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Stormont House Crash

There is little reason to doubt Sinn Fein's view that the Stormont House crash is "*a contrived crisis*" brought about by the electoral rivalry between the two branches of Unionism.

The *casus belli* of the crisis was the killing of two former Republican prisoners—not usually a concern of Unionism—and it is a justification for it that is flimsy in the extreme.

The *Irish Times* promotes this fiction when it says that, "*The row over the alleged continuing existence of the IRA has poisoned relationships between the two largest parties in the power-sharing Executive*" (12.9.15).

Where has the *Irish Times* been living since 2011, one might ask?

The real cause of the 'crisis' is to be found in Unionism. Unionism has gone into an existential crisis and this, more than anything else, led to the Stormont House Crash.

Deprived of its majority/dominating status, Unionism cannot seem to stabilise itself or its 'state' that it claims to have "*maintained*" against the Fenian resurgence. Though Unionism periodically claims victory in the conflict, it now thrashes about with a lot more stagger than swagger. Unionism sometimes says it is aiming to make 'Northern Ireland' functional and claiming that it can reconcile the "defeated" Fenians to its existence, but then it reverts to its basic communal instincts of the lost world, spoiling all the rhetoric.

Whilst Unionism claims victory it seems that Unionists act as if they have suffered defeat.

After the flag dispute of 2012, and the worrying demographic shift signalled in the 2011 Census which showed the end of majority-status, there was the start of an unravelling of the functional relationship Paisley had built up with Sinn Fein that established a degree of stable government at Stormont. From 2012 things have begun to unravel.

In 2013 there were all-party talks aimed at securing agreement on legacy issues, flags and emblems and parading. But Unionism found itself unable to agree to the Richard

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NAMA And The North

When the capitalist market, left to its own ways, threatened to collapse some years ago, the Government took certain projects in hand and put them on a life support system called NAMA. The idea was that these enterprises, regarded as viable in the long term, should be prevented from short-term collapse. A thoroughgoing slump, in which everything that the market in its downturn could destroy would be destroyed, was averted.

This arrangement of things was organised by Fianna Fail Minister for Finance Brian Lenihan before he died, under Taoiseach Brian Cowen, before Fianna Fail collapsed. The project was then taken in hand by Fine Gael Finance Minister Michael Noonan under FG Taoiseach Enda Kenny. They ran it for a while in the spirit in which it was set up, preserving the makings of an Irish national economy. But latterly they have been behaving like the receiver of bankrupt stock—selling assets off for what they will get in a buyers' market, regardless of who the buyers might be. It looks as though they are just trying to raise a lot of money in the hope of buying the next election.

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High Noonan

Michael Noonan's appearance before the Inquiry on September 10th was a balanced, focussed and rather apolitical affair in contrast to the highly politicised and at times embarrassing performances put in by Enda Kenny, Joan Burton and Richard Bruton the previous month.

He did tout some of the Government's successes:

"We succeeded in a number of areas—achieving reduced interest rates, extend-

Banking Inquiry:

ing maturities, the promissory note arrangement, reversal of the minimum wage cut proposal, the jobs initiative and agreement on the use of some proceeds of asset sales for productive investment. We also replaced harmful revenue-raising measures with more targeted growth-friendly measures. And, of course, we also got an extra year for the adjustment."

But it is doubtful that anyone is under any illusions: the bulk of the heavy lifting

leading to the successful adjustment was carried out by his predecessor, Brian Lenihan. And it is worth remembering that the National Recovery Plan, which formed the basis of the agreement with the Troika and remains the basis for policy today, had actually been substantially agreed with the European Central Bank in return for continued funding to the banking system before the country was bounced into a bailout by Merkel and Sarkozy at Deauville.

Under questioning from Joe Higgins, Noonan made it clear that his intention to

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

The Livery Companies and Politics

Mondragon, Part 45

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Haass proposals for progress. After Haass departed, in October 2014 new all-party talks began with the same proposals put on the table in conjunction with issues that had since arisen from the Tory economic assault on the North.

From 2011 the British Government had begun stripping the North of about £1.5 billion pounds of its annual block grant. It began to impose massive cuts to public services that have pushed them to breaking point. It also sought to impose welfare cuts, but found, due to the Good Friday Agreement, that because this was now a devolved matter, Sinn Fein's consent was necessary.

Sinn Fein negotiated the Stormont House Agreement, in December 2014. This ameliorated the welfare cuts in return for progress on the 3 key issues discussed by Haass. In signing up to this and agreeing to the Stormont Welfare Bill, Sinn Fein made it clear that it was protecting both present and future claimants from the reforms. However, the DUP through an accounting device of their Finance Minister, welched on the deal, and included protection only for present claimants. So

Sinn Fein opposed the Welfare Bill through the tabling of a Petition of Concern—a legitimate mechanism of the Good Friday Agreement—in March 2015.

In May 2015 David Cameron, having secured a majority for the Tories at Westminster, moved to strip public services and welfare of a further £25 Billion. This would make the financial situation of the Executive at Stormont unsustainable.

Sinn Fein's view that the Stormont House Crash is all about electioneering within the Unionist bloc must be taken seriously. The Welfare Reform issue accentuated the turmoil within Unionism as it seemed to present a useful weapon to be used on Sinn Fein at a most opportune time of extreme discomfort for Unionism.

The perverse political entity of 'Northern Ireland' and the parties of State boycott leave the Government of the UK State immune to elections contested in its 'Northern Ireland' annex. Therefore, the Westminster Government can institute policies without fear of retribution from the electorate.

The political parties that actually contest the elections in the 'Northern Ireland' annex

have no such luxury. Sinn Fein is the only party of State in 'Northern Ireland'. Its constituency in both States demands that it opposes the Tory welfare cuts—which are actually opposed by many in the UK and by the new leader of the Labour Party. Merely because Sinn Fein opposes the Tory cuts, Unionism has taken up the alternative position, supporting the Tory cuts, even though many of its constituency would suffer deeply from such cuts. As long as the other party in the Unionist bloc maintains a similar position there is no problem in doing so.

But this situation, which generated a stalemate, provoked the attempted out-flanking by the Unionist Party of the DUP, through an opportunistic walk-out over the shootings of the two republicans, which they blamed on the IRA. The idea was to put some political distance between the two parties, that had drawn together on welfare reform against the Fenians, so that the subordinate part of Unionism could perhaps in next year's election recapture ground lost to the dominant part.

On the Nationalist side a similar manoeuvre could not be attempted by the SDLP without further electoral loss because Sinn Fein has occupied the high ground of Stormont, and the Catholic community sees the British/Unionist position as an attack on itself

Unionism went along with the cuts, even though it would be punishing a substantial part of its own community. Presumably this was judged a useful diversionary action to avoid a compromise with Sinn Fein on legacy issues, flags and parading. And screw the remnants of the Protestant working class, who had their flegs to comfort them.

The ostensible events leading to the walk-outs occurred earlier this year. In May IRA-man Gerard 'Jock' Davison was shot dead in Belfast. In August former IRA-man Kevin McGuigan was killed. On 22nd August the PSNI Chief Constable stated that members of the Provisional IRA had been involved in the second killing. However, no charges have been brought. The statement provoked a walkout by the UUP from the Executive with a call for the DUP to join it. The DUP Leader, not wanting to do the UUP bidding, then "*stepped aside*" with 4 of his 5 Ministers but failed in a motion to have the Assembly adjourned. The British refused to suspend the institutions.

Peter Robinson, after a period of maintaining stability at Stormont, has been unsettled by a revival of fundamentalist instinct within the DUP. On top of this, a

recent minor resurgence of the UUP under its new leader, the UTV media man Mike Nesbitt, has stirred up discontent among the DUP to a level that has made Robinson's earlier project, outlined in his Castlereagh speech, of stabilising 'Northern Ireland' in the unionist interest, untenable. And Robinson's heart attack earlier in the year, indicating his political days were numbered, has prompted a flexing of muscles among the pretenders to his throne.

On the anniversary of the death of the Big Man, Martin McGuinness suggested that "the current crisis would never have been created under the leadership of Dr. Paisley" (IT 12.9.15) He is undoubtedly right. Paisley believed he had seen off the Republican effort and had the confidence he could do something with the victory. He would not have "*lost the dressing-room*" as they say in sporting parlance to those who were not so sure if they had won and who wished to continue the eternal struggle that, it appears, will never really be won.

Although it is not at all clear whether the new UUP Leader, TV Mike, knew what he was actually doing when he organised the great media event and walked-out, or what he wished to accomplish, the DUP was so spooked by his grand gesture that it responded to it by pushing everything closer to the cliff.

In fact, what the conflict within Unionism seems to be all about is who can push things closest to the tipping point without actually taking everything over the cliff. And of course, Dublin, after helping to move things in that direction in order to shaft Sinn Fein in the South, has long ago lost its nerve and is now pleading for sanity!

Speaking of Dublin, it was said by Marx that "*History repeats itself, first as tragedy, second as farce*". What would he have made of the Stormont shenanigans, one might ask? Gerry Moriarty does not ask but mournfully writes for the *Irish Times* about Sinn Fein coming out unscathed from the Stormont House Crash that was so meant to injure them:

"Sinn Fein really is the 'Teflon party'. It is something of a political mystery that this crisis, based on the assessment of a chief constable and a range of other matters that we are all familiar with, haven't damaged the party. But maybe there is a tipping point. Perhaps if Stormont does combust it might give some of the stability-craving Southern electorate pause about whether to risk their votes with Sinn Fein. A deal in the coming weeks would... serve the purpose

of Gerry Adams and his ambitions in the Republic: it could demonstrate that Sinn Fein can govern and make politics work" (IT 12.9.15).

That passage neatly sums up why Dublin's confusion over what it really wants in the North has been so detrimental to what has actually happened in the Six Counties. There is a push for the "*tipping point*" at every opportunity, seen to damage Sinn Fein electorally in the South, even if that involves assisting the Unionist obstructionism that Dublin acknowledges in its confabs with the SDLP. And then Sinn Fein, indispensable to stability in the North, due to the Catholic community's support for it, saves the North from the "*tipping point*" to which all are pushing except Sinn Fein, and it is, as a consequence, enhanced in the South. Drat! Foiled again!

Dublin's purpose in helping things toward the edge was partly to stop the momentum gathering in the South around the 1916 Centenary, which had shown itself in the tremendous enthusiasm that manifested among the Dublin working-class during Sinn Fein's re-enactment of the O'Donovan Rossa funeral. The *Irish Times* began linking the shooting of Kevin McGuigan, an ex-Provo with a hot head and a long-standing grudge against those who attempted to calm his hot temper, with the O'Donovan Rossa event almost immediately (Stephen Collins, '*McGuigan killing raises questions for Rising tributes*' 22.8.15). The wind needed taking out of the Sinn Fein sails by the tried and trusted (though previously unsuccessful) method of linking it to sporadic violent events in the North.

When will they ever learn, when will they ever learn . . .

But back to the Black North: When the DUP First Minister failed to achieve his objective of an adjournment of the Assembly, he stepped aside and the DUP left Arlene Foster to guard the Big House from the Fenians. It seems that Robinson was going to resign all his Ministers and follow TV Mike down the steps and down the Hill. But Arlene pointed out to him that the Fenians—or "*the Rogues*" and "*the Renegades*" as she called them—would have the House to themselves, for at least a week. Robinson therefore left Arlene as gatekeeper to hold the fort and then let it be known that he had a cunning plan to keep the Fenians out in perpetuity by not totally resigning and by re-nominating different Ministers every week for as long as it takes. Thus the Executive would continue, but with no one doing the work of the missing Ministers. Arlene

Foster would stay on as acting First Minister and continue her role as Minister for Finance.

Alisdair McDonnell is reported to have complained that the DUP "*don't want a Taig about the place*" at Stormont. That is inaccurate, it should be said. The DUP were taught to accept Taigs at Stormont by the 28 Year War, whether they liked it or not. They were slow learners in that, of course. However, it is not Taigs who are unwanted in Stormont these days—it is Fenians. And Fenians are just as unwelcome in Leinster House, among the SDLP's patrons in Dublin, as they are in Stormont House.

Unionism is full of cunning plans and "*procedural manoeuvres*". Trimble had loads of them—but where did they get him? The fact is that cunning plans would suffice if there were only Unionists and their flegs to govern. But unfortunately that is not the case—the Fenian "*swarm*", to borrow an expression of the Prime Minister's, is all around and cunning plans are never enough.

The DUP fear was that the Fenians, if left to mind the House on their own, could do untold damage to 'Northern Ireland'. The only fitting analogy we could think of to do justice to such a notion would be the way a shower ruins a shit.

The DUP objectives in the Stormont House Crash are obscure. Some have suggested they are hoping to avoid being in the House when the NAMA shit hits the fan. Robinson has put Mick Wallace on notice that he intends to sue him over something the Wexford TD said on Twitter about a 'Northern Ireland' MP having benefitted from the sale of NAMA assets. As far as we know he never mentioned Robinson in particular but now the First Minister is suing because he seems to believe that the message has made people think it is him!

Some say the DUP are trying to respond to the UUP gambit by moving Stormont closer to the brink but not fully resigning and so avoiding an election which they fear will be damaging, and good for Sinn Fein.

Robinson has declared that his objective in provoking the crisis is to ensure it is "*not business as usual*" in the House. But crises in 'Northern Ireland' are, in fact, "*business as usual*" and functional, stable government is very much the aberration.

Robinson has not been helped by media suggestions that TV Mike has out-manoeuvred him. That really grates on the DUP rank and file. But Nesbitt, after leading his single Minister down the Hill

to cultivate an "opposition", found the SDLP was not following and he was joined by the bulk of the main party of government—so that opposition was impossible. He seems to now be drawing back from "opposition" by only demanding the issue of IRA existence to be first on the British talks agenda before a return to the House. (In a radio interview he suggested his aim was to simply get Sinn Fein saying that *"the IRA has gone away y'know—but it hasn't!"* The Sin has to be admitted by the Sinners for forgiveness to occur. How very Unionist, that is!)

Teresa Villiers on BBC Ulster was non-plussed by this strange demand of Nesbitt's. Despite her failings she is a politician in a real State and she probably hasn't encountered student politics in a while.

The fact that Britain's will is to retain the 'Northern Ireland' semi-detachment is fully reflected in the contrived Stormont House Crash. Stormont is dead, long live Stormont! It dies, but it will live again.

Presumably some bogus independent body will be set up to do something that is already being done by the PSNI, along with the National Crime Agency (allowed in by the SDLP in May) and the various Intelligence bodies. It will not produce any new information, but will be enough to have the rats scurrying back to the ship they seem bent on sinking. They will probably scurry away again in the next 'crisis'. 'Northern Ireland' is the only place where the rats who desert the sinking ship continually return in order to desert it again.

That brings us to the behaviour of the Police and Media. It should be pointed out first that there is little interest in bringing the perpetrators of mass murder in Derry and Ballymurphy to justice. A few weeks ago the Chief Constable revealed to relatives of the Derry victims that he did not know what had happened with regard to the investigation.

The two killings in Belfast that sparked—used as an excuse for—the Stormont House Crash were treated very differently by both media and Police. The Police seem to have had one suspect on their mind for the first killing—that of 'Jock' Davison. Kevin McGuigan was arrested and released without a thorough investigating of his alibi, which was easily blown apart by the investigations of ordinary members of the community.

It seems that a decision, somewhere, was taken to allow McGuigan back on the streets where his presence would undoubtedly cause most trouble. After he

was killed, 17 republicans were suddenly arrested in turn by the PSNI, including senior ones closely associated with the Sinn Fein leadership. All were subsequently *"released unconditionally"* as the *Belfast Telegraph* put it, but for entirely different reasons than McGuigan was—there was no actual evidence against them. However, the spaced-out arrests gave occasion to sensationalist media publicity.

Another strange aspect of all this was that an ordinary detective, Kevin Geddes, was permitted to make announcements by his Chief Constable, claiming that the IRA was involved in the killing of McGuigan.

The subsequent arrest of Bobby Storey, Sinn Fein's Northern Chairman, was political policing at its crudest. Bobby Storey's detention must have been calculated to cause the maximum political damage up at Stormont House. Arresting Storey, a strong supporter of the retreat from the battlefield, is the tried and trusted method of the Police to help along a political crisis in the Unionist interest. He has previously been detained at important moments—such as at the time of the Northern Bank robbery—after a Unionist M.P. named him in the House of Commons. He was also questioned on the Castlereagh Break-in and the Stormont 'Spy-ring' when the British attempted to save Trimble from the electorate.

During the current crisis, the Police, initially assailed by the media (most notably Ed Moloney) for lack of vigour in arresting Sinn Fein members, then indulged in an orgy of politicking.

Chief Constable George Hamilton had appeared, alongside Bobby Storey, on a platform in Derry, speaking up for Republicans and their honest intentions, and making it clear that the IRA, in his opinion, had gone away. He said:

"In the organisational sense the Provisional IRA does not exist for paramilitary purposes. Our assessment indicates that a primary focus of the Provisional IRA is now promoting a peaceful, political Republican agenda. It is our assessment that the Provisional IRA is committed to following a political path and is no longer engaged in terrorism. I accept the bona fides of the Sinn Fein leadership regarding their rejection of violence and pursuit of the peace process and I accept their assurance that they want to support police in bringing those responsible to justice... We assess that the continuing existence and cohesion of the Provisional IRA hierarchy has enabled the leadership to move the organisation forward within the peace process."

What this means, in essence, is that the

IRA only continued to exist, if it existed at all, so that it could achieve its non-existence.

But then he began to backtrack, saying the IRA had gone away in substance but existed in smaller form for different, non-political purposes. And finally, when he decided to arrest the usual suspects, including the man who had sat next to him on a platform, who seem to be rounded up on cue whenever Unionism requires such a thing, he declared that the IRA hadn't gone away, y'know, at all.

The Chief of the Garda Síochána, Noírin O'Sullivan, also came under great pressure in the South. According to the *Sunday Times* in Ireland the Department of Justice in Dublin had *"distanced itself"* from her refusal to say what the *Sunday Times* evidently wanted her to say—that the Provos existed and did the murder! It is amazing how such choreography works North and South, with the British media presence in Ireland acting as conduit.

The media then rolled out the Mc Cartney Sisters, who some years ago lost a brother in a pub fracas for which Provos were scapegoated, to provide commentary on the killing. Speaking to Miriam O'Callaghan on RTÉ Radio One, Catherine McCartney said that, with the death of Gerard Davison, it was *"as if a weight was lifted... justice probably would imply there was an element of right about it, but murder is murder at the end of the day and we would condemn that"*. Paula McCartney *"said she had no sympathy for Davison when she heard he was murdered"* (Irish Times 10.5.15).

