

# IRISH POLITICAL REVIEW

June 2012

Vol.27, No.6 ISSN 0790-7672

and Northern Star incorporating Workers' Weekly Vol.26 No.6 ISSN 954-5891

## Happy Anniversary!

We are in for a long season of centenary anniversaries—ten years of it we are told, from the introduction of the Third Home Rule Bill in 1912 to the Anglo-Free State victory in the Treaty War of 1922.

Professor Michael Laffan of University College Dublin led off with a speech attacking Edward Carson at the Ulster Museum in mid-April:

"The Ulster Unionist campaign against the 1912 Home Rule Bill... served the interests of violent republicanism when its prospects appeared grim and hopeless... Unionists unintentionally radicalised the politics of the whole island, he said in a lecture as part of the series 'A Decade of Anniversaries'... The UCD historian said reforms, especially the Wyndham Land Act of 1903, ensured most Irish nationalists were becoming increasingly willing to operate within the Union framework. 'Ireland was clearly not in a pre-revolutionary situation. But when Carson... threatened and planned rebellion, and when marching and drilling and importation of arms were met not with punishment and retaliation, but with concessions from the government, Irish revolutionaries believed their time had come', added Prof. Laffan. 'At last, after decades of patient waiting, hoping for favourable circumstances, these had arrived—and from their point of view, just in time...'

"Prof. Laffan said in effect that the two extremes in Irish public life had developed an informal alliance against 'the centre'—as represented by John Redmond's Home Rule Party—and 'one had given the kiss of life to the other. Such a development appalled Ulster unionists; but it is a commonplace that people cannot determine the indirect consequences of their actions', he said. Prof. Laffan said radical nationalists, many of whom did not belong to the revolutionary IRB, followed Carson's example... After a long absence, militarism had returned to Ireland. The Easter Rising, a resort to arms of precisely the sort that Redmond had always wished to avoid, accelerated the destruction of moderate nationalism. It could be seen as a paradoxical implementation of the plans made by Carson... by republican revolutionaries who followed Carson's example' added Laffan" (*Irish News* 23 April).

This is what used to be known in the days of the Communist Parties as "*objective truth*", truth which parts company with the particular facts of a situation. Or what Napoleon called "*making pictures*" instead of mastering the actual detail of a situation and devising a realistic way of dealing with it. So it seems that we are in for ten years of raking over old passions on the basis of old ignorance. What Laffan said has been said a thousand times before.

The intensity of the Ulster Protestant response to the Home Rule Bill was due in large measure to Redmond's degradation of the Home Rule Party into a Catholic sectarian party whose major component was a Catholic secret society, the Ancient Order of Hibernians. The AOH had been woven into the structure of the Party between the 2nd and 3rd Home Rule Bills. It had become the animating spirit of the Party, which otherwise had orated itself dry. And, in the North, where the Home Rule Bill had to succeed or fail, the Ancient Order of Hibernians was the Party.

The AOH withered as a political force in the South with the rise of Sinn Fein. Remnants of it survived in many towns in the form of AOH Halls until the 1950s or 1960s. The Redmondite revival that began in the 1970s wrote it out of the historical record, as far as they were able to do so by their control of academic institutions. That was a falsification of history, in the cause of an ideology, far greater than was ever attempted in the Soviet Union.

The formation of the Ulster Volunteer Force against the Home Rule Bill by Carson led to the formation of the Irish Volunteers in support of it. But that did not cause the Easter

continued on page 2

## Austerity Report:

## Mystery Of Greek Minimum Wage

*Plus ça change!* The German Fiscal Compact, embraced by 25 EU member states though outside the bounds of the EU, certainly lacks style. The new French President, Francois Hollande, seems intent on lending it some by adding an insubstantial addendum confirming Europe's commitment to "*Growth*".

This of course all has form. The Stability Pact linking national debt and allowable deficit levels, introduced in the Maastricht Treaty for the then ERM [European Regulatory Mechanism] countries, was given a name change at the time on French insistence, and henceforth became the much more politically acceptable "*Stability and Growth Pact*". Judging by the comments of Hollande's new Prime Minister, we are in for a repeat with the current Fiscal Compact.

What also has form is Britain's continued trouble-making for Europe. The awesome stream of negative commentary on the Fiscal Compact from the *Financial Times* is hardly surprising. This has now been followed by Cameron's embracing of M. Hollande's "*growth strategy*". Though apparently taking the 'socialist' sheen off the matter, Cameron's gesture is probably better understood as a pale imitation of a Palmerstonian "*balance of power*" game against Germany.

The *Financial Times* has been leading the charge against the German effort to establish a system of rules for the Eurozone—a system endorsed not just by the Eurozone member states, but with equal fervour by the eight Euro candidate countries that also joined the Compact. The target of most attacks is not just the Fiscal Compact, but the "austerity" regimes agreed by Troika Programme countries. The implication of the *FT* campaigning is that paying of debts is an optional extra, and one that should be forgone. It is an

continued on page 3

## CONTENTS

	<i>Page</i>
<b>Happy Anniversary!</b> Editorial	1
<b>Austerity Report: Mystery Of Greek Minimum Wage.</b> Philip O'Connor	1
<b>Readers' Letters: Anne Harris: A Comment.</b> Jack Lane	3
<b>The Stability Treaty Referendum: <i>The Case For A 'No' Vote.</i></b> Eamon Dyas	5
<b>An Away Day For UCC History Department.</b> Jack Lane (Report Of John Regan meeting held in Cork)	7
<b>Shorts</b> from <i>the Long Fellow</i> (Godwin's Law'; Harris's Retreat; Martin Corry; Austerity & Growth; Irish Debt)	9
<b>Another Known Unknown.</b> Jack Lane (Gerard Murphy & Dunmanway)	10
<b>Correction.</b> Jack Lane responds to Barry Keane	10
<b>QUB Tangles With Irish History.</b> Seán McGouran	10
<b>Es Ahora.</b> Julianne Herlihy (Dis-Establishment; Sins Of Our Age; Abdication; Banville)	11
<b>Mahon's Star Witness.</b> Editorial Series (Part 2)	13
<b>Views Of Sinn Fein.</b> Brendan Clifford (reply to Stephen Richards)	14
<b>In Memory Of Jim Hurley.</b> Manus O'Riordan, Tom Barry	17
<b>Ireland To Call For EU Ban On Israeli Settlement Goods.</b> David Morrison	20
<b>The Unquiet Man.</b> Seán McGouran	21
<b>Biteback: Eamon Ó Cuív</b> (Report of letter by David Alvey)	22
<b>Items From <i>The Irish Bulletin.</i></b> May 1920 (Part 11 of series)	23
<b>Does It Stack Up?</b> Michael Stack (Constitutional Amendment; Public Service Pay; Statute Law Repeals)	25
<b>Irish Labour Party In Denial But Not In Clonmel.</b> (Reports: John Cunningham, and <i>The Nationalist</i> )	25

***Labour Comment***, edited by **Pat Maloney:**  
*Labour Becomes A Commodity*  
 Mondragon, Part 8  
 (back page)

Rising. What caused the Rising was Redmond's enlisting of the Irish Volunteers in the British Army to make war on Germany and Turkey (which resulted in the slaughter of tens of thousands of them). That was what split the Volunteers, and gave rise to a small army that could regiment itself publicly and engage in manoeuvres in preparation for making war. The minority of Volunteers that did not follow Redmond were allowed freedom of action by Dublin Castle lest interference with them should disturb Redmond's volunteers and reduce the supply of badly-needed cannonfodder. Redmond's policy provided both the stimulus and the opportunity for the Insurrection.

If the Irish leader had waited on the actual establishment of Home Rule Government within the Union, before committing himself actively to militarism as part of the Union, Redmond would have remained in command of the situation and deprived us of the Easter Rising.

But Redmond provoked the Rising and made it possible, and then one thing led to another. He drove the situation towards Partition, half-acknowledged that it had become inevitable, but never suggested to his followers any way of coping with it.

His following in the South evaporated, except for a few superior people. It was only in the Six Counties that Redmondism survived as a popular movement. And, in the North, what they had to contend with was not Partition which held them within Britain when they would have preferred to join the Irish state, but a communal Protestant sub-government, entirely under Westminster sovereignty but excluded from Westminster democracy.

The Redmondites in the North, led by Redmond's senior colleague Joe Devlin, leader of the AOH, refused to participate in what our betters now tell us was the Northern Irish state. In fact, there was nothing to participate in, but that is something we cannot admit if we take the North to have been an Irish state—or to have

been anything but an undemocratically - governed region of the British state.

A sullen 'Constitutional nationalism' prevailed in the North, until the pogrom and insurrection of 1969. Fianna Fail encouraged the insurrection in 1969-70, but changed course in mid-1970 and havered on the issue thereafter, making noises this way and that—standing for peace, while saying peace was possible only with the ending of Partition.

The Northern Catholics had to fend for themselves. They did so. They fought a long war and established a place for themselves in a form of devolved government which would never have been contemplated but for the war. And the party that fought the war is running the devolved system in alliance with the Paisleyite Unionists, who were denounced by all good Redmondites on equal terms with the Provos.

And then Sinn Fein, taking itself seriously as an all-Ireland party, came South and is now almost equal to Fianna Fail. And Michael Martin responds by taking a trip into wonderland.

Sinn Fein is in contention with Fianna Fail in the South, Fianna Fail is not in contention with Sinn Fein in the North—it has a token organisation there which it lacks the nerve to develop. One might have thought Martin had strong enough ground to take issue with Sinn Fein on its Southern policies. But, instead of doing that, he launched into a rant against what Republicanism has done in the North, rakes up particular incidents of the war, cites dissidents who attack the Provos for making an interim settlement instead of holding on to the bitter end for a united Ireland, declares that Sinn Fein is "*the very antithesis of what Republicanism means*" (which is the unity of Protestant, Catholic and Dissenter), and brands Sinn Fein participation in the Northern Government as sectarian (after it has established the first Government in which there is a degree of genuine cross-community fellow-feeling).

In addition he said that the Provos were genocidal in the North, and that their war had nothing in common with the War of Independence of 1919-21, though he argued that those Republicans were genocidal too.

All of that was on the Pat Kenny Show (RTE Radio 1, March 30). Kenny put it to him that there was a "*genocide of the*

gentry" in West Cork. He did not disagree. How could he, with Peter Hart as his guide. (He mentioned Hart.)

So, on his understanding of the Provo War and the War of Independence, there seems to be considerable similarity between them.

The Fianna Fail intellectual, Martin Mansergh (who subverted Fianna Fail history by dating legitimate Independence from the implementation of the Treaty in 1922), had a letter in the *Irish News* (May 16), replying to a statement that "*the conceptual foundation for the Good Friday Agreement is a two-nations theory*". He said that the GFA "*is actually a compromise between Irish nationalism as previously understood and two-nations theories*".

So, after all his hounding of two-nationists, this is how he ends up. Poor Martin!

## Ann Harris: A Comment

Dear Editor, As it appears from your item on Anne Harris in last month's *Irish Political Review* that she never got her facts right about my short teaching career, I think the record should be put right if only for the sake of the Reverend Mother concerned, Mother Oliver of the Convent Secondary school in Buttevant, County Cork in the 60s. She has probably 'gone to her reward'—though I hope not. Before any political issues arose there I was appreciative of her for being very understanding of the issues that arise for a sole male (heterosexual) teacher in a large convent secondary school of very healthy young farmers' daughters (or farmers' young daughters to be more precise).

When the Fine Gael TD, Stephen Barrett, denounced me in the Dail and incited a mob for my dismissal, she stood her ground and saw through my contract. She displayed moral courage of a high order. This could have been much worse of course—what if I had been praised by the same reprobate in the Dail?

Believe it or not, when we had a final heart to heart on my departure she said that she had recently been reading some letters of yours in *The Kerryman* newspaper which appeared to be supportive of Mao Tse Tung and she was concerned that I might fall into such company. As with many other things, her premonitions were also acute.

Jack Lane

## Greece continued

odd position for the paper of finance capital to take.

The position of the *FT* is echoed by Sinn Féin and the United Left Alliance in Ireland, and similar parties in other programme countries. Fr. Seán Healy, who is regarded as representing the "poor" in Ireland, and meets the Troika when they are in town in this capacity, regularly circulates commentaries from the *Financial Times* to support his views on the disastrous nature of "*Europe's*" austerity policies. It should be noted that none of the mainstream socialist parties in Europe—whether in Germany, France, Spain or, indeed, in Greece itself, share this view.

The introduction of rules for the Eurozone—or rather of enforcement of rules—is exposing the range and variety of European economies and the quite limited extent to which the European market economy has established itself across even the Eurozone.

A great *cause celebre* of the Left exposing the harsh neo-liberal perfidy of the Troika was the commitment—proposed by then socialist Greek Government, not the Troika—to reduce the Greek National Minimum Wage from €751 per month to €586.

The Minimum Wage is a highly controversial issue. In countries with strong Trade Unions and robust systems of social partnership, Unions have traditionally opposed its introduction, as disruptive of

collective bargaining and tending to weaken Trade Unionism and ultimately to lower wage levels. In addition, in such countries the norm is sector-wide collective bargaining which effectively covers all workers, setting minimum rates per sector. Thus Norway, Sweden, Denmark, Finland, Iceland, Germany, Austria, Switzerland and Italy do not have a NMW. Of the twenty European countries that do have one, these—according to Eurostat, the European statistics office—range from €1,801 (Luxembourg) to €138 (Bulgaria) per month (with Ireland second highest). Eurostat gives the Greek rate as €899, not the €751 usually quoted. This is because the figure had to be adjusted upwards to take into account the fact that, as the NMW "*in Greece, Spain and Portugal... is paid for 14 months a year, data have been adjusted to take these payments into account*" (Eurostat, *Minimum Wage Statistics*, February 2012).

When adjusted to take account of cost of living to give the purchasing value of the NMW ("purchasing power standard"—PPS), Ireland's NMW falls from second to fifth place (ranking still very high, but behind Luxembourg, Netherlands, Belgium and France, and just ahead of the UK), with Greece closely behind in seventh place (after the UK). While Ireland has amongst the highest living costs in Europe, Greece has among the lowest (outside the East European states). No wonder then that the Greek Embassy in the US could issue a statement in 2007 boasting: "*Greek minimum wage earners in top end of EU list*".

What is the role of NMW for the working population?

Firstly we should look at who works—i.e. the proportion of adults between 16 and 65 years of age in the workforce, whether currently employed or unemployed ("labour market participation rate" or LMPR). People unemployed for a long term are regarded as "inactive" and hence outside the workforce. In 1997 the LMPR in Germany was 71%, France 67.1%, Spain 62.5%, Ireland 61.5%, Greece 60.8% (OECD, *Economic Outlook*, 2006, p.216).

By 2001 these figures had shifted to: Germany 71.6% France 68% Ireland 67.5%, Spain 65.8%, Greece 62.1% (Forfas, *Benchmarking Education and Training. Report to the Tanaiste etc.*, July 2003, p.12), remaining fairly constant from then until the end of the boom in 2008.

What the figures show is a very substantial growth in overall employment and economic activity in Ireland and Spain over these years (though still marginally behind employment levels in Germany and France) and much smaller growth in Greece in the same period. They also show Greece as having the highest proportion of its adult population not in the official labour force.

Secondly, how did average earnings develop in these countries over the same period? It appears that during the latter years of the boom, mean annual gross earnings of employees in full time employment rose very modestly in high productivity countries, but continued to grow dramatically in what are now the Troika "programme countries" (though Spain is

not officially so):

County	2007	2008	2009
Germany	40,200	41,400	41,100
France	32,413	33,574	34,132
Ireland	39,858	45,893	45,207
Spain	21,891	25,208	26,316
Greece	n/a	25,915	29,160

By these figures (from Eurostat), in the three years to 2009, wage levels in Ireland, Spain and Greece rose by three times as much as in France and Germany and by the end of it, Irish workers were earning over 10% more than German workers and up to 33% more than French workers, while Greek earnings had far outstripped those in Spain and were catching up on those in France. Given our knowledge of living costs, industrial productivity and social services in these respective states, few could argue that this was a sustainable—let alone a realistic—reflection of economic reality, most notably in Greece.

So, then, who gets the national minimum wage?

Compared to the Greek NMW of €751 (excluding the 13th and 14th extra months' wage per year), the average monthly salary in 2011 for Greek workers at €780 was just above the NMW and the starting point for civil service salaries (before bonuses and the extra two months' salary) was €711, i.e. below the alleged NMW, though over 80% of civil and public service workers earned between €1,000 and €1,500 per month. According to Greek statistics, of full time workers aged 16 and over, 25% were earning the minimum wage. A huge proportion of these workers on NMW are non-nationals (<http://livinggreece.gr/2007/07/29/examples-of-jobs-and-salaries-in-athens/>). By comparison, In the US only 3.2% of workers are on the minimum wage, and the proportion in Ireland is about the same as the US.

According to Eurostat, the NMW in Greece is 40% of mean earnings, roughly the same as Ireland. But it accounts for over 25% of workers (compared to about 3% in Ireland), and a far higher proportion in the private sector. But even these figures fail to capture the reality of things, as a very large part of the Greek economy does not function within the rules of European market economics at all, and over a third of workers are engaged in what is called the "shadow" or "unofficial" economy. In fact, given the large size of the Greek public service, the statistics would indicate that over half of workers in the private sector work in the unofficial economy, where no wage rates are monitored and a very high proportion of those in the official economy are earning just about the "minimum wage".

In other words, the National Minimum Wage in Greece is a fiction, and the agreement with the Troika is an attempt to establish some realistic measure of affairs and set a rate that had some meaning.

In 2006 Stavros Katsios of the Ionian University in Greece published a study on the "shadow economy" which goes far to explain the extent to which the Greek economy operates on norms which have little in common with the European "social market economy" ('The Shadow Economy and Corruption in Greece', *South-Eastern Europe Journal of Economics*, 1, 2006, pp.61-80).

Katsios measured the shadow economy as a percentage of GNP using the apparently accurate "DYMIMIC and currency demand method". The EU average was just above 16% (the same as the US), with Ireland, the Netherlands, France, Germany and Great Britain having a smaller underground economy (between 13-16%) "probably due to a lower fiscal burden and moderate regulatory restrictions" and Scandinavian countries a slightly larger informal economy, driven by high labour costs and payroll taxes. Austria and Netherlands were lowest at 10% and 12% respectively. But in southern Europe the figures soared: Spain and Portugal 24%, Italy 26% and Greece 28%.

Nearly a third of Greek GNP is produced in the "shadow economy", and Katsios also estimates that, due to its more labour-intensive nature, an even larger proportion of the workforce is employed in "underground production".

He noted a great increase since the 1990s in legal rules and regulations aimed at expanding the market economy, especially in areas such as license requirements, labour restrictions, trade barriers, etc. These led to a substantial increase in labour costs in the official economy. He concludes:

"The greater the general regulation of the economy the higher the share of the shadow economy in total GDP; this prediction, supported by empirical analysis, suggests that Greek governments should put more emphasis on improving the enforcement of laws and regulations, rather than increasing their number. Greece, though officially ranked in the twenty-one highly developed OECD countries, shows pronounced signs of a transition country: High levels of regulation leading to a significantly higher incidence of bribery, high effective taxes on official activities and a large discretionary framework of regulations leading to a large shadow economy."

