of no relevance to today's Irish Legal System. Again on page 26 is given more English history and a bold headline in black: "*The Arrival of English Law in Ireland*" which the authors say was in 1169 and the text goes

on to "*The Development of the Common Law*"—all now irrelevant to the legal system in Ireland.

There is no indication in the book that Common Law in Ireland is only pre-1922 English Common Law. Thus is Judge McCarthy vindicated in his assessment of Irish lawyers and their forelock touching and cringing.

Byrne and McCutcheon's book should be deleted from the list of books used in Irish Universities until it is corrected. If a legal history is considered necessary it is the *Brehon Laws that could be more truly mentioned. The Irish Brehon Laws*—An Senchus Mór—were drafted as a consolidated body of laws over several years from about the year 480 AD and continued in force for one thousand two hundred years afterwards until using the Brehon Laws was made an offence under English Statute Law. (The English did not entrust such a serious hatchet-job to their Common Law!)

Micheal Stack ©

GUILDS continued

welfare causes, £600,000 went to churches and other Christian organisations, while £490,000 went to the arts.

The Mercers's charitable aims are shared by all other Livery companies.

The Worshipful Company of Goldsmiths, for example, gave away on average £1.75 million per year over the past three years.

One of the newest Companies is the Worshipful Company of Information Technologists. Although it is unable to call upon hundreds of years of accrued assets, the company still gave away £750,000 in cash donations and donations-in-kind in the form of the time given up by its members on behalf of organisations, such as schools.

Michael Grant, clerk of the Company, says: "*We are much more reliant on members to give their money, time and talent. We have to rely on a different way to contribute at a practical level.*"

A few of the Worshipful Companies still have regulatory duties. The Fishmongers, for example, still monitor standards of hygiene at Billingsgate fish market while the Goldsmiths still check coins issued by the Royal Mint.

Meanwhile the Vintners and Dyers annually get decked out in ceremonial garb and take a row boat up the Thames to count the number of swans—a practice known as "*swan-apping*".

The Livery companies also approve the

preferred candidates to become Lord Mayor of London.

As Livery companies are founded by royal charter, they are under no obligation to file any records at Companies House. They are only accountable to their membership and the ways in which they spend their millions is totally discretionary. The power of the Financial Services Authority, the City watchdog, does not extend to candle-lit Company dining halls.

But The Mercers' decision to publish a detailed breakdown of its activities is further evidence that the Livery companies are adopting a more modern and transparent approach when it comes to their financial activity.

Keith Waters, clerk at the Worshipful Company of Fishmongers, says: "*The change is coming from the members themselves. Accountability is something we now all face in our working lives.*"

He adds: "*Simply put, what was acceptable before, is less acceptable now.*"

And the Livery movement is now more popular than ever. More Companies have been founded in the 20th century than in any other period in history. And in the short space of another 100 years or so, even the newly founded Worshipful Companies may be financial powerhouses in their own right.

Waters concludes: "*The Livery companies have been here for centuries. They are nothing less than part of the fabric which underpins the City of London.*"

(Continued next issue)



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Lifting the lid on the Liveries (Guilds)

(DAILY TELEGRAPH, London—1.10.2006)

For centuries, the City of London's ancient Livery companies have been piling up fortunes in secret. Now the Mercers has broken ranks and published its annual review. Andrew Murray-Watson reports:

They are some of the most powerful organisations in the City of London, controlling billions of pounds of assets. Their members dress up in mediaeval costumes at every opportunity and are loyal custodians of traditions and ceremonial practices laid down more than 600 years ago.

But the wealth and influence of the City of London's ancient Livery companies are almost totally unknown to the uninitiated. Most operate from low-key Guild Halls in the Square Mile and their membership lists are often closely guarded secrets.

But earlier this month the Worshipful Company of Mercers, the foremost Livery company, broke with tradition and published an annual review of its activities.

It makes startling reading. The accounts show that, at the end of December 2005, the company had £454.6 million of assets under management, a rise of £42 million on the year before. Out of that total, £315.6 million was in property and other fixed assets, including an extensive residential portfolio in Covent Garden and the Royal Exchange complex, the grandest shopping arcade in the City.

The Mercers also had £78.5 million in quoted assets, up from £66.5 million in the previous year. If the Company were a quoted investment trust, it would rank as one of the largest in the UK.

The clerk at one of the oldest Companies, who asked to remain anonymous, says: "It is fair to say that people were fairly staggered by the scale of Mercers's assets when they were published."

Although no figures exist, it is estimated that total assets held by the 107 Worshipful Companies could total £2 billion. Those

involved with Livery companies believe that the Cloth Workers, Grocers, Drapers, Fishmongers, Goldsmiths and Leather-sellers are the richest, although no one knows which has the most assets.

And Companies are full of distinguished names from the City. Lord George of St Tudy, the former Governor of the Bank of England, and Sir Brian Pitman, the former Chairman of Lloyds TSB, are both court members at the Worshipful Company of International Bankers.

The Mercers was incorporated by Royal Charter in 1394. A mercer by definition was a trader in fine fabrics, although the last time a mercer was admitted as an apprentice to the company was 1888.

Like other Worshipful Companies, the Mercers derives its 12th and 13th-century origins from a religious brotherhood that sprang up around a church or hospital.

These fraternities then became powerful trading Guilds that often enjoyed monopolistic rights over a particular commodity, such as fish, while remaining true to their Christian origins by making provision for the poor or the sick.

From 1560 onwards a Guild secured its Livery status from the Court of Aldermen who had to be satisfied that "a number of men of good repute from some trade or mystery not already represented by an existing Guild have joined together for a time sufficiently long to justify the belief that they will continue to hold together and are not likely to fall apart from lack of interest or support".

Livery Companies are governed by a master, a number of wardens and a court of assistants, which elects the master and wardens. The chief executive officer of the company is known as the clerk.

And several modern phrases have their origins in the history of Livery Companies. For example, the expression "at sixes and sevens" comes from a mediaeval dispute over precedence in order of receiving Livery status from the City of London between the Merchant Taylors and the Skinners. The 16th-century Lord Mayor of the day decided that the two would be ranked six and seven in alternate years as a way of resolving the argument.

And the expression "a baker's dozen" to mean 13, originated in the days when the Bakers' Guild strictly monitored the standard of bread.

From the time they were founded until the present day, Livery companies have secured funding from rich benefactors, often in the form of property, and the complex interest on their assets over the space of 600 years has created some exceedingly wealthy organisations. The band of Worshipful Companies, which now number 107 in total, have a mandate to give proceeds from assets to charity.

In the year to August 2005, the Mercers gave away £9 million to charity, up from £8.48 million in the previous year. Of that total, £4.51 million was donated to educational charities, £3.4 million went to

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