That was the narrative that the media created around the death of "Jock" Davison. It acted as judge and juror in convicting Davison as the man responsible for the death of Robert McCartney. The McCartney's were allowed to make unsubstantiated and unproven allegations against a dead man. The fact that Davison had been released without charge after being *"quizzed"* by the Police after the killing in the Markets (Belfast) was treated as immaterial.

Irish Foreign Affairs Minister Charlie Flanagan did not even condemn the killing of Jock Davison—something that is customary and was demanded of Sinn Fein—choosing to say instead that Mr. Davison's death *"displayed a callous disregard for others!"*

The McCartney killing, during a pub brawl, was used to attempt the prevention of a deal between Sinn Fein and the DUP in early 2005. The delayed but subsequent deal led to 5 years of quite functional

government at Stormont—something which must be now seen as something of an aberration in the history of 'Northern Ireland'.

The Dublin *Independent* significantly reported that "Catherine McCartney said the murder of a top IRA man has stunned the republican community and the entire city. She said that "people will feel the IRA have gone away, and that their power in the communities is not what it was"... (9.5.15).

Well that proved to be an accurate estimation of things and at the same time, a little wishful thinking.

It was accurate in that the killing of Jock Davison without a retaliation, might have made it open season on supporters of the Sinn Fein leadership. In relation to this matter, Anthony McIntyre, in the course of an interview in which he was asked if he believed the IRA still existed, said:

"Yes, I do believe it exists... I think it exists in shadow form, a different form, and has pulled back very deep into itself but I don't believe that it's gone away and I don't know many people that I speak to in The North and on the ground in Republican communities who think it has gone away. And I speak to a lot of Republicans who are disaffected and are often referred to as dissidents and they certainly don't believe it's gone away. And they at times have had meetings with them and disagreements with them and so on and so forth.

"Interviewer: And for what purpose do you believe it now exists?"

"AM: Many years ago when the peace process was developing I was forecasting that the IRA at some point would leave the stage but would not disband and that it would maintain its existence primarily as a presidential guard. And I think that's what it has done because in the minds of many people who were in the IRA they made a lot of enemies within the communities as a result of their policing and there are people who would have a lot of grievances and would be inclined, in circumstances where they think there may be no repercussions or come back, they would be inclined to take actions and settle scores with people who were at one point in the IRA.

"Interviewer: Are you pointing there, Anthony, to a difficulty among members who throughout their lives perhaps were people who handled business themselves, they didn't look to the police, and they still find it difficult to look to the PSNI to be the rule of law in Northern Ireland?"

"AM: Well, as the PSNI demonstrated in the case of Gerard Davison, the PSNI did not protect Gerard Davison. It was unable to protect Gerard Davison. It didn't have the intelligence to make an intervention to save the life of Gerard Davison. Now there are people in the Provisional IRA who assume that they know who the

killer is, or was, and they took action in their mind to remove the threat to them and also it was maybe something of a preemptive strike and also a retaliatory blow. I mean, when Gerard Davison was killed I wrote on my blog that anybody who expects those IRA people who turned up at Gerard's funeral to sit around waiting for someone to target them like sitting ducks was very, very foolish."

What McIntyre is inferring here, and what has become the dominant narrative since the subsequent killing of Kevin McGuigan, is that the second man killed was responsible for the killing of the first, Jock Davison, and the comrades of the first decided that they would have to take action for their own self-preservation in the light of this. The fact that the police failed to find the killer of Davison has a bearing on this.

It has been suggested that, after the decommissioning deal of 2005, Republicans asked that some weapons be retained for personal protection. It is said that the Blair Government agreed but Dublin objected. The fake monitoring body, set up by the British in competition with the real International one, reported the existence of these guns and the DUP was fully aware of this, but still did its deal with Republicans nonetheless.

Like the "*On the Runs*" issue, there is a great capacity for ignorance when it suits and discovery when it suits.

In September 2008 the British and Irish Governments asked their Independent Monitoring Commission to devote a report to answering the question: Is the IRA committed to non-violence? Under the heading: "*Has PIRA abandoned its terrorist structures, preparations and capability?*" it reported back to its masters:

"We believe that it has. The so-called 'military' departments have ceased to function and have been disbanded... the organisation's former terrorist capability has been lost. PIRA is not recruiting or training members and the membership continues to decline, and there is some issue as to what membership means in the absence of activity. In so far as gathering information or intelligence may continue in any limited way—not in itself improper if it does not involve illegal methods or intent—we believe that it is mainly for the purpose of ascertaining the nature of any threat from dissident republicans."

Gerry Adams' recent statement that the IRA has gone away y'know, is easily reconcilable with all of this. As the 2008 Report states, the gathering of Intelligence for purposes of self-protection is entirely legitimate and has taken place outside of the old military structures, which have ceased to exist.

Belfast Catholics/Republicans, due to 50 years of Stormont housing policy aimed at hemming the Fenians in, continue to live cheek by jowl. They do not require formal military structures to look out for each other or defend themselves. 'Intelligence' is still offered to those considered Republicans to facilitate the peace and stability of communities. Belfast communities are traditionally tight. They live as neighbours and behave in a neighbourly fashion. You could, as a stranger, have gone on a march into Ardoyne and been invited for Sunday dinner by someone. Part of it was hospitality and part of it was finding out who you were.

In 1969 this neighbourliness produced both the IRA and the Catholic ex-servicemen. Frank Burton, an English sociologist wrote an interesting book about it called the *Politics of Legitimacy*. During the 28 Year War the communities became even closer and more cohesive, due to necessity, for general protection and in order to create an instrument that would transform their position.

It would be ridiculous to believe that these people and communities would become disconnected atoms when the War ended, as if they lived the lives of those in South Dublin or Surrey, or they would cease to look out for each other, after all they had been through—military structures or not.

One Belfast journalist, a long-standing critic of Sinn Fein, who has, for reasons unexplained, pursued an agenda against the retreat from the battlefield, is presently corresponding with an alleged gun-runner who is attempting to implicate a senior Republican. The suggestion is that guns were run by the IRA when disarming was taking place and these guns were used for killing. The hope seems to be that by slinging more mud this will scupper the new round of talks aimed at a prevention of a Stormont fall over the cliff, by enraging Unionists further: And then what?

This journalist obsession with "missing guns", imagines the situation today is the same as it was during the past. But guns, these days, are much more readily available than they were during the War. They were tightly controlled then and the State was on the lookout for them constantly. They are quite commonplace in London and Dublin these days. We have the West to thank for that, for what it has done since it saw off Russia in the 1990s (or thought it had).

Republican statements that the killers of both former Republican prisoners were

"criminals" puts the clearest blue water between the shootings and Republicanism and puts paid to any idea that the IRA killed Kevin McGuigan. That should be clear. But it has nowhere been remarked that this is just about as strong a statement as Sinn Fein could have made—worth a thousand condemnations—since 10 men had died on Hunger Strike to resist the criminal label.

The current leader of Fianna Fail Michael Martin has bizarrely called for the Assembly to be suspended, which could only occur through emergency Westminster legislation and a breaking of existing agreements on the part of the British. That really shows him up for an ignoramus: he has stronger demands than Unionism and is prepared to sacrifice everything Haughey and Reynolds put together.

Martin Mansergh has also made an intervention in the crisis through the *Irish Times*. Here is some of his wisdom:

"Even within the limitations of devolution, there is plentiful scope for initiatives that will better the lives of people there. A degree of confidence in stability and good governance would go a long way to making the Northern Ireland economy more dynamic, particularly if its corporation tax is aligned with the Republic's. Coalition has to be more than a mutual blocking mechanism, with progress being made by agreeing trade-offs, which will help satisfy aspirations in both communities.

"Budgetary and macroeconomic policy is determined in Britain. No fault lies in acknowledging that reality. Anti-austerity campaigns are unlikely to be won at Stormont. Taking on the responsibilities of government, North or South, involves being ready to stand over difficult choices and decisions. In the long term, a party that seeks a united Ireland surely has an interest in reducing Northern Ireland's dependence on a large British subvention." ('Courage and Compromise needed to spur Stormont' 12.9.15)

This passage seems to be a criticism of Sinn Fein for obstructing Tory Welfare Reform in the North. It has been asked to collaborate in cutting the welfare benefits of its constituents. It has said no and it has now found an ally in the rejuvenated British Labour Party and its new Leader. How silly does Sinn Fein look now? And where is the Fianna Fail Jeremy Corbyn?

One thing is certain: there won't be one if they think in the way Mansergh does.

Mansergh does not explain how Welfare 'Reform', or even a cut in Corporation Tax, might transform the North's economy. That is something only a State and a

governing party of State could do. And, until Jeremy Corbyn becomes Prime Minister of the UK, the only worthwhile thing a socialist party with any self-respect can do is resist. Northern Croppies have something against lying down and rolling over.

The Tory Welfare Reforms are only a part of a general assault on the North's strong public sector. There have been massive cuts in public services like health and education, and community funding has been slashed. This has impacted right across the social spectrum and there are growing voices in the Unionist community that are expressing dissatisfaction with the behaviour of the Unionist parties, indulging themselves in electoral posturing, whilst their community suffers from the cuts. It is noticeable that there are no Protestant working class voices, even loyalist, raised in support of the UUP and DUP's walk-outs.

In Mansergh's closing statement for the *Irish Times* article he says:

"Notwithstanding the mixed causes, motivations and results of the conflict... most people view the post-1969 IRA campaign... as a major mistake, from which it may take a long time to recover."

Mansergh does not explain what the Catholic community should have done, as an alternative to what it was provoked into doing, in the aftermath of August. If he studies closely what Dublin did from August 1969 I would guess he'll be content not to try to. It was, after all, Dublin's abandonment of the Northern Catholics, under pressure from the British, that placed them in a position of having to form themselves into something that could transform their position, in whatever way they could manage. Without doing that there would be no Good Friday or Sinn Fein in the House.

The Shadow Chancellor of the Exchequer, John McDonnell, was pretty accurate when he said:

"It was the bombs and bullets and sacrifice made by the likes of Bobby Sands that brought Britain to the negotiating table. The peace we have today is due to the actions of the IRA" (Belfast Telegraph 18.9.15).

He subsequently apologised for his view that the IRA should be "honoured" for its fight. But the rest of his statement contained the real utterance of fact that could not be unsaid, because it was actually established in what was instituted on Good Friday.

The 'Northern Ireland' system establish-

ed by Britain has been shown again and again to possess no internal capacity for development. Its fundamentally tendency has been toward crashing.

When it was believed to have an internal capacity for development—in the 1960s—that led to the conflict that Mansergh talks about. The conflict pre-dates the Provisional IRA, which grew slowly and did not begin to have an impact until mid-way through 1970. The development that occurred from 1998 was entirely due to external involvement—most of all British—which would never have happened without the IRA's ability to sustain a 28 year War against the British State.

Of course, it is a tragedy that that had to be the case, but it does not nullify it as a fact.

Pat Walsh

NAMA And The North continued

Well, that's strictly the business of the electorate of the Republic. But, in the boom that preceded the slump, 26 County entrepreneurship was active beyond the borders of the state, so NAMA found itself in possession of a substantial clump of projects in Northern Ireland. And the decision to have a fire-sale of those enterprises, and let them go to an American company which makes a handsome profit in that kind of business is having political consequences.

Last month the great issue in the North was the IRA. Some people professed to be shocked when the Chief Constable mused about it and said he did not think it had evaporated. He did not bring criminal charges against anybody. He just thought out loud.

The IRA is a body of people that fought the British Army to a standstill and made the Government agree to basic structural changes in the public life of the undemocratic region of the British state called Northern Ireland. The notion that that body of people should cease to exist belongs to wonderland. It was not that kind of army. It formed itself in a small territorial area with a small population, an area that was saturated with the British Army, British spies, and British and Ulsterish police, in which everything that moved had a camera watching it. It could only exist as an invisible Army, indistinguishable from the population in whose interest it claimed to be acting. (And, since it was known to that populace, its claim must be considered good.) It was made functional

by networks of confidential understandings between people. And, when military action produced a political result, and a political development based on success in war began, how could those people cease to know what they had done and how they had done it? How could they become strangers to each other?

The only way it could have been done was the way it was done in the South in 1922. There were powerful influences which did their best to work up a civil war within the Provisional movement—*Sunday Independent*, New Fianna Fail, Ed Moloney, Lord Bew etc. But no Michael Collins emerged to deliver the *coup*, and so there has been an evolution from war to politics.

The ongoing IRA is out of the news this month, displaced by the corruption scandal surrounding the fire-sale of NAMA holdings to an American company at a knock-down price. Individuals who felt they were being sold short raised questions about the sale. The Northern Assembly's Finance Committee conducted public hearings into the allegations, which brought some startling evidence, given under parliamentary privilege, by Loyalist activist Jamie Bryson. Then there were allegations of £7 millions being handed out by the purchasing company to help stifle public concern. The suggestion was that the First Minister had got some of it. And then the size of the bribe to various people was said to be a multiple of seven millions.

Unionist concern over the fact that the Chief Constable did not think the confidential understandings of which the IRA had consisted had melted away led to questions being raised in the Northern Assembly. The old Ulster Unionist Party, now a very minor part of Unionism, resigned its seat in the Government—a figurative seat because there is no actual Government, only Ministries. Then the First Minister called on the Assembly to adjourn itself for a period. (Adjournment would have meant that salaries would continue to be drawn.) But he failed to get an adjournment.

The Taoiseach supported the First Minister's call for adjournment. But the SDLP voted against. To the best of our knowledge this was the first time the SDLP disobeyed Dublin orders.

The First Minister then called on the Prime Minister to suspend the Assembly, hinting that that might be the end of the devolved Government. The Prime Minister refused. (If it had been suspended, no salaries would have been paid.) The

reason given was that the serious situation about the continued existence of the IRA, along with financial problems caused by Tory welfare cuts, required all energies focussed on inter-party talks organised by Secretary of State Theresa Villiers.

If the Assembly had been suspended, the Finance Committee investigation would have gone by the board.

High Noonan

continued

burn Senior Bondholders in March 2011 was thwarted by warnings from Jean Claude Trichet at the ECB:

"So I am preparing to go to the Dáil and I get a call from Mr. Trichet and he asks me what are we doing and I told him that we were recapitalising the banks in accordance with the results of the stress testing that had been done. There had been a commitment made in the programme that the recapitalisation of the banks would have taken place in January but my predecessor, Brian Lenihan, decided to defer it—first of all, to have the results of the stress testing and, secondly, he said if there's to be a change of Government, well, it's really the responsibility of the incoming Government and I'm making no criticism of that. I think that was a moral enough thing to do. So Mr. Trichet would have been aware of the plans because they were involved in discussions at the troika. So what it came down to was how we would arrange things and what the amount would be and then I told him that as part of the programme, we were burning bondholders and he didn't agree. He didn't agree and he asked me was I aware that this would be treated by the markets as a default, which was reasonably strong pressure because I know that after the time you've put in here, you understand the details of all this thing. ELA, emergency liquidity assistance, was underpinning Anglo to the tune of €41 billion at that time. ELA can't be given to a bank that defaults."

Precisely. Liquidity assistance is available for liquidity problems, but a default is a solvency issue, where the entity concerned cannot pay all of its creditors. The Irish banking system was kept alive for years thanks to ELA from the ECB and at the time of the bailout this had reached something like €160bn. This was only possible because the Guarantee was a guarantee of solvency for the Irish system.

Noonan continues:

"I think you'll be interested in the way it went after that. I said well, I was still burning bondholders and it was Government... I had the authority of the

Government to do so and he raised the question of the financial services industry in Ireland and particularly in Dublin and he suggested that even though he couldn't say categorically, it might not be possible for people in the financial services in Ireland, particularly in Dublin, to finance themselves on the market if they were situated in a country that was in default. So that was reasonable pressure as well."

There was no agreement here and Noonan told Trichet that he would have to consult with the Taoiseach. There was then a second call the same day:

"So after some time, I rang him back and I said we were still disposed to burn the bondholders and he said ... he was ... it's hard to know, like... English isn't his vernacular, you know. He sounded irate but...

... but I mean there were three issues that were recited to me. First of all, we'd be in default. I knew the implication of that for ELA although he didn't spell that out although he had previously spelled it out in different circumstances to Brian Lenihan back in 2010 because I saw the correspondence. Then he kind of ... he rattled me because I didn't expect it. He drew the Irish financial services sector into it and particularly the IFSC in Dublin and the possibility that they couldn't be funded if they were in a country that had defaulted and then I think the third suggestion about the bomb going off was mainly in the second phone call but I mean it was a fairly strong argument."

Trichet denied in his evidence to the Inquiry that he used the word '*bomb*', as well he might, but Noonan is adamant that he did. As a result of the conversation:

"I had some conversations with my key staff and I decided to advise the Taoiseach that the risk was too high for the amount of gain that was involved and I changed my script and did not promise burden-sharing in the Dáil but went ahead with the restructuring of the banks on the basis of two pillar banks."

Joe Higgins tried to make the point that an "*ECB official*" was dictating the policy of the 'sovereign' Irish Government and that this was a subversion of democratic rights, but Noonan coolly retorted in relation to this that: "*On the question of sovereignty, the day that the previous Government took us into the bailout, we had lost a lot of sovereignty anyway.*"

This is nonsense of course. Ireland voted to give up, or to pool, the monetary aspect of its sovereignty when, with a clear conscience and a happy heart, it passed the Maastricht Referendum by an overwhelming majority in 1992, leading to Euro membership and an unprecedented 15-year economic boom. This was only possible due to Euro membership with its

necessary constraints on sovereignty. The bailout occurred in the context of a loss of sovereignty, it was not the cause of it, and exiting the bailout did not make the country sovereign again in this respect.

Trichet's warnings to the Government with regard to bondholder burning are completely logical on one level but curious on another. The bond market is an important source of financing for the banks and, in view of the need for the Irish banks to eventually return to the markets for financing, it was clearly inadvisable to burn Senior Bondholders if this could be avoided. For his own part, Trichet is also likely to have been concerned about the overall stability of the Eurozone system and a default at that time, or earlier at the time of the Guarantee, might have imperilled this. But how exactly?

RABBITTE SETS HARE RUNNING

After giving his own evidence to the Inquiry in August, Pat Rabbitte gave an interview to RTE in which he suggested that it would be interesting to see a list of Anglo subordinated bondholders because, he implied, there may have been some FF supporters/party contributors among them, and that is why the sub-debt was included in the Guarantee. This of course was likely just a smear and the Government is unlikely to publish such a list, but a very interesting list exists of the foreign investors in Anglo debt. It was published on 21st October 2010 by the blogger 'Guido Fawkes' aka Dublin-based Englishman Paul Staines. It is obviously not authoritative, but it has not, as far as I am aware, been disavowed by Anglo or by those named on it either. What is interesting about the list, which purportedly covers the ownership of bonds worth ≈ 4 bn, a fraction of Anglo's total bond issuance and an even smaller fraction of its total debt, is that there are few actual banks on it. Nearly all the named 'bondholders', who are mainly Eurozone institutions, are independent asset management companies or the asset management arms of banks, not the banks themselves.