On tax reform as a lever to bringing "underground production" into the official economy in Greece, Katsios warned in

2006:

"At this point we might address a Greek chimera: many believe, wrongly, that a major tax reform with major tax rate deductions will lead to a substantial decrease in the shadow economy. The only possible effect of such a step would be to succeed in stabilizing the current size of the shadow economy and avoiding a further increase. The high profit from irregular activities, the associated investments, the strong personal relations and the relative low cost of operating due to poor institutional quality will certainly prevent people in Greece from returning to the official economy; accordingly, owing to the slight gain expected, a major reform isn't considered a priority by the politicians. In this respect we should also bear in mind the importance of the large number of self-employed Greeks in the dynamics of the underground sector. Though the Greek government hastily enacted tax reforms in 2004, accompanied with cuts to certain individual and corporate tax rates, the Greek tax system remains terribly complex and inefficient, judged by the number and the quality of tax regulations; on the other hand there has been no progress towards making the tax code simpler or making the burden more equal and visible to help limit the government's growth. Another problem with the 2004 tax cuts is that they have not been matched by government spending cuts..."

"Greece is a leading example of a country that has moderate statutory tax rates but a corrupt system of tax administration which places a heavy burden on firms and individuals, many of them choosing to go underground. Without dramatically improving the quality of the institutions any fundamental tax reform in Greece is not only going to fail in terms of reducing the overall shadow economy but is likely to increase typical underground criminal activity. Furthermore, the recent decision of the Greek government in favour of increases in indirect taxes seems even more problematic, taking into account that greater reliance on indirect taxes and reduced reliance on direct taxes coincides with expansion of the underground economy."

The outcome of the recent General Election in Greece can probably best be understood as an attempt to strengthen Greece's bargaining hand. For despite it, in recent opinion polls 80% of Greeks state their preference for Greece to stay within the Euro. Large political forces have arisen in Europe on the basis that the European political will is weak and that an unsustainable state of affairs (standard of living) can be arranged to continue irrespective of economic realities, with Germany bank rolling the process. This is the only meaning that the "anti-austerity" agenda can have.

Philip O'Connor

The following article was posted on the Athol Books website during the period leading up to the Referendum on the Fiscal Compact. It appears beside Jack Lane's article (*Irish Political Review*, April 2012), advocating a 'Yes' vote

## The Stability Treaty Referendum:

There is only be one reason for a socialist to vote "Yes" in the referendum on the Stability Treaty and that is if you believe that by so doing it somehow contributes towards the underpinning of the German model of capitalism throughout Europe. There is little doubt that the social market element in the German model serves the working class far better than the Anglo-American model that has its basis in classical liberal economics. Things like worker participation in the running of companies, extensive Trade Union rights, superior welfare provision, job security, pensions etc. are taken for granted by the German working class, while the working class which is compelled to live under the typical Anglo-American model (exemplified of course, by Britain and the United States) can only point to minimal Trade Union rights, non-existent or diminishing social welfare provision and falling pensions as the norm. If Ireland is viewed as the battleground of both these models, then there is no question that any socialist would be compelled to vote "Yes".

But socialists must be very clear that the scenario thus presented represents the actual situation and that we don't end up buying a pig in a poke.

### ECONOMIC PHILOSOPHY, GERMAN MODEL

Let us look a little more closely at the German model. The first thing we notice is that it is not an alternative to classical liberal economic theory. Although it has certain features that are more attractive from a working class viewpoint, it remains a variant of classic liberal economic thinking. In other words it is based on the absolute belief in the supremacy of the market as the most efficient means of supplying society's needs. Therefore, besides those bright spots to which we have already made reference there are the dark aspects that cannot be supported by socialists.

The economic theory that has guided successive West German (and then, German) Governments since the end of the Second World War is based on a school of economics called *Ordo-liberalism*. While *Ordo-liberalism* believes in less State interference in the market than Keynesians, it nonetheless advocates greater State interference than

### *the case for a 'No' vote*

the classic Anglo-American school. Its basic premise is that the equilibrium of the market must be preserved against not only excessive State interference but against the kind of distortions caused by the developments of monopolies, cartels, etc. and it allocates a role for the State and legislation in ensuring that equilibrium. By such means it seeks to preserve the market in as pure a state as possible where the productive energy and enterprise of competition is not constrained by the growth of conglomeration and an overt concentration of power and influence.

But *Ordo-liberal* economic theory was only one component of what went into the make-up of the German social model. That model is a mixture of the economic theories of the *Ordo-liberals*, aspects of corporate theory that emerged under Fascism, and Christian Democratic social thinking. The way in which these ingredients came together was not a natural evolution from the ruins of German society in the aftermath of the Second World War. They were brought together and given life with the financial support and conscious intent of the United States to provide a social model that could neutralise that offered by the Soviet Union at that time. This model proved highly successful in creating a new West Germany not only in terms of its economy but in marginalising mainstream socialist thinking that had experienced a resurgence in the aftermath of the War. In the wake of the introduction of, what was called, co-determination in West Germany whereby companies were compelled to allow worker representation on their Boards, the Social Democratic Party abandoned the goal of the nationalisation of the means of production from its official programme in 1957.

### PRIVATISATION, FINANCE CAPITAL AND GERMAN MODEL

In doing so it succumbed to *Ordo-liberal* economic thinking. Because of its belief in the primacy of the market *Ordo-liberal* economics is not sympathetic to nationalised industries, and one of the areas where the influence of this thinking expressed itself on the Government of West Germany was in the early privatisation programmes it undertook. One of the first significant privatisations was that of the Volkswagen works in 1961 and,

later in the 1960s, Preussag and Veba, two highly significant holding companies mostly operating in the utility and mining industries were also privatised. Then of course we have to acknowledge the biggest privatisation undertaking in history when the Government of Western Germany rapidly sold off the entire East German economy in the early 1990s. So successful was this sale that Germany came to be known as the privatising experts throughout the world leading to other ex-Soviet bloc countries beating a trail to their door for advice on their own privatisation programmes.

Of course, where there is privatisation, there is finance capital, and finance capital is the world in which *Ordo-liberal* economics is least suited to flourish. West Germany took over and dismantled the economy of East Germany between 18th May 1990 (when the Treaty on the Monetary, Economic and Social Union was signed), and 31st December 1994, when the *Treuhand* (the body which acted as a kind of NAMA equivalent for East German property and assets) officially ceased to exist. But this two-year sale and dissemination programme could only happen because the West German Government broke its own rules and significantly loosened its control of the country's money supply. The extent of this can be gauged by the fact that by the time the *Treuhand* ceased trading it had lost 200 billion dollars in its five years of existence—effectively a subsidy which West German taxpayers injected into the East German economy.

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

The fall of the Soviet model had a two-pronged effect upon the *Ordo-liberal* model. On the political level, its *raison d'être* ceased to be relevant and, on the economic level, by applying its economic theory in the way in which it operated the privatisation programme on East Germany, it unleashed the beast of finance capitalism into the very heart of the German economy. In the world of global finance capitalism, the reliance of *Ordo-liberalism* on the State to provide the checks and balances to sustain the pure

market is its Achilles heel, as the influence of international global finance capitalism by its nature cannot be corralled by any State. But what goes around comes around and Germany's finance sector, spurred by the privatisation of East Germany and inspired by the example of Anglo-American global capitalism, began to experiment in global financial products outside its own State on a scale not known before. By 1995 German officials were acting as consultants on major privatisation projects for about thirty countries around the world (see: *The "Colonization" of East Germany?: A Comparative Analysis of German Privatization*, by Heather M. Stack. Published in Duke Law Journal, Vol. 46, No. 5, March 1997, p.1212).

#### GERMAN FINANCIAL CAPITALISM AND AUSLÄNDER

In its modern context, this was the start of the grand world tour of German finance capitalism. Thus, when the crisis began in 2008, German financial institutions found themselves deeply implicated in the debts of those countries that found themselves in most trouble. Consequently, there were, and remain, very strong German vested interests in ensuring the repayment of this debts.

If we are to look at the German financial model against the Anglo-American financial model in terms of their relative superiority, from the perspective of us as outsiders there really is not much to choose between them. They are both global operators that serve the same primary object—the maximisation of profit at some other individual's, institution's or country's expense. When we look at something like the German *Landesbank* system, as with other aspects of the German model, we see something that is quite attractive in comparison to that which exists in Britain and Ireland, but that aspect of the model is not the same animal as the one which prowls the planet in search of pickings. The way in which the German *Landesbank* operates as community banks is precisely because they are community banks and conditioned by the environment in which they operate. Taken out of that environment and freed from the constraints of culture, custom and politics, German finance capitalism is just as predatory as Anglo-American finance capitalism within the wider world.

This is the case with the rest of the German model. It is a peculiarly German phenomenon that grew out of the peculiar circumstances of West Germany after the Second World War. The way it operates and evolves is determined by domestic

considerations and these are not transferable across State borders. Also, German capitalism is not a peculiarly benign form of capitalism. It is a capitalism that also evolved out of the social circumstances of Germany and is constrained by the customs, culture and political make up of Germany. As these things change so too does the nature of the German model of capitalism.

The things we might find attractive in the German model have to be built within the customs, culture and political make up of each country acting on its own and within its own resources. It is a great mistake to believe that such a model is capable of being imported into other countries via compliance with the demands of German finance capitalism.

Ireland has itself inherited some aspects of a social model that have certain things in common with what is good in the German model. Not least of these is the system of Joint Labour Committees which have been around since just after the Second World War and were designed to establish statutory minimum pay for workers in each industry sector in which they functioned. The Joint Labour Committees for these industry sectors is composed of equal numbers of trade union and employer representatives together with independent members appointed by the Labour Court. This system was built upon in 1987 through the introduction of the Social Partnership facility which involved the trade union movement in the decision making process on national wage bargaining and other conditions. It is rather ironic that both these areas where the Irish Trade Unions possess some influence over national economic policy are currently under pressure as a result of the need to comply with the austerity terms imposed by *Ordo-liberal* economic thinking.

#### AUSTERITY FOR WHAT?

In recommending a "Yes" vote, we are also asking people not just to accept austerity but an austerity that has been pre-fashioned along *Ordo-liberal* lines. The austerity has been circumscribed to operate in terms that demand reductions in social spending, the privatisation of nationalised assets, and the relaxing of labour protective legislation. What we have come to understand as the German social model is not apparent in any of this. However, what is apparent is *Ordo-liberal* economic thinking, freed from the constraints of the domestic environment from which it emerged and flourished. While we may honestly state that there is an undeniable need for some form of austerity, and we may agree with some areas where

such austerity is bound to bite, we have to be very clear on the purpose of such austerity. If, as it is claimed, the only way to solve the debt crisis is by this route then this has to be squared with the experience of Greece and the absence of any logic between the demands and the stated goal behind such demands.

The austerity is demanded as a means of enabling 'errant' countries to pay off their debts and to balance their budgets in the future. However, the timescale and nature of the sacrifices that these countries are being asked to make cannot result in such an outcome without much unnecessary suffering among the people or indeed if at all. Austerity in this context and on such a scale only adds to the problems, as it in turn diminishes the domestic economy to an extent that it becomes impossible for national Governments to raise the required sum from taxation and this then compels further cuts in Government spending to make up the shortfall which in turn diminishes the taxation pool and so on *ad infinitum*. As a possible solution to the current crisis it defies any logic. But it is the only solution that is acceptable to *Ordo-liberal* economic thinking.

The central platform of this thinking is that the only way to solve a sovereign debt-based crisis is through the imposition of a programme of national austerity until the books are eventually balanced. The other alternative, and the only one that can actually contribute to a solution with the minimum of suffering, is by reducing the debt through inflation. This is the only solution that national economies can use when dealing with something as immune from direct State control as global finance. But this is precisely the solution that is not open to those States that are part of the Eurozone. As a consequence the debt-burdened States are compelled to rely upon Germany to come up with the answer. Based on its own national experience of having had to rely on significant outside financial underpinning and subsidies during the early years of its existence, and its own decision to loosen its money supply between 1990 and 1992 in order to achieve reunification, this should not be something that is anathema to German understanding. And yet, even in the face of the disastrous outcome of its *Ordo-liberal* orthodoxy in the case of Greece, it continues to dogmatically oppose any action that might result in a relaxation of the money supply.

#### WHERE IS THE ANSWER?

It will be said that Germany has already committed hundreds of billions of Euros to assist those countries in trouble. That is undoubtedly true but it is the wrong kind

of assistance and the wrong kind of assistance can be more harmful than no assistance at all. The recent release of a trillion Euros by the European Central Bank provides a classic example of what is wrong. The ECB offers loans to the Central Banks of constituent States on favourable terms but the Central Banks are compelled to pass on this money to their banking sectors on condition that they in turn reinvest it in Government Bonds and these same Government Bonds are accepted as part of their loan to asset ratios balances as they seek to comply with the new European banking requirements. Not surprisingly very little of this trillion Euro loan has made its way into the real economies of the suffering countries as it was never intended that it should. To do so would constitute an offence of Keynesian proportions as far as *Ordo-liberal* economics is concerned.

These loans are made by the ECB for three years and everyone knows that it is only a stopgap based on a huge gamble. The gamble is based on the hope that the domestic economies of the borrowing countries will have improved within the three years to a healthy enough state for them to repay this and all the other debts associated with the bailouts. We are constantly hearing the refrain that you cannot borrow your way out of a debt crisis but that is precisely the only 'solution' currently on offer.

The crisis has been catastrophically handled from the start because at the heart of it all is the dogmatic attachment of the most powerful economy to an economic philosophy that can make no useful contribution to the solution. It is the inevitable outcome of a mode of national thinking that is being inappropriately applied in a multi-state, multi-economy environment in which it is incapable of operating coherently.

There is no silver-bullet solution to the current debt-based crisis but any solution can only begin to operate if and when Germany realises that something like an inflation-based policy has a part to play. The current fixation with growth *a la* Hollande etc., will be another false start as it will have to be accommodated within the *Ordo-liberalism* German mind-set, which means that any stimulus to growth will have to be paid from existing savings. Consequently, we hear that Merkel is prepared to consider using existing unused EU funds for the purpose of infrastructure investments. But that will only constitute another sticking-plaster and is not capable of getting to the heart of the problem. Unless there is a policy that includes the

printing of more money and getting it into the real economies of the ailing Eurozone countries, there really is no prospect of anything positive occurring. The problem is, and has always been, a political one and whether the German electorate can be convinced that it is in everyone's long term interests to tolerate such a policy in the short-term. But unless they do the prospects for the unified currency are bleak indeed.

A 'Yes' vote in the present circumstances is a 'Yes' to an as yet unknown level of austerity, much of it created by the dogmatic attachment to an inappropriate economic doctrine and with no guaranteed outcome. Germany must be convinced that there is a critical need for a change of tack and this will only happen if those affected use the only voice given to them and vote 'No'.

**Eamon Dyas**

## Referendum Wording

The Thirtieth Amendment of the Constitution (Treaty on Stability, Coordination and Governance in the Economic and Monetary Union) Bill 2012 proposes to insert the following subsection after subsection 9° of Article 29.4 of the Constitution:

"10. The State may ratify the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union done at Brussels on the 2nd day 2012. No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the State that are necessitated by the obligations of the State under that Treaty or prevents laws enacted, acts done or measures adopted by bodies competent under that Treaty from having the force of law in the State."

**Report: The 'Bandon Valley Massacre' Revisited,' Imperial Hotel, Cork, 28 April, meeting addressed by Dr. John M. Regan, University of Dundee, along with Drs. Andrew Bielenberg and Hiram Morgan of UCC**

## An Away Day For The UCC History Department

A meeting organised by independent interests on some incidents in the War of Independence was heavily dominated by the History Department of University College Cork. This was incongruous as that Department has been promoting Peter Hart's thesis consistently since it first appeared. There were reservations by some members but they remained private matters and never saw the light of day. This meeting revealed that the leading lights there—past and present—will die in the ditch for his reputation. It was a very well attended event, with probably up to 300 people there, overflowing into another room from the Ballroom of the Imperial Hotel.

### **DR. BIELENBERG**

Dr. Andy Bielenberg of the UCC History Department was the first speaker and this was the man who had shouted down the organiser of this meeting, Criostoir de Baroid, some time ago when he dared to query the Hart thesis at a meeting held in UCC.

Bielenberg explained that he was collecting 'clues' on the Dunmanway killings and he had trawled all the available sources. He began by displaying what seemed to be his newest clue—the text of what was presented as an ominous-sounding document circulated by the IRA that ordered each company to collect information on Unionists in their area.

The information sought included a list of their cattle and property. Then he explained it was probably for tax purposes: the request was dated 5th May 1922, i.e., after the Dunmanway killings, and the actual example he had was from the North Cork 2nd Brigade area. And of course it referred to Unionists not Protestants.

It is acknowledged by all, and specifically by Eoghan Harris, that in North Cork, the area under Sean Moylan's command, there is an unblemished record as regards any sectarian intentions. So this new clue was a bit of a damp squib.

Then Mr. Bielenberg gave examples of clues from other sources, suggesting that at least some of those killed were probably informers. He said Catholics were also attacked, but not killed. It seemed therefore likely to him that those responsible were some out-of-control IRA elements. He believed that sources held privately at present would be available soon and would provide more information. He held forth at length to praise the IRA and Republican leadership as above reproach in all this.

So nothing definite and verifiable was presented by this speaker as to who was responsible—just more speculation. But it is speculation with a purpose, suggesting that some maverick or out of control IRA people killed informers who happened to be Protestants. But this theory does not fit the facts. After all, why were other

Protestants killed when the alleged spies had fled? This is a variation on Hart—it is Hart warmed up. Hart goes out the door and comes back in via a window. It maintains the sectarian thesis with some modifications.

A number of oddities arise with the thesis. If it was so clearly spies and informers that were targeted, why did the killers or anyone on their behalf then or ever since not say so?

It also seemed odd that Bielenberg did not mention a most startling clue left by the killers themselves, that is them stating loudly and clearly why they did it, as reported by a witness on the spot, Mrs. Gray, whose husband was killed. According to the contemporary published account:

"She heard three or four shots fired, and voices saying loudly *"Take that you Free Stater, you Free Stater, you Free Stater; take that, you Free Stater"* repeating the words *"Take that you Free Stater"* several times. Then they left and there seemed to be a good number of them, judging by the noise they made" (Cork Examiner, 1 May, 1922).

Why was Bielenberg so coy as not to mention this? Why did these very vocal gentlemen not mention informers, spies or Protestants as their targets? These words appear suspiciously like an attempt to precipitate a Free State versus anti-Free State war; and who would have wanted that at that time—late April 1922—when both sides were doing their damndest to maintain harmony?

At the meeting it proved impossible to put this question to Dr. Bielenberg as the format of the meeting allowed only minimal time for questions and the structure did not lend itself to any form of discussion.

#### MURPHY'S LAW

First from the floor was another UCC doyen, the Emeritus Professor, John a Murphy. He was outraged by any criticism of Hart, though none had yet been made at the meeting. He suggested that the IRA leaders were true Wolfe Tone Republicans but the rank and file were not. How could they not be sectarian after centuries of oppression by Protestants in all sorts of ways? The evil of Hibernianism was rife. And these types were therefore responsible.

Again no facts were provided to support this view. This is par for the course. But it begs some questions. Hibernianism was *Redmondism*, its cutting edge, popularly known as the Molly Maguires. It dominated politics all over Ireland in the pre-Great War era. Everywhere, that is, except Cork where it was vigorously opposed from the beginning by William O'Brien as

leader of the *All for Ireland League*, in alliance with D.D. Sheehan's *Land and Labour League*, the party of my grandparents. The fight against the sectarianism of Redmondism/Hibernianism was fought out—quite literally—in the towns and streets of Cork City and County. It resulted in the complete electoral defeat of Redmondism in both General Elections of 1910, when only one Redmondite survived—a Protestant whose election for that reason was not seriously contested by the O'Brienites.

