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Some Home Rule Truths

Northern Ireland was for 50 years an undemocratically governed region of the British state run by a local government whose political life was excluded from the political life of the state. Its local government was monopolised by the Ulster Unionist Party, which was the entire Protestant community pretending to be a political party. That system broke down, and gave way to war between the minority Catholic community and the Government of the Whitehall State for about thirty years. The war was brought to an end by the setting up of an amended form of undemocratic local government, under arrangements which ensured that the local majority could not rule, and the minority had seats in the local government, as of right, proportionate to votes cast in the non-state elections.

The 'constitutional parties' of the region, the UUP and the SDLP, were unable to operate this new Constitutional arrangement. This inability seems to have been due in part to an excessive attachment to the ideology of democracy in an undemocratic Constitutional situation. David Trimble and Seamus Mallon, the respective leaders, were abstract ideologues of democracy in a region that was excluded from the democracy of the state, and that could not be a democracy on its own for many reasons, the most basic of which is that it is not a state.

The governing system of the state, from which Northern Ireland is excluded, enacts all the basic legislation that applies in Northern Ireland and conducts the major state services. And it allocates to the subordinate Northern Government a sum of money for the running of the services devolved to it.

The basic business of a democratic state is the raising of taxes and the spending of them. The politics of democracy arise from this activity. A political entity which does not engage in this activity is not a state and cannot be a Democracy—a democracy being

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Why the Kenny Government could get away with air-brushing the Irish/German Alliance of 1916

It was gratifying if somewhat surprising to see the German-American role in supporting the Irish independence movement recalled in *The Irish Times* in an interesting piece by R. Bryan Willits (*The German-American Role In Fight For Irish Freedom*, IT, 09.12.16).

After a rather dodgy start, the Dublin Government ultimately did a good job of the 1916 centenary commemorations during 2016, with the Army the undisputed star of the show. This came about because of the mass popular determination to ensure a decent commemoration of the Rising, and to do so itself if the State failed to do it, finally forcing the Government's hand.

But the alliance of the Irish and German communities in the US both in support of Irish independence and against US involvement in the 'Great War', as well as the very material German support for the Rising, were consciously air-brushed from the official Commemoration events.

Unlike at the 50th anniversary commemorations in 1966, this year there were

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The Border, the Common Travel Area, Schengen and Brexit

An unavoidable consequence of the UK leaving the EU is that the Irish border will become part of the EU's external frontier. As such, logically, the border will necessarily cease to be invisible and become a stoppage point where regulations governing the movement of people and goods will need to be policed. At issue are all the entry points into Ireland, and the

demarcation line between Northern Ireland and the Republic.

Soon after the announcement of the Brexit result in June 2016, representatives of the North's nationalist community and the Irish Government voiced opposition to the prospect of a 'hard border' between the two parts of Ireland. In due course (September 1st 2016) David Davis, the

British Secretary of State for the Department of Exiting the European Union, came to Northern Ireland and stated that the UK and Irish Republic "*both wanted to maintain an open Border on the island and the Common Travel Area*".

What all this means is that the border and the Common Travel Area (CTA) between the UK and Ireland will be a matter to be resolved in the Brexit negotiations that are expected to start once Article 50 is triggered at the end of March 2017.

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

Arthur Henderson's 1916

A Neglected Centenary

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a state governed according to the will of the people.

The basic issue in Northern Ireland politics has never been the economic policy of the state—which is a matter exclusively for the voters in England, Scotland and Wales. The basic issue has always been Partition. The reason why the Catholic minority has never moved away from its preoccupation with Partition and taken part in the political life of the British state, in which it lives, is that the British state excluded it from its political life at the outset, and confined it to an undemocratic enclave necessarily dominated by the Protestant local majority.

What the 1998 Agreement did was end majority rule in the undemocratic enclave—ending the caricature of democracy which had been maintained since 1921.

There is no tax-and-spend politics in the North now any more than there was during the "*50 years of Unionist misrule*". But there is a slight vestige of politics connected with the spending of the money allocated by the State Exchequer. The local system is not free to spend this money as it pleases. That was made clear

last year when Whitehall penalised it for not following its austerity rules. But Stormont has a certain amount of discretion in the matter.