Though these asset managers may have bought Anglo debt, they are very unlikely to have been the 'holders' of the debt, except marginally. The debt would actually have been owned or 'held' by the funds or portfolios which they manage on behalf of their clients, which are separately registered entities, and it is these funds and the investors in them which would have borne the losses in the event of a default. These investors would in turn have been a mix of pension funds, insur-

ance companies, private investors, charities, trusts etc.

Portfolio managers generally diversify their holdings to spread risk, so that any given portfolio may contain up to 40 or more different securities or 'lines' and there is generally an upper limit, often 5%, to which the portfolio manager may be exposed on any given security. In other words, therefore, the ownership of the Anglo bonds was very widely dispersed and did not include European banks to any significant extent.

A default by Anglo on its bonds then, either at the time of the Guarantee or later, could not possibly have constituted, by itself, any kind of systemic risk to the European banking system for the very simple reason that European banks did not own them.

An Anglo default at any time would, however, have been systemic for confidence in the Irish system, which would in turn have had serious systemic implications for the British, US and finally, European systems. Trichet's warnings, however brutal, were therefore apt.

Why then was Trichet so adamant in his resistance to bondholder burning? As President of the ECB the stability of the Eurozone financial system was part of his brief, but the protection of private investors against rogue bond issuers was not.

For a possible answer to this question it is worth looking at the fallout from the Lehman crisis which occurred only two weeks before the Irish crisis. A note from the Bank for International Settlements (BIS, the central bankers' Central Bank) entitled '*3 market implications of the Lehman bankruptcy*' (Fender & Gyntelberg, Dec 2008) lists Lehman's CDS (Credit Default Swaps) markets, money market funds and prime brokerage activities as the main sources of market destabilisation.

We can rule out prime brokerage activity in the Anglo case as it had none. It is also unlikely that longer term Anglo bonds, particularly sub-debt, would have featured largely in Euro area money market funds as these tend to favour short term Government and high quality commercial instruments. That leaves CDS as a possible source of instability in the Irish situation.

According to the BIS:

" The potential fallout of a Lehman bankruptcy in the \$57.3 trillion CDS market was the one issue that attracted most attention in the days surrounding the company's bankruptcy filings. The concerns arose from Lehman's central role as a major counterparty and reference entity in that market. It was known that

its bankruptcy filing would have two immediate effects: it would trigger default clauses in CDS contracts referencing Lehman, and it would terminate the contracts that the firm had entered into as a counterparty. Netting, settlement and replacement of the respective positions were known to raise operational risks. More importantly, however, no hard public information on the volume of CDS contracts referencing Lehman or the net amounts required to settle them was available at the time of the bankruptcy. The absence of such information created great uncertainty about the capacity of already strained money markets to accommodate the anticipated corresponding liquidity needs."

As explained in the first of these notes on the Banking Inquiry (letter, *Irish Political Review*, Jan 2015), CDS derivatives are a form of insurance bought by those wishing to insure themselves against—or to bet on—the possible default of credit instrument such as bonds:

"...bondholders are not necessarily the only people with an interest in the performance of a bond. For the last 20 years or so, a financial instrument or derivative, known as a Credit Default Swap (CDS) has been available on the markets, notionally as a form of insurance against the occurrence of a default in the payments due on the bonds to which they are referenced. To call such instruments 'insurance' however is to stretch the meaning of the word somewhat, since it is not necessary to have an insurable interest in the underlying bond in order to buy the CDS, any more than a betting shop punter needs to have an ownership interest in the horses that he bets on..."

Lehman as a seller of CDS was a counterparty to such transactions, and its bankruptcy meant such insurance issued by it was worthless to the buyers. But as a bond issuer itself, Lehman was also a "reference entity" whose debt others bought and sold CDS on.

According to the *FT*, The 'notional' value, i.e. the total value and therefore total potential loss, of the CDS insurance bought and sold referencing Lehman was something of the order of \$400bn, several times the value of the actual bonds issued by Lehman. However traders in CDS offset or hedge their positions with one another and with other market participants via a process known as "netting out", which can be compared to the laying off of bets in gambling terms, with the aim of minimising their losses in the event of a default. When they sat down and 'netted out' their positions in October 2008, a month after the bankruptcy filing, the total in net losses that were actually

transferred, or insurance actually paid out, between the buyers and sellers of CDS, was \$5.2bn. Although this final amount was manageable in the end, the fear that it might not have been was enough to give markets worldwide a heart attack.

A similar fear of the effect, not on bondholders but on the institutions issuing CDS, of a bond default by Anglo and the other troubled Irish banks could have been another more immediate reason for Trichet's strong insistence that no bank

should fail and no bondholders be burnt.

The Inquiry could have asked any of a number of experts who appeared before them, including Jean Claude Trichet himself, what precise vectors of contagion they were afraid of during the crisis, but failed to do so. As a result the international banking sector itself and its derivative 'weapons of mass destruction' has more or less escaped any analysis, criticism or blame for its role in the crisis in Ireland. It was all Fianna Fail's fault.

Sean Owens

about the origin of Fianna Fail is made in the course of a dispute with Francis Mackey about the assertion of Irish independence with relation to international law. The heading on his letter is *Sovereign Independence Is Only Achieved In International Law*. And the First Dail (1919) of course had no standing in international law. Therefore it was an illegal assembly which usurped the powers of the lawful Government, the one recognised by International Law? He denies that this is the implication of his position. He says: "*I regard every Dail from the first to the 31st as lawful parliaments*"

But, he continues:

"sovereign independence is only actually achieved in international law, when two conditions are satisfied, effective control of the state being established and the winning of international recognition... The very first step the First Dail took was to send a message to the free nations of the world seeking recognition of Ireland's national status. Recognition was not forthcoming from any other country until the treaty establishing the the Free State came into force on December 6 1922"

—when De Valera Frank Aiken, Sean Lemass, Sean Mac Entee, etc., the first Fianna Fail Government of ten years later, refused to recognise it as legitimate or democratic.

So Mansergh regards the First Dail as lawful even though it was not recognised in 'international law'. And he does not explain how he regards the Government whose sovereign authority in Ireland was recognised in international law: the British Government! In 1919-21 were there *two* lawful Governments in Ireland, at war with each other?

If we have to take the fiction of 'international law' as a reality, then the Dublin Castle Government must be recognised as the legitimate sovereign power in Ireland and the Dail must be regarded as being in unlawful rebellion against it.

International Law in 1919 was the Versailles Conference. Dail representatives sent to Versailles were locked out of the Conference. And, under the practices adopted by the Conference, international law in its bearing on Ireland was British law.

The Conference was a meeting of the four victorious Empires of the World War—the British, French, Italian and Japanese—for the purpose of sharing out and ordering the world which they had won. And each recognised the sovereignty of the others over their holdings.

Mansergh And 'International Law'

The Fianna Fail Party disowned its origins in practice many years ago. It has now condemned those origins through the pen of its intellectual—it has only got one but has become as scatter-brained as if it had many—Dr. Martin Mansergh, adviser to FF Taoiseachs. In a letter to the *Irish News* (Sept 7) he refers to "*the futility of the civil war*".

Fianna Fail, while it stood for something distinctive in Irish public life, was the Civil War party. Its strength lay in its opposition to the 'Treaty' imposed by Britain, which it carried to the length of armed resistance to the Treaty State that was imposed by the Collins-Cosgrave wing of Sinn Fein with British arms.

It did not take the confused Treaty Election of 1922, held under threat that a vote against the Treaty would lead to British re-conquest, and of which the outcome was in any case unclear because of the Treatyite change of policy on the eve of the Election, to be a legitimate exercise in democracy. It was subsequently rewarded for this by the electorate when the British war-threat receded and people again voted according to their ideals instead of their fears.

The political endorsement of the anti-Treaty position after the Treatyite military victory put the Treatyite leaders out of Office for a generation, during which Fianna Fail repealed the obnoxious features of the Treaty which Britain had used to bring about the 'Civil War', and did so without seeking the permission of the Imperial Power.

Mansergh says that it was the 1931 Statute of Westminster that allowed Fianna Fail to repeal the Treaty. A more realistic view is that it was the weakening of the Imperial will as a consequence of its failure to impose its subjugating Treaty on

defeated Turkey that made it possible to dismantle the Irish Treaty without British military intervention in support of its Treaty rights.

The Treatyites, during their brief period of dominance, might in the mid-1920s have provided for democratic development of the Free State by repealing the Treaty Oath to the Crown. If they had done that, they would not have had to spend a generation in the wilderness. They chose instead to try to prolong their dominance by effectively dis-franchising the resurgence of anti-Treaty sentiment by means of the Oath, and by playing on the fear of a British reconquest in a situation where Britain had obviously become incapable of undertaking such a thing.

The 1931 Statute of Westminster was no more than acknowledgement of an existing reality. It was not a policy. And the "*sovereignty of Commonwealth countries*" had been an accepted fact long before 1931, and long before 1914 The Colonies proper—the British settlements that had become states—were *partners* in Britain's world Empire. The notion that Britain might have made war on them to compel them to do its bidding has no basis in Britain's actual relationship with them. They were, in the wording of a famous and influential Liberal Imperial writer of the 1880s, Sir Charles Dilke, *Greater Britain*.

Didn't Erskine Childers explain all of that long ago?

There is a delusion, to which certain intellectuals seem to be prone, that what came about through a particular sequence of events would have come about anyway. Hence the conclusion about "*the futility of the civil war*".

Mansergh's condemnatory remark

As to "*the free nations of the world*"—which were they? Steps had been taken before the end of the War to ensure that there was no substantial body of neutral states in the world which might have sat in moral judgement on the victors. The largest group of potentially free states (neutrals) was on the American Continent, south of the USA. Washington, treating these as its client states under the Monroe Doctrine, insisted that they should declare war on Germany, even though those declarations were useless militarily.

International Law is at the best of times a tricky business of ideology and propaganda. Woodrow Wilson, before becoming President, denied that it was law at all. And whatever semblance of reality it might have before the outbreak of a major war falls away when the fighting starts. Then, at the end, the victors always conclude that they had made war lawfully for some beneficial human purpose and that the defeated states acted wickedly and unlawfully. That's how the game is played.

The League of Nations was set up by the Versailles Conference, as a world authority. States seeking admission had to agree that Germany had broken international law in 1914. During the 1930s Britain collaborated actively with Hitler in breaking the restrictions which it had imposed on Germany under the Versailles Treaty. Then it decided to make war on Germany again, and in doing so it set aside the League.

The 2nd World War ended with the setting up of a more pretentious international body than the League, the United Nations. The victorious Powers that set up the UN were Russia and the USA, and they exempted themselves from the system of law connected with the UN. Britain, France and China (a US client state in 1945) were also granted exemptions. Whatever they do cannot be found to be in breach of international law because International Judge is the Security Council in which they all have Vetoes. They can throw accusations of war crimes at each other, but it is all mere name-calling.

It was understood for decades that states admitted to secondary sovereignty as members of the UN must not be tampered with territorially, and had the right to shape their own governing systems and to suppress rebellions. That understanding has now been discarded/

Two years ago three of the Veto Powers declared that they no longer considered the Gaddafi Government of Libya to be lawful or legitimate and they transferred 'recognition' to Islamist militias and help-

ed them, by supportive bombing, to destroy the Libyan State.

This year the same three Powers withdrew recognition from the established Government of Syria and recognised Islamist groups as the legitimate Syrian authority. But Russia continued to recognise the Assad Government—the one with a seat at the UN—as legitimate and supplies it with arms to resist the Islamist rebellion. Neither Washington nor Moscow is acting in breach of International Law in this matter. Neither is subject to what passes for law at the UN. They exempted themselves from it when setting up the UN in 1945. They were in full agreement that each should retain absolute sovereignty, clearly established beyond the UN semblance of law.

Talk about International Law in these circumstances is fit only for pub-talk.

*

As the United Nations was being formed in 1945 the United States nuclear bombed two undefended Japanese cities far behind the front line of the War. The reason given for this was that, by killing Japanese civilians on a large scale, the US speeded up the unconditional surrender of the Japanese Government and saved the lives of thousands of American soldiers. This reason is held to be a self-evident justification, even though it is said at the

same time that it is a war-crime to kill the civilian population of an enemy state as a military tactic.

Regardless of the morality of the issue—and morality is out of place in wars between major states—there has always been disagreement about whether the Japanese Government was determined to resist the American invasion to the last man. And it was suggested that Hiroshima and Nagasaki were obliterated for the purpose of terrifying Stalin with the demonstration of the new wonder-weapon—meaning that it was the first major Western action in the Cold War that now started amongst the States had had defeated Nazi Germany. If so, it was a failure. Stalin wasn't terrified.

A more likely reason was to get Japan defeated without Russian help. Having dealt with Germany, Russia was preparing to repudiate its neutrality Treaty with Japan and make war on it—which it did a couple of days after the Hiroshima bomb.

Hiroshima was the climax of the air-war against enemy civilians, which was the major military practice of the Western Allies. And that was why the Luftwaffe was exempted from war-crimes prosecutions at Nuremberg.

International Law!!!

Brendan Clifford

Irish Foreign Affairs September 2015.

* The editorial has an impressive range and historical perspective on a specific current political issue, the refugees from the Middle East.

* Pat Muldowney writes on the British war preparations pre-1914, and Erskine Childers' role in this.

* Pat Walsh discussing WW1 and its twenty-first century consequences writes:

"In conclusion we should say if it were *"our war"* here's what *"we"* did: Killed thousands who did us no harm; destroyed the great Muslim state that brought stability in the region for five centuries; created the modern Middle East and its insolvable problems; helped bring about the Zionist project; undermined the Greek State and its independence; and helped produce the destruction of the ancient Christian communities of Asia Minor.

And all for Home Rule (which never actually came)! So remember to commemorate 1916 with pride. It was against all of this!"

* Manus O'Riordan reports on European Workers' Group efforts to fight further deregulation.

* Also two reviews of books on France and the fight against religion, and travel notes from the Crimea.

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Shorts

from
the Long Fellow

NEWSPAPER SALES

The Audit Bureau of Circulation figures for the first 6 months of 2015 show a persistent decline in newspaper sales. Daily sales were down 5.4% on the same period in 2014. The tabloid market performed particularly badly: the *Daily Mirror* was down 14%; the *Herald* was down 6.7%. Only the *Irish Daily Mail* managed to avoid losing sales, remaining at a figure of 48,133.

The 'quality' market did not fare much better. Both *The Irish Times* and the *Irish Examiner* dropped by 5.2% to 76,194 and 33,198 respectively. The *Irish Independent* declined by less (2.5%) and consolidated its position as the market leader at print sales of 109,524.

There has been a consistent pattern in recent years. The *Independent* has haemorrhaged sales less profusely than its main rival *The Irish Times*. In recent years the *Times* has failed to hold on to journalists such as Dan O'Brien and Tom Lyons as falling sales have led to cutbacks in editorial resources. It appears that its glory days are behind it. From the early 1960s to the beginning of this century it experienced an almost uninterrupted upward trajectory culminating in sales of nearly 120,000. But since then its decline has been precipitous. Its current level of sales is equivalent to its 1970s level when the population of the 26 Counties was one third less.

The previous Managing Director pursued an incoherent strategy of investing heavily in both the Internet and print facilities. It was probably inevitable that the Internet would undermine print sales, but it was not very sensible for the paper to accentuate this trend.

The current figures prompt the question of whether more than one quality newspaper is viable in the State. The *Examiner* looks like it is reverting to its Cork roots, while the largest shareholder in the independent group—Denis O'Brien—has suggested that the *Times* and *Independent* will need to share resources, if both are to survive. The latest annual report of the Independent Group (INM) notes that INM will avail of the *Irish Times* excess printing capacity to print two of its newspapers: the *Irish Daily*

Star and *Sunday World*. In exchange INM's *Newsprint* company will manage the distribution of *The Irish Times*. It remains to be seen if this cosy cartel will save both newspapers.

THE ECONOMY

The Long Fellow believes that things are never as bad as they appear, but the corollary is that they are never as good as they seem either. Unemployment has dipped below 10% from a peak of almost 15%. The national debt as a percent of GDP is beginning to fall. We are now the fastest growing economy in the EU with an expected growth rate of over 4%. And yet....

The Long Fellow has been talking to people in the indigenous manufacturing sector and he finds that there has been a significant slowdown since April of this year. And in the retail sector we've had two flagship companies or brands that have gone to the wall: Clerys and Boyers.

The statistics don't lie. But they must be interpreted with caution. There is a real recovery, but it is necessary to understand why. The Long Fellow suspects that the recovery is as a result of an overcorrection during the recession. The banks are finding that not so many of their bad debts are in fact bad. NAMA is likely to make a profit on the loans, which some commentators thought at the time were overvalued. The losses which the State was projected to make on the banks are not quite as enormous as was feared. The housing bubble has proved not to be quite as frothy as was first suspected. We now apparently have a housing shortage. As a result economic projections and economic activity have been adjusted upwards.

Nevertheless, there may be developments in the world economy that bode ill for Ireland. Excess manufacturing capacity in China has resulted in that country willing to supply at cheaper prices and lower production runs. The Long Fellow notices that there has been an increase in cheap injection moulded parts from China which has posed a challenge to indigenous manufacturing in this country.

LOW PAY

UCC economist Seamus Coffey's article of 9th August in the *Sunday Independent* suggests that, while more can be done on the issue of low pay, we compare very well with our EU neighbours.

A low paid person is defined as someone who is paid less than two thirds of the national median wage. But Ireland has the second highest median wage in the EU. Therefore the low paid threshold is higher

than other countries (12.03 euro per hour compared to 9.84 in Sweden; 9.83 in Germany; 9.00 in France; 8.57 in the UK).

The tax burden on the low paid is also much lower. 5% in the Republic compared to 10% in the UK; 19% in Belgium; 22% in France; 26% in Germany.

Ireland has one of the highest minimum wages along with the lowest tax burdens.

In 2013 an OECD survey of 15 countries in the EU found that 16.4% of people aged between 18 and 64 were at risk of poverty. For those at work (the working poor) the figure was 7.1%.

The corresponding figures for Ireland were 14% and 3.1% for employees. This latter figure is the second lowest in Europe after Finland. It is likely that the at risk of poverty figure for Ireland has diminished significantly since 2013 as unemployment has dropped.