If Hibernianism was the cause of the Dunmanway killings, there should have been a spate of such events all over Ireland—but least likely of all in Cork—where Hibernicism was countered from day one by every means possible and defeated. Terence MacSwiney's last words in Brixton Prison were about his delight at their defeat in Cork Corporation.

I often wondered why there has never been a study of the Ancient Order of Hibernians by our academics in Cork or elsewhere, despite its overwhelming presence in the pre-War era—and its survival down to the present day in a very watered down form. Of course it would be most embarrassing to have to admit that the source of the political anti-Protestantism that existed was Redmondism.

This is what Murphy was saying but probably without realizing it.

It was Redmondism/Hibernianism and that alone that gave a reality to the *Home Rule is Rome Rule* fears of the Unionists. Republicanism and the All for Ireland League were its polar opposite and this fact was explicitly recognized to be so by Carson in the House of Commons. Hibernianism was why the Ulster Unionists opposed the Home Rule Bill so vigorously—a fact not yet mentioned in the current commemorations.

#### REGAN

John Regan gave his talk and established quite technically and clearly that Hart's thesis was propaganda, masquerading as history. Facts were chosen to prove a point and those not suitable avoided. This was done all the time and had its uses but it was not worthy of the history academy. He pointed out that the only consistent critique had come from outside the academy and Regan gave prominence to Brian Murphy's pioneering work in this regard. He made clear he was not dealing with the facts of Dunmanway, but with Hart's methodology. (It is a pity that in his writings he does not always stick strictly to this approach and resist the temptation to draw conclusions that are not sustainable. The most significant being that

relating to Frank Busted in his *History Vol. 97* articles.)

Geoffrey Roberts, Professor of Modern History at UCC, took great offence at this critique of Hart and spoke very strongly against Regan's conclusions but only on the basis that it was a personal attack on Hart (which patently it was not) and that he, Regan, did not provide evidence for any contrary view. Regan had to repeat his basic argument: that he was not proving or disproving any of the issues about Dunmanway—he was analyzing Hart's methodology and had published his case for peer review. He suggested that Professor Roberts (and UCC) should do likewise if they had a case against him. This was received with loud and hearty applause.

As a former student at UCC, and an observer of its History Department for over 40 years, I can assure Mr. Regan that it will not happen—and if it does I will eat a copy of that month's *Irish Political Review*.

When it was put to John Regan that he might comment on the fact of 90 years without any evidence about who carried out this startling killing, and that it seemed odd that the most immediate evidence, as quoted above, was ignored by both speakers, all he could say was that there were many interpretations possible and he was not committing himself to any particular one.

MORGAN

The meeting ended on a surreal note when another member of the UCC History Department, Hiram Morgan, among other things, requested a grant of 5,000 Euro to carry out archaeological research on the Dunmanway killings. Reactions from some of the audience are not printable. There is clearly no higher ivory tower with thicker walls that that which harbours the History Department of UCC.

Jack Lane

## LAUNCH AND PUBLIC MEETING

Jury's Inn Hotel,  
Great Victoria St., BELFAST 2

Belfast Historical & Educational Society

**FRIDAY, 8th June, 7.30**

*Northern Ireland, What Is It?*

*Professor Mansergh Changes His Mind*

by Brendan Clifford

€18, £15

The author will examine the view expressed by Lord Paul Bew, Brian Walker and others that Northern Ireland is a State

\*\*\*

Other new publications will be launched

ALL WELCOME

# Shorts

from  
the *Long Fellow*

## GODWIN'S LAW

Godwin's Law on internet blogging states that, as a dispute becomes more bitter and lengthy, the probability of one of the disputants calling the other a fascist approaches one. A corollary of the law is that the person who first makes the fascist accusation has lost the argument.

It never takes Eoghan Harris very long to play the fascist card. Following the *Coolcrease* documentary on RTE he accused its critics of being "*holocaust deniers*". Most of his column of 6th May in the *Sunday Independent* is a hysterical reply to Fr. Brian Murphy, who criticised the *An Tost Fáda* documentary on RTE. Harris's thesis is that the Protestants killed in Cork and its environs during the War of Independence and its aftermath were shot for sectarian reasons and not because they aided the Crown Forces. The following extract suggests that, in proportional terms, Irish Republicans were worse than the Nazis.

"During Kristallnacht, in Nazi Germany, 91 Jews were killed. If the murder of 91 Jews could terrorise the entire German Jewish community, it is not hard to imagine the impact of killing 73 Protestants on the comparatively small Cork Protestant community."

It would be interesting to know what Harris's friends in Israel think of his comparisons with Nazi Germany.

## HARRIS'S RETREAT

But Harris's bluster cannot hide the fact that his response to Murphy is nothing more than a disorderly retreat. Here is what he says when he descends from his high flown rhetoric:

"I never wrote that the institutional Irish republican movement was sectarian. I do not believe that the first Dail or Sinn Fein or even the IRA were sectarian. I simply said there was a sectarian side to some specific IRA actions. Which there was. Leaving that aside, what on earth has a National Land Bank got to do with Dunmanway murders? Canon Salter's father was driven from Dunmanway because the local IRA wrongly thought he might be a spy. Land had nothing to do with him leaving."

So Salter's father was driven from Cork, not because of a sectarian motive, but because the IRA thought he was a spy!

And land had nothing to do with the "*Dunmanway murders*"?

In response to Murphy's point that Protestant leaders believed that the Protestants of the South had no fears on grounds of creed, Harris concedes that there was indeed:

"... a delegation of southern unionists who met with Lloyd George in August 1920 in support of Dominion Home Rule, and he did say these hopeful things about the position of southern Protestants.

"But that was in August 1920. Nothing bad had happened to Cork Protestants at that stage. But what Fr Murphy leaves out is that Beamish {a Protestant leader—LF} would not have been likely to say the same thing to Lloyd George two years later. Not after two senior members of the Dominion Home Rule League, including its secretary, had been shot dead as 'spies' in Cork".

So all the sectarianism only happened sometime after August 1920. But it seemed to have subsided by 1923. Harris goes on to say:

"In spite of the murder of 73 of his fellow co-religionists, Richard Beamish bravely decided to give the new state a go. In the 1923 General Election, he stood for the Progressive Association in Cork. As proof of his high standing in the community he was elected TD.

"Beamish sat in Dail Eireann until 1927 but did not contest the election of that year and returned to his first love, local Cork politics. He was elected alderman in 1930."

## MARTIN CORRY

There is nothing coherent or logical about Harris's narrative. Having endured a "*Kristallnacht*", Harris tells us a leader of the victim community stood for election and was elected to the national Parliament by voters who must have come from the oppressing community. But, according to Harris, all this *bonhomie* between the two religions in Cork lasted less than a decade.

"... when Fianna Fail came to power in 1932. Men like Martin Corry, with Protestant blood on their hands, were now coming to power. Disillusioned, Beamish left for England early in 1932. His story is emblematic of southern Protestants in general. They did their best to put the sectarian murders behind them, stayed in civic life, and only finally put their heads down when tribal nationalists took prominent parts in public life."

But was Martin Corry a sectarian bigot? Dr. Noel Browne didn't think so. When Browne was Minister for Health he was accused of being a "*communist*" for ending the ban on lay nurses obtaining promotion beyond the staff nurse grade. But he acknowledged in his autobiography that

the Fianna Fáil TD Martin Corry took a more mature and independent attitude to this reform in contrast to many Labour deputies and councillors (page 144, *Against the Tide*).

## AUSTERITY AND GROWTH

The Long Fellow gathers from the "No" side of the referendum that growth is good and austerity is bad. There is a belief that we can spend our way out of the recession. All that we need is a stimulus package. The argument goes that austerity is not working and therefore we must try something else. But what if the alternative is worse?

John Maynard Keynes thought that consumption drove the economy. Indeed, the ultimate aim of economics was to maximise consumption. An injection of, say £1 million into the economy would increase the national income of the country by a far greater amount. Keynes calculated that if the marginal propensity to consume was 80% the multiplier would be 5. The figure is arrived at by the calculation  $1/(1-0.8)$ . The multiplier effect would continue until full employment was reached; at which point inflation would result. Even a low marginal propensity to consume of 20% would lead to an increase in national income of 25% above the initial injection. The reason was that the increased consumption would encourage production and the economy would enter a virtuous circle.

However, Keynes solved a problem that has long ceased to exist. In the current crisis the people have not lost their propensity to consume. Quite the opposite! Consumption in the debtor countries had reached a level that was not warranted by the level of production (i.e. a marginal propensity to consume of greater than one). This was made possible by the availability of cheap credit from abroad. The foreign creditors are now unwilling to lend anymore which has forced the debtor countries to make a painful adjustment. A stimulus package or an increase in consumption in the debtor countries will only result in an increase in imports.

## IRISH DEBT

On the BBC News web site there is a map showing the amount of Gross debt to foreign banks of various countries. Ireland appears to be a complete basket case with a Gross debt of over 390,000 euro per person.

The statistic is practically meaningless for three reasons.

Firstly, it includes debts owed by banks resident in Ireland such as those in the International Financial Services Centre

which are borrowing from abroad. These banks are borrowing from foreign banks and selling to other international banks. It is not as if the liabilities reflect debt owed by Irish citizens.

The second reason is that gross debt is of little significance. Irish people might very well have borrowed from foreign banks. But the figures don't measure their assets. Someone who has borrowed 1 million and has assets of 1.1 million is in a better position than someone who has borrowed 100k but has no assets. Ireland is one of the most open economies in the world. The amount of foreign assets held by Irish citizens, whether directly or indirectly through investment funds is quite high.

Thirdly, many of the loans of British banks (e.g. Ulster Bank and Bank of Scotland) resident here have been transferred back to their parent companies to take advantage of the UK's bank bailout. It is likely that these are accounted for as loans from foreign banks. But these loans are largely non recourse loans to property developers who are bankrupt. They will not be repaid and therefore cannot be considered to be a burden on the Irish people.

So much for the British view of Ireland!

Gerard Murphy on Peter Hart

## Another Known Unknown

Gerard Murphy of *The Year Of Disappearances* fame, a revisionist book which embarrassed all the revisionist historians, keeps a website and in it on 14th February he claims that: "Between 1992 and 1998 Hart carried out a number of interviews in West Cork. In those he almost certainly discovered the real identity of the killers". But, for some reason that Murphy does not address, Mr. Hart did not tell us who they were. But all is not lost. The very, very industrious Hart surely made a note of this vital and groundbreaking information, and now his papers have been made available to Eve Morrison of the Trinity Workshop group so we will soon know! (See *Terror In Ireland*, p160, edited by David Fitzpatrick).

Mr. Murphy continues:

"This brings us to the troubling point of the identity of the killers. This is a matter of some sensitivity in West Cork. But their identity is known locally and they are believed to have been locals—admittedly with connections to the 1st Cork Brigade. Peter Hart did not name them and I am not going to do so either because nobody has admitted on paper that they did it. It is quite clear, however,

that in some cases their identity was known to the families of the victims—which would have been highly unlikely if they had come directly from Cork or Macroom."

What exactly is meant by saying that "*their identity is known locally and they are believed to have been locals*"? This makes no sense—locals know them but are not sure if they were local! This means the locals do *not* know them.

So Gerard is waiting for some paper evidence and then he will divulge his knowledge? But we all have been waiting and searching for years for such a piece of paper that might say who did it. What a farcical scenario—Hart knew, Gerard Murphy knows, locals know and the families of the victims know: but nobody will tell us. It looks like the dogs in the street know, but nobody knows. Could one of the knowledgeable people in question write a letter to Gerard Murphy confirming what they know and then he will have evidence of sorts on 'paper' at last and that may free him to cut the Gordian knot that has defied all and sundry for over 90 years. His reputation will be made and this debate will end.

Murphy has an interesting remark that echoes his namesake, John A:

"People like Seán Buckley and Tom Hales could not be described as sectarian. The Sinn Fein leadership always tried to distance itself from the anti-Protestant sentiments associated with the AOH and elements within Home Rule nationalism."

Is there a new consensus developing among revisionists—that the AOH was the culprit in Dunmanway? The two Murphys would seem to agree on that. Then you might as well say John Redmond was responsible. But the problem here is that the residue of the Redmondites in 1922 was the backbone of the Free State and so here we had Redmondites, i.e. Free Staters, shooting people whom they denounce as Free Staters! This issue could get even more curious than anyone could have ever imagined.

Academia

### QUB Tangles With Irish History

On page 138 of *Who Cares About Britishness* (sub heading: *A Global View of the National Identity Debate*), the author Vron Ware, quotes "a young academic... who teaches at Queen's University in Belfast":

"Irish history is not a popular subject" she said, "unless you go back to the seventeenth or eighteenth century, to the Flight of the Earls in 1798...".

John Regan argues that Irish historians have disgraced themselves as historians over this issue—but they have much further to go in that direction. If they follow the Murphys, they will become a laughing stock among their peers.

Jack Lane

### Correction

A new and very well researched website by Barry Keane has appeared which deals with the Dunmanway killings and related issues as they should be dealt with – by diligent, honest and transparent research. I hereby appreciate his correction of a point I made in the series on the Dunmanway killings in the *Irish Political Review* in an article of his, *Re-examining The Protestant Decline* (May 2012). He says:

"Most recently Jack Lane states those killed in April 1922 were not farmers '*in Dunmanway those killed were clearly urban and professional people—solicitor, shopkeeper, chemist, draper, estate agent, clergyman, post office clerk, etc.*' Yet Robert Howe, John Chinnery, John Bradfield, John Buttimer and James Greenfield were all members of the farming community. Ralph Harbord (the clergyman) was shot but not killed. Lane (2012) *The Dunmanway Killings-Curiouiser and Curiouiser.*"

While fully acknowledging his point, I should have said, and I hope Barry would agree, that these victims were predominantly urban. In this they differ from the well-authenticated killing of specifically Protestant farmers for Informing. My point was that the Dunmanway killings could not be simply lumped together with these other killings because of this—and because of numerous other features which are peculiar and unique to the Dunmanway killings. Barry's research work is the type that is absent from our academics and therefore admirable. It shows all the signs of hard work with no axe to grind. Let's hope we hear more from him.

His website is at: <https://sites.google.com/site/protestantcork191136/home/re-examining-the-protestant-decline> and well worth a visit.

JL

However the error arose, Ms Ware part clearly didn't bother to 'look up' these momentous matters. Confused in this brief extract are the 'Flight' in 1608 and the 1798 Uprising by Wolfe Tone and the Belfast radicals!

This book was subsidised by the British Council.

Neil Kinnock provided the blurb. That implies that the British Council (a nest of 'spooks' and spies—Kinnock's son was chucked out of Moscow some year's ago) has very little idea what went on—or goes on in Ireland.

Seán McGouran

## es ahora \*

### Protestant Ireland's response to the British Government's decision to dis-establish the Church of Ireland in the late 1860's:

"The Rev. T. Romney Robinson DD said that they had been the guardians of the peace in Ireland in times of doubt and danger. (Hear) On the three occasions at least, they preserved this island to the Crown of England—(hear, hear) and they are the flower of their countrymen in all that relates to the progress of the country..."

The *Irish Times* Archives.

### MODERN IRELAND

Now that news is coming in from Australia about how some of the young Irish emigrants are behaving, we follow things with a wry eye here. The debauchery that has become synonymous with the revelry of youth here in our cities and towns is so much the norm that we—the ordinary people—have accepted it and adopted ways of coping that would never have to be tolerated in other European societies. It is not just that at night-time we won't be caught walking the streets—and by that I mean anytime after 9-10 pm—but in day-time too. The young, and sometimes we are talking about those who look at most 8-13 years old, lounge around the city in recessed doors hustling for cigarettes etc. in such an aggressive manner that makes one feel unsafe. The most foul language is par for the course. And the spitting, public urinating, and roaring, shows in the most startling way how far our society has fallen. There are some lovely laneways around Cork city but you walk along them at your peril—and I am talking about the city centre from the South Mall up to Patrick Street. I am an able-bodied woman but I feel so sorry for the vulnerable elderly. And of course at night-time, especially in the weekends it is like Sodom and Gomorrah. Grown up women and men act like animals except that the latter don't usually soil their environment so revoltingly. It is such a disgrace but while we have to put up with it, the Aussies certainly don't. So they are deporting the *scuits* back to Ireland where for whatever reason the law/civic society/the politicians and for the most part the media here continue to allow this blight on our society to grow and no-one shouts stop.

Sometimes when something even the media acknowledges is outrageous hap-

pens there is the usual huff and puff but it quickly peters out. My theory is that once a liberal/secular agenda is advanced by the commentariat, they stick to it like glue and rarely want to engage with the profound changes that result from its implementation. Murder, mayhem, suicide, family breakdown, isolation of the elderly, trauma through state care of the young—all betoken a broken society. For the elite of our society though—this seems not to matter or else they accept it as part of the cost to bring about their kind of societal change. And of course here is the reason why—those same commentariat—exist in a bubble of a rarefied Dublin society—where they have an income proportionately so high that they never really have to face-off the kind of street gangsterism that the rest of us face daily. They won't be caught legging it down a lane to buy a half-pound of butter and running the gauntlet of such blackguardism that puts us—the ordinary citizens—at such fright.

The other night one of our elderly friends had to try to fight off two intruders who burgled their way into his home. He was lucky as he had a friend staying over, so the thieves left empty-handed but not before hitting our poor friend on the head with some kind of a stick. The fallout is that now he will never feel safe again in his own home and he feels such anxiety as night falls that it probably will be a long time if ever before he gets over the shock. At the same time, Minister Alan Shatter, TD and Minister of two departments—Justice and Defence (would the media ever allow Fianna Fail to get away with that before crying out that democracy was in terrible danger?), who was away for St. Patrick's Day in Australia with his family had his home burgled. Next morning the Gardai had gotten all the stolen items back—like they did once for Mary O'Rourke when she too was a Minister. So you can see that the breakdown of law and order does not affect the elite.

### THE SINS OF OUR AGE

On the 29th April 2012, I awoke to read the headline in The Irish Mail on Sunday.

One word capitalised '**GOTCHA!**' (It recalled for me the image of the Sun at the war-crimes sinking of the Argentinean ship *The Belgrano* in the Malvinos/Falklands conflict in 1982.) But there was a picture of a tired-looking Ned O'Keefe, which was claimed by the paper as an exclusive, who had been released by the Gardai "after 11 hours of interrogation over his bogus expense claims. As the DPP awaits the file, one question remains: why did the Clerk of the Dáil spend 18 months insisting there was **NOTHING** to investigate, the Mail screamed?" But the

*Mail on Sunday* should be more careful in their statements because, by stating Ned O'Keefe made "*bogus expense claims*"—no matter how long the Gardai kept him, until a Court case eventually finds him "*guilty*": the wording has to be "*alleged bogus claims*". O'Keefe is a very shrewd operator with a multi-euro pig business and he is the kind that will go for libel, after all his son Kevin, a Cork County Councillor has a big solicitor practice in their home town of Mitchelstown.

As a member of Fianna Fail, I remember one canvass with Ned O'Keefe and I found him to be churlish and rude. But some of his people seemed to indicate that he was not well, which immediately excused his behaviour by our more lenient standards. But I remember also being in hospital where I met a poor woman from his constituency who had begged her doctor for help in seeking treatment for a "*woman's ailment*" that was getting worse the longer she was delayed treatment by overlong lists. Not knowing Deputy O'Keefe and with nothing to lose, she saw him in his office—knowing she had never voted for him—and upon hearing of her plight, he immediately contacted a Cork hospital and she was scheduled for emergency surgery within 2 days. He was kind to her—she remembered—and followed up by making sure she was taken care of in other ways too. And, in my book, one good deed will always take precedence over media gossip any day.

Of course it isn't only the heads of Fianna Fail past members who are expected to roll—just because the media calls for them. They have an ever-present pulse for witchfinding the rather startled bishops of the Catholic Church. His Eminence, Cardinal Cathal Brady, Primate of All-Ireland was told his time was up by all the media: he had to resign for being present at a meeting when he was a young priest. His role was to take notes which he did—there was no suggestion that he did not do this—but by giving them to his superiors which is what he was supposed to do, the media now decided his head had to roll. The *canáing* and the cant by certain journalists and media whores was something to behold. It never ceases to surprise me that they are so awfully fixated on sussing out the sins of our people and making them pay *public restitution* that the Catholic Church of old looks like a docile body more and more by contrast.

In our "new modern Ireland" there is one word that makes the media quail with indignation and that is "*deference*". Even Mary Kenny has issues with it in an article in the *Irish Independent*, 9th December 2011. By using "*deference*", most of what is said by the commentariat amounts really

to prejudice shown to one man in particular —His Grace, Archbishop of Dublin, John Charles McQuaid. Every time an archival photo of the great church-man is shown, he is dressed in full canonicals and if one looks closely these are made of poor material —no robes of ermine or precious jewels for our Archbishop. If I was to guess at whom today are among the great "sinners" of the past, it would have to be undoubtedly Eamon de Valera and John Charles McQuaid. In papers, in books, in academia, in the chattering classes, in the political classes and most especially in today's toadying Fianna Fáil (and yes I mean you Micheál Martín and your cohorts), there are few as despised as Dev and John Charles. Kenny claims that every time Sean MacBride met His Grace the Archbishop—he fell to his knees in prostration —well what I know about the latter is that he would have given a good kick to MacBride and told him to cop on. Kissing the Episcopal ring while going half-down on one knee was acceptable once, but that was that and, if you were not so inclined, that too was *acceptable* to the Archbishop. This trash that passes for modern comment on the long-ago past is juvenile, degrading and moreover untrue. But bring the English Queen here and there is what amounts to a media edict to "respect her", be deferential towards her and generally act the total toady. Our "shared past" is fuzzy with good-will from the Monarchy and aren't we awed that she finally came. And as the Keeper of Her Majesty's Jewels stated recently—she bestowed upon us the honour of wearing during the State banquet, Her triple Kingdom Crown—England, Scotland and Ireland. Wales is only a Principality and Northern Ireland—well I am not really sure what that is. The triple kingdom crown is always the one she wears for the opening of the English Parliament too.

#### ABDICATION

But talking of Archbishops—did anyone see the brilliant documentary by Channel Four recently 'Edward VIII and the Plot to topple a King'. We think we all know the story—the King who loved a twice-divorced American Wallis Simpson and finding that marrying her was not possible, he gave up his Throne for love. Well that is the fuzzy lovey bit and it happens to be untrue. Recent archival research in Lambeth Palace has turned up the narrative of what really happened. Archbishop Cosmo Gordon Lang, the power behind the rule of King George VI—it was he who wrote his speeches and gave advice to the Monarchy on how to move into a more modern age. The young Cosmo first caught the eye of the then elderly Queen Victoria and hence a rapid

rise through the ranks to the pre-eminent position of Archbishop of Canterbury. But Cosmo had no liking for the young Prince of Wales who visited the poverty-stricken mining towns of Wales and listened to the fears of the working class. He also went over to France to see how the soldiers fared in the trenches and was justly appalled at their conditions.

Worse for the old guard like Cosmo, the young Prince leaned towards a more democratic England. This heresy had to be stamped out as Britain in the late 20s and early 30s experienced food and unemployment riots. What I found really interesting was that the Church of England felt a sharp fall-off in attendance at services after WW1. One academic said that for many—the mass industrial like slaughter of the trenches was a shattering awakening for ordinary people all over Britain. They questioned Bishops who blessed guns and generally led them into the slaughter while then watching on with the politicians.

Archbishop Cosmo Lang saw the act of crowning the King with Holy Oils— anointing his body on his hands, chest and head—as almost mystically divine. Now King Edward was more and more brazen about who saw him and Wallis Simpson together. He took her abroad to Southern France and was much photographed with her there. The scandal was in all the American and European papers. But Britain's censors held tight on the press and not a whisper was leaked to the great British public. All of society, on the other hand were talking about nothing else. The Archbishop finally went to see the King about ostensibly his Coronation but really tried to coax him into being more discreet about his love life. Discretion was the key word—he could do as he liked but he needed to tread with care. After the Archbishop left, the King was lepping with anger. He was outraged that someone even of the stature of the Archbishop of Canterbury would dare speak to him in such terms.

But the King had no idea of just who was his adversary now. There began a concerted campaign driven by Lang and other powerful people who leaned on the Prime Minister Stanley Baldwin to do something and soon, before the scandal broke in Britain. One contributor to the programme called it a smear campaign but the King's increasingly public outings with Wallis Simpson was doing the former no favours. He took her to Balmoral and didn't invite his brother Bertie and his formidable wife Elizabeth—Duchess of York. Poor Cosmo wasn't invited either even though every year he had been there under the old King. But the Yorks invited Cosmo to Birkhall and now Cosmo saw his chance. More pressure was put on

Baldwin but then the Archbishop wrote to *The Times* editor and told him effectively publish the story. Scandal ensued. Edward tried to brazen it out but finally had to make his call.

Even though the ordinary people showed great respect for their King begging him to stay, he now was doomed but the push had to be seen coming from him. And so the famous radio broadcast where the King told the people, he couldn't do the job without Wallis by his side. The Archbishop had his victory but then overreached himself by publishing a very damning indictment of the fallen King. Its lack of Christian charity in kicking someone who was down was noted by the people and made the latter ever more chary about their Christian faith which was now not just leaching away but actually haemorrhaging. After Bertie was crowned King in a lavish ceremony by Archbishop Cosmo Gordon Lang, it was time now for the British to revise their history—something that they have a particular genius for—so Edward was banished abroad and faded into the background.

The recent success of *The King's Speech* about Bertie's stutter being controlled was loved by the House of Windsor and had great success because Colin Firth's portrayal was so empathic. It would do Mary Kenny and our commentariat the world of good to look at the archival footage of the Coronation of Elizabeth II in 1953 and see how true to the core is the age of deference towards that institution—the English monarchy. And have a look at that documentary on Channel Four and see the gorgeousness of the Archbishop of Canterbury's canonicals—ermine, gems galore and beautiful gold embroidered cloaks—our poor John Charles wouldn't have got a look in.

#### BANVILLE

In an odd piece of TV footage about An Cúirt's festival in Galway, John Banville was interviewed by some local who remained out of shot. Banville was sitting in a lovely armchair and declared to the young man that all the John Banville novels were bad unlike the crime novels of Benjamin Black. The poor *gorsóon* was flabbergasted and obviously fell for what Banville plainly thought of as a joke. When the young interviewer leaned in and asked Banville was that really his view—Banville got right snitty and said that the Banville novels were not only good but the best out there. Then he leaned over to the lad and said he was being ironic and when no word came back—he leaned further in and signed "irony"—"do you understand"? We were left with that image as the view faded out.

**Julianne Herlihy ©**

## Mahon's Star Witness

As indicated in the May issue of the *Irish Political Review* Tom Gilmartin can justifiably be described as Judge Mahon's star witness. No other witness in this or any other Irish Tribunal has been granted criminal immunity.

Much of Gilmartin's evidence is not supported by documentary evidence. Often there is no corroborative evidence of any kind for Gilmartin's statements. In many cases corroboration from other witnesses is practically worthless, since the source of these witnesses' evidence is from Gilmartin himself.

Some of Gilmartin's most sensational claims are contradicted by his nemesis, the Cork property developer Owen O'Callaghan. In short, how Judge Mahon's Report is viewed is largely determined by whether Tom Gilmartin or Owen O'Callaghan is to be believed.

On this question of credibility it is worth quoting from Judge Mahon himself on these two important witnesses:

"Mr O'Callaghan was a calm and generally confident witness. He tended to listen with great care to questions put to him in the course of cross-examination, and was careful and precise in his responses. He sought a clarification of questions when in doubt as to their true meaning or intent. He was unfailingly polite and non-confrontational..."

"Mr Gilmartin, on the other hand, often exhibited a sense of bitterness, frustration and anger in the manner in which he responded to questions put to him as a witness. He sometimes failed to fully listen to or comprehend questions put to him, requiring repeated questioning on the same topic, and many interventions by the Tribunal Members or by examining Counsel for the purposes of prompting him to answer particular questions. He regularly displayed poor memory, particularly in recalling dates or the detail of particular events, and occasionally conflated those events."

And yet of the two witnesses Judge Mahon never fails to give the benefit of the doubt to Gilmartin, even when other evidence contradicts his statements. O'Callaghan's evidence, by contrast, is always considered suspect.

Tom Gilmartin is a Sligo man who emigrated to England in the 1957. He seems to have achieved some modest success there and in the 1980s was in a position to make substantial investments

in the Irish property market. Initial investments were on behalf of an English property company (Arlington Securities), but by the late 1980s he was able to make investments in his own right.

A successful property developer, like all business people, must understand his market. But, unlike other businesses, the State—in particular Local Government—is a key driver of that market. In simple terms, Local Government officials design development plans and elected local politicians vote on them and propose amendments.

At the very minimum it is useful for a property developer to know about the development plans; even better would be to understand the thinking behind the plan by first knowing who the key officials were and having access to them. Finally, there is the question of influencing both Local Government managers and politicians, which is the most controversial aspect. We will return to these issues in subsequent articles, but for the purposes of the matter in hand it is worth noting that there was one politician who understood all of this *and* was prepared to act on it in his own interests.

There were other politicians who solicited money from developers, but there was only one that presented himself with a business plan for developers. He knew who was important within Dublin Corporation and promised and delivered access to these officials. He also had a keen understanding of Local Government politics and could advise on what was possible and what was not. Also, he had a detailed knowledge of property and who owned it, particularly in West Dublin. The point of this digression is that Tom Gilmartin had an early involvement with this politician. He was making payments of IR£3,500 a month (the payee on the cheques left blank) on behalf of Arlington Securities to Liam Lawlor TD in 1988 and was aware that Lawlor looked for a share in the property investments of developers. He could have had no illusions about the most controversial aspect of property development in Dublin.

Tom Gilmartin's contact with Owen O'Callaghan arose out of specific circumstances. Gilmartin had bought some property in Quarryvale which was considered ideal for retail development. The

problem was that it had not been zoned for such development. O'Callaghan's company owned property in Neilstown. This *was* zoned for development, but O'Callaghan could not find any anchor tenants for his property.

This was an interesting problem that was not supposed to arise. Media commentary tends to see the County Manager's development plans as being infallible. Any change as a result of lobbying from developers is seen as corrupt. But here we have a situation where the owner of a property, which was zoned for development, had come to conclusion that it had limited potential.

Meanwhile, O'Callaghan could see that Gilmartin, a relative novice in Irish property development, had landed (literally) on a potential jackpot. But the jackpot was only "potential". O'Callaghan had still some cards to play.

About 30% of all Dublin Councillors (mainly from the Labour Party) in Dublin County Council always opposed any amendments to the County Manager's Plan, even if that plan which was done every 5 years, had become out of date as a result of rapidly increasing population. Such politicians present themselves as virtuous, but in many cases they are responding to the "Nimby" (Not In My Back Yard) element of the electorate.

So if Gilmartin were to succeed in the rezoning of his Quarryvale property he would need 5/7ths of the 70% of councillors amenable to rezoning in order to obtain a majority on the Council. A respected property developer like O'Callaghan would have been in a strong position to prevent such rezoning. Also, there were other property developers and local communities, such as in the nearby Blanchardstown area, who would be likely to perceive such a rezoning as undermining plans in their area.

Another difficulty that Gilmartin had was that he had no real track record in Ireland. He made a presentation of his plans in the lavish setting of the Berkeley Court Hotel. An AIB internal memo concluded that he did not understand retail development in Ireland. This was a worry for AIB since it had lent Gilmartin's company IR£14.5 million.

By December 1988 Gilmartin and O'Callaghan decided that they needed to do business with each other. Gilmartin purchased an option in O'Callaghan's Neilstown property in January 1989. The deal involved a payment of IR£800k payment up front; IR£1.35 million, 1 year from the signing of the contract; and a

further IR£1.35 million on the rezoning of Quarryvale. From O'Callaghan's point of view the deal was satisfactory because he had sold land of limited development value. Gilmartin, on the other hand, had given O'Callaghan a large incentive to bring his expertise to bear in the rezoning of Quarryvale.

It appears that Gilmartin was unable to fulfil his side of the bargain, which placed him in a vulnerable legal position. By the Summer of 1990 AIB also began to have doubts about Gilmartin's finances. These concerns would appear to have been well founded. He was not meeting his repayment schedule and two years later in October 1992 he was adjudicated bankrupt in the UK.

The matter was sorted out and O'Callaghan ended up owning 40% of the company that owned the Quarryvale land, having put up no capital. Gilmartin retained a 40% share and AIB held the remaining 20% with the first call on its loans. Gilmartin felt that the dilution of his share was unfair and this seems to have been the source of his grievance.

But the hard fact is that O'Callaghan had Gilmartin over a barrel as a result of the latter's failure to honour the Neilstown deal. Also, AIB had lost confidence in Gilmartin. Finally, O'Callaghan was the person who organised most of the lobbying work enabling Quarryvale to be rezoned.

To say the very least the relationship between Gilmartin and O'Callaghan was acrimonious. Gilmartin felt that O'Callaghan was a "gangster". Gilmartin made frequent verbal complaints to AIB about O'Callaghan. AIB documented these complaints. None of AIB's internal documents indicate that Gilmartin was concerned about payments to politicians. All of them relate to the dilution of his share in Barkhill Ltd, the company which owned the Quarryvale site. Ms Basquille, an account officer in AIB, in one of the numerous calls Gilmartin made to her, requested that he make his complaints in writing. But no such written complaint was made.

There is no doubt that Gilmartin was aware of payments to politicians. But he did not consider the matter serious enough to write a written complaint to the Company Secretary or to have the item put on the agenda of any Board Meeting.

However, in December 1992 according to Mr. Kay (a senior manager in property and construction in AIB's commercial division), Mr Gilmartin told Ms Basquille that he intended going to the press and that he "was going to pour out all of his com-

plaints and grievances about how he had been treated", and that he would "wreck the whole project and bring it down".

Judge Mahon considers it "inconceivable" that Gilmartin did not complain about payments to politicians and Frank Dunlop's involvement with Barkhill. This is an opinion based on no evidence. He therefore has to conclude that AIB's records were inaccurate and incomplete.

The documentary evidence indicates that Gilmartin's complaints related to his treatment as a shareholder. However, he was prepared to use the payments to politicians as a means to prosecute this complaint.

In 1996 there was a prospect that Grosvenor, an English property company associated with the Duke of Westminster, might express an interest in buying the Quarryvale site. At a Barkhill Board meeting of 8th February 1996 attended by among others Gilmartin, O'Callaghan, AIB's legal advisors, Noel Smyth (Gilmartin's legal advisor), Ms Basquille and John Deane (a business associate of Owen O'Callaghan), Deane noted the following:

"Noel Smyth indicated that he had been instructed to advise Tom Gilmartin. Tom Gilmartin had put in £4m to £5m upfront and the Grosvenor deal as envisaged would seek to have the Bank repaid in full before any of the shareholders received any funds due to them'. As far as Noel Smyth was concerned his instructions made it clear that there was some misrepresentation and duress by the bank and that Tom Gilmartin was an oppressed shareholder. There are a number of matters around the time for the site assembly, those which are of grave cause for concern. Also the Shareholders Agreement leaves a lot to be desired. He had advised his client to initiate proceedings. He also had four or five Councillors who would be subpoenaed to give evidence. Noel Smyth stated that it was not his intention to use the delicacy of the Grosvenor deal to 'blackmail' anybody but he felt equally that the bank should be cognisant [sic] of the fact that they were only entitled to be repaid funds on a pro rata basis as the Bankcentre held themselves to be partners in the deal. Consequently, as partners they shall only receive funds pro rata to the other shareholders."

Frank Connolly who has championed Gilmartin's cause wrote:

"After he lost control of his company to Mr O'Callaghan and AIB, Mr Gilmartin told his story to solicitor Noel Smyth who threatened senior bank executives in

1996 that if it did not return some £6m to his client, he would blow the lid on the whole business" (*Irish Independent*, 25/3/12).

According to Mahon, Gilmartin actually received IR£7.7 million for his share of Barkhill following the sale to Grosvenor.

Judge Mahon does not comment on whether Gilmartin was blackmailing the other shareholders in Barkhill or not. Gilmartin's integrity must never be questioned.

In the next issue of the *Irish Political Review* we will examine in more detail the credibility of Gilmartin's allegations.

#### A Reply To Stephen Richards

### Views Of Sinn Fein

"...maybe I was too influenced by Brendan Clifford before he slowly turned around... But what I sense is the absence of any appetite to analyse the very strange development of Sinn Fein from the early 1990s on. So, not much intellectual curiosity in the pages of IPR in that regard these days. I also find it peculiar that Brendan and others in their anxiety to demonstrate that the IRA of 1919 to 1921 was not engaged in sectarian murder fail to consider the evidence that the Provisional IRA... was so engaged... I don't believe that Northern Ireland is a better place for the Provisional campaign ... That there was a sizable minority in the whole island [in 1918] which was stubbornly opposed to Sinn Fein shouldn't stand in the way of the march of a nation. Very well then. The Provisional campaign was conducted on behalf of a minority of a minority and in the face of not just one but a whole series of election results, which the obnoxious method of government set up in 1921 doesn't cancel out. Northern Ireland reduced to a human and economic wasteland on foot of a dogged denial of the national rights of a majority. The democratic rationale of the IRA campaign was therefore more akin to that of the Black and Tans, as was the method of warfare... It is like the villages in Vietnam that had to be destroyed in order to be saved... The 'war' was bad enough; the hypocrisy of the peace movement was astonishing. The last chapter of *Animal Farm* comes to mind. I'm sorry to have to labour these points, which I wouldn't do but for the studied refusal of the IPR to engage in lively debate about them" (Stephen Richards, letter in *Irish Political Review*, February).

Stephen needn't worry about having been influenced by me. He wasn't. He might well have read a lot of what I wrote, but if so he re-wrote it in the reading.

"...what is our special aim in view  
The while we read a book, or while we  
wrote it?  
For if aright we read it, then we write it.  
Reading an action is as much as writing,  
But we must couple action with volition;  
For action without will is no true action  
Is virtually, though often done, a non-act"  
(Werner, *The Templars*).

Stephen's re-ordering of what I wrote as he read it must have been thorough and sustained if he made it into lively debate. What I did over four decades was monotonously reassert a number of basic opinions about Northern Ireland: that the Protestant community would not collapse under nationalist pressure; that the Catholic community was deprived of a democratic medium of political development; that Northern Ireland was not a state and therefore could not function as a democracy; that Constitutional nationalism was futile; that the only possibility of cross-community politics lay in the abolition of the Northern Ireland system and the return of the Six Counties to the political life of the state; that within the Northern Ireland system there was no organic body politic which experienced events in the same way, but two political bodies in systematic antagonism such that what one experienced as better the other experienced as worse.