Coffey also has some interesting figures on value added. Value added is revenue less purchases or labour costs plus profit. 68% of value added by domestically-owned firms is accounted for by labour costs. The only country that exceeds this is France with a figure of 70%.

For the accommodation and food sector the figure is 82% for Ireland, which is the highest in Europe.

All of these figures suggest that the Republic of Ireland is quite an egalitarian society. The sceptics might say that other European countries have better public services. But it is highly noticeable that in those countries with high quality public services (including water services) everyone—including the low paid—makes a contribution.

IRISH RETAIL

Another significant feature of the Irish economy is the number of people working in retail. This is about 90,000, which represents 3% of the population of working age. Only the UK has a higher proportion working in retail (confirming Napoleon's view that Britain is a nation of shopkeepers!).

Coffey deduces that, since the level of productivity is unlikely to diverge much in this sector, the reason for the high level of employment in Ireland and the UK is that there is a higher proportion of people in this sector in part time employment.

The level of part time employment in the retail sector means that a large section of the workforce is at the beck and call of their employers while living at a low standard of living. The State is unintentionally subsidising this practice by giving necessary welfare subsidies to such workers.

There is no doubt part time work suits

some people, but what was the exception has now become the rule. It used to be the case that 20% of employees in Dunnes Stores were part-time. According to a recent report it now appears that only 20% are full time.

In cases where an excessive amount of a company's employees work part time the State should consider clawing back from such companies some of the welfare supports it gives to employees.

MULTINATIONAL SECTOR

The ubiquitous Seamus Coffey popped up again: this time in *The Irish Times* (18.8.15). No doubt Denis O'Brien would approve of such sharing of resources (see above). Coffey's article on the Multinational sector gives pause for thought. Foreign multinationals in the Republic of Ireland employ 100,000 direct jobs, which is less than 5% of total employment. But the sector contributes disproportionately to the economy. Every year it pays 6 billion euro in wages; invests 3 billion; and pays 2 billion in Corporation Tax.

In recent years there has been criticism of the amount of tax paid by foreign

multinationals, but the 2 billion that they pay to the Irish State represents 80% of the total Corporation Tax paid to the State.

The above figures don't take account of the knock on effects such as the goods and services that small Irish companies provide to multinationals here. Multinationals don't take business from small Irish companies, but the opposite: they provide opportunities.

IRISH RUGBY

The Long Fellow came across an interview with the former French Rugby international Sebastien Chabal, who was nicknamed the "*Beast*" because of his wild hirsute visage. In truth his bark was probably worse than his bite. He rarely started for the national team. He was most often used as an impact sub.

The unremarkable interview was about the forthcoming Rugby World cup. But the Long Fellow found his comments about the Irish Team interesting:

"They are humble and discreet and have a real taste for hard work. We must be wary of them".

Allez les Verts!

a gender revolution, it is not an agrarian revolution, it is not a religious revolution, and it is not a revolution of any single aspect of human nature. It is a political revolution that overthrows one form of political power for another and in doing so it impinges on all other aspects of life. And in that it has been totally successful so a centenary celebration would be more appropriate than a mere commemoration. But it is so much easier for our professors to go on about what should have been and what might have been and whatever you're having yourself.

Professor Foster said that Revolution was a matter of temperament. Many people had a change of temperament in the pre-1916 era but 1916 was more an end than a beginning for them and therefore another disappointment was elaborated on. Then there were people like P. S. O'Hegarty who were shocked and disappointed by the violence of it all—this is a regular theme by Foster. P.S. seemed to envisage a revolution to overthrow British rule without the need for violence. Luckily, his brother Sean was not so simpleminded or he would not have taken over from Terence MacSwiney as O/C of the Cork No.1 Brigade and lead it so spectacularly during the height of the most intense period in the most intense area of the War. P.S. opted out but then took a cushy job with the Free State.

To a question about the British response to the 1918 Election, Foster put it all down to military figures like Sir Henry Wilson. As if people like him were running the British Government! The fact is that the most democratic Government and Parliament that Britain had ever elected sanctioned and supported the war waged against the Irish democracy. But this is not something to be probed too deeply by the likes of Foster—a democracy waging war against another democracy!

What was not mentioned is that the one outstanding member of that Parliament who appreciated Ireland's case was the future fascist leader, Oswald Mosley, who crossed the floor of the House of Commons on the issue. The fact that only he did so is a yardstick by which to judge the British democracy in relation to Ireland. But credit where credit is due.

Foster seems to have developed a fixation about Muriel MacSwiney. She is on the cover of his latest book, in which he describes and he quotes her anti-Catholic sentiments. He referred to her communist affiliations at the meeting. But he tries to put her into his portrayal of disappointment about the revolution and paints her as an

Report

Re-Interpreting 1916?

"*Reinterpreting the Revolution: A Centenary Discussion on the Easter 1916 Rising*" was a public meeting held on 2nd September, 2015 at the London Irish Centre. The panel were Roy Foster (Carroll Professor of Irish History at the University of Oxford and a Fellow of Hertford College, Oxford), Louise Ryan (Professor of Sociology and Co-Director of the Social Policy Research Centre at Middlesex University, London), Maurice Walsh (author of *The News From Ireland: Foreign Correspondents and the Irish Revolution*), and Diarmaid Ferriter (Professor of Modern Irish History at University College Dublin).

The main speakers presented a variety of negative views about the Irish Revolution. Ferriter claimed it nourished the myth of a classless society—but the participants in the Revolution must have been pretty stupid if they denied or tried to deny classes in their society. An Irish revolution in which all classes participated is a historical fact that even a modern Irish professor must recognise. The classes

participated as part of a people who again and again voted—and then had to fight—for an independent state. Ferriter seems to see classes as some abstract entities that can exist outside their actual historical context. It seems to have escaped the Professor that Connolly is what he is because he put the Irish working class in that context.

There was wonder expressed in later discussion at how and why the Irish state had survived so well when many others have not. Is not the key to that the fact that there was such national unity in the first place? A nation that cannot encompass and harness all its elemental forces of classes, creeds, traditions etc. is not likely to survive "*the slings and arrows of outrageous fortune*" but the Irish state has done so for nearly a century.

Ferriter delighted in quoting O'Higgins about it being a most conservative revolution. Ferriter's logic being that it should have been a social revolution or it was not really worthwhile. He does not know that a national revolution is a national revolution. It is not a social revolution, it is not

example of the some kind of existential *angst* that followed this failed revolution of his.

I met Muriel and she did not have any such *angst*, or disappointment about her political life despite some horrific personal experiences. To her the established Republic suffered a serious setback by the betrayal of those who joined with the British in destroying it in 1922. To her a battle was lost—but not the war—and she simply did all she could to reverse that setback. Her political life was all of a piece.

And there was an address by Irish Ambassador Mulhall, who reminded those in the audience that needed reminding that

he was representing a successful Republic that owed its existence to 1916.

And all the "*reinterpreting*" by the luminaries at this and other commemorations must acknowledge this elemental fact. It would of course be too much to expect them to explain it and do it justice.

Jack Lane

Seán O'Hegarty, O/C First Cork Brigade, Irish Republican Army by *Kevin Girvin*. €21, £17.50

Six Days Of The Irish Republic (eyewitness account of 1916), by *L.G. Redmond-Howard*. Contains a profile of Roger Casement, written during his trial; the Irish Case for the League of Nations; and a play written jointly with Harry Carson (the Ulster leader's son). Intro. by *Brendan Clifford*. €21, £17.50

Ruth Dudley Edwards ranted in the "*Sunday Independent*" on August 30th:

"Since the mid-19th century, when nationalism got its grip on us, we have been politically a necrophiliac culture, worshipping our dead and seeking in their words and deeds instructions on how we, the living, should conduct our lives. We revere martyrs and use them to create a hunger for martyrdom. It's a kind of Irish Catholic version of Islamist fanaticism with the Proclamation of the Irish Republic taking the place of the Koran... The Irish Republican Brotherhood, aka the Fenians, began this in a big way after nationalism became sexy in the second half of the nineteenth century."

So, in the wake of the Famine, Fenianism emerged as a 'sexy' nationalist response! Edwards continued:

"They (the IRB) metaphorically dug up failed revolutionaries like Wolfe Tone and Robert Emmett ... and by celebrating them as role models, inspired new generations to kill for Ireland... Then there's the scandal of Jeremiah O'Donovan Rossa, the most bloodthirsty Fenian of them all. As the historian Dr Carla King put it, at a time 'when the Irish Government and people are loud in our support of reconciliation after the experience of decades of bombing campaigns in British and Irish cities, the first act in our official commemoration of the 1916 events {sic—MOR} is to honour a man who dedicated his life to attempts to bomb his way to Irish independence'. The men of 1916, themselves inspired by Tone, Emmett and all the other patriot poster boys, have inspired IRA hardliners for a century to kill and injure and torture their political opponents."

Sean Moylan was one of the most outstanding IRA leaders in the War of Independence and—a fact even conceded by revisionists—one of its noblest characters. The close friendship of this carpenter (and future Minister for Education) with artist Sean Kesting resulted not only in a fine portrait of Moylan himself but, more important, in that powerful portrait of the men under his command, "*Men of the South*". Moylan's 1953 memoir, published by the Aubane Historical Society, presented a rather different picture than the Dudley Edwards caricature, of the Fenian inspiration behind that freedom struggle:

"The memory of Patrick Pickett and of Batt Raleigh {respectively, the Fenian brother of Moylan's grandmother, and the Fenian brother of his grandfather—MOR} flashed into my mind and I cast my thoughts back to the Fenians I had known in my own youth. They were all workingmen, and as far as I remember, employed in poorly paid occupations...

Getting It Right On Rossa And The Fenians

Redmondites, who profess to love Parnell, would probably share the umbrage of the rest of us if a keynote speaker at a Parnell Commemoration were to say of his response to the Phoenix Park assassinations, carried out by the Invincibles in 1882: "*Parnell wrote to Fenian activist Patrick Egan, though this is disputed, that though he regretted 'the accident' of Cavendish's death, 'Burke got no more than his desserts'.*" Outrageous, of course, for though this 'letter' was published by the London "*Times*" in 1887, the Parnell Commission of 1888-9 established that it was a forgery, with the forger Piggott committing suicide, and Parnell receiving substantial libel damages from that particular "*paper of record*".

But what of the resurrection and perpetuation by Redmondites themselves of British press forgeries about other Irish leaders who, being dead, were in no position to sue? This July 30th, the "*Irish Independent*" provided such a Redmondite platform to Dermot Meleady, "*the author of a two-volume biography of John Redmond, 'Redmond the Parnellite' and 'John Redmond: the National Leader'*", each launched, in turn, by John Bruton and Kevin Myers. Under the heading of "*Lethal legacy of Pearse's oration at the grave of O'Donovan Rossa*", Meleady proceeded to broadcast:

"By the end of his life, however, Rossa had become, according to the 'Daily Telegraph's' New York correspondent, a 'mild and genial old gentleman' who had long ago 'lost all hatred ... against the British government'. And the paper produced a telegram from him expressing sympathy with the Allied cause."

That very evening, at a book launch hosted by Glasnevin Trust, Shane Kenna, author of the biography "*Jeremiah O'Donovan Rossa—Unrepentant Fenian*", comprehensively refuted Meleady. (Kenna's subsequent letter, published in the "*Irish Independent*" on August 7th, was republished in the September issue of "*Irish Political Review*".)

Notwithstanding that direct refutation on July 30th, and notwithstanding the fact that the facsimile of the 1915 Souvenir Programme, reproduced by Glasnevin Trust itself to mark the funeral centenary, had opened with Mrs O'Donovan Rossa's own immediate refutation of the "*Daily Telegraph*" lies, the Chairman of Glasnevin Trust, **John Green**, could not be weaned away from the Meleady spin. At the State Commemoration in Glasnevin Cemetery on August 1st, John Green behaved like a dog with a bone. In his oration he regurgitated the yarn of Rossa becoming a born-again Redmondite, the only caveat added was that the "*Daily Telegraph*" account "*was disputed*". And so the "*Irish Examiner*" could speculate about Rossa's Fenianism on August 3rd:

"But did that change? John Green, chairman of Glasnevin Trust, spoke of O'Donovan Rossa as the 'unrepentant Fenian', but said he later gave a (disputed) interview to the 'Daily Telegraph' in which he had said he had lost all hatred for the British government and he lamented his part in the doctrine of assassination."

Other opponents of the O'Donovan Rossa Centenary Commemoration adopted a different tack to that of Meleady. Under the heading of "*Still obediently following the Fenian instruction booklet*",

They were all poor men and they were beaten... But the Fenian organisation, the Fenian effort, the Fenian sacrifice was the humus forming the rich soil out of which burgeoned the red bloom of 1916 and the fruit, sweet and bitter, but finally wholesome, of 1921, 1922 and 1923. Because it has become the fashion in many quarters nowadays to question the wisdom of the men who served Ireland under arms from April 1916 to April 1923; because not only their wisdom but their motives, their courage, their selflessness, are, too, often impugned, I think it may be of some interest if I set out on a voyage of discovery of the motives that brought me, who had neither physique nor courage, nor soldierly flair, nor capacity, into a movement where guns alone talked, where force was the only arbitrament; into a fight in which, the odds counted, it was unwise to expect success; that set my feet on a road on which those who walked to Journey's End frequently found only a jail or a gibbet."

Carla King is the granddaughter of Sean Keating, and beyond doubt an expert on Michael Davitt. The King letter, cited by Dudley Edwards, was published by the *"Irish Times"* on August 4th. In the *"Irish Times"* of August 15th, the Professor of History at National University of Ireland, Diarmaid Ferriter, opined:

"The ceremony prompted a thought-provoking letter to this newspaper from historian Carla King, peerless in her expertise on Michael Davitt, to highlight that Davitt saw O'Donovan Rossa as a dangerous buffoon and that, given his devotion to terrorism, a word he used himself, 'it is deeply saddening that ... the first act ...' {etc, etc}."

A week later, on August 22nd, the *"Irish Times"* Political Editor Stephen Collins added his tuppenny ha'penny's worth:

"Just two weeks ago, the programme of events leading to the commemoration of the 1916 Rising kicked off with a formal event to mark the funeral of Fenian leader O'Donovan Rossa at which Pdraig Pearse delivered his famous oration... In a letter to the 'Irish Times' a few days later, historian Carla King pointed out that O'Donovan Rossa stood above all for a policy of terrorism in which ordinary English people, including children, were murdered in a campaign of bombing in the 1880s that undermined support for nationalist demands... 'It is therefore deeply saddening {etc, etc}' ... concluded King... There has already been a considerable amount of thoughtful debate and reflection about the series of events that led to independence, but there is a danger this could be swamped by the commemoration of the Rising next Easter."

High frequency multiple reproductions of a single letter! Yet only one historian could be found to appropriately respond to that media carpet bombing campaign. In his *"Irish Times"* letter of August 31, Dr Brian P Murphy pointed out:

"Stephen Collins raises critical questions about the recent commemoration of O'Donovan Rossa and, at the same time, calls for more prominence to be given to the events surrounding the campaign for Home Rule. It is significant that, in fact, there was a connection between the two events in the summer of 1915. On May 19 ... the accession of Bonar Law, Arthur Balfour, Walter Long and Sir Edward Carson to the cabinet effectively marked the end of the Home Rule Act... It was in this context that the funeral of O'Donovan Rossa took place on August 1, and the large attendance was, in part, occasioned by the failure of the policy of Home Rule. Contrary to the impression given by Stephen Collins and Carla King, there was no attempt to endorse the indiscriminate bombing campaign of Rossa in his younger days. Patrick Pearse had made it quite clear to Joe McGarrity, on August 12, 1914, when informing him of the weapons landed at Howth that 'the ammunition landed is useless. It consists of explosive, which are against the rules of civilised war and which, therefore, we are not serving out to the men.' It was in this spirit that Pearse spoke of Rossa's dream of national independence as expressed in a free and independent Irish republican government. Significantly, several companies of Redmond's National Volunteers ... joined the IRB and National Volunteers in the procession to Glasnevin—a clear indication that the creation of an English coalition cabinet, allied to the tragedies of war, had combined to expose the true character of English rule in Ireland and to create a new dynamic in Irish life. For these reasons, it was fitting to commemorate the funeral of O'Donovan Rossa and it will be fitting to commemorate the Easter Rising in the same spirit."

When both Ruth Dudley Edwards and Carla King condemn not only the centenary commemoration but the original Rossa funeral ceremony itself, with the former bellowing necrophilia and the latter charging hagiography, one wonders if either of them have ever read the actual souvenir programme produced by the Funeral Committee in 1915, and reproduced by both Glasnevin Trust and Sinn Fein in 2015. It contains not one but two contributions from Pearse—the Graveside Panegyric that was to prove so inspiring, accompanied by a Character Study that was both perceptive and penetrating. Disproving any allegations of hagiography, Pearse critically profiled Rossa's character:

"O'Donovan Rossa was not the greatest man of the Fenian generation, but he was its most typical man. He was the man that to the masses of his countrymen then and since stood most starkly for the Fenian idea... Older and more prominent than the man who, when the time comes to write his biography, will be recognised as the greatest of the Fenians—John Devoy—Rossa held a unique place in the hearts of Irish men and Irish women... And this again explains why the English hated him above all the Fenians. They hated him as they hated Shane O'Neill, and as they hated Parnell, but more... No man, no government, could either break or bend him. Literally, he was incapable of compromise. He could not even parley with compromisers. Nay, he could not act, even for the furtherance of objects held in common, with those who did not hold and avow all his objects. It was characteristic of him that he refused to associate himself with the 'new departure' by which John Devoy threw the support of the Fenians into the land struggle behind Parnell and Davitt; even though the Fenians compromised nothing and even though their support were to mean (and did mean) the winning of the land war. Parnell and Davitt he distrusted; Home Rulers he always regarded as either foolish or dishonest. He knew only one way; and suspected all those who thought there might be two. And while Rossa was thus unbending, unbending to the point of impracticability, there was no acerbity in his nature... I have not yet seen any account of his last hours; the cabling of such things would imperil the Defence of the Realm. Enough to know that that valiant soldier of Ireland is dead; that the unconquered spirit is free."

As already stated, all this had been republished by Glasnevin Trust which, on September 17th, formally hosted the O'Donovan Rossa Centenary Exhibition in Glasnevin Cemetery Museum, accompanied by a *"History Ireland"* Hedge School on the subject of *"Jeremiah O'Donovan Rossa: his life and after-life"*. Chaired by *"History Ireland"* Editor Tommy Graham, the panel consisted of Cork University historian Gabriel Doherty, Galway University historian Conor Mc Namara, O'Donovan Rossa biographer Shane Kenna, and Judith Campbell, author of a forthcoming biography of O'Donovan Rossa's widow, Mary Jane Irwin, a most formidable political activist in her own right.