I sometimes thought that I should not keep on repeating these things monotonously, month after month, year after year: that I should take them as being understood through having been repeated enough. Fortunately I decided that nothing could be taken as understood and kept on repeating them, with never a thought for "lively debate".

I did not know that I was "anxious" to demonstrate that the war of 1919-21 was not a sectarian murder campaign. I knew that it wasn't. When, forty years ago, some Fine Gaelers suggested that it was, I waited for them to make their case, but they didn't. But, if they had done, I don't see what bearing that would have had on the Northern Ireland situation.

The comparison of the Provos with Cromwell is merely absurd. Cromwell had gained absolute power in the State and didn't know what to do with it. The Provos shaped the resentment of an oppressed community into a politically directed military force which compelled the powerful State to make a political arrangement that it had never contemplated before the War, in which the notion that there is a Northern Ireland body-politic is discarded.

Stephen says the Provos achieved nothing "in terms of their stated ideology". That observation might have relevance somewhere, but not here. The *Irish Political Review* distinguished long ago—though perhaps only 30 years ago—between cause, purpose and ideal in this matter, asserting that it was not Partition as such that caused the War but the Northern Ireland system of British Government. The experience of oppression did not come from the thought of Partition but from experience under the mode of government that accompanied it.

It was the actual experience of oppression and the purpose of relieving it that caused the War, in the sense of making it possible. The ending of Partition was an ideal attached to the War but was not its driving force. And it is at least a quarter of a century since I heard Gerry Adams on radio relating to that condition of things, and envisaging an interim settlement on the lines of what was got about ten years later.

It is 38 years since Athol St. launched the campaign for incorporation into the political democracy of the state. It is 26 years since that campaign got lift-off under the impact of the 1985 Agreement, conducted by David Morrison on the basis of a series of pamphlets written by me, and forced itself on the attention of everyone in Northern Ireland through the medium of Radio Ulster. About two years later the campaign was aborted. David and myself were denounced to the membership of the Campaign for Equal Citizenship (of which I believe Stephen was one) by Robert MacCartney and Dr. Lawrence Kennedy, assisted by Jeffrey Dudgeon. A new departure was undertaken, free of Athol St influence. The Campaign for Labour Representation was similarly re-made on Unionist lines by Kate Hoey, assisted by Dudgeon.

The denunciation at the CEC was passively received by all members. The CEC then withered quickly, as did the CLR replacement, Democracy Now.

"Brendan Clifford... slowly turned around", Stephen writes.

Whatever turn it was that I made, it was not done slowly. It was instantaneous. I recall, when Hoey and Dudgeon turned to Union Jackery, looking at Pat Muldowney, who had put a great deal of effective effort into building up the CLR, and the two of us knowing it was all over and decided to let them get on with it. The only action we took was to let it be known that we were no part of the new departure.

The CLR had been a source of

considerable irritation to the SDLP and the Labour Party. They had tried to dismiss it as a smart Unionist ploy, but found it hard going in the face of the strong presence of Fenians in it. But when Hoey and Dudgeon, backed with strong financial support, siphoned off most of the Protestants from the CLR and presented them under the Union Jack in Democracy Now, that did not degrade the issue into a smart Unionist ploy.

In doing this Hoey and Dudgeon were in harmony with general Unionist sentiment. But we had achieved something. We had obliged the Protestant community to choose between Ulsterish communal antagonism and the democracy of the state. It chose communal antagonism. I thought it was very foolish. But I had no intention of flogging a dead horse. Unionist Ulster chose the arena of communal conflict in preference to the democracy of the state. I had failed. I acknowledged failure. What has happened in the last 20 years has nothing to do with me.

Unionism chose communal conflict on "the narrow ground". The Catholic community had no choice but to wage its conflict on the ground chosen by Unionism. The Provos, while conducting the struggle competently within the framework chosen by Unionism, also had a wider perspective—United Ireland—and that gave it an edge in the Ulsterish conflict. I could not see what other wider perspective was open to the Catholic community. The Protestant community—the British—closed off the wider context of the state (Britain) and damaged itself by doing so.

I made a final attempt, when it was evident that the CEC had blown it, to retrieve something by trying to get the middle class Unionists attached to it to understand about civil society action in British politics. It was a waste of breath. It was given a sinister interpretation by Dudgeon. Denunciation to the membership of the CEC followed, and the staunchest individualists, reared on Biblical independence, who had been reading my pamphlets avidly for a couple of years, accepted it as meekly as if they had been disciplined members of a Communist Party. I would have been very surprised if they hadn't. I was excommunicated in my absence, and I thought it was a fitting end to that little adventure.

I drew up a reply to the points made in the denunciation, which was fully reported to me, and gave it to the CEC Secretary for circulation to members, telling him that if it was not circulated I would publish it.

But the purified CEC then fell apart so quickly that I didn't bother.

About fifteen years before that a fundamentalist Protestant activist had asked to meet me, and had explained to me that what I was attempting was unachievable. He was unusual in that he grasped intellectually what I was attempting, and he knew intellectually that it was what should be done, but he also knew in his bones that it could not happen because Biblical Protestantism was profoundly resistant to political understanding in the context of the state. He knew this because he knew himself. He could explain it to me without disturbing his own resistance to politics by doing so.

A degree of political capacity did eventually develop within the Protestant community. It did not develop within the stratum that saw itself as the political class of Unionism—the respectable, 'moderate', middle class that was the substance of the Official Unionist Party. It came from Paisleyism. I have no idea why this should be. My knowledge of the difference of belief and practice within Protestantism is meagre. But it is so. And respectable, moderate Unionism bombards Paisleyism with flights of debating points which, if they are seriously intended, could only have the object of breaking the unprincipled peace established by the DUP and Sinn Féin and restoring principled warfare.

About 1970 I published a pamphlet about the conflict over the Third Home Rule Bill. I intended to publish one about the First Home Rule Bill in 1886 and call it *The Birth Of Ulster Unionism*. I looked up the *Northern Whig*, which had radical origins in United Irish circles and had become the daily paper of the Liberals in the North—that is, members of the Liberal Party which then operated in the North, as did the Tory Party. I expected that its case against the Home Rule Bill would be argued in democratic terms based on the distinction of nationality. It wasn't. I don't recall the exact words used, but the argument was on the ground of what might now be called ethnic superiority. So I abandoned the project.

I then began to notice that my analysis in terms of nationality was not congenial to most of the Protestants, who otherwise seemed to get the point I was making. They were not at ease with the word. They had to remind themselves of it, lest they should say 'ethnic'. I could never get a hard meaning for *ethnic*. It seemed to express something between nation and race, tending towards race.

Where I come from, the term 'nation' had nothing ethnic about it. We knew that what we lived in was a racial or ethnic *melange*, not simply political but with a vigorous political element in it. I suppose that was what made it uncongenial to the Ulsterists, whose instinct seemed to be to curl up into themselves.

I suppose it has to do with every Protestant being an autonomous entity, standing alone with his Bible and bearing witness to timeless truth under the aspect of eternity, and feeling degraded if he is touched by the shifts and compromises of political action in the sequence of events in time, while Catholics are herd shielded from eternal truth by the priesthood and therefore at ease with the political life of the world.

I could see why ethnicity fitted better with Biblicalist elitism than did nationality. But, whatever the reason for it, that is what I observed during my twenty years in Belfast.

I also observed that the mentality of a frontier colony had survived in the Protestant community for four centuries and that, when they looked around the world, a sense of affinity drew them towards Israel, and towards apartheid South Africa while it existed.

I was intrigued by this long survival of the Planter mentality. When I went into it, I found that it was not a survival at all, but a new creation of the mid-19th century. I found out in various ways that the 1859 Revival—an astonishing event—had wiped out the history of two-and-a-half centuries from the mind of Protestant Ulster and that it had begun its world afresh. And it seemed to me that the ahistorical, apolitical event of the 1859 Revival has exerted a decisive influence on the conduct of every generation since—until Paisley broke free of it.

If Stephen thinks Northern Ireland is a coherent political entity which experiences events as good or bad across the board, that is a notion that survived his reading of what I have been writing monotonously to the contrary. What the 40% experience as good, the 60% experience as bad, and *vice versa*. That's the dynamic of the system—or is at least how I have been monotonously describing it.

Likewise with democratic legitimacy. Did he never notice my endless repetition of the view that Northern Ireland had none; that if Partition could in a sense be described as democratic, the setting up of the Northern Ireland system as the means of enacting and continuing Partition could

not; and that voting in Northern Ireland, excluded from the political life of the state, was, considered from a democratic viewpoint, only a kind of fetishism?

As to "*wanton sectarian murder*": a friend of mine was picked up by Loyalists in the early seventies to be shot because he was a Catholic. It so happened his address was used for the publication of a leaflet that I had written, making a case for Partition. By use of his wits, he managed to delay his execution until they checked on whether the tall story he was telling them about being a Catholic who supported Partition was true. They marched him to his flat, read one of the stack of leaflets, and let him go.

He wasn't a bit grateful to me for saving his life. Nor should he have been. He left British Ulster for Britain soon after. A great many Catholics were picked up at random like that and killed. This was entirely different from feuding between known groups on either side that went on in certain areas. Nor was it a mirror image of what was being done on the other side. And the awful thing was that I understood why they were doing it. They were defending the indefensible system that Britain required them to run. Their view of the world had shrunk down to the parameters of that system. They had no political object to strive for, which might have reinforced in reality their imagined position as British. So they killed Catholics. And some very respectable Unionists encouraged them in the killing of Catholics. I tried to divert them into politics, but their betters told them not to think of it.

The Provos had an object beyond the Northern Ireland system. They declared war on the state, which is not Northern Ireland. The State did its best to "*Ulsterise*" the War—i.e. to make it a war between Catholics and Protestants. The Secretary of State took groups of Protestant paramilitary leaders off to Holland and the USA for indoctrination courses in Ulsterisation—or Sectarianisation, if one wants to use the word *sectarian* for the only kind of activity that the Northern Ireland system generated amongst those whose outlook was bounded by its horizons. We exposed it, and opposed it as best we could, and demanded that the State should fight its own war. Stephen must have missed that.

The Unionists responded to the British call for Ulsterisation. They were Ulsterising like mad when we tried to Britishise them. And one of the most impressive things the Provos did was resist Ulsterisation to a very considerable degree.

With his "*minority of a minority*" debating point, and all the rest of it, it is obvious that Stephen is in comprehensive disagreement with the view of the Northern Ireland situation expressed monotonously by me in the *Irish Political Review* for so many decades. It's a pity he didn't direct his criticism at that view, and show that Northern Ireland is a state with a democratic political system. Or at least show that the present form of devolved government, which seemed to us to have been conceded to a military campaign that

could not otherwise be stopped, was on offer 40 years ago.

Paisleyism navigated its own way through the decades since 1969, as did the Provos. Respectable Official Unionism took advice from the Official IRA, which was driven by a feud against the Provos, and also against BICO because of the "*two nations*" and the advocacy of British politics for British Ulster. That was the most extraordinarily stupid thing I have ever seen in politics.

**Brendan Clifford**

## In Memory Of Jim Hurley

### *An Appreciation by Tom Barry*

INTRODUCTION BY MANUS O'RIORDAN

On April 29th, for the second Sunday in a row, Eoghan Harris persisted with the latest phase of his *Sunday Independent* campaign to portray the War of Independence as a sectarian war against Cork Protestants. He decided to add one more name to those he is intent on smearing. He proudly wrote of his own disedifying behaviour in setting out to cadge and sponge free booze off an indulgent Tom Barry:

"I sought the company of two older men who had a revolutionary past: Tom Barry and Jim Hurley. Helped by the fact that Barry was buying, we drank with these two old soldiers pretty much every night in the Grocer's Club in Cork, where we seemed to be the only customers."

He related how during a protest march Barry had "*lifted his hand in salute*" to Harris, on which occasion, presumably, a nod had been as good as a free drink. And then he proceeded to bite the hand that had bottle-fed him:

"I can only recall Barry telling the '*false surrender*' story once... He told it like a man speaking by rote. Jim Hurley listened as if by rote. On Hurley's face was what I now call the '*republican rictus*': the glazed look on the faces of old IRA men listening to comrades gilding the lily about some atrocity called an ambush, or the sectarian shooting of a Protestant concealed by the term '*an oul' West Brit*'..."

As, of course, those he claimed to have been his drinking companions are now dead, we only have Harris's own word for such an anecdote. But, although I myself had met Jim Hurley—a distant relative—face to face on only one occasion, I knew

enough of him from my Clonakilty mother and her family to recognise Harris's portrayal of him as being, at the very best, a grievous misinterpretation. I promptly sent in a corrective letter on May 1st to *Sindo* editor Anne Harris. On the following Sunday, May 6th, Eoghan Harris returned to his sectarian theme. He did indeed refer to one letter published by the Harris-O'Reilly propaganda sheet—not my own, but one published on April 29th from Father Brian Murphy, who had quite correctly written: "*It is important that light be allowed to heal the scars and wounds of sectarian darkness that emanate from the pen of Eoghan Harris*". On a previous occasion, on September 21st, 2003, under the heading of "*Sam Maguire and the Cork pogroms*", Harris had also written:

"As I sat in the car contemplating the Sam Maguire Plaza, I wondered what he, a Protestant who had thrown in his lot with the nationalist cause, felt about the campaign of burning and bullying carried out by Tom Barry's men against Maguire's neighbours, the ordinary Protestant farmers who let their loyalism show?"

On this May 6th, Harris proceeded to object to the Brian Murphy sentence I have just quoted:

"Naturally the editorial end of the paper drew my attention to that sentence. I would have been within my legal rights to have it removed as possibly defamatory. But I decided to let it stand. Because I think it says more about Fr Brian Murphy than about me."

"*The editorial end*" was rather an odd way for Harris to refer to the person who is both his boss and his ex-wife. Different strokes for different folks. Eoghan

obviously regarded my statement—that he had misinterpreted Hurley—as being even more "*defamatory*" than what he had objected to in Brian Murphy. So, Editor Anne Harris suppressed every single word of my letter, notwithstanding her own hypocritical column on May 6th entitled: "*Confronting our truths requires a free media*". If, perhaps, the Harrises' part-owner, Sir Anthony O'Reilly, should at some stage put in a good word for them with Buckingham Palace, we might yet get to see Eoghan and Anne with the respective titles of Baron Baltimore and Lady Aldershot. I am, of course, assuming that Anne Harris remains proud of her 1972 apologetics for the Official IRA bomb at Aldershot that blew five cleaners, a gardener and a Catholic priest to smithereens, since she has never yet acted in line with her ex-husband's *diktat* in his own May 6th headline: "*Time to stop nitpicking—say sorry and then shut up*".

But who was Jim Hurley?

In Chapter XIII of his 1949 history of the War of Independence in West Cork—*Guerilla Days in Ireland*—Tom Barry introduced him as follows:

"On the night of January 31st (1921), an informer was arrested by the Flying Column, court-martialled and sentenced to death. He was shot and labelled on February 1st. On that night the Column left Ahiohill to march by a circuitous route to Burgatia House, Rosscarbery. Jim Hurley marched with me to talk on matters affecting his Battalion Area, through which we were now travelling. Hurley was then about eighteen and a half years, probably the youngest, and certainly one of the best Battalion Commanders in Ireland. He had been Battalion Adjutant, and had succeeded Dan Harte who had a breakdown in health at the end of 1920. Jim Hurley had served with the Flying Column on previous occasions and was continually appealing to me to bring the Column to his Battalion Area, and now here it was marching to billets before attempting to destroy Rosscarbery Barracks."

"The billets, in this case were a British Loyalist's large house at Burgatia, a mile from the enemy post at Rosscarbery... The owner of Burgatia House was a leading loyalist, charged with espionage against the I.R.A. and with secretly carrying all the Black and Tan mails between Rosscarbery and Clonakilty. He was due for arrest and trial... The owner, a prisoner under close arrest, was brought for trial in the morning. Confronted with evidence and questioned for an hour, he admitted that he had been secretly carrying dispatches between the Rosscarbery and Clonakilty enemy garrisons. His defence was that as the mails were unsafe owing to I.R.A. raids,

the Black and Tans would have to travel daily with those messages had he not volunteered to bring them. This would endanger the Black and Tans as they were almost certain to be ambushed, and he wanted to save their lives. On the charge of attempting to organise an espionage ring for the British he quibbled, stating he was only trying to organise an anti-Sinn Fein Party in the interests of peace. The evidence against him of spying was strong but not entirely conclusive."

"By all rules this man deserved the death penalty. Guilty of treason and treachery to the elected Government of his own country, he had confessed to aiding actively the enemy armed forces in the guise of a civilian. His excuse for his espionage activities was a poor one, but luckily for him he had not caused the death of any member of the I.R.A. up to the time of his arrest. Mainly because of this he was not sentenced to death, but ordered to leave the country within twenty-four hours. His house was to be burned and his lands and possessions were declared forfeited to the State. Until the Government of the Republic could decide as to their permanent disposition, his lands were to be divided amongst his workers and other local landless men, as sanctioned by the West Cork Brigade. He appeared to be surprised and relieved that he was not to be shot" (1989 edition, pp78-81).

Another informer had alerted the British forces, with the result that the Flying Column, having come under fire and in danger of being trapped, was forced to vacate the house. But later:

"Jim Hurley and Con O'Leary and I with three rifles, returned towards Burgatia and approached the house in darkness. After cautiously circling the building we entered through an unlocked back door and found the house unoccupied. Placing furniture and beds high in two large rooms and sprinkling well with paraffin, we set the building on fire and moved quickly towards Rosscarbery, where we knew the enemy troops and Black and Tans had assembled... The return to burn Burgatia House and to fire on the enemy in Rosscarbery was not an act of bravado, but part of a calculated policy. The owner had been told that his house was to be burned, and if we had waited to carry out this sentence, the house would be heavily guarded, or more likely another well-nigh impregnable enemy barracks. It had to be done that night or not at all. The attack on the enemy in Rosscarbery was equally imperative as a matter of prestige... More interesting in view of the many published British calumnies on the behaviour of the I.R.A. was the statement of the wife of the owner of Burgatia House, published in the *Cork Examiner* of February 4th, 1921: 'Asked about the demeanour of the men, Mrs.—said they were all right and

*did not treat her roughly. Most of the men seemed to be very hungry and were cooking all night in the kitchen... Mrs.—'s narrative was supported by her husband. He added that shortly before firing began, he was blindfolded and questioned... He was led into a large room to be 'court-martialled' by three men, one of whom sat in an armchair and said he was an officer. Mr.— had no opinion to offer about the burning of his house.' The household left Ireland immediately" (pp 84-86).*

Chapter XX went on to describe how Rosscarbery Barracks was finally destroyed:

"It was practically a new Flying Column that left Ahiohill on the night of March 22nd... Jim Hurley was back with us again. He had been severely hurt destroying a bridge near Clonakilty in the first week of March so had missed the Crossbarry fight. Now he hobbled painfully on sticks, but short of a direct order, which I was reluctant to give, he would not leave... In the early hours of March 30th we reached Benduff, three miles west of Rosscarbery... The Flying Column paraded at 9 p.m. and the men were told for the first time they were to move at midnight to attack Rosscarbery Barracks... Our actual attacking force comprised twenty-one officers and men. Defending this Barracks were a Head Constable, two sergeants and nineteen constables, who were nearly all Black and Tans with European war active service... I was flanked by Mick Crowley and Jim Hurley. The bearers lowered the mine noiselessly... The roar of the explosion came a few seconds afterwards... It took us nearly two hours to clear the enemy from the front ground floor rooms. When the garrison retreated upstairs they left two dead comrades, Sergeant Shea and Constable Bowles, below and maintained their sturdy defence from the top storey... Then the end came after four and a half hours of fighting. We could not get up the stairs through a sea of flames, but neither could they come down to surrender. So they threw all their arms and ammunition on to the burning stairway, lowered their wounded through the back window and climbed down after them. They huddled together—a disarmed, defenceless and shocked group of men in various stages of undress. Nine were wounded, some very badly... The bodies of Sergeant Shea and Constable Bowles could not be reached as they lay on their funeral pyre in the now fiercely burning barracks..."

"(During the previous year) Jim Hurley, Jim Murphy and one or two others opened fire on a (Rosscarbery Barracks) patrol, killing Constable Brock. Yet no members of this garrison had ever run amok. Therefore we sought no revenge. The enemy survivors found shelter and were given first aid in some houses in the town and in the nearby Convent of Mercy. This

garrison had fought exceptionally well and had defended their barracks to the end. But good as those men were, they were far excelled by the men of the Flying Column... By some extraordinary good luck none of the Column were killed or wounded..." (pp 141-151).

It is always an uplifting experience to return and re-read *Guerilla Days in Ireland*. I presume that Harris did at least have the elementary decency to have already read the book, recognising that there had been no sectarian war waged by Barry and Hurley, and that he had an otherwise trouble-free conscience on that score before deciding almost half a century ago to seek out Tom Barry's company for alcoholic maintenance. Times change. As for his current expeditions, while I myself was prepared to believe that Harris might have been in Jim Hurley's company on several occasions, and while I was merely arguing that he had misinterpreted Hurley, the latter's son Cathal obviously knew much better still. Under the heading of "*Different view of Jim Hurley*", the Harrisese were obliged to publish the following letter in the *Sindo* on May 13th:

"An article by Eoghan Harris has been brought to my attention. The remarks made by Mr Harris in respect of my father, Jim Hurley, are inaccurate and upsetting. It is unlikely that Mr Harris had reached his 22nd birthday when Jim Hurley died in February 1965. If Mr Harris ever met Jim Hurley, he most certainly was not acquainted with him as portrayed in the article. Mr Harris states that he and Jim Blake spent pretty much every night drinking with Jim Hurley and Tom Barry in the Grocer's Club in Cork. This is manifestly incorrect because Jim Hurley, who never drank in his life, was most certainly not in the Grocer's Club on several occasions, if ever, and had neither the patience nor inclination to spend any time in the company of those drinking."

"Mr Harris states that Tom Barry talked about events by rote and that Jim Hurley listened as if by rote with a glazed look on his face. This is simply not credible. Jim Hurley was the most independent and moral of men. He and Tom Barry were genuine friends. Neither would do anything by rote. Nor were they advocates of war. My father, Jim Hurley, often explained to us the horrors of war, especially of close combat. He was a man of peace and reconciliation and constantly advocated that to us, his children, and gave us great example in that respect at many levels. His greatest act of reconciliation is that he and John Collins, brother of Michael Collins, are, by mutual agreement, laid to rest side by side in Clonakilty. This letter is not to engage in dialogue with Mr Harris but simply to correct the misinformation written by him and to ensure that the standards and

values that guided Jim Hurley through his life are correctly portrayed. *Cathal Hurley*"

The *Sindo* Editor had facilitated her ex to huff and puff in response, demanding that Cathal Hurley should prove a negative:

"Purporting to correct my 'mis-information' Mr Hurley serves up four red herrings. First, he says it was unlikely I had reached my 22nd birthday when his father died in 1965—but what has that to do with anything? Second, I never said his father drank alcohol—I used the phrase 'drank with' in the colloquial sense of being in company. Third, he claims his father was never in the Grocer's Club—how can he know that? Fourth, he complains of my depiction of his father as listening to Tom Barry as if 'by rote': but this reflects well on Jim Hurley, showing that he, like many of Barry's contemporaries, was properly sceptical of the story of a 'false surrender' at Kilmichael."

And so Harris could not end without further slandering Cathal Hurley's father. For Jim Hurley always remained loyal to Barry's truths about Kilmichael and cannot be invoked in support of Peter Hart's now well-documented and exposed lies about Barry. And as for Jim Hurley's final resting place mentioned by his son, no "*who shot whom*" would ever become an issue for the people of West Cork on either side of the Treaty War divide. Tim Pat Coogan put it thus:

"Johnny Collins died on 30 January 1965, just when Jim Hurley, who in his lifetime had become one of Cork's legends of hurling, was diagnosed as having cancer... Hurley got his wish and today lies in Clonakilty churchyard alongside Michael Collins' brother. No shadow from Béal na Bláth falls over those graves. It appears that '*The great Irish whodunnit*' was fuelled by a decent West Cork reticence." (*Michael Collins—A Biography*, 1990, p421)

Since several generations have grown up with little knowledge of Jim Hurley, it is therefore appropriate to republish Tom Barry's own heartfelt tribute—published on the very morning after Hurley's death—to a man of such integrity and nobility of character, who had not only fought to achieve an Irish Republic but had gone on to build it. But first, the text of my own letter, entitled "*Jim Hurley's two wars*", which the Harrises decided to suppress:

"Eoghan Harris writes of once hearing Tom Barry speak of the Kilmichael false surrender, while Barry's companion, his Clonakilty Battalion commander Jim Hurley, apparently had '*the glazed look on the faces of old IRA men listening to comrades gilding the lily about some*

*atrocious called an ambush, or the sectarian shooting of a Protestant*'. I have no doubt that Hurley, close friend and a relative of my Clonakilty grandfather Larry Keohane, did have a glazed look at times, but it had nothing to do with the War of Independence, in which he expressed unqualified pride. In 1961, at the age of 12, I was indeed privileged to have been brought by my maternal aunt and godmother, Máire Keohane Sheehan, on a tour of Kilmichael, Crossbarry and other West Cork battle sites, led and narrated by Barry and Hurley, and I particularly remember Jim Hurley's bearing and eloquence as he addressed the gathering at Bandon."

"Yet Hurley had undoubtedly been left battle scarred, and he was to carry a profound sadness for the whole of his adult life. But that was as a result of a different war—the War of Brothers—which Lloyd George had insisted upon and in which Collins himself was to be killed in action. I had known from childhood that Hurley was to the fore in that Republican ambush party at Béal na Bláth. This was decades before Tim Pat Coogan's biography of Michael Collins would relate how his brother Shafter Collins had made his peace with Jim Hurley as early as 1923, and how, when they both died within eleven days of each other in 1965, Shafter and Jim would be buried side by side in Clonakilty. If Eoghan Harris perceived a glazed look on Jim Hurley's face, it is a pity that he has misinterpreted it. Manus O'Riordan"

#### ARCHIVE REPORT: *The Irish Times*, 11 February, 1965

#### OBITUARY: MR. JAMES HURLEY

The death took place at the Bon Secours hospital, last night, of Mr. James Hurley, secretary and bursar of University College, Cork. Mr. Hurley, a native of Clonakilty, was in his early sixties and had been secretary of U.C.C. for twenty-one years. As a teenager he served in General Tom Barry's Flying Column of the West-Cork Brigade. He became town clerk of Clonakilty in 1924 and remained in that position until 1933 when he was appointed accountant to Meath County Council and later he served as secretary of Longford County Council.

In 1937 he returned home as secretary of the south Cork Board of Public Assistance. After a year as county manager in Meath he was appointed assistant county manager in Cork in 1943 and a year later he became secretary of U.C.C. He was a graduate of the National University of Ireland and in 1957 he was awarded the M.A. degree for a thesis on Irish historical research. He was also the N.U.I. representative on the governing body of U.C.C.

As a hurler, Mr. Hurley won four All-Ireland senior hurling medals in 1926, 1928, 1929 and 1931 when he played with Blackrock. He also won University championship medals by playing with U.C.C.

#### AN APPRECIATION

*Tom Barry writes:*

Sixty-two years ago there was born in Clonakilty, Co. Cork, one of the truly great Irishmen of our time. I have known him for half a century. His name was Jim Hurley and he was a patriot, a militant leader of the Volunteers in Ireland's fight for freedom, a Gael, scholar, athlete, and above all he was what we know as a good man, loyal, kindly and tolerant.

He joined the I.R.A. at the age of sixteen and in 1920, when only eighteen, was adjutant of the Clonakilty Battalion. During that year he was promoted battalion commander, and throughout the struggle he served in many fights as a section commander in the West Cork Brigade Flying Column. He was fearless, enthusiastic, efficient, and he will be remembered always by his comrades and the people of West Cork he served so well.

After the civil strife he returned to Clonakilty where he was town clerk and then began an amazing career of scholarship, administration and athletics to add to his Irish Republican Army achievements. As a student of University College, Cork, he had first class honours in all his examinations from his B.Comm. degree and later his M.A. Likewise from his post of town clerk of Clonakilty, he climbed the ladder of Local Government administration, and in a short time reached the top, as county manager. He remained in local government until the then president, Dr. Alfred O'Rahilly, and the governing body of U.C.C. invited him to take the post of secretary and bursar of the college. He held this post until his death.

His athletics career in Gaelic games would need a page in itself. With Clonakilty, U.C.C., Blackrock and Cork, he won inter-club, inter-county, inter-provincial and All-Ireland honours. He was an inter-county footballer as well as a hurler, and men still talk of his prowess in those games of over thirty years ago. To his wife, Joan, his four sons, his daughter, his brother and sister, will go forth the sympathy of a host of Jim's friends and admirers, who will remember him, not alone for his achievements, but as a man amongst men.

<https://www.atholbooks-sales.org>  
for secure online purchases

## Ireland to call for EU ban on Israeli settlement goods

An *Irish Examiner* report on 15th May 2012 quoted Eamon Gilmore as saying:

"Ireland will push for a ban on products from illegal Israeli settlements in the Palestinian territories in the autumn if [settlement] building is not stopped." [1]

In other words, in order to put pressure on Israel to cease settlement building, he will seek to persuade the EU to adopt a policy of excluding settlement products from the EU market.

This proposal by Eamon Gilmore didn't come out of the blue—he had already expressed support for such a ban, for example, in answering a question in *Dáil Éireann* on 25 October 2011, when he said:

"The Government's firm views on the establishment and continued expansion of illegal Israeli settlements in the occupied Palestinian territories are clear and well known. I would support any move at EU level to exclude settlement products from entry to the EU." [2]

However, he qualified his answer then (and on other occasions) by saying that "*it is clear that such a proposal would not at this point have any prospect of commanding sufficiently wide support*" in the EU. The fact that he apparently intends to raise the issue at EU level in the autumn must mean that the chances of it commanding sufficiently wide support amongst EU states have increased.

Settlement goods represent a very small proportion of the Israeli goods imported into the EU, so a ban on their entry into to the EU market would do very little economic damage to Israel. However, such a ban would be a severe blow politically to Israel, which has up to now been able to count on EU support, despite its oppression of Palestinians under occupation.

### VIOLATION OF 4TH GENEVA CONVENTION

There always has been a straightforward justification for banning the importation of settlement goods. The whole world, apart from Israel, agrees that Israeli settlement building in the occupied Palestinian territories is in violation of the 4th Geneva Convention, Article 49(6) of which forbids an occupying power from transferring parts of its own civilian population into territory it occupies. This view has been endorsed by the International Court of Justice in its Advisory Opinion on the construction of the Wall [3] (paragraph 120).

Under Article 146, parties to the Convention, which include every EU state, are required to "*take measures necessary for the suppression of all acts contrary to the provisions*" of the Convention. The importation of settlement goods clearly bolsters settlements economically and is therefore a positive encouragement to settlement building and therefore flies in the face of the duty of parties to the Convention under Article 146 to discourage acts contrary to the provisions of the Convention.

Furthermore, Article 8.2(b)(viii) of the Rome Statute [4] of the International Criminal Court defines "*the transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies*" to be a war crime. So, trading in settlement goods is a positive encouragement to Israel to commit war crimes—and should be therefore be stopped.

### EU FOREIGN MINISTER'S CONCLUSIONS

Eamon Gilmore's remarks came after a meeting of EU foreign ministers in Brussels on 14 May 2012. At that meeting, the ministers endorsed a set of conclusions on what they term the Middle East Peace Process [5]. These constitute an update to the EU common foreign policy on Israel/Palestine.

Over the past few years, the conclusions expressed from time to time by EU foreign ministers on this issue have become increasingly critical of Israel. But these are the most critical by far. They include extraordinarily blunt descriptions of Israeli oppression of Palestinians in the occupied West Bank, including East Jerusalem, in particular, in Area C, where Israel is accused of "*forced transfer of population*", that is, ethnic cleansing.

Apparently, Germany was a prime mover in getting the text passed. According to the *Jerusalem Post*:

"While Italy and the Netherlands did the heavy lifting for Israel inside the EU bodies drafting the conclusions, other countries that frequently go to bat for Israel in EU forums, such as the Czech Republic and Bulgaria, were less active this time. The officials said this was due to the determination shown by the British, French and especially the Germans in getting the wording passed. The officials said the document represented the prevalent position of Berlin on the Middle East situation." [6]

In recent years, EU foreign policy conclusions on Israel/Palestine have been informed by a series of reports by the EU states' heads of mission to Palestine. These reports were prepared for the MaMa (Mashreq/Maghreb) Working Group, which works under the Political and Security Committee (PSC), the body responsible for drafting foreign policy positions for the EU. Each member state has a representative on the PSC. In other words, the production of these reports is part of a systematic approach to EU foreign policy formation on Israel/Palestine. They are internal EU documents, which are not meant for publication, but most of them have come into the public domain.

These reports contain little or no new information—they consist mostly of information already published by various UN bodies and NGOs. However, the impact of this information is greatly enhanced when it has been published by an EU body and is informing EU policy,

### Ethnic cleansing in East Jerusalem

A report by the heads of mission in December 2011 detailed Israel's relentless pressure on Palestinians living in East Jerusalem to make them leave and make way for Jews. The following is an extract:

"Israel is actively perpetuating its annexation by systematically undermining the Palestinian presence in the city through continued expansion of settlements, restrictive zoning and planning, ongoing demolitions and evictions, an inequitable education policy, difficult access to health care, the inadequate provision of resources and investment and the precarious residency issue. The interlinked Israeli policies and measures continue to negatively affect East Jerusalem's crucial role in Palestinian political, economic, social and cultural life. In 2011 a surge in settlement planning has taken place especially at the southern flank of Jerusalem. This is increasingly undermining the feasibility of Jerusalem as the future capital of two states." [7]

The EU conclusions on 14 May do not reflect fully this blunt description of the pressure on Palestinians in East Jerusalem. They merely "*expresses deep concern about developments on the ground which threaten to make a two-state solution impossible*" including:

"in East-Jerusalem the ongoing evictions and house demolitions, changes to the residency status of Palestinians, the expansion of Givat Hamatos and Har Homa, and the prevention of peaceful Palestinian cultural, economic, social or political activities."

concluding rather weakly:

"The EU reiterates that a way must be found through negotiations to resolve the status of Jerusalem as the future capital of two states. Until then, the EU calls for an equitable provision of resources and investment to the city's population. The EU calls for the reopening of Palestinian institutions in Jerusalem in accordance with the Roadmap. The EU reiterates that it will not recognise any changes to the pre-1967 borders including with regard to Jerusalem, other than those agreed by the parties."

(Under the Roadmap which Israel accepted in 2003, it was supposed to "reopen Palestinian Chamber of Commerce and other closed Palestinian institutions in East Jerusalem" [8]. It hasn't done so.)

### Ethnic cleansing in Area C

The Palestinian presence in Area C is being systematically reduced by Israel, as well as in East Jerusalem.

Under the Oslo Agreement, the West Bank, excluding East Jerusalem, is divided into three areas. The largest, Area C consists of 62% the land area and contains most of the agricultural and grazing land and water in the West Bank. It is wholly under Israeli control and is where Jewish settlements are located.

Areas A (18% of the land area) and B (20% of the land area) are a series of islands within Area C. Area A is under Palestinian civil and security control and Area B is under Palestinian civil and shared Israeli-Palestinian security control.

A report by the EU heads of mission to Palestine in July 2011 summarised the situation in Area C as follows:

"In 1972 the number of Israeli settlers in Area C was 1,200, in 1993 110,000 and in 2010 310,000 (excluding East Jerusalem). The number of settlers in Area C today is more than double the estimated number of Palestinians (150,000). The settlers live in 124 formal settlements and approximately 100 informal settlements (so-called outposts and illegal under Israeli law).

"The Palestinian presence in Area C has continuously been undermined through different administrative measures, planning regulations and other means adopted by Israel as occupying power. Prior to 1967 there were between 200,000 and 320,000 Palestinians in the Jordan Valley. Today the number is 56,000 (of which 70% live in Area A in Jericho). [The whole of the Jordan Valley, apart from an enclave around Jericho, is in Area C.]

"The increasing integration of Area C into Israel proper has left Palestinian communities in the same area ever more

isolated. During the past year there has been a further deterioration of the overall situation in Area C. If current trends are not stopped and reversed, the establishment of a viable Palestinian state within the pre-1967 borders seems more remote than ever." [9]

Palestinians are being forced out of Area C because it is virtually impossible for them to get building permits and building without a permit risks demolition by the Israeli army. In the first half of 2011, 342 Palestinian-owned structures, including 125 residential structures, were demolished by the Israeli authorities and 656 people, including 351 children, lost their homes. Over 3,000 demolition orders are outstanding, including 18 targeting schools.

In addition to the restrictive planning, which makes it next to impossible for Palestinians to build in Area C, many Palestinians there are under constant threat of harassment and physical attacks by armed Israeli settlers, who routinely attack Palestinian men, women and children, burn crops and destroy olive trees. The Israeli army, which is supposed to be responsible for the protection of civilians living under its control, does little to stop this violence and often appears to side with the Israeli settlers.

The overall impact of Israel's policies in Area C is the forcible transfer of Palestinian civilians off the land and into the overcrowded towns and cities of Areas A and B.

Yet again, the EU conclusions of 14th May do not match the forceful language of the heads of mission report on Area C. They merely express "*deep concern*" at

"the worsening living conditions of the Palestinian population in Area C and serious limitations for the PA to promote the economic development of Palestinian communities in Area C, as well as plans of forced transfer of the Bedouin communities, in particular from the wider E1 area [to the east of Jerusalem and between it and the Ma'ale Adumim settlement]".

and say that

"Social and economic developments in Area C are of critical importance for the viability of a future Palestinian state, as Area C is its main land reserve. The EU calls upon Israel to meet its obligations regarding the living conditions of the Palestinian population in Area C, including by accelerated approval of Palestinian master plans, halting forced transfer of population and demolition of Palestinian housing and infrastructure, simplifying administrative procedures to obtain building permits, ensuring access to water and addressing humanitarian needs."