A quite useful and informative discussion ensued. All the panel were agreed in expressing disdain for Carla King's contention that there should have been no commemoration of Rossa, on account of his championing of terrorism. Conor McNamara was particularly outspoken, saying that, if Rossa was responsible for

the deaths of a number of casualties of the dynamite campaign, John Redmond must be held accountable for the slaughter of tens of thousands.

This was too much for an agitated John Green, Chairman of Glasnevin Trust, who intervened to express his dissent from the depiction of Redmond as a "*slaughterman*" (his term), arguing that British Army recruitment in Ireland had its own dynamic and that there was no evidence that Redmond's call for Irishmen to enlist had swollen the ranks. Gabriel Doherty, however, replied that his own graduate students had established that there was a clear spike in recruits following Redmond's call to arms. Tommy Graham then sought to find out if there were others in the audience of about sixty with a similar frame of mind as John Green. Did anybody feel that, since Rossa had been honoured, should Redmond also be honoured? Not a single hand went up for "*slaughterman*".

If the Trust Chairman was discomforted, Glasnevin Trust Chief Executive George McCullough was basking in glory. A man who once described himself to me as a Fenian from Belfast's Cave Hill, he beamed at the across-the-board acclaim for the facsimile reproduction of the funeral souvenir programme. And he was entitled to do so, for it is a wonderful document. I have already referred to Pearse's perceptive character study. But it was quite another contributor who displayed the sharpest sense of historical analysis and perspective. Arthur Griffith is somebody whom I generally tend to view with antipathy, for a whole host of reasons, from 1904 to 1913 to 1922. And yet no contributor matched Griffith's capacity for so coherently demonstrating that the roots of Fenianism were to be found as a response to the genocidal Famine.

But I should have not been surprised, in view of the fact that a Civil War opponent of Griffith never ceased to give him credit for such analytical strength. In the Winter of 1961-62, when not yet 13 years of age, I had the privilege of meeting Muriel MacSwiney, widow of Cork's martyred War of Independence Lord Mayor of Cork, Terence MacSwiney. I had an intermittent schoolboy's correspondence with her, and on 7th April 1962, Muriel wrote to me:

"The best thing I read about the famine was Arthur Griffith's introduction to John Mitchell's 'Jail Journal', this was a new edition in 1914 or '15. Terry lent it to me when we hardly knew one another. My father used to say that the people were dying everywhere of what was called 'famine fever'. I think he was about 20 at

the time. All my family although entirely Irish by race (O Murchadha) were West Britons, English Imperialists, but I think now that my father was a Liberal and did not like the famine. The Irish famine was NOT CAUSED by the failure of the potato crop, that happened all over Western Europe, there were however plenty of crops in Ireland (wheat, barley etc). The capitalists in Ireland exported to make money and thus caused the famine."

But Griffith's analysis was even better than Muriel credited him with. What matter if Griffith's arithmetic seriously underestimated the scale of population loss? His analysis coherently argued for a charge of genocide against the British Government. At which point it is best to let Griffith speak for himself. For, on the essentials of Fenianism, Griffith got it right.

Manus O'Riordan

The Influence Of Fenianism

In 1843 there were more than a million men of fighting age on the soil of Ireland who supported O'Connell's demand for Repeal with their voices, and waited for his word to support it with their hands. An English Cabinet Minister surveying the situation, observed that the growth of Irish Population was a menace. Hence, the Famine.

In 1845 the potato-blight appeared in Western Europe. Germany and the other Continental countries affected closed their ports to the export of foodstuffs until the respective Governments were satisfied that none of their people could be starved. The Young Irelanders demanded that the Ports of Ireland should be similarly closed. As this would have shortened England's food supply and kept the Million Repealers of Military Age alive, the British Government refused. The Parliamentary Party of that era—which had consented to put Repeal on the shelf in return for a prodigious number of Commissionerships, sub-Commissionerships, Inspectorships, stipendiary magistracies, and so-forth—supported the Government's refusal and proclaimed the Young Irelanders Factionalists, Traitors, Infidels and Enemies of Repeal.

Thus, between 1846 and 1850 the potential Repeal Army vanished, and England was kept supplied with cheap food from Ireland. In each year of the Legislative Famine Ireland raised on her soil food for the sustenance of from sixteen to twenty millions of people. Out of her

population of 8,000,000, two millions were destroyed in the same period by hunger, by hunger-fever, and emigration to escape hunger-fever.

The Young Irelanders who attempted resistance to the course of British policy had their newspapers suppressed, and their bodies transported to England's Penal Settlements. Next, the Tenant League, founded by Gavan Duffy, Geo. Henry Moore, and Frederick Lucas, succeeded in electing a pledge-bound Parliamentary Party to the British Parliament, where the British Government at once bought it up.

Thereafter, the Reduction of Ireland proceeded swiftly and smoothly, with the help of the Encumbered Estates Act. Lord Sligo, for instance, wiped out 10,000 people who dwelt upon the soil then in his possession, and whose ancestors had dwelt there for a thousand years, and Mr. John George Adair, desiring to have good shooting and civilised surroundings, bought a countryside and left no living thing of the human species on it. The natives wept—"throwing themselves on the ground", writes the Unionist "Derry Standard's" correspondent of the day—"they burst out into the old Irish wail—and their terrifying cries resounded along the mountain-side". But Mr. Adair, or Lord Lucan or Lord Sligo, or Mr. Allan Pollock or Lord Leitrim suffered no other inconvenience. For it had been ground into the Irish peasant that it was no sin for the British Government to exterminate HIM, but it was damnation hereafter for him to conspire to exterminate the British Government, or even to shoot a John George Adair. It was in this forlorn and seemingly broken-spirited land the Fenian Movement was founded by James Stephens, John O'Mahony and Michael Doheny—all three Young Irelanders who, in 1848, had urged the people to fight rather than let themselves be legally famished. It spread through the land, although the British Government mobilised all its sacred and profane artillery. When Fenianism attempted armed and open war with the British Empire, the British Empire was able to defeat it without calling the French, the Russians, the Japanese, the Servians, the Belgians, the Italians, the Ghoorkhas, the Senegalese, and the Fiji Islanders to its aid, but the spirit of Fenianism, which was the spirit of Young Ireland, which was the spirit of Ancient Ireland, it could not defeat. Fenianism had recalled Irishmen to their manhood. It had exorcised the British Theology and convinced the better part of the Irish that to permit themselves to be destroyed without offering resistance was

not a meek submission to Providence entitling them to heaven hereafter, but plain suicide—a sin against God.

The spread of this conviction led to the farmers of Tipperary when their landlords came to exterminate them, using guns at Ballyvohey and elsewhere to exterminate their landlords, their landlords' bailiffs, and their landlords' police. A British Government alarmed at this practical Fenianism immediately did what it had refused to the appeals, arguments, pleas, and supplications of forty years of oratory and resolutions—passed a Land Act recognising the right of an Irish farmer to object to being extirpated off-hand. Within a dozen years thereafter the spirit of Fenianism had smashed Landlordism in Ireland into fragments, and the Irish farmer was free to live and eat of his own corn.

So long as the spirit of Fenianism diffused itself through the body politic, Ireland marched on a hundred paths of political, social, industrial, and educational effort to National Regeneration. When the body grew corrupt Ireland shrivelled in men's minds from a spiritual force and a National entity to a fragment of Empire—an Area. Again, the Body Politic has healed and awakens to consciousness of that soul within it which the Political Atheist denies. No man will watch the body of O'Donovan Rossa pass to its tomb without remembering that the strength of an Empire was baffled when it sought to subdue this man whose spirit was the free spirit of the Irish Nation.

Arthur Griffith
1915 Souvenir Programme of the
O'Donovan Russia Funeral

As discussed in Part 2, it might be that while investment influences income the level of investment is determined by something else. In Chapter 14 he lists the "*determinants*" or independent variables. These are:

- a) the propensity to consume
- b) the schedule of the marginal efficiency of capital
- c) the rate of interest

The propensity to consume is that proportion of income the individual expends on consumption.

The marginal efficiency of capital is:

"...the rate of discount which would make the present value of the series of annuities given by the returns expected from the capital asset during its life just equal to its supply price."

Part Five of Series on Keynes's General Theory of Employment, Interest and Money

Interest and Money

Keynes is quite critical of the classical view of the rate of interest, which was that the rate of interest was the equilibrium price between savings and investment. As interest rates increase, more people are prepared to forgo current consumption since the rewards of abstinence are higher. On the other hand, a saver must find a borrower (usually through financial intermediaries such as banks). The borrower must be willing to pay a rate of interest that is high enough to entice the saver into forgoing consumption (as well as giving the banks their cut!). On the other hand the interest rate must be lower than the return he would expect from the investment he makes.

David Ricardo believed that the rate of interest was determined by the rate of profit. Marx and Engels held a similar view, although they did not believe that the rate of profit *determined* the rate of interest, but rather that the rate of profit set the parameters for the rate of interest. The interest rate was that portion of surplus value (the value extracted from the workers by the capitalists) which accrued to finance capital: the remaining portion accrued to commercial and manufacturing capital. Marx did not believe that the interest rate could be determined precisely since the exchange was taking place between values that were not qualitatively different (capital in exchange for capital). Nevertheless the implication of what Marx and Engels were saying was that the interest rate, in the normal course of events would be less

than the rate of profit (the commercial and manufacturing capitalists would not allow the finance capitalists to have all the loot!).

Is the classical view too simplistic? Perhaps so! But at least it can be said that it attempts to connect the rate of interest with the productive economy. It could be said that the borrower does not always borrow for investment and therefore the demand to utilise savings is not always driven by the rate of return on capital. Nevertheless the idea that at some future date the saver will have purchasing power greater than the consumption he has forgone suggests that the productive capacity of the economy will be greater (or at least is believed to be so) in the future than the present. It could be said that the failure of the Irish economy to increase its productive capacity in line with the increase in consumption—facilitated by credit—was what caused the crisis: the return on capital employed was far less than the rate of interest.

Keynes has a number of criticisms of the classical theory. In Chapter 14 his main criticism is that the classical theory neglects the influence of income on savings. As has been mentioned in Part 2 of this series, he is ambiguous on investment. On the one hand he says income is a function of investment. This suggests that income is a dependent variable and investment is the independent variable. On the other hand he refers to both savings and investment as "*determinates*" or dependent variables.

This is a rather convoluted definition of the rate of return on capital (profit divided by capital employed). He refers to Professor Irving Fisher who gives an almost identical definition, but Fisher describes this as "*the rate of return over cost*", which is a term that would be much more accessible to people working in business. Interestingly, Keynes seems to agree with the classical view that it tends towards the rate of interest. Capital will continue to be employed until the *expected* return diminishes towards the interest rate.

Finally, Keynes' definition of the rate of interest is:

"The rate at any time, being the reward for parting with liquidity, is a measure of the unwillingness of those who possess money to part with their liquid control over it... It is the price which equilibrates the desire to hold wealth in the form of cash with the available quantity of cash".

His definition of the rate of interest is the most significant difference between him and the classical economists. While the classical economists (including Marx) tended to believe that the rate of interest was the outcome of events in the real economy (i.e. a dependent variable), Keynes thought that the rate of interest was independent of the real economy. Furthermore, he thought that the rate of interest could determine the behaviour of the real economy (an independent variable).

In the first part of this series religious metaphors were used to explain Keynes' approach to economics. It is interesting to ponder the effect religious beliefs might have on economic theory. In the *British Dictionary of National Biography* his beliefs are described as follows:

"The key difference in the attitude of Keynes and his friends was that the basis of the calculus of moral action was seen as exclusively personal, not as rules imposed from without. There could be no objective measure of what was good since, if the good consisted of states of mind, these states could be known and judged only by the minds in question. Duty, action, social need simply did not enter. Intuitive judgements were all one could turn to."

In his discussion of the interest rate he emphasises the role of personal decisions. The influence of objective conditions in the economy is diminished.

In simple terms money is a function of the rate of interest, but Keynes also believed that money can determine the rate of interest. He believed that there were three motives for holding money. These are:

- 1) the transactions motive
- 2) the precautionary motive
- 3) the speculative motive

The transactions motive for holding money arises because both individuals and businesses don't generate income at the same time as they wish to make purchases. There is a time lag between the two. In order to bridge the gap people and businesses need to hold money in order to make purchases (another way of doing this would be through credit).

The precautionary motive for holding money arises from uncertainty. Money is held to provide for contingencies (a rainy day fund) and also to be in a position to take advantage of good deals or special offers.

Keynes attaches more economic significance to the speculative motive for holding money. In this case money is held so as to be able to speculate. This arises from uncertainty regarding future interest rates. If it is believed that future interest rates will be higher than current interest rates there is an incentive to hold money.

Keynes thinks that in order for there to be an incentive to hold money rather than bonds the expected interest rate must be greater than current interest rate by the square of the current interest rate. So, if the current interest rate is 4%, then the square of 4% is 0.16%. Therefore, an expected rate of 4.16% will be needed for there to be an incentive to hold money. To see why, it is necessary to understand the nature of bonds.

A bond can be thought of as having a price and a coupon or interest rate. If the current interest rate is 4% it will cost you 100 euros to purchase a 4 euro annual payment (annuity). But if interest rates go

up to, say, 8% the price of purchasing a 4 euro annuity will be 50 euros. The price of the bond has dropped from 100 euro to 50 euro! We can see that a few percentage points change in the interest rate can have a dramatic change in the price of bonds. Also, the price of bonds has an inverse relationship to the interest rate. As interest rates go up the price of bonds goes down; and when interest rates fall the price of bonds goes up. This has, of course, enormous implications for the financing of pensions. It also shows the large gains and losses that can be made from betting on bond prices.

So, in the previous example above, we can demonstrate Keynes' formula. If interest rates are at 4%, then the person who has a bond with a price of 100 euro will have 4 euro at the end of year one. But if at the end of year 1 the interest rate has risen to 4.16% the price of his bond has dropped to 96 euro. So the gain he has made in terms of his interest income has been offset by a fall in the capital value of his bond. He will be in the same position as the person who has held on to his money.

On the other hand, if current interest rates are too high there is no incentive to hold any money for speculative purposes. Indeed, there is an incentive to borrow money to invest in bonds. The cost of borrowing will go down while the price of the bond will go up.

Keynes' views on the matter can be summarised with the following formulas:

$$M = M1 + M2$$

Where:

M is the total holding of money

M1 is the holding of money for transactions and precautionary motives and:

M2 is the holding of money for speculative motives

But given that M1 is a function of income and M2 is a function of the interest rate the formula can be restated as follows:

$$M = L1(Y) + L2(r)$$

Where L1 is the liquidity function corresponding to income and L2 is the liquidity function corresponding to the interest rate.

Keynes is not really interested in the L1(Y) part of the equation. There is not much that can be said about the transactions and precautionary motive for holding money, other than it is proportional to the level of income. The second part of the equation is more interesting because it is not quite clear what the relationship between the interest rate and money is exactly.

The formula suggests that liquidity preferences determine money, but what if the opposite is also the case? What if money determines liquidity preferences? Or, to drill down into the equation, what if money determines income through stimulating demand and reducing the interest rate, which in turn reduces the cost of investment?

This is a topical conversation. At the present time the ECB is pumping 1.26 trillion euro into the economy. In theory (per Keynes) this should reduce the interest rates, which should stimulate investment and consumption. Although the quantitative easing may have beneficial effects, the policy and the theory have their limitations.

In this reviewer's opinion Keynes overstates the effect of monetary policy on the real economy. A constant theme of his work is that the inducement to save is far greater than investment. The implication of his analysis is that the demand for money is depriving the economy of investment resources.

There are two points that can be made about the demand for money. Firstly, the system of credit obviates the need for significant cash holdings for transactions or precautionary purposes. Secondly, the holdings of cash are not necessarily idle. It is unlikely that much of the money will be held under the mattresses of the people involved, unless there is a crisis of confidence in the banks as was the case in Argentina about 10 years ago. In general money is held in the form of current accounts or short term deposit accounts. By entering the banking system this money is available for lending.

Commercial banks do not create money out of thin air. But what they can do is convert short term savings into long term investments. They lend other people's money on the assumption that the people who are lending to the banks will not withdraw their money at the same time. This assumption is entirely reasonable except in times of financial panic.

So in this reviewer's opinion the transactions and precautionary motives for holding money are of no great significance, but what of the speculative motive? In this reviewer's opinion Keynes' views on the speculative motive reflect the weaknesses of his entire theoretical edifice.

The liquidity preferences of individuals and companies are detached from the real economy. In this model savings decisions are divided between holding money and purchasing bonds. Indeed the distinction between savings and investment is blurred.

Keynes talks about other capital assets having the characteristics of bonds. For example, machinery has a capital value and enables the holder to obtain annuities or an annual return. But as indicated previously, savings and investment are qualitatively different items even though the aggregate value of savings and investments are always equal.

Saving is the purchase of a financial asset such as deposit with a bank, a bond or a share. An investment is the purchase of a real asset such as plant and machinery, a building which is expected to give a return as a result of its utilisation within the real economy.

In Chapter 17 he presents a model of decisions faced by owners of wealth. In the example he gives there is a choice between purchasing:

- a) a house
- b) wheat
- c) holding money.

It is very noticeable that none of these items is a productive asset.

A house has a "yield" (presumably rental income or imputed rental income in the case of an owner occupier); it has very little "carrying cost" (i.e. doesn't lose its value); but it also has negligible liquidity. It can't readily be encashed.

Wheat has no yield; has significant carrying costs (needs warehousing and cannot be preserved indefinitely); and negligible liquidity.

Finally, money has no yield; negligible carrying costs and is by definition liquid.

The economy is in equilibrium when the yield of assets less the carrying cost is equal to the liquidity premium or interest rate. For all his convoluted thinking, the formula of yield less carrying costs (i.e. net yield) having a tendency to equal the interest rate is remarkably similar to the classical view. But there is nevertheless a significant difference. Keynes appears to believe that it is the decision of wealth owners, which determines the interest rates. The output of the economy or the productivity of labour has no bearing on interest rates. However, the interest rate is a key determinant of employment. Furthermore, Keynes believed that there was no reason to suppose that the equilibrium rate of interest will also be that rate of interest, which applies at full employment.

In the concluding part of this series we will look at Keynes' views on monetary policy and how it might be used as a tool to achieve the objective of full employment.