David Morrison  
May 2012

### References:

- [1] [www.irishexaminer.com/ireland/politics/ireland-to-push-for-eu-ban-on-israeli-products-193923.html](http://www.irishexaminer.com/ireland/politics/ireland-to-push-for-eu-ban-on-israeli-products-193923.html)
- [2] [debates.oireachtas.ie/dail/2011/10/25/00071.asp](http://debates.oireachtas.ie/dail/2011/10/25/00071.asp)
- [3] [www.icj-cij.org/doCKET/files/131/1671.pdf](http://www.icj-cij.org/doCKET/files/131/1671.pdf)
- [4] [www.icc-cpi.int/NR/rdonlyres/EA9AEFF7-5752-4F84-BE94-0A655EB30E16/0/Rome\\_Statute\\_English.pdf](http://www.icc-cpi.int/NR/rdonlyres/EA9AEFF7-5752-4F84-BE94-0A655EB30E16/0/Rome_Statute_English.pdf)
- [5] [www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/130195.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/130195.pdf)
- [6] [www.jpost.com/DiplomacyAndPolitics/Article.aspx?ID=269957](http://www.jpost.com/DiplomacyAndPolitics/Article.aspx?ID=269957)
- [7] [thecepr.org/images/stories/pdf/eu%20homs%20jerusalem%202011.pdf](http://thecepr.org/images/stories/pdf/eu%20homs%20jerusalem%202011.pdf)
- [8] [unispa1.un.org/unispa1.nsf/0/6129b9c832fe59ab85256d43004d87fa](http://unispa1.un.org/unispa1.nsf/0/6129b9c832fe59ab85256d43004d87fa)
- [9] [thecepr.org/images/stories/pdf/area%20c%20%20final%20report%20july%202011.pdf](http://thecepr.org/images/stories/pdf/area%20c%20%20final%20report%20july%202011.pdf)

## The Unquiet Man

### *Nights Beneath The Nation*

Denis Kehoe  
Serpent's Tail  
ISBN 9 781846 686795

This is a novel about 'Daniel Ryan', who is in his late sixties, written by Denis Kehoe, who is in his early twenties. The blurb on the cover of this edition quotes a review by David Norris. He says it is "*a feat of creative memory*". The 'memory', rather than the 'creative', is disturbing. Daniel Ryan is from a hick town in south west Ireland. The people who live there are boring and lead dull straitened lives. The Spanish Civil war erupts into the narrative at one point. A "*red faced*" priest denounces the Spanish Republic and urges support for a man called Franco. Daniel's father, who fought in the War of Independence (but appears never to discuss the matter), for no clear reason wants to go and fight against Franco.

Franco (not particularly prominent at the start of the military rebellion) and the Falange (which he gutted of its radical politics) were not nice, but there are problems with this cliché. The pro-Franco Irish Christian Front was a mass movement, and the International Brigade's Connolly Column was small. The Spanish Republic may have become the 'last great cause' in the Irish Republic relatively recently, but contemporary Christians had a right to be affronted by the behaviour of some of the Republic's supporters. They burned down churches, and killed priests, and other 'religious'. They alienated the peasants who would have supported the Republic if it had simply redistributed the land.

Some other matter does not ring true. Daniel's father is a barber by trade, young Daniel helping out on busy days. The men talk dreary 'culchie' talk. Was this the

only town in 'Éire' that did not have clashes between the Blueshirts and the IRA? Did nobody discuss Fianna Fáil's policies, like redistribution of the land into thirty acre parcels, the introduction of Búnreacht Éireann (Dev's Constitution)? Did the 'Economic War' between Éire and the UK pass these agricultural producers by? Was nobody in this bog-standard Irish town interested in 'the Missions', that gigantic enterprise which absorbed the energies of millions of Irish Catholic women and men over generations? On a more mundane note—was it only town in the 'Free State' not wangling for a sugar factory?

There are other un-truisms; WW2 was 'the Emergency'. A trip to the National Library to look at Parliamentary Reports, and (the tiny) wartime newspapers would show this to be drivel, debates in the Dáil and Seanad, about—nearly everything—referred to 'the war'. 'Emergency' regulations were introduced. Some were not lifted until 1973. That would have been made the occasion to belittle 'Ireland', if the pretence about the war had not had greater traction.

In 1950 Daniel goes to Dublin as a civil servant, (Department unspecified), it too, is full of dreary people. He joins the Dramatic Society. It is going to put on *Easter Parade*. (A bit unlikely, a recent musical it would have needed singing and dancing actors, dance directors, a choreographer, musicians, a full orchestra and a conductor. The composer, Richard Rogers's contribution is pretty lavish).

Most amateur drama societies in Ireland were, (and are), quite ambitious. A number of projects, Belfast's Lyric Theatre and Circle Theatre (burned to the ground in 1970) arose out of amateur endeavours. The Stephens Boyd and Rea, and others, were graduates of amateur drama. A Civil Service DramSoc would probably have had something substantial in mind.

Daniel mentions (p 163) "political plays from England". In 1950 English theatre meant verse drama, stretching the word 'drama' a long way. It was reactionary-to-conservative. Wales produced political plays—in Welsh. Scotland produced some too, mostly by Paul Vincent Carroll, a native of Dundalk. The English John Whiting wrote 'political' (prose) plays, he is still unpersonned.

Daniel joins a 'real' AmDram Soc. It is putting on Lorca's *Blood Wedding*. (Purely as 'theatre' is *Blood Wedding* all that superior to *Easter Parade*? I only ask...). Also involved in this rather precious venture is Anthony. He is the perfect image of an 'Ascendancy' left over. He's not. He is from a wealthy Catholic background. He hates his parents and will repudiate them. Just as soon as he gets his (expensive) degree, from Trinity [College,

## Eamon Ó Cuív

The following letter appeared in the Irish Examiner in early May:

Your editorial today (May 9th) headed, '*Ó Cuív toes the line—Pointless buffoonery*', illustrates Irish media group-think in action. It is gratuitously insulting to Eamon Ó Cuív and harmful to the democratic process.

Eamon Ó Cuív has exerted himself to make a political point. At the cost of losing his position as deputy leader of Fianna Fail he has expressed opposition to the EU Fiscal Treaty. Unusually for a member of the political establishment he has acted out of conviction and straightforwardly contributed to democratic debate.

Across the Irish media Ó Cuív is being lampooned for deciding not to resign from Fianna Fail. Actually, in political terms, he has played his hand skillfully: he has expressed a controversial view, outmaneuvered the Fianna Fail leadership and avoided expulsion from the party.

There would be a justification for the media campaign against Ó Cuív if he were acting in a self serving manner—causing an unnecessary distraction from the affairs of state over a trivial matter. But the matter is not trivial and his motivation is public spirited.

In short this episode is an example of a monolithic media seeking to crush dissent. I'm sorely tempted to vote No in protest.

Dave Alvey

Dublin—TCD]. Why would his backward mere Irish parents send him to TCD? It wasn't much 'cop' as a tertiary college at the time. A Fianna Fáil government saved it from closing down. It gave Trinity a huge grant and sent in the building restorers to save and preserve the fabric of the place. (The previous, 'Inter-Party' Government engaged in straightforward, (tight-fisted), sectarianism in regard to TCD.)

Anthony's parents send him to see a psychiatrist because of his homosexuality. This is deemed to be reactionary and unenlightened. (In the US / UK in 1950, he would have been given electric shock 'treatment', put in baths of 'dry ice', or possibly subjected to lobotomy. The latter involves flipping the skull-cap off the head, exposing the brain—then flicking a scalpel through the frontal lobes. These, (magical?), practices 'cured' the 'defect'. They could, incidentally, reduce the patient to a 'vegetative state'—or induce forms of epilepsy.)

Daniel becomes starry-eyed about Anthony. Among other things he can "speak three European languages" whereas Daniel can only speak English and Irish (two European languages, surely?) Anthony eventually commits suicide, made the platform for another attack on Irish *mores*. A big fuss is made of the suicide and of the nature their relationship. But that sort of gross publicity was characteristic of the British press.

When 'official' Britain stopped sending people to prison for attempting suicide. British journalists' took to sneering at Irish attitudes, Irish courts tended to imply that—to them—blatantly obvious suicides were accidents, due to ingrained stupidity

and the (RC) Church's inculcation of horror at self-murder. That such verdicts forced insurance firms to shell out money to the deceased's relatives never struck them. There was also a tendency, in Ireland, to discretion about such matters. Ripping open still-throbbing psychological wounds was a 'Fleet Street' speciality. Daniel, (despite the trauma he has suffered), is put on the boat to America by his loving, but uncomprehending, parents. They (being culchie chumps) had presumably never encountered the names or reputations of Wilde or MacLiammoir.

Daniel rails about Ireland being backward and, in a vague way, not left wing. In New York City he becomes a wealthy businessman. Presumably he jettisoned his implicit politics mid-Atlantic. Leftist nice guys don't make fortunes in NYC. He returns to Ireland half a century on, and is still annoyed by the place, for the same reasons. The place is still backward. (The usual expatriate's reason is that too much has changed. Ireland changed spectacularly between 1950 and 2000). He strikes up a relationship with 'Gerard' (Denis Kehoe? Is there a touch of the roman-á-clef here?), who is compiling a history of queer Ireland. (Or maybe just Dublin, after all, a similar history of Ballymena or Ballydehob is unimaginable). A lot of the action of the book involves Daniel and Gerard's—'testy' is the only word—relationship.

*Nights Beneath The Nation*, you might gather from the above is rubbish—it is very well written and is a lively read—just bear in mind that the 'Ireland' presented here is as fanciful as the one presented in John Ford's *The Quiet Man*.

Seán McGouran

**ITEMS FROM ‘THE IRISH BULLETIN’ – 11**

The “Irish Bulletin” (7th July 1919 – 11th Dec.1921) was the official organ of Dáil Eireann during the 1919 – 1921 period. Lawrence Ginnell, then Director of Publicity for the Dáil, first started it in mid 1919 as a “summary of acts of aggression” committed by the forces of the Crown. This newsheet came out fortnightly, later, weekly. We reprint below the summaries published for May 1920.

Date: April	26th	27th	28th	29th	30th	May 1st	Total.
Raids:-	170	244	104	258	31	77	884.
Arrests:-	10	28	21	8	1	-	68.
Sentences:-	5	-	9	-	2	-	16.
Courtmartials:-	-	-	-	-	1	-	1.
Armed Assaults:-	1	-	2	3	-	-	6.
Murder:-	-	-	1	-	-	-	1.
Total:-	186	272	137	269	35	77	976.
Date: May	3rd	4th	5th	6th	7th	8th	Total.
Raids:-	278	1	201	40	-	5	525.
Arrests:-	31	1	2	2	2	1	39.
Sentences:-	5	-	2	-	1	-	8.
Courtmartials:-	-	-	-	-	2	-	2.
Armed Assaults:-	3	-	1	-	1	-	5.
Deportations:-	-	-	1	-	-	-	1.
TOTALS:-	317	2	207	42	6	6	580.
Date:- May	10th	11th	12th	13th	14th	15th	Total
Raids:-	281	210	35	120	220	50	916.
Arrests:-	38	1	21	-	8	-	68
Sentences:-	8	6	-	-	-	-	14.
Courtmartials:-	-	-	-	-	-	1	1.
Armed Assaults:-	3	1	-	1	2	-	7.
Murder:-	1	-	-	-	-	-	1.
Daily Totals:-	331	218	56	121	230	51	1007.
Date: May	17th	18th	19th	20th	21st	22nd	Total
Raids:-	21	173	215	110	117	15	651.
Arrests:-	8	2	7	-	-	-	17.
Sentences:-	10	16	-	5	-	-	31.
Courtmartials:-	1	-	-	-	-	-	1.
Armed Assaults:-	3	2	-	2	2	2	11.
Murder:-	-	-	-	1	-	-	1.
<u>Daily Total:-</u>	43	193	222	118	119	17	712.
Date: May	24th	25th	26th	27th	28th	29th	Total.
Raids:-	58	55	54	15	40	30	252.
Arrests:-	18	23	1	3	-	25	70.
Sentences:-	-	1	7	3	-	-	11.
Courtmartials:-	-	-	-	-	-	-	--
Armed Assault:-	-	3	2	-	-	-	5.
<u>Daily Totals:-</u>	76	82	64	21	40	55	338.

Does  
It  
Up

Stack  
?

#### CONSTITUTIONAL AMENDMENT

There is quite a lot of confusion around—even among—perhaps especially among those people in the chattering classes who think they are well informed on the subject of the constitutional amendment. For example, *The Irish Times* in its editorials refers to "The Treaty" or sometimes "the Stability Treaty", whereas in reality there is the *European Stability Mechanism Treaty* (setting up The European Stability Mechanism) done at Brussels on 2nd February 2012 and there is also the *Treaty on Stability, Coordination and Governance in the Economic and Monetary Union* done at Brussels on 2nd March 2012. The second Treaty listed above is the one referred to in the *Thirtieth Amendment of the Constitution (...) Bill 2012*, introduced before the Dáil by the Tánaiste, Eamon Gilmore TD, on 28th March 2012.

The Bill is one of the shortest—it contains only two brief sections and two paragraphs to be inserted in the Constitution of Ireland—and so why is it so badly worded in the English language version? The English language wording refers to "...laws enacted, acts done or measures adopted by the State..." These are all past tense i.e. things done in the past. Surely, the wording used should have been "...laws to be enacted, acts to be done or measures to be adopted by the State..." i.e. in the future. Another serious drafting flaw is that similar past-tense wording is used in the words "...or prevents laws enacted, acts done or measures adopted by bodies competent under the Treaty from having the force of law in the State". The "bodies competent under the Treaty" might be foreign bodies, and so it is just as well that it is only past laws enacted etc. which are to be allowed and there may perhaps not be many of these enacted, done or adopted between 2nd day of March 2012 and 31st day of May 2012. Why should the Irish people subject themselves to enactment of bodies other than the Oireachtas? It doesn't stack up at all. Such very bad drafting makes for suspicion.

#### EUROPEAN STABILITY MECHANISM

It was the Cabinet which decided on the necessity for a Referendum, basing its decision on an Opinion from the Attorney-General. Is there any possibility that some-

body got the two Treaties mixed up? Certainly, it is necessary to amend the Constitution if the Government wants to hand over law-making authority to bodies other than the Oireachtas which apparently Taoiseach Edna Kenny TD agreed to do when he signed up to it in Brussels on 2nd March 2012. But the other Treaty, to set up the European Stability Mechanism, seems to deserve attention from constitutional lawyers also. The European Stability Mechanism Treaty was done at Brussels on 2nd February 2012 and under this Treaty, Ireland commits its Central Fund to pay to the ESM a sum not exceeding €11,145,400,000 in respect of capital stock in a new corporate body, the ESM. This will inevitably involve taxation of the citizenry which is one reason for a Referendum to approve it or not. The ESM is being set up in Luxembourg for the ESM Members including Ireland, and its voting arrangements give Germany and France virtual control. One Governor will be nominated by each member and also one deputy. There will be a Governor each but the voting will be by percentage of share capital held by each ESM Member. Ireland's is 1.5%, Germany 27%, France 20%, Italy 18%, Spain 12% and so on. The UK is not a member but special provision seems to have been made for the UK in Article 5.4 which states:

"Representations of non-euro Member States participating on an ad hoc basis alongside the ESM in a stability support operation for a euro area Member State shall also be invited to participate, as observers, in the meetings of the Board of Governors..."

And in the Preamble paragraph (9) "They will have access to all information in a timely manner and be properly consulted".

Bearing in mind that the UK is Ireland's biggest competitor in markets for our exports, and for our fishing and our financial services industry, it is invidious and unacceptable that in the event of Ireland asking for assistance from the ESM all of our national financial data would be given to the UK which is not in the Euro Area. Why does the UK get this favoured treatment? Is it anything to do with the International Monetary Fund? The IMF is mentioned in the Treaty in the Preamble paragraph (8)i and also "A euro Member State requesting financial assistance from the ESM is expected to address wherever possible, a similar request to the IMF". These references to the IMF are strange considering that the IMF is effectively controlled by the USA who are competitors internationally with the EU and with EU

Member States. Recently, a seven-year battle has been won by USA to be given all personal details of EU citizens travelling to the USA. The giving of such data is against all privacy laws and it seems as if the EU and the Member States have given up on defending citizens' rights. Ordinary citizens that are the likes of you and me.

There are some amazing Articles in the ESM Treaty which appear to create a class of Super Citizens above the laws of States. For example, in Article 32, the ESM requires each Member State to grant immunity to its properties and assets, to its Governors, Directors, Managers and to its staff, ESM documents shall be inviolable and its premises immune from search and every form of judicial process. Salaries and emoluments shall be exempt from National income taxes. In other words, the ESM and all those working for it are above National Law. Does not a lot of this need a Constitutional Referendum to be enacted into Irish Law? In my opinion, it definitely does. Otherwise it will not stack up in the Irish courts. The ESM Treaty of 2nd February 2012 and the ESM Act 2012 are very definitely creating a superpower international corporation and creating a class of super citizens who will be above our National Laws. All of the TDs and Senators know this and so by concentrating all of our attention on the 3rd March Treaty 2012 and on the 30th Amendment of the Constitution, they are knowingly keeping us blinded about what is really going on and selling us out internationally just because as a nation we need to borrow money.

#### PUBLIC SERVICE PAY.

And it does stack up for the TDs and Senators. They are the best paid in Europe and so are most of the top public service employees. And all the evidence goes to show that the Troika is tolerating this situation because the IMF and European Central Bank are using our TDs and Senators and public service to walk Ireland into the control of Big Business such as Goldman Sachs and BP and of course Shell. They are on track to take over our water, our gas, our oil, our electricity, telephones, roads, our fishing, and all the vast deposits of gas and oil off our coast. If Ireland itself like Norway took over the management of our own resources we too would be one of the richest and most secure countries in the world. But only if our leaders have the courage and determination and the guts to do it.

In the meantime, however, the Irish state owes an immense amount of money. A truly massive amount of money. And

what the Government is doing is increasing the National Debt. The Government is spending this year about 12 billion euros which it cannot afford—it is adding to the National Debt. Most of the Government's spending is on its own salaries and public service salaries. In order to pay some of the highest salaries in the world, this Government is borrowing the money which we the people will have to repay. Austerity? What austerity? There is not austerity among public servants. The Croke Park Agreement is a fraud on the three out of every four citizens who are not public servants and the purpose of it is to keep the public servants onside so that Big Business can rip off the rest of the country. It is happening all around us and can be seen if we open our eyes. Roads and Tunnels are being tolled, our former State-owned telephone company is owned now by a company in China or Australia, our State-owned ESB is being split up into handy sized parcels to be sold off to foreign companies, our treated water—owned by us in our Local Authorities—is being grabbed from us and being put into a company which will then be sold off to the highest bidder. It is happening. We are being robbed and our children and grandchildren are being robbed. Not only are we being robbed but we have to pay for being robbed. We are paying the highest salaries to TDs, Senators and top public servants who are robbing us of our heritage and of our future. Why should we pay?

The way to stop paying is to cap the State borrowing, i.e. the National Debt, at its present figure. No increase in borrowing. If this is done, then the State could spend only what it has in income: with the result that expenditure would be cut by 25% and to do this without hardship, the salaries of TDs, Senators, Councillors, top public servants, University Professors, Trade Union Leaders, and Consultants of all sorts would all be cut by up to 40%. This would not mean hardship. No decent person could call it "*hardship*" to be reduced to one foreign holiday a year instead of three or four. University Professors and Departmental Secretaries General would hardly be 'deprived' if they spent their summer holidays in Donegal or West Cork instead of Florida or Mexico, and the Irish economy would be much sounder as a result. It is not much good having a Tourism Industry if the Irish tourists going abroad are equal to the foreign tourists coming in. Excessive pay in the public service is almost all spent on foreign travel and the importation of luxury goods which are very pleasurable for the public service but bad for the Irish economy. So let us all

do ourselves a favour and insist on the State borrowing being cut and the top salaries being reduced by 40%.