John Martin

Review: *An Execution In The Family* by Robert Meeropol. St Martin's Press, New York (2003, available from second-hand booksellers Abebooks)

The Rosenbergs' Sons

In 1953 I was a member of the Young Workers' League and the CPNI while being a Belfast shipyard worker. Since the Rosenbergs' arrest in 1950 we had been campaigning against what we felt was a basic set-up of two people with young children in order to maximise the intimidation of the American Left during this McCarthy period. We paraded outside the American Legation in Chichester Street, Belfast, and had our photos taken, not only by the RUC but by the staff of the legation who leaned out of windows with cine-cameras.

After their death in the electric chair and the furore that followed, the Irish and British media seemed to have forgotten them except to occasionally report that their children Robert and Michael were now living under assumed names and had disappeared from public sight. As children there wasn't much they could do. When it was discovered they were really the Rosenberg children, parents would forbade their children to play with them. They were even expelled from one school when their real identity was discovered under the pretence that they were living in the wrong area and therefore weren't entitled to be at that school. As a cover, a few other children were also expelled under the same dictate.

There was a continual hot debate in the US media about the Rosenberg children but in the UK and Ireland they were always dismissed as having disappeared underground. Robert and Michael Rosenberg, now Robert and Michael Meeropol, were very much engaged in what was termed the progressive movement as soon as they became older. Though they didn't join the Communist Party, they were close to it in the environment of their foster-parents, the Meeropols, and their friends.

The extended Rosenberg family didn't want the children, a grandmother was aged but the others because they didn't approve of their parents' left views. It was also thought the FBI might take an interest in them, should they adopt. That suited Robert and Michael and it certainly suited the more humane Meeropols, though they were strangers.

What the US Government wanted to do with the Rosenberg children was to institutionalise them. The Jewish Board

of Guardians and the Society for the Prevention of Cruelty to Children fought to have the Rosenberg children taken from the Meeropols on the grounds they were being abused by being forced to attend rallies in protest at the execution of their parents. One evening, when they were asleep, there was a knock on the door. When opened, there stood two policemen demanding that Abel and Anne Meeropol hand over the children. The couple defied the police until they went away. After legal action the next day, the Meeropols were brought before a judge who ordered that the children be institutionalised. They were taken to an orphanage but in the following two days legal action saw a different judge release the children to their grandmother. She didn't live far from the Meeropols so she co-operated with them in allowing the children to have their meals with their future foster-parents. They also took it turns to bring them to and from school. The final legal arguments involving social workers and various other bodies is too long and complicated to put into a review but their fostering by the Meeropols was finally successful.

All during this the FBI was monitoring things, especially the Meeropols and their friends and various support groups. The FBI were not ghost figures like the British Special Branch or MI5, for they made sure you knew they were present. The Meeropols would occasionally point out to the children that the person standing outside their house was an FBI agent, or when they were being followed to school.

I have at one time known an American who had been under FBI surveillance and she remarked that they always made sure you knew who they were. They usually wore brown suits with a brown trilby and brown shoes.

Robert says in his book that he came to see that his father was not entirely innocent, nor entirely guilty. He did have some things to pass on but that was during WW2 when the Soviet Union was an ally. This statement was seized on by some of the media to justify the grisly deaths of the Rosenbergs. That was a calculated risk Robert had to take.

An interesting passage is on pages 223-224

"Individuals occasionally bring new information about my parents to my attention. In 1998 I attended a forum at Mount Holyoke College where Abraham Lincoln Brigade veteran Abe Osheroff discussed his experiences. I introduced myself afterwards. He immediately told me that he hung out with my mother and father and several other young communists after he had returned from the fighting in Spain. Abe said that around that time when the Soviet Union began to prepare for the inevitable German attack, my father said he had access to technical engineering information that could help the Soviet Union defend itself. We continued this discussion in greater detail at Abe's home in Seattle the following summer. Abe said my father told him he had specifications that would permit fighter planes to fire machine guns without damaging their propellers. My father asked him if he had access to Soviet officials in New York City to whom he could give this information. Abe responded that he didn't have such access, and told me that since the Soviets never developed a "variable-speed propeller", he assumed my father had never contacted Soviet officials. After his arrest Abe wondered if perhaps he had."

The campaign to save them from the death sentence or life in imprisonment was on the grounds that they were totally innocent. Certainly it was doubtful if his mother was in the position of getting any information which could be vital to the Soviet war effort but the charge against her was that she typed out the atom bomb secrets for her husband. The author wryly states she was given the chair for typing?. How to make an atom bomb was known about in the 1930s, with Germany and Japan working on it. Would it work on the human population was the secret and that secret was given away when the US dropped it on Hiroshima and Nagasaki, using the two cities as a testing ground, and as a warning to the Soviets not to advance any further than the Japanese Kurile Islands which they were occupying after their advance from Manchuria.

Then there is this myth that the two bombs were dropped to save the lives of the US military personnel when it was the Japanese military who was suffering the worse casualties from heavy bombardment and the US policy of not taking prisoners, except a few for the cameras. It had also become a racist war and it has been wondered recently would the Bomb have been dropped on Germany if the circumstances had dictated it.

It is ironical to think that, if Germany had not expelled or made Jews feel they had to leave Germany in the 1930s, they might have had the services of a number

of physicists interested in the development of nuclear energy. Certainly the USA made full use of them.

A crude drawing of the outer casing of an atom bomb, supposedly in the possession of the Rosenbergs, was shown through the American media, but it was very flimsy evidence on which to convict and sentence to death anyone. Being charged with Conspiracy to Commit Espionage could mean anything the prosecutor wanted to bring into it, including Treason. Treason, as the author points out, was something the Southern States had been charged with during the Civil War. He notes that the treasonable Confederate flags still flies everywhere in the South (though recently one was lowered from one of the State's flagpoles after a massacre of African-Americans, but generally they still flourish in defiance of the central Government).

Robert Rosenberg was six years old in 1953, when his parents Ethel and Julius Rosenberg were executed after been convicted of Conspiracy to Commit Espionage on behalf of the Soviet Union at the height of the McCarthy era. Just before they were put to death in the electric chair the Rosenbergs wrote a letter to their two young sons saying they were "*secure in the knowledge that others would carry on after them*".

The 'others' were to include their sons Michael and Robert, especially Robert.

The Rosenbergs were working-class. Julius Rosenberg, born in New York City in 1918, graduated from High School, received religious training at Downtown Talmud Torah and Hebrew High School. At 16 he took religion seriously, at 18 he became a Marxist. In February 1939 he graduated from the City College of New York with a degree in electrical engineering. Shortly afterwards he married Ethel Greenglass.

He held a job with the Army Signal Corps until 1945 when he was fired for concealing that he was a member of the Communist Party.

But he wasn't asked whether he was at the interview—as other CP members weren't. His brother-in-law David Greenglass hadn't been asked before being put on SUCH secret work as the manufacture of the A-Bomb at Los Alamos, New Mexico. Now that question was being asked, as the Cold War had begun—even before the end of the European war and before the war against Japan. This was the beginning of McCarthyism with a vicious hindsight.

Next he worked for Emerson Radio

until he was made redundant. He started a machine shop, hiring his brother-in-law David Greenglass, in 1950. At the time of his arrest, the business was failing.

Ethel Greenglass, born on the Lower East Side of New York City in 1916, was a star student, graduating before her 16th birthday. She was picked to sing the national anthem at High School assemblies because of her extraordinary voice. Her family had very little money and Ethel sometimes wore newspaper in her shoes in winter to block the holes. Acting and singing were her passions. She worked as a secretary after graduation. She became an active Union organiser by 1935 and left one acting group for another because it had a lot more radical politics.

The Rosenberg family lived on the 11th floor in a three-room apartment. Robert the son says that the apartment was small and when it appears small to a three-year-old it has to be small. First Julius was arrested. Later Ethel was subpoenaed in what was termed the *Atom Bomb Conspiracy*. She was arrested at the court. The two sons aged 3 and 7 were never to see their parents at home again and only on visits to Sing Sing Prison. A neighbour who was babysitting was left with the children and didn't know what to do with them. They stayed with a grandmother for a while but it didn't work out. The Greenglasses, David and Ruth, also had two young children and weren't willing to take the Rosenberg pair. Anyway, it would have been impossible for the Greenglasses: how could they be reminded every minute, every hour, every day that they had helped to orphan these two children? Ruth Greenglass backed her husband in the betrayal of the Rosenbergs.

David Greenglass had been arrested before Julius Rosenberg and claimed he had been threatened with execution if he didn't cooperate with the FBI. His rationale was always that it was either his family or his sister Ethel's family. He said he wanted to save his wife Ruth and not have his two children orphaned. He had been a military machinist first class and had worked on the bomb at Los Alamos, New Mexico, on the top secret Manhattan project. He and his wife, being Communists, believed the Soviet must have it. What secrets he was said to have stolen has never been revealed. But he was a machinist, not a physicist who would have understood formulae and compound mathematical teasers. The author states:

"His education had never progressed beyond high school. He tried to use the

GI Bill to go to college, but flunked all of the courses he took at Brooklyn Polytechnic institute."

"I discovered that Ruth Greenglass had never been charged with a crime, even though she had taken the witness stand and sworn she helped her husband transmit atomic secrets. This was in sharp contrast to my mother, who was executed after swearing under oath that she was not involved."

The other Greenglass rationale was that the Rosenbergs should have cooperated with the FBI and admitted their guilt, as they did, which would have saved their lives and prevented their two children from being orphans, as they had done. David Greenglass got 10 years, which I expect made him feel he had paid his price.

Maybe that crude drawing of an atomic bomb casement was all there was in the end. Certainly, as a machinist he would have been involved in its manufacture. Greenglass went on to further rationalise his role in the murder of his sister and her husband in cooperation with a New York Magazine journalist who wrote a lengthy book called *The Brother* (that being Greenglass).

Recently released papers going back to 7th August 1950 gives the testimony of Greenglass before the courts. His twisted testimony was twisted even more by FBI agents. It is reckoned that, if the testimony had of been allowed to stand, even with its blatant lies, it would not have made a case against the Rosenbergs.

David Greenglass, born 2nd March 1922, died 1st July 2014, aged 92.

The Rosenberg brothers went on to be high achievers at university in anthropology and law. Robert seems to be the more active of the two. He has been involved (still is to this day) in many cases of injustice concerning the labour movement and crimes against a number of nationalities, native Americans and ethnic groupings including the notorious case of Mumia Abu-Jamal, an African-American accused of shooting dead a policeman in 1981. Mumia had been a journalist running a radio station on a shoestring and had interviewed Robert Meeropol about the death of his parents. Now it was Robert who was highlighting his case as he sat on death row. Support groups bolstered by Robert eventually had Mumia's sentence reduced to life without parole. The object is to free him. He has already spent 30 years in solitary confinement, having never been taken from the equivalent of the condemned cell. At the moment he is very ill from complications to do with his diabetes.

The brothers were also involved in the anti-war movement concerning Vietnam, the backing of the Cuban revolution, the Kent State University case—in which four students were shot dead by the National Guard. Three further students were killed at Jackson State in Mississippi a few days later but the media focused on the death of the four white students at Kent State University. As Robert says:

"To this day, in most of white America, Kent State remains a dramatic historical event while the black Jackson State victims have been a culturally insignificant afterthought."

The author again:

"On November 3, 1979, the Klu Klux Klan shot and killed four members and one sympathiser of the Communist Workers Party at an anti-Klan demonstration in Greensboro, North Carolina. I was horrified by this event, which became known as the Greensboro massacre. I was almost as shocked by the reaction of a fellow staff member. {while he was managing editor of the magazine Socialist Review. WJH}

The CWP had mounted an organising effort to unionise black and white workers in area cotton mills. When the Klan threatened the organisers, they fought back by verbally attacking the Klan. CWP members chanted "Death to the Klan!" at rallies, and wrote leaflets with the slogan Kill the Klan. My colleague reacted as if these tactics justified the Klan attack. He argued that the CWP had brought death upon themselves with vitriolic sloganeering and by openly proclaiming their Communist politics in North Carolina.

I felt that the CWP's provocative tactics were foolhardy but I identified with the organisers whom the Klan had gunned down while engaging in labour and civil rights work."

I remember this tragedy, having seen on TV the actual gunning down of these CWP members. Despite this visual record, none of the Klan members were charged with murder, or charged with anything.

In the book I keep coming across names like Mumia Abu-Jamal which I was also active in raising concern about injustice. I wasn't aware that Robert and his brother Michael were also working on a number of injustice cases. As I have said previously, due to the lack of coverage of the brothers in the Irish and British media, I thought they had just disappeared off the radar. The book ends with the news of 9/11 in 2001.

Robert Meeropol set up the Rosenberg Fund for Children. Considering what happened to him and his brother during

their childhood the fund helps the children of the persecuted and the disadvantaged, due to US Government or big business interference, like the giant supermarket Wal-Mart which dismissed workers when they tried to form a Trade Union. This left the workers' children bereft of educational opportunities which the Fund provided for. Or, when parents are arrested on demonstrations, that leaves their presence missing maybe for days or even weeks: the Fund is there to do as much for the children as will make them comfortable and assured. All political beliefs and religions are catered for without prejudice.

Now his daughter Jennifer, granddaughter of the dead Rosenbergs, runs the Fund.

She also runs a blog online on injustices throughout the country, as well as criticising strongly, like her father and uncle, US adventurism abroad.

The author's conclusion is that the State murder of his parents was an effort to destroy the US Communist movement. He doesn't particularly agree with everything the CPUSA puts out but he defends its right to exist as his parent felt it was their right to stick to their beliefs and die for that right.

A very well-balanced book with a number of family photographs. All in all a document that will live well into the future, forever.

UPDATE:

In July 2015 David Meeropol released this statement headed:

"Government's Case Against Rosenbergs Guttered By Release Of Key Testimony"

Easthampton, Mass I applaud the release by the National Security Archives of the Grand Jury testimony of David Greenglass and Max Elitcher. I want to thank attorneys David C. Vladeck and Debra L. Raskin for advocating for the release of this testimony and federal District Court Judge Alvin Hellerstein for granting our petition. They have done a service by bringing this testimony to the public. Since my brother and I and others launched this effort to reopen the Rosenberg Case in 1973, we have maintained that the public and family members deserve every bit of information that exists about the case. Today, thanks to this just released information, we have a more complete picture of my parents' case than ever before.

Some of David Greenglass' statements to the Grand Jury echo those of his wife, Ruth Greenglass. Ruth's testimony, released in 2008, did not mention my mother Ethel typing notes from the Greenglasses' alleged September 25th,

1945 espionage meeting with Ethel and Julius—a supposed meeting that was the key trial testimony to doom my mother.

As cooperating witnesses, under oath, neither David nor Ruth Greenglass mentioned this key evidence against my mother during their Grand Jury appearances, despite swearing to it at trial the following year. That Trial testimony resulted in my mother's execution.

Burt David's Grand Jury testimony is even more stunning than Ruth's; in addition to the absence of any discussion of Ethel's typing any material, he states: "I said before and say it again, honestly this is a fact: I never spoke to my sister about this at all."

Shocking as this is, I believe a second omission in David's testimony is just as important because it guts the government's case against both my parents. The heart of the government's case was that my parents met with Greenglass on September 25, 1945 at the Rosenberg apartment in New York City.

At that meeting the Greenglasses claimed, David gave a sketch of the cross-section of the atomic bomb to my father, and my mother typed David's accompanying hand-written notes. At trial, the prosecutor claimed this drawing gave away the most important secret known to mankind—the so-called secret of the atomic bomb—and in summarizing the case against Ethel dramatically stated that as Ethel: "hit the keys she struck blow upon blow against her country".

In pronouncing the death sentence, Judge Kaufman blamed my parents for the Korean War.

What many missed in 2008 was that Ruth's Grand Jury testimony not only omitted Ethel's tying, it made no mention whatsoever of the September 25th, 1945 meeting. From today's release we know that while David testified to the Grand Jury about giving sketches to Julius, he doesn't mention the specific date or the Rosenberg apartment: instead he says he met Julius in Manhattan in the fall of 1945 and when pressed about the date, agrees that it might have been September or October. Thus, there is no evidence, other than the Greenglasses' later, much-evolved trial testimony, that a September 25th, 1945 espionage meeting at the Rosenberg apartment took place.

More than 60 years after my parents' execution, it is long past time for the government to admit that Ethel Rosenberg was not a spy and that Julius was not an atomic spy. I call for the record to be set straight once and for all:

1. My father engaged in non-atomic military espionage for the Soviet Union. He did not pass the secret of the atomic bomb to anyone.

2. My mother did not conspire to commit espionage. The government knew this; colluded with the Greenglasses to convict her; and executed her anyway."

Wilson John Haire.

5 August 2015

A lighthearted review of a review of a book which attempts a military analysis of the famous ambush

A Crowd Of Stiffs

Kilmichael echoes about the pubs of West Cork. It is said that it has been heard in Kerry too, though this cannot be proven. It is an irreverent song that captures the occasion. As ever, Tom Barry is lionised. It is hard to know sometimes, when it is heard, whether it is the end of the night before or the morning of the following day. Those Auxiliaries have been immortalised, though the words are not uttered in praise. Gone, maybe, but not forgotten.

Counters are lined with pints of the black and creamy stuff. Full of froth and goodness. Heads settling. Collars of all sizes. Served as to one's liking. Curates, PPs, Canons, Deans, Bishops. Smooth. Eager eyes hungrily watching. Mouths open and ready. Excess sliding down the sides of the glass. Hands itching to grab. And the song goes on and on. Feet stamping to the beat.

Several books have been written about 'Kilmichael'. The latest by Seán A. Murphy. It hit the jackpot. A bull's eye, one might say. Now it has been reviewed in *History Ireland*. Yes, Again. When I saw it I was numbed. A thought had run across my mind. A slow sprint. My hands were shaking. Bands of sweat bubbled on my brow. It was back again. The false surrender. I had put it to the back of my mind. Now it has surfaced once more. Did they or did they not? Who said what to whom? When, why, where? It'll do my head in. With the passage of time it has got worse. Everybody is putting in their oar. Now they're saying the Cisco Kid was an Auxie; that his girl-friend was a tout and that his horse won a point-to-point in Buttevant. Now, here am I, reviewing this new review. It is by Lar Joye, curator of military history at the National Museum of Ireland. I recall being there one day. They were nearly going to keep me: the fossil section.

Lar Joye seems to know his stuff. He spins words like that roulette wheel spinner. He could write gags for Bob Hope or Abbott and Costello. On a bad day he might do something like that for Hal Roche. Now he relates the one on the train. There something about gaps on a train. The moving target, I reckon. Anyway, Lar was minding his own business, as the train was chug-chugging along. Lar was reading the latest 'Kilmichael'. A fellow passenger erupted merrily, "Not

another book on Kilmichael".