In France, the new President Francois Hollande and his whole Government took an immediate pay cut of 30% and they were never earning anything like our lot. And, by the way, do not listen to politicians talking about "*the need for growth*". They do not mean what you think. When a politician talks about "*growth*", it is growth in prices which is meant: that is, growth in VAT collected from us and it means inflation which is another way to rob us. Let's make it stack up!

#### STATUTE LAW REPEALS

Good news was announced on 4th May 2012 with the introduction of the Statute Law Revision Bill which lists 2,983 pre-1922 Acts of the UK Parliament which are to be repealed. The Bill also lists 796 pre-1922 Acts of the UK Parliament which have been identified as not yet suitable for repeal as they contain provisions which have an ongoing relevance. This is good progress and should have been done many years ago. Hopefully the remaining 796 pre-1922 Acts will be re-enacted by the Oireachtas in the near future. It is undignified that any lawyer should have to refer for Irish law to a foreign statute almost one hundred years after Ireland gained its independence. It just does not stack up.

Michael Stack ©

## Report submitted by Pat Muldowney Neutrality Under Threat

"During the development of the Battlegroups concept, Fine Gael Deputies drew repeated attention to the perceived contradiction between a rapid reaction force such as Battlegroups and Ireland's need to procure a clear UN Security Council mandate before deploying troops overseas. The party also contended that the maintenance of the triple lock signalled a lack of seriousness about ESDP [EU's Security and Defence Policy] to Ireland's EU partners. Party Leader Kenny invoked the notion that abandoning the triple lock would send a positive message to the rest of the EU, stating, 'A change to the Defence Acts would allow this country to play a really positive role in Europe by signalling our willingness to participate in the new battle groups where it is appropriate and feasible.' Similarly, Gerald Murphy argued that 'we must introduce some flexibility in regard to the triple lock' if participation in battlegroups were to go ahead."

[http://euce.org/eusa/2011/papers/3k\\_huff.pdf](http://euce.org/eusa/2011/papers/3k_huff.pdf)

[Paper prepared for the twelfth biennial European Union Studies Association conference, Boston, MA, 3-5 March 2011]

### Report

## Irish Labour Party in Denial but not in Clonmel

John Cunningham has posted the following on the bloggers' blog, Cedar Lounge Revolution:

"Is it not remarkable that the Labour Party has withdrawn from its own centenary celebrations, scheduled for Clonmel on 27 May? The stated reason: the 'close proximity {of the centenary} to the EU Fiscal Treaty referendum vote.' One supposes that the protests at the party's recent conference in Galway had nothing to do with it. A meeting of the parliamentary party due to be held in Clonmel has been cancelled, Brendan Howlin has pulled out of the opening of an exhibition on Labour's history, and the lettering of a commemorative plaque (stating that it was unveiled by Mr. Eamon Gilmore in the presence of the Labour Parliamentary Party) will have to be erased.

"According to the local Nationalist newspaper, South Tipperary councillor Bobby Fitzgerald was very critical of the decision: <http://www.nationalist.ie/news/local/labour-party-leadership-slammed->

[for-pulling-out-of-clonmel-celebrations-1-3806860](http://www.nationalist.ie/news/local/labour-party-leadership-slammed-1-3806860)

" 'I would seriously question as to whether Labour has forgotten its own constitutional commitment to democratic socialism and to represent the interests of ordinary working class people as they seem to have become pre-occupied with pandering to European interests rather than its core electorate and Labour values ... It's another indication that the Labour party leadership is losing its identity, is out of touch with grass roots in not honouring its origins and thereby insulting the founding fathers of the party and its core values, which they stood for...'

"Evidently busy with matters European, Labour Party headquarters in Dublin failed to provide a comment for the Nationalist."

#### Extract from The Nationalist

(4 May 2012):

"Aileen Haheys and Bernie Commins A Carrick-on-Suir Labour councillor has

condemned the leadership of his party for pulling out of the celebrations planned in Clonmel later this month to commemorate the centenary of the Labour Party's foundation in Clonmel due to their close proximity to the EU Fiscal Treaty referendum vote.

Cllr Bobby Fitzgerald said he was deeply disappointed at the Labour Party hierarchy's decision and claimed it was another indication that the Labour leadership was "losing its identity" and was "out of touch" with the party's grassroots members in not honouring its origins.

He also accused the party leadership of being "pre-occupied with pandering to European interests rather than its core electorate and Labour values".

The councillor, who represents the Fethard Electoral Area on the Co. Council, launched his scathing attack after local Labour public representatives and activists were informed last week that party leader Eamon Gilmore and the rest of the Labour Party Parliamentary Party had decided not to take part in the Centenary Celebrations planned in Clonmel on the weekend of May 26 and 27 because of the Fiscal Treaty referendum vote the following Thursday, May 31.

It means that a full parliamentary party meeting which was scheduled to take place in Clonmel Park Hotel on Sunday May 27 has been cancelled and Labour Party leader Eamon Gilmore will no longer unveil a specially commissioned plaque in the Town Hall in Clonmel.

The plaque unveiling will still go ahead as well as the opening of an exhibition about the Labour Party at South Tipperary Museum...

As well as the plaque unveiling, the opening of a Labour-themed exhibition at South Tipperary County Museum on Saturday May 26, will go ahead as planned but Minister Brendan Howlin who was originally lined up to officiate will no longer do so.

The original wording for the plaque, which was to state that it was unveiled by Mr. Gilmore in the presence of the Labour Parliamentary Party, will now have to be altered to reflect the changes.

The Labour party leadership's decision has, no doubt, been a huge embarrassment to the Labour party in South Tipperary and Cllr Fitzgerald didn't hold back in voicing his anger in a statement he issued after the news was conveyed to the party locally last Wednesday, April 23.

He said he was deeply disappointed at the decision of the Labour Party hierarchy to cancel the Labour Party centenary celebrations, which were due to be held in Clonmel where the party was founded by "real leaders" like James Larkin and James Connolly...

Clonmel Labour Cllr Darren Ryan, who is Mayor of Clonmel, was more guarded in his response. He said he was obviously very disappointed with the decision and told The Nationalist he had conveyed his anger and disappointment to the Labour Party leadership...

## LABOUR continued

in the French war (1337-1453). The English peasantry normally possessed arms and were accustomed to their use.

Quite apart from the immediate demands of the peasants, which were the abolition of serfdom and the commutation of all services at a flat rate of fourpence an acre, the rising had a background of primitive Communism, strongly Christian in character. It was spread by the poorer Parish Priests, by the Friars, who, Langland wrote:

"Preach men of Plato and prove it by  
Seneca  
That all things under Heaven ought to  
be common".

### BALL, TYLER AND STRAW

John Ball, Wat Tyler and Jack Straw are the names most associated with the Rising. Of all the preachers of 'Communism', only one, Ball, has come down to us as a living figure. Deducing the equality of men from their common descent from Adam and declaring in Jean Froissart's often quoted words that "*things cannot go well in England, nor ever will until everything shall be in common*". The personal prestige of Ball among the rebels of 1381, one of whose first acts was to release him from Maidstone Gaol, was unquestionably great, though there is no trace of Communism in the demands they presented. These demands were probably a minimum upon which all were agreed.

Apart from the general economic causes of revolt special grievances existed in this year. The long war with France, now bringing defeat after defeat, had forced the Government to levy taxes harsher than ever before. The nobility were allied in a new class of tax farmers and moneylending merchants.

The revolt was precipitated by King Richard's II heavy-handed attempts to enforce the third mediaeval Poll Tax, first levied in 1377 supposedly to finance military campaigns overseas. The third Poll Tax was not levied at a flat rate (as in 1377) nor according to schedule (as in 1379); instead, it allowed some of the poor to pay a reduced rate, while others who were equally poor had to pay the full tax, prompting calls of injustice. The tax was set at three groats (equivalent to 12 pence or one shilling), compared with the 1377 rate of one groat (four pence). The youth of King Richard II (aged only 14) was another reason for the uprising: a group of unpopular men dominated his Government. These included John of

Gaunt (the Duke of Lancaster), Simon Sudbury (Lord Chancellor and Archbishop of Canterbury, who was the figurehead to what many then saw as a corrupt Church), and Sir Robert Hales (the Lord Treasurer, responsible for the Poll Tax). Many saw them as corrupt officials, trying to exploit the weakness of the king.

Further, taxation was being deliberately imposed by the landowners in Parliament as a means of attacking the new prosperity of the villeins. "*The wealth of the nation*", Parliament declared, "*is in the hands of the workmen and labourers*", and, in 1830, a Poll Tax was imposed with the object of taking away some of this wealth. The labouring classes were assessed at sums varying between fourpence and one shilling a family. It was this Poll Tax, intended and resented as an oppressive class measure, that precipitated the inevitable revolt in the Spring of 1381, rather than at some other time.

But, though the Rising failed, there was no complete return to the old conditions. The lords had been badly scared. In 1382 a new Poll Tax was voted by Parliament, placed only on the landowners on a plea of "*the poverty of the country*". In 1390 the attempt to keep wages at the old level was abandoned when a new Statute of Labourers gave the Justices of the Peace the power to fix wages for their districts in accordance with the prevailing prices.

The decades after 1381 saw a series of minor risings and the villein Unions continued to exert pressure for higher wages and for the commutation of services. Commutation went on steadily, and the Fifteenth Century was probably the period of greatest prosperity for the labouring population of rural England. Peasant agriculture on small, compact farms began to replace the open field system, and, though enclosures for sheep farming continued to cause local and temporary hardships, it was not until about 1500, when the population had returned nearly to the level reached before the Black Death, that it began to drive the peasants off the land on a large scale. The period was one of slowly falling prices masked in part by a lowering the weight of silver in the coinage, and real wages were consequently high and tended to rise.

These favourable conditions were not the result of the revolt so much as a general economic trend, but the revolt did give the peasantry a new independence and a sense of their power and common interests as a class. After 1381, it was impossible for the ruling class to treat them without a certain respect springing from a very real fear. The serf became a free peasant farmer or a wage labourer.

## LABOUR continued

The lord, too, was glad of being possessed of money. He, too, needed it as a substitute for his duty of military service to the King.

Moreover, the lord was probably glad to obtain hired labour in exchange for the forced labour which the system of tenure made general; just as later the abolition of slavery was due largely to the fact that, in the long run, it did not pay to have the plantations worked by men whose every advantage it was to shirk as much toil as possible.

### THE BLACK DEATH

In 1347, the Black Death arrived from the East. Across Europe it moved, striking fear by the inevitableness of its coming. It travelled at a steady rate, so that its arrival could be easily foretold. In 1349, it reached England. For a year or more it ravaged the countryside, whose villages were left with inhabitants. Up to 30% or more of the population was wiped out.

The population had now so much diminished that prices of livestock went down, an ox costing four shillings, a cow twelve pence and a sheep threepence. But, for the same reason, wages went up, for labour had suddenly grown scarce. For want of hands to bring in the harvest, whole crops rotted in the fields.

In despair, the feudal system was set aside, and lord competed with lord to obtain landless labourers, or to entice within their jurisdiction those whose own masters ill-treated them in any way. The villeins themselves sought to secure enfranchisement, and the right to hire themselves out to their lords, or to any master they might choose. Commutation was not particularly in evidence as the legal method of redress; though it too was no doubt here and there arranged for. But for most part the villein took the law into his own hands, left his home, and openly sold his labour to the highest bidder.

The governing class took fright. In their eyes it seemed as though their tenants were taking an unfair advantage of the disorganisation of the national life. Even before Parliament could meet, in 1349 an ordinance was issued by the King (Edward III), which compelled all servants, whether bond or free, to take up again the customary services, and forced work on all who had no income in land, or were not otherwise engaged.

A statute was then enacted by Parliament which fixed wages at the rate they had been in the period before the

Black Death (1349), when labour was plentiful.

Whether unconsciously or not the framers of these statutes were themselves striking the hardest blow at the old system of tenure. From here on, the labourer appears in the market place with his tools, and waits till some landowner hires him. The State, not the lord, is now regulating labour. Labour itself has passed from being 'tied to the soil', and has become fluid. It is no longer a personal obligation, but a commodity. (*Mediaeval Socialism*, p.24).

### THE TOWNS

"In the towns much the same sort of struggle had been going on; for the towns themselves, more often than not, sprang up on the demesne of some lord, whether king, church or baron. But here the difficulties were complicated still further by the interference of the Guilds, which in the various trades regulated the hours of labour, the quality of the work, and the rate of pay. Yet, on the other hand, it is undoubted that, once the squalor of the early stages of urban life had been removed or at least improved, the social condition of the poor, from the fourteenth century onwards, was immeasurably superior in the towns to what it was in the country districts." (*Mediaeval Socialism*, p.26).

### LABOUR LAWS

The Ordinance of Labourers 1349 is often considered to be the start of English labour law. Specifically, it fixed wages and imposed price controls; required all those under the age of 60 to work; prohibited the enticing away of another's servants; and other terms.

The ordinance was issued in response to the 1348-1350 outbreak of the Black Death in England. During this outbreak, an estimated 30-40% of the population died. The decline in population left surviving workers in great demand in the agricultural economy of Britain.

Landowners had to face the choice of raising wages to compete for workers or letting their lands go unused. Wages for labourers rose and translated into inflation across the economy as goods became more expensive to produce. The wealthy elites suffered under the sudden economic shift. Difficulties in hiring labour created frustration. John Gower, (1330-1408), the English poet commented on post-plague labourers: "*they are sluggish, they are scarce, and they are grasping. For the very little they do they demand the highest pay*". On the other hand, while some workers suffered from increasing prices, others benefited from the higher wages

they could command during this period of labour shortage.

The law was issued by King Edward III of England on 18th June 1349.

The ordinance has largely been seen as ineffective. Despite the English Parliament's attempt to reinforce the ordinance with the Statute of Labourers of 1351, workers continued to command higher wages and the majority of England (those in the labouring class) enjoyed a century of relative prosperity before the ratio of labour to land restored the pre-plague levels of wages and prices. While the economic situation eventually reverted, the plague radically altered the social structure of English society.

It was later repealed by the Statute Law Revision Act 1863 and the Statute Law (Ireland) Revision Act 1872.

### THE PEASANTS' RISING (1381)

Faced with an attempt to drive them back into the serfdom from which they were slowly climbing, the villeins organised themselves into primitive and spontaneous local Unions that grew up everywhere into an organisation on a national scale.

The preamble of the Statute of 1377 reflects the terror of the lords at this new development. The villeins, it declares—

"do menace the ministers of their lords in life and member, and, which is more, gather themselves in great routs and agree by such confederacy that one should aid the other to resist their lords with strong hand: and much other harm they do in sundry manner to the great damage of their said lords and evil example to other."

The Statute of Labourers had fixed the wages of reapers at twopence or threepence a day. Under the banner of the 'Great Society', the new organisation was demanding sixpence and eightpence a day.

The Peasants' Rising had features which marked it off sharply from the majority of the peasant risings of the Middle Ages. While the *Jacquerie*, a popular revolt in late mediaeval Europe by peasants that took place in northern France in the Summer of 1358, for example, was a revolt of despair, a movement of hopeless men without plan and with little purpose other than to do all the harm they could do their oppressors, the revolt of 1381 was the work of men who had already won a certain measure of freedom and prosperity and were demanding more. The villeins who declared, "*We are men formed in Christ's likeness and we are kept like beasts*", were growing conscious of their human dignity. Many of them had fought

continued on page 26



# Labour becomes a Commodity

It was in England that Labour became a commodity, a development that was to be replicated elsewhere.

In these series of articles on the subject of Guilds, most of the emphasis dwelt on the town and the craftsmen. But it is important to realise that prior to the coming of the industrial revolution, nine-tenths of mediaeval workers were peasants. Also, mediaeval society was impregnated with the belief that ethical and moral values dominated economic activity.

This month we take a brief look at the land and the labourer under feudalism and the seismic changes which occurred when labour developed from a 'personal obligation' into a 'commodity'.

How history in the shape of the Black Plague (1348) and the English peasants' rising (1381) fuelled that development.

"One and all, master and man, lord and tenant, were 'tied to the soil'. In England, tenants were chiefly of three kinds—the villeins [*peasants personally bound to the lord, to whom he paid dues and services, sometimes commuted to rents, in return for his land*], the cottiers [*persons bound to the land and owned by the feudal lord*], the serfs [*members of the lowest feudal class, attached to the land owned by a lord and required to perform labor in return for certain legal or customary rights*]."

"The first held a house and yard in the village street, and had in the great arable fields that surrounded them strips of land amounting sometimes to thirty acres. To their lord they owed work for three days each week; they also provided oxen for the plough. But more than half of their time could be devoted to the farming of their property. Then next in order came the cottiers, whose holding probably ran to not more than five acres. They had no ploughwork, and did more of the manual labour of the farm, such as hedging, nut-collecting, etc. A much greater portion of their time than was the case with the villeins was at the disposal of their master, nor indeed, owing to the lesser extent of

their property, did they need so much opportunity for working their own land.

"Lowest in the scale of all came the slaves or serfs. These had almost exclusively the live stock to look after, being engaged as foresters, shepherds, swineherds, and servants of the household. They either lived under the lord's own roof, or might even have their cottage in the village with its strip of land about it, sufficient, with the provisions and cloth provided them, to eke out a scanty livelihood.

"Distinct from these three classes were the free tenants, who did no regular work for the manor, but could not leave or part with their land. Their services were requisitioned at certain periods like harvest-time, when there came a demand for more than the ordinary number of hands. This sort of labour was known as boon-work.

"Theoretically, there was no room in such a community for the modern landless labourer. Where all the workers were paid by their tenancy of land, where, in other words, fixity and stability of possession were the very basis of social life, the movement of labour was impossible. Men could not wander from place to place offering to employers the hire of their toil.

"Exactly at what date began the rise of this agricultural and industrial class of paid labourers? It was probably between 1200 and 1350 that traces of this great development began. Though the land itself might be capable of supporting a far greater number of inhabitants, the part under cultivation could only just have been enough to keep the actual existing population from the margin of destitution" (*Mediaeval Socialism, Bede Jarrett, O.P., M.A., London: T.C. & E.C. Jack, 1913, p.18-20*).

## COMMON-LAND

The statutes in English law which protest against a wholesale occupation of the common-land by individuals were not directed merely against the practices of a landlord class, for the makers of the law were themselves landlords. It is far more likely that this invasion of village rights was due to the action of these 'landless men', who could not otherwise be accommodated. The superfluous population was endeavouring to find for itself local maintenance.

At this time, too, with the steps in the evolution from mediaeval to modern conditions, the increase in trade helped to further the same development. Money in greater abundance was coming into circulation. The traders were beginning to take their place in the national life. The Guilds were springing into power, and endeavouring to capture the machinery of municipal government. As a result of all this commercial activity money payments became more frequent.

## FORCED LABOUR

The Villein was able to pay his lord instead of working for him, and by the sale of the produce from his own yard-land was put in a position to hire helpers for himself, and to develop his own agricultural resources. Nor was it the tenant alone who stood to gain by this arrangement.

continued on page 27

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

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

33 Athol Street, Belfast BT12 4GX or  
2 Newington Green Mansions, London N16 9BT

or  
*Labour Comment*,  
C/O Shandon St. P.O., Cork

Subscription by Post:

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

Electronic Subscription:

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

You can also order from:

<https://www.atholbooks-sales.org>