I believe the false surrender is at the root of it all. You'll know how Lar must have been feeling. Getting laughs like that. I never get them. Lar must have been doubled up. Ah, yes, "*On the twenty eighth day of September!*"

Lar dissects the contents. He makes some telling points. Murphy states that not many Irish historians have military experience. A bit of square-bashing might help, I thought. And they don't know what weapons can or cannot do. A bit of a quandary, alright. They haven't got the 'know-how'. Some rope-a-dopes close their eyes when firing.

Anyway, this book has had its share of reviews. Lar, it seems, is a bit fed-up. He digresses from *Kilmichael* and observes: "*As we approach the 1916 centenary, we will read that British snipers were killing Volunteers and civilians*". It seems he has had enough of the whole shebang. I can't blame him. All this Brit-baiting stuff. Up to our necks with it. Lars continues, "*British artillery destroyed the city*". So there we go again. Naughty Brits. "*None of this is true. Snipers are trained soldiers with specialised rifles and there were none in Dublin in 1916.*" I don't want to start a quarrel—but sniping can be done with any type of rifle. Ask any snipe. See any dictionary.

There was extensive sniping during the Rising. Despite the lack of "*specialised rifles*". But sides were involved. Outsiders too. It went on for another week after the surrender. Sporadic. As is the way of sniping, usually.

Lar continues, "*there were only four eighteen pounder guns in Dublin in 1916*". He is very emphatic about this. "*Most of the damage was from fires started by the artillery bombardment and the rebels themselves*".

In fact, photographs show extensive artillery-fire damage. The city centre had been razed. The Brit gun positions were mainly at Trinity College and The Rotunda. They fired away with gay abandon. Nobody and nothing was spared. All buildings, business offices, dwellings were wasted. The artillery was brought to Dublin from Athlone on Tuesday. There was no 'rebel' artillery. But the mysterious "*arsonists*"! It is a fact that the 'rebels' spent their time mostly in trying to extinguish fires in the city centre caused by artillery fire.

"The Helga (gun-ship)", says Lar, "only fired twenty shells". Does he mean "The Helga fired twenty shells only"? Only he knows. Records can be easily doctored. The winners write 'history'.

It appears Lar's greater interest lies in the Rising. He may write in greater depth about it, at a later time. He may let us know more in a further analysis. Perhaps he would expand about "We will read that British snipers were killing volunteers." "Trained soldiers with specialised rifles". The ones with the magic bullets. Trouble with a reviewer is that he's usually caught for space. But Lar may elaborate another day. But those rebel arsonists! Every day you learn. Stupo me! Me thinking it was the Brits shelled the place to bits. It just goes to show.

But those snipers. It must have been them. With their specialised rifles, peeping up, eyes shut tight and they raining shells down on the volunteers from four eighteen pounders. The same big pounders . . . The same big pounders they used on the Four Courts in 1922, during the Civil War, on loan from the Brits, with or without snipers. Lar has it figured out. "We will read that British snipers were killing Volunteers and civilians". We will. We will.

Lar knows more than he is saying. Forget the snipers. Forget the Helga. Let it go at twenty shells. Forget the eighteen pounders. What about Lt. Col. Taylor and the South Staffs? The North King Street Massacre. The cover-up.

Lar likes a good laugh. The book shows the boys at Kilmichael were using Canadian-made Ross rifles. Sometimes, her says, these rifles could fire backwards. If Tom Barry used his noggin, he'd have armed the Brits with these rifles. Then the Auxies could have shot themselves. They would have no need for a false surrender. Talk about shooting yourself in the foot.

Anyway the boys called their bluff. Or would have. Or could have, or should have. At night, by the light of the burning Crossley-tenders, they played poker. Lar is fascinated by the use of acronyms in Murphy's book. Especially METTE (Mission, Enemy, Troops=Own, Terrain, Space). Soldiers make up their own. It's a game. Sniper, Tactically Infiltrating Friendly Forces. STIFFS.

Let them put the kybosh on things. "Murphy concludes that the most plausible view is that the Auxiliary cadets in the two trucks surrendered. In capturing so many Auxiliaries, the safety of the 36 Volunteers would have been paramount in the mind

of their commander." He means Tom Barry.

We know where Murphy stands now. Lar quotes Prof. Ferriter: "the contradictory evidence about what happened does not merit emphatic conclusions from anyone involved in the debate". In other words, maybe, sometimes, if, whatever you're having yourself, sir, if you know what I mean.

"No doubt", says Lar, "the arguments will continue as we come closer to the centenary in 2020. Tom Barry"... was single-minded in destroying the Auxiliary patrol". And the Auxies, leaving their safe post in Macroom and driving into the falling night. What was it all about? Who knew what? And when? Those Auxiliaries. What did they call them? STIFFS. A crowd of STIFFS.

John Morgan (Lt. Col., retd.)

NB: *Kilmichael, A Battlefield Study* by Seán A. Murphy was reviewed by Col. Morgan in Irish Political Review of March 2015.

WHEN BELFAST ROCKED

remember when only the song was left
and even that began to fade.
We had our
Sixties
but not like you made
for we had that feelin' of
being bereft.

So we ate the 50 year old stew
but our fightin' spirit grew.
Some thought of us as brothers and
sisters
but to most we were landscape
blisters.

was listenin' to a
babblin' brook
when along comes a tweedy man
bearin' the stolen name he
took,
but who came to our aid
when he sang of our blood in which to
wade.

When they preached it wasn't love,
when they prayed there were no white
doves
for their padres carried guns,
they had an Ulster moon and an Ulster
sun,
their walk their talk their faces,
'twas always `that's a grand Ulster
mornin'!',
except in fenian places.

Then my girl fell in love with him

and sang a very different hymn,
went to the other side of the wire
adopted their hatred and felt inspired.

was a discarded teenager with a rusty
bike,
searched in the thatch for that pike
but maybe it was a bit too soon,
just boilin' after seein' High Noon?

The flag in the window the taigs would
buy
except the RUC came with wreckin' bars
to take the foreign lie,
protest against their Special Powers
and it was chains deep North,
n the land of the Ulster fry.

t can be a baton across the mouth,
blood and gristle with each tooth spat out,
one a year for the comin' clout.

The girl five storeys up high
on Anderson and McAuley's
sucks her thumb and cries for her dolly,
the crowd below watch the narrow ledge
knowin' it's somethin' seriously alleged,
certainly the end of that dominant cling,
love lost despite the engagement ring,
now it's death dressed in a summer frock
and a crowd frozen silent in shock.

They lifted my uncle to the Crum,
some royal figures were comin' over just
for fun.
High Street Belfast Saturday night and the
Branch
stopped me, my girl wants to dance,
while my views they can only enhance.
She danced too long with another man,
love and hate love and hate that night ran

Sunday on Napoleon's Nose before the
pill
when passion died and anxiety had its fill,
there was no other way to keep her
but get a ring before the usual occurs

On that ledge she represents their views,
t is the end of what they knew,
now the whole city is in shock.
Soon a rainbow with petrol bombs in the
crock.

When the well-off leaves Ulster beware,
those left don't casually look anymore but
stare,
t's almost jackets off and defensive stance,
soon will come that deadly dance:
know who you are and you know who I
am,
were we really friends when things seemed
calm.
Now all Ulster watches like she's the only
one
to threaten death that day,
some cross themselves and the crowd

glares
for this is not the Ulster way,
could this be a sacrificial warnin'
n Central Belfast on a sunny mornin'.

A hunter would recognise such a sight,
an animal downed in full flight,
but within that human wreckage something
gleams,
but only glass-paste throws its beam.

All you heard was suicide suicide suicide
like a song in your head you can't abide,
a man jumps off a bus too soon
the conductor cries there goes a loon,
though he does it all the time without
harm,
a child goes too near the kerb and there's
alarm.

The traffic screams as if awaiting its fate,
look over my shoulder and walk at a
faster rate,
they can't see the problem though it's in
their face,
two corpses on the pavement with Loyalist
haste.

So many years ago now
but in the memory as a minute,
did her death trumpet a fight without limit,
was she elected
to see limbo land corrected.

Was what I felt sometimes peace
munitions making it until it ceased,
then munitions made some more
until peace became a whore
with munitions adored.

Wilson John Haire
13 June, 2015

BOOK LAUNCH

"IRISH BULLETIN" VOL. 3

(1ST September 1920 -
1ST January 1921)

at

The Ireland Institute
27 Pearse St, Dublin 2

Eamon Ó Cuiv TD and
Prof. Cathal Brugha

Thursday
26th November 2015,
7.30pm

All welcome

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Letter Submitted To *Irish Times*, 28th September

The Rising

Diarmaid Ferriter (Telling our children about the Easter rising is still no easy thing, 27 September) is to be commended for bringing to public attention Tomás Derrig's role in initiating the Bureau of Military History, an invaluable source for understanding the history of the events that brought this state into being.

Derrig was the first Fianna Fail Minister for Education and according to Ferriter he considered that what was needed in informing young people about the 1916 Rising was a "record of facts" from "the Irish point of view".

The problem today as we approach the centenary is that our governing elite abandoned any semblance of a national point of view during the years of conflict in Northern Ireland. In place of a unifying sense of purpose based on the Proclamation we have a small minded preoccupation with countering Sinn Fein propaganda.

Dave Alvey

This letter appeared in the *Irish Times* on 31st August

Commemorating O'Donovan Rossa

Stephen Collins ("McGuigan killing raises questions about Rising commemorations", Opinion & Analysis, August 22nd) raises critical questions about the recent commemoration of O'Donovan Rossa and, at the same time, calls for more prominence to be given to the events surrounding the campaign for Home Rule.

It is significant that, in fact, there was a connection between the two events in the summer of 1915. On May 19th, Prime Minister Asquith announced plans for a coalition cabinet of Liberals and Tory Unionists and announced their names a week later. The accession of Bonar Law, Arthur Balfour, Walter Long and Sir Edward Carson to the cabinet effectively marked the end of the Home Rule Act. From the introduction of the Home Rule Bill in 1912, Carson and his followers had pledged themselves to resist Home Rule and, on September 28th, 1914, he had declared that "when the war is over we will call our Provisional Government together and we will repeal the Home Rule Act so far as it concerns us in ten minutes . . . we will also have our guns". This pledge was publicly endorsed by Bonar Law, leader of the Conservatives.

When, less than a year later, these men and their colleagues were appointed to the cabinet, it was generally recognised that Home Rule was dead and buried. This impression was confirmed by the measured opinion of Augustine Birrell, chief secretary of Ireland, who informed the Royal Commission on the Rising that the appointment of the coalition cabinet "seemed to mark the end of Home Rule, and strengthen the Sinn Feiners enormously all over the country". It was in this context that the funeral of O'Donovan Rossa took place two months later, on August 1st, 1915, and the large attendance was, in part, occasioned by the failure of the policy of Home Rule.

Contrary to the impression given by Stephen Collins and Carla King (August 4th), there was no attempt to endorse the indiscriminate bombing campaign of Rossa in his younger days. Patrick Pearse had made it quite clear to Joe McGarrity, on August 12th, 1914, when informing him of the weapons landed at Howth, that "the ammunition landed is useless. It consists of explosive, which are against the rules of civilised war and which, therefore, we are not serving out to the men".

It was in this spirit that Pearse spoke of Rossa's dream of Irish national independence as expressed in a free and independent Irish republican government. Significantly, several companies of Redmond's National Volunteers and many public bodies joined the IRB and the Irish Volunteers in the procession to Glasnevin – a clear indication that the creation of an English coalition cabinet, allied to the tragedies of war, had combined to expose the true character of English rule in Ireland and to create a new dynamic in Irish life.

For these reasons, it was fitting to commemorate the funeral of O'Donovan Rossa and it will be appropriate to commemorate the Easter Rising in the same spirit,

Dr Brian P Murphy, OSB

Does
It
Up

Stack
?

COMMON LAW JURISDICTION?

The fairytale fiction of Ireland being a common-law jurisdiction has a firm grip on the imaginations of many of our so-called professional lawyers. It is a comfort for those lawyers who do not like to be different from English or US lawyers and who are monoglots as most Irish lawyers are. Monoglot lawyers are unable to educate themselves in the application of the statute laws and jurisprudence of other constitutional jurisdictions such as France, Spain, Italy and indeed throughout the European Union and so they cling to English and US law reports and the more adventurous of them may explore the law reports of other English –speaking common-law countries of the British Commonwealth such as New Zealand and Australia. It is my opinion and I have shown that substantially in last month's article (*Irish Political Review*) that these monoglot lawyers are not improving their knowledge of Irish law one jot because Ireland is not a common-law jurisdiction.

A Tax-Lawyer who read my article on Ireland being a Constitutional Law Jurisdiction (*Irish Political Review*, September) has disagreed with me and has pointed out that Reported Cases (he called them, quite improperly, case-law) are quoted quite freely in tax cases before the Appeal Commissioners, the Circuit Court and the High Court in Ireland so as to reinforce arguments about applications and interpretations of statute law concerning taxation matters.

I referred him to Mr. Justice Niall McCarthy's 'Foreword to the First Edition' of *The Irish Legal System* by Raymond Byrne and J. Paul McCutcheon in which Mr. Justice McCarthy said:

"..the strictures, formal approach and, most regrettably, attitudes of lawyers in Ireland remain English orientated... It is a fault of the lawyers of this generation because of a failure to examine and analyse the law, rather than take refuge in an unthinking and uncritical citation of precedent. Forensic forelock tugging is as much part of the cultural cringe that has beset our country as the mimicry of English accents and manners, but it may be more damaging in its long term effects."

Every case before the courts is different

from other cases and should be argued on its own merits. Quoting Reported Cases may be helpful to a judge and may even be persuasive if strictly relevant but cases in Ireland are not law and a judge is not bound by decisions made by other judges because no two cases are exactly alike and because, most important of all, Reported Cases are not statements of the law in Ireland.

Messrs Byrne and McCutcheon in their book *The Irish Legal System* quite incorrectly and in an obviously anti-Irish attitude quote English House of Lords cases in their exposition of the use of precedent in Irish courts. The authors imply that the cases quoted had a binding effect on the Irish judges whereas in fact, the cases were just persuasive. The authors refer to "the rule" in this case or that case, but rules are not law as they must be well aware. A majority of the cases quoted by the authors are either English or pre-1932 Irish (when Ireland was still not wholly free of the English system). Indeed, it was not until the passing of the 1937 Constitution of Ireland that this State became free of England in the legal sphere. The authors are very learned lawyers but it is mostly in the English legal tradition which they are learned in.

They betray their Anglophilia in their book where they trace the history of Irish law back to the coming of the Normans in 1189 and what they are tracing is English law as it applies to a colony in Ireland.

Reference is not made to the Brehon Laws which applied in Ireland up to the sixteenth century and up to the seventeenth century in some parts of Ireland. (*Ancient Laws of Ireland and Brehon Laws-Senchas Mór* in 6 Volumes.)

Byrne and McCutcheon's book is being used to 'educate' lawyers in Ireland and thus continuing the insidious propaganda about the English legal system in Ireland.

On the other hand, the book *Principles of Irish Law* by Brian Doolan has a much more Irish statement of the Nature and History of Irish Law. He refers to the Brehon Laws being officially used by the English administration in Ireland when in 1556 a case involving a dispute over title to land was directed to be decided by the Brehons. Reference is made to English efforts to impose their will in Ireland through laws such as Poyning's Law 1494-95 and the Dependency of Ireland Act 1719 (known as the Sixth of George the First). Brian Doolan does not say so but of course these declarations of legal supremacy of England over Ireland were effective only because of the continuous presence

in Ireland of the English Army.

The rebellion of 1798 is referred to and the Act of Union 1800 after which for 120 years all statute law applicable to Ireland was passed in London by the English Parliament up to the Government of Ireland Act 1920. The history of Irish law concludes with the Belfast Agreement of 10th April 1998. Brian Doolan is quite clear about law-making being a function of the Oireachtas and he states:

"It falls to the courts to interpret and apply the law which has either been laid down by the Oireachtas in a statute or under the authority of the Oireachtas in subordinate legislation".

And on page 31 of the Seventh Edition the author gives a clear and concise description of subordinate legislation.

The Table of Cases lists mostly modern Irish cases and the only English case which met my eye was The Earl of Oxford's case 1615 in which Francis Bacon decided that the Law of Equity (which originated in Canon Law) should prevail over Common Law (which originated in English Civil Law) whenever the two systems conflicted. An interesting bit of history. Fundamental Rights are well covered. As is European Law.

Brian Doolan's book is Irish law from an Irish perspective. There is no sense of forelock tugging to the British who are our neighbours but whose legal systems have gone along a different trajectory to the Irish system.

The influence of English common law is given its due place in a quotation from Gavan Duffy in 1945. He said:

"The common law is an integral portion of our jurisprudence."

He did not say it was part of our law.

Jurisprudence consists of the philosophy behind our laws and the reasons why judges decide as they do in particular cases.

Brian Doolan's book *Principles of Irish Law* is to be highly commended.

Michael Stack ©

Corrections to September issue

Page 8 line 15 of article
- 'useful' for 'useless'

Page 12 line 15 of article
- 'empathy' for 'empty'

An Irish Solution To A British Problem?

It is obvious that the UK's relationship with the EU is getting more problematic and whatever the result of the referendum that situation is not going to change. It will not settle the issue. The last referendum in 1974 was designed to put the matter to bed but it did not do so. The UK is simply not of Europe. Scotland is different and Northern Ireland has had so much EU money that it will find it difficult to cut off this source of funds despite an instinctive anti-EU bias among Unionists. But England dominates the UK and the former is simply not at ease with Europe. It can't live with Europe and it can't be indifferent to it so what is the best relationship to have?

The Irish Government's attitude is pathetic and demeaning. A Brexit raises opportunities in terms of Ireland being a member of a strong currency, being the only English-speaking member of the largest market in the world, and being an obvious attraction for more FDI here as opposed to an UK outside the EU. There is even the prospect of UK companies relocating here for easier access to the EU as we are told UK industry is very pro-EU. In spite of all this there is almost a Government panic at the prospect. It seems to think that the UK will for some reason take our interests into account when deciding its position on the EU and that the Irish Government has a duty to save the UK from itself. If the great Free Trade nation wants to erect barriers and impose sanctions on one of its leading trading partners—let it do so if it believes that's in its interests. But it has not said it is. It's a case of the Irish Government trying to bluff and frighten itself.

But there could be a positive Irish contribution that would be of service to both the UK and the EU. The dire need is that there should be clarity, transparency and that all understand and accept where their allegiances and future interests lie.

In the course of the Truce during the War of Independence de Valera came up with the concept of External Association to define the new relationship that could be established between the UK and Ireland. Ireland was to be outside the British Empire and the source of its own sovereignty and authority and having a recognised relationship with the British Empire on

what could be agreed common interests. Ireland could accept the King as head of this relationship but not as King of Ireland.

Even though it was not accepted at the time by either side, de Valera implemented it when in power and it became the functional method by which the British Commonwealth itself developed but that could never be openly acknowledged as it originated from a 'tainted source' in the person of de Valera!

Even the Anglican Church is planning a form of external association for itself:

"The archbishop of Canterbury is proposing to effectively dissolve the fractious and bitterly divided worldwide Anglican communion and replace it with a much looser grouping. Justin Welby (Archbishop of Canterbury) has summoned all the 38 leaders of the national churches of the Anglican communion to a meeting in Canterbury next January, where he will propose that the communion be reorganised as a group of churches that are all linked to Canterbury but no longer necessarily to each other" (Guardian, 16 September).

India found the idea of external association particularly useful in its negotiations with the British on Independence and its becoming a Republic within the Commonwealth was a culmination of the concept.

It is a formula that would suit the relationship between the EU and the UK. The UK bristles at any loss of sovereignty that it is not forced to accept and the EU is in no position to enforce such authority—at least not until Mr. Juncker creates his new model army.

In terms of what the UK wants, it would be what it says on the tin. The UK could go its own sweet way and concern itself with Europe when both agree on common interests. For example, the UK considers NATO of much more importance than membership of the EU and there is therefore an existing basis of a common interest—nowadays a malignant interest of course—but an interest nevertheless. There can be a myriad of such common interests, real and imagined. But as long as there is no pre-ordained obligation on either side to be part of any of them each can develop as it wishes and neither is beholden in any way the other.

odd trades.

"The first reference to Odd Fellows' Lodge, number nine, is to a meeting at the Globe Tavern, London in 1748. Another source is the Ancient Order of Bucks, an 18th century organisation with an emblem of three bucks with antlers entwined. The Odd Fellows nationally date from 1810, with regional groups co-existing, some as breakaways. Although primarily a social organisation rather than for mutual insurance, the Ancient Order of Foresters and similar groups were operating in the 1950s with sickness and death benefits" (*ibid.* p.11)

(Continued next Issue)

* **Tanganyika Groundnut Scheme** was a project of the colonial British Government to cultivate tracts of what is now Tanzania with peanuts. Launched by the administration of British Prime Minister Clement Attlee (Labour), the project was abandoned in 1951 after considerable cost to the taxpayer when it did not become profitable. Groundnuts require at least 500 mm (20 inches) of rainfall per year; the area chosen was subject to drought.

* **"John Company"**— The East India Company (EIC), also known as the Honourable East India Company and informally as John Company was an English and later British joint-stock company, formed to pursue trade with the East Indies, but which ended up trading mainly with the Indian subcontinent and Qing China.

* **Walter de Burgh**—Sir Walter Liath de Burgh, Anglo-Irish magnate, died February 1332. De Burgh aggrasped the lordship of Connacht to himself that in 1330, its lord, the Earl of Ulster, was forced into open conflict with de Burgh, who was his cousin. Warfare continued till November 1331 when the Earl captured Walter and his two brothers, imprisoning them in Northburgh Castle, Inishowen, County Donegal. de Burgh died there of starvation in February 1332.

The special unit set up by Kenny to deal with the prospect of a Brexit should have a look at Document No.2 and update it—but I suppose that would stick in his throat because of the 'tainted source'.

Jack Lane

GUILDS continued

DUBLIN'S Tailor's Hall—The oldest surviving Guild Hall in Dublin which has been at the heart of Dublin for over 300 years. It is of considerable architectural and historical interest. It had a variety of different uses, including a meeting place for the Tailors' Guild and other Guilds, it was used for entertainment, teaching, as an army barracks and a court house. Tailors' Hall is best known for the series of important meetings held there in 1792 organised by the Catholic committee. These came to be known as The Back Lane Parliament.

LONDON'S ADMINISTRATION— A TALE OF TWO CITIES

"The Livery companies and the City of London have grown up together, developing and adapting over the centuries to help sustain London's pre-eminence as a financial and business centre. They share many common goals and objectives and work" (Livery Companies.com).

The City of London Corporation, officially and legally the Mayor and Commonalty and Citizens of the City of London, is the municipal governing body of the City of London, the historic centre of London and the location of much of the UK's financial sector. In 2006 the name was changed from Corporation of London to avoid confusion with the wider London local government, the Greater London Authority.

"The Corporation is a separate local authority : it administers 677 acres (274 hectares), the 'Square Mile', four Thames bridges, many parks outside London and a police force. Should anything happen to the Corporation, the existence of the guilds should be little affected." (Melling, p.22)

The office of *Lord Mayor of London* differs from that of *Mayor of London*; the former being the governing officer solely for the City of London, while the Mayor of London has responsibility for the whole of Greater London, a much larger area. Within the City of London, the Lord Mayor is accorded precedence over all individuals except the Sovereign and retains various traditional powers, rights and privileges.

"London government and London Livery together were the fountain not only of the British Livery movement but of world democratic government, for it was on the City of London that the so-

called 'Westminster model' was based for many years later, and it would take a revision of Magna Carta to abolish the office of Lord Mayor" (*ibid.* p.6).

The Corporation claims to be the world's oldest continuously elected local government body. Both businesses and residents of the City, or "*Square Mile*", are entitled to vote in elections, and in addition to its functions as the local authority—analogue to those undertaken by the boroughs that administer the rest of London—it takes responsibility for supporting the financial services industry and representing its interests. The corporation's structure includes the Lord Mayor, the Court of Aldermen, the Court of Common Council, and the Freemen and Livery of the City.

The election of the Sheriffs and certain other officers is the prerogative of Liverymen alone and the election of the Lord Mayor of the City of London is a shared responsibility between Liverymen and the City Aldermen.

"The Lord Mayor today has normally been elected by voters as a Common Councilman; elected by Liverymen in Common Hall as an alderman; accepted by the Aldermanic Court; elected by the Liverymen as Sheriff; then elected by the Liverymen again as Lord Mayor. He was always given a baronetcy until the government of 1967 reduced it to knighthood. Then, in the 1990s, this no longer became an automatic honour, which caused criticism abroad. The Lord Mayor lives in the Mansion House during his year—called by the French for obvious reasons *La Maison Maison!*" (Melling, p.24).

"From Clare to Here"

Judge Patrick Clyne {a moveable judge of the Irish District Courts} was among esteemed guests at Buckingham Palace this week for a garden party held by the Queen and the Duke of Edinburgh. The judge jetted out early on Tuesday afternoon to escort Elisabeth Hobday to the event. Miss Hobday is the Master of the Worshipful Company of Loriners {Saddlers} and previously lived in Ennis, Co. Clare—a far cry from the changing of the guard.

The pair were among 20 masters of the City of London Livery Companies present at the party with their wives, who, believe it or not, are referred to as mistresses.

Patrick sits on the board of the National Library of Ireland and a Dublin Horse Show judge is quite the socialite so his royal invite is likely to garner much envy among his peers at home.

Other Irish guests included Peter Acheson, Vice-Lord Lieutenant of

County Tyrone and Desmond Hill, Deputy Lieutenant for County Antrim. ("*Irish Daily Mail*, 26.7.2010)

FREEMEN AND LIVERYMEN

Membership generally falls into two categories: Freemen and Liverymen. One may become a freeman, or acquire the "*freedom of the company*", upon fulfilling certain criteria: traditionally, by "*patrimony*", if either parent were a Liveryman of the company; by "*servitude*", if one has served the requisite number of years as an apprentice to a senior company member; or by "*redemption*", upon paying a fee. Most Livery Companies reserve the right to admit distinguished people, particularly in their sphere of influence, as Honorary Freemen. Freemen may advance to become Liverymen, after obtaining the freedom of the City of London, and with their Court of Assistants' approval. Only Liverymen are eligible to vote in the annual election of the Lord Mayor of London, the Sheriffs and various other City civic offices, including the Ale Conners and Bridge Masters.

The Livery companies elect a majority of the members of the Livery Committee, a body administered at Guildhall. The Committee oversees the elections of Sheriffs and the Lord Mayor, educates Liverymen regarding the City and its activities, represents the Livery Companies in communications with the City.

"Some of the voting rights of the Liverymen have been whittled away by central government. In 1918, the Liveryman's right to exercise his parliamentary franchise was abolished but those with a business premises qualification were allowed to be on a separate list of Liverymen in the register and to vote as such; the special register contained 740 names in 1947. In 1948, the business premises qualification was abolished" (Melling, p.24).

THE ODD FELLOWS

"An interesting deviation from the London model arises from the Odd Fellows, an organisation of 100,000 members in the UK and half a million worldwide. This society began in the City of London in the 17th century, evolving from the mediaeval Guilds, with varying explanations of their title. One source states that it was so unusual for 'common labouring men' to band together in a non-materialistic fashion for 'social unity and fellowship and mutual help' that they were considered 'peculiar' or 'odd' (There was a religious group called the 'peculiar people'.) Another source considers the members were engaged in

continued on page 25

GUILDS continued

Levant Companies" (*ibid.* p.23).

"It must be emphasised that the *honorary* freedom bestowed by the City is the highest honour it can bestow and is normally granted to royalty, military leaders, statesmen and philanthropists, including Field Marshal the Duke of Wellington, Admiral Lord Nelson, Sir Winston Churchill, Lord Baden-Powell and Baroness Thatcher" (*Ibid.*, p.19).

"London government and London Livery together were the fountain not only of the British Livery movement but of world democratic government, for it was on the City of London that the so-called 'Westminster model' was based many years later, and it would take a revision of Magna Carta to abolish the office of Lord Mayor" (*Ibid.*, p.6).

"By Victorian times it was certainly just about the dinners: sumptuous and sometimes rowdy. By then the companies' reputation was a bit dubious, and some politicians began to see them as a reactionary bastion. Since they still had a role in the City of London's governance, this was an issue. In the late 19th century, they felt compelled to get their act together : in 1878 they founded the City & Guilds Institute to develop vocational education, a role it still fulfils, the big companies began to use their wealth more positively, and in the 20th century they became improbably fashionable" (*Financial Times*, 21.12.2012).

JOSEPH FIRTH

"In the 1880s the Guild System came under attack, particularly from an MP, Joseph Firth. A royal commission was set up under the Earl of Derby, with Firth as a member, but the evidence brought before the commission completely justified the Livery companies' operations" (Melling, p.23).

Firth, a Quaker, was an active campaigner for reform of Local Government in London, as well as being involved in the Liberal Party. In 1880, he entered the House of Commons as one of two Members of Parliament for Chelsea and held the seat until 1885. Firth was President of the London Municipal Reform League from 1882, and author of *Municipal London; or London Government as it is and London Government as it ought to be.*

LONDON LIVERIES AND IRELAND

"Under the Tudors {1485-1603}, the City of London had become the financial agent of the Crown and the Livery Companies, guilds of craftsmen, merch-

ants and artisans—incorporated by Royal Charter and able to regulate their own affairs—effectively controlled the City's government. Without their active involvement the King's {James I—1603-25} schemes were doomed to failure" (*The Honourable The Irish Company website*, 2015).

"At that time London businessmen were preoccupied with the new opportunities opening up in North America and, whilst always reluctant to incur the King's displeasure without good cause, they did not welcome such a hazardous and financially dubious proposition. It needed a potent combination of threat and seduction to persuade them otherwise" (*ibid.*).

"His Majesty's submission to the City in July 1609, '*Motives and Reasons to induce the city of London to undertake the Plantation in the North of Ireland*', painted a glowing picture of the lushness and bounty of the "promised land".

What the Crown didn't mention, but which the Londoners guessed, was the certainty that their alien presence, with its Anglicised ways, would be resolutely opposed by the native Irish who had been dispossessed to make room for them. (*ibid.*)

"But the King's Privy Councillors were insistent and the City found itself with little choice. With considerable forebodings and only after a report from "four wise, grave and discreet citizens" who had been sent to view the proposed site, the City agreed to levy the initial £20,000 required to begin the project" (*ibid.*).

"The plantation area included the whole territory bounded by the Foyle, the sea and the Bann, including the towns of Derry and Coleraine and the fisheries of the two rivers. A Committee established by the City of London to negotiate with the Privy Council recommended that a body be set up in London to govern plantation affairs. The towns of Derry and Coleraine would have their own corporations but they would take advice and direction from London. This recommendation was accepted and in 1613—through the Royal Charter which established the City and the County of Londonderry—James I established this body, which came to be known as The Honourable The Irish Society" (*ibid.*).

"Although its members were nominated by the City of London, The Irish Society was in effect an autonomous body which had full authority to manage the affairs of the plantation and was legally accountable only to the Crown. Once created, however, The Society adopted a pragmatic approach to its role and developed a robust independence which did not always please its royal masters" (*The Honourable The Irish Company website*, 2015).

'O'Cahan's Country'

"From the original figure of £20,000, which would treble by the end of King James's reign, {1603-25} the 12 livery companies undertook to construct two new towns of 200 and 100 houses in 'O'Cahan's Country', renamed Coleraine or Londonderry and plant their new possessions with London's surplus population. Sir Daniel Molyneux, the Ulster King at Arm's, bestowal of a new crest to the new citadel of Londonderry favoured the seated skeleton (an allusion to Walter De Burgh's* incarceration and death by starvation in 1332). He deemed the skeleton and appropriate metaphor for 'The Derrie' being 'rayseed from the dead by the worthy undertaking of the noble citty of London'..." (*A Guide to the Plantation of Ulster in Derry and Donegal*, Donegal County Museum circa 2013).

"In return The Honourable the Irish Society, the company set up to oversee the Plantation, received over half a million acres. This was divided into lots of between 10,000 and 40,000 acres among the livery companies and their subsidiaries, around what would become the major urban settlements in the newly fortified country" (*ibid.*).

"49,000 acres around Dungiven was given to the Skinners; 32,600 acres in the Bellaghy area went to the Vintners. The Goldsmiths were only awarded 11,050 acres. The Honourable the Irish Society were granted 29,900 acres and 116,400 acres went to the Church of Ireland and the Bishopric of Derry" (*ibid.*).

"The new towns of Londonderry and Coleraine each received 7,000 acres, whilst the natives retained 52,050 acres" (*ibid.*).

The Honourable The Irish Society evolved into a self funding, cross-community charitable organisation many years ago and continues to work today for the benefit of the community in County Londonderry, as laid down in the Royal Charters of 1613 and 1662 which govern its activities.

DERRY'S GUILDHALL: The original town hall was built in the 1600s in the Diamond area of the City and was destroyed during the Siege in 1689. The Guildhall was built in 1887 by 'The Honourable The Irish Society' on land reclaimed from the River Foyle at a cost of £19,000 (equivalent to £1.5 million today). The iconic building was named in honour of its connection to the City of London and its guilds. It was officially opened in 1890 as the administrative centre for Londonderry Corporation. It is the only surviving guildhall still in civic use in Ireland.

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The Livery Companies and Politics

The London *Daily Telegraph* article reprinted in last month's *Labour Comment* (Mondragon 44) whilst giving a good background to the financial wealth of the Livery Companies, never-the-less, glossed over the political aspects and the enormous influence of the 12 Livery companies on the administration and control of the City of London Corporation—the "*Golden Mile*".

PROTESTANT REFORMATION

"The Livery Companies of the City of London probably had their origin before 1066. London's Medieval guilds developed into corporations responsible for training as well as regulating their respective trades, such as wage control, labour conditions and industry standards. Like most organisations during the Middle Ages, guilds or Livery companies were obliged to forge close ties with the Church in Rome (at least prior to the Protestant Reformation) by endowing religious establishments such as chantry chapels and churches, by observing religious festivals with hosting ceremonies and their well-known mystery plays. Most Livery companies retain their historical religious associations, although nowadays members are free to follow any faith or none"

(*Livery Companies.com*).

"Most Livery companies maintain their original trade, craft or professional roles, some still exercise powers of regulation, inspection and enforcement, others are awarding bodies for professional qualifications. The Scriveners' Company admits senior members of legal and associated professions, the Apothecaries' Company awards post-graduate qualifications in some medical specialities, and the Hackney Carriage Drivers' Company comprises licensed taxi drivers who have passed the "Knowledge of London" test. Several companies restrict membership only to those holding relevant professional qualifications, e.g. the City of London Solicitors' Company and the Worshipful Company of Engineers. Other

companies, whose trade died out long ago, such as the Longbow Makers' Company, have evolved into being primarily charitable foundations" (*ibid.*).

"London's Livery companies, which currently number 110, play a significant part in City life, not least by providing charitable-giving and networking opportunities. Liverymen retain voting rights for the senior civic offices, such as the Sheriffs and Lord Mayor of the City of London Corporation, an ancient municipal authority with extensive local government powers" (*ibid.*).

After the Carmen received City Livery status in 1746 no new companies were established in London for 180 years until the Master Mariners in 1926 (granted Livery in 1932). Post-1926 creations are commonly described as *modern Livery companies*. The Worshipful Company of Arts Scholars, the newest, was granted Livery status on 11th February 2014, making it the 110th City Livery company by order of precedence.

The Honourable Company of Air Pilots is exceptional among London's Livery companies by having active regional committees in Australia, Canada, Hong

Kong, New Zealand and the United States.

Some key facts about the City of London Livery Companies: 108 companies; 26,250 Liverymen; They have affiliations to: 153 schools and colleges; 65 churches; 216 regular and reserve units of the Armed Forces; 101 cadet units

Livery Companies have always been concerned with philanthropy, and in 2010 gave a total of £41.85 million to charitable causes.

Livery companies have traditionally supported or maintained almshouses for elderly people. 20 companies currently provide for 1,014 elderly residents.

THE LIVERIES AND POLITICS

"The Livery Companies have collectively influenced much of Britain's history, for example the enterprise and money of the Merchant Venturers. Livery enterprise colonised Ulster, gave it many amenities and controlled its destinies until the end of the 19th century. Livery enterprise colonised the state of Virginia and was responsible for the Groundnut Scheme* in Africa and the agricultural colonisation of the former Rhodesia" (*Discovering London's Guilds and Liveries*, John Kennedy Melling, Shire books, 2003, p.22-23).

"Livery companies supplied ships, sailors, soldiers and arms for royal emergencies. Further emergencies arose under the more ruthless monarchs, particularly Elizabeth I and the Stuarts, the latter devising the scheme of calling in the charters and making the companies buy them back again. In this way the guilds have influenced both British and world history: British, for example, by refusing to help Charles I, thus enabling Parliament to win the Civil War; and world, by investing in such as the East India Company ('John Company')*, which developed and governed the sub-continent of India, and the Russian and

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