Two spending issues have arisen in recent months: the payment of money, under various disguises, to the former Protestant industrial working class that was ruined as a coherent class by the combined effects of the War and the de-industrialising British economy and now has the form of a paramilitary Mafia; and the bungling by DUP Ministers of the local application of the state scheme to replace coal with wood chips for ecological reasons.

The Northern system of devolved government, under Whitehall supervision even in devolved matters, is a system of joint management by the DUP and Sinn Fein. Both, as competent political operations that arose out of the primitive 1921 system, have an interest in keeping the amended system functional by managing it according to its reality. The UUP and SDLP, which failed to operate the 1998 structures when they were the major parties, have now withdrawn from the devolved government, refusing to take up the Ministerial Departments in it which their electoral support entitles them to.

They have formed themselves into a pseudo Opposition in a system which does not allow for Opposition/Government politics.

That system, which the SDLP now refuses to operate, was devised by the SDLP in collaboration with Sinn Fein as an arrangement which would make it possible for the War to be ended. The SDLP now wishes to destroy it.

Of course the SDLP which was an architect of this system was the SDLP led by John Hume. And Hume was just barely a member of the Party which he led. He did not come from the long futile tradition of Constitutional (Redmondite) Nationalism, and Republican Labour outside the Republic. He came to politics as a successful Catholic businessman who was impatient with the smug culture of complaining which did not want the matter complained of to be addressed. The SDLP barely tolerated him while he was feeling his way towards the 1998 re-arrangement, along with Gerry Adams and Haughey (and his successors). It barely restrained itself from expelling him. And when he brought in the Agreement, retired, and left it to the SDLP to determine the future of the Agreement as the main party in it, it just didn't know what to do with it.

Its Protestant counterpart, the UUP, was also the continuation of a great Constitutional Party that existed before the strange political entity of Northern Ireland was even thought of. It lived in a past which had disappeared but which it hoped would eventually come round again. And it never really signed the Agreement—David Trimble was just intimidated by Tony Blair into going along with it.

The Agreement was made functional by the two parties produced out of the Northern Ireland system, Sinn Fein—though it has an old name, is not the evolution either of 1905 Sinn Fein or 1918 Sinn Fein or post-Treaty Sinn Fein, though the latter conferred a kind of apostolic succession on it. It is a Northern creation, more or less of an age with Paisley's party.

Paisley instructed some of his close followers about forty years ago that, while they might flirt with military resistance to the evolution of a united Ireland, the overall realities of the situation would tend to bring it about, and that a replay of the 1912 scenario was not on the cards.

The object was delay and the imposition of conditions. And, after 1998, when he was in process of undermining the UUP as a party to the Agreement, he also stamped on young bloods in the DUP who wanted to

abolish the Agreement when the UUP had been undermined, and he insisted on consolidating the Agreement by making a working relationship with Sinn Fein within it.

The 1998 Agreement ruled out the possibility of Stormont local government through party politics on an electoral basis. There was to be a kind of elected Parliament but it was not to be returned by a general electorate voting for a Party to form a Government. There was, in effect, to be two electorates. And, while there were to be parties, the parties were not to be the decisive components of the Parliament. The parties were to be components of the two communities, and community had precedence over party. Within the Parliament voting was to be by community, and motions had to gain a majority within each community in order to succeed. In other words, the Agreement was an accommodation between the two communities which were recognised as constituting society in the North, and by this means a substantial degree of parity was established between the smaller community and the larger. What is in practice the basic principle of democracy was set aside.

The purpose of the Agreement as negotiated by the Hume SDLP was to negate the majority principle of democracy, and by implication to replace government by party politics with government by communal agreement.

The process of attrition between the two communities, which took the place of party politics right from the start (when the North was excluded from British party politics) was certain to continue as the basic form of political activity under the Agreement. The setting up of two officially-recognised electorates gave formal structure to what had always been the case, and ensured its continuance. But provision was made, within that process of communal attrition, for the conduct of local government by communal agreement on particular matters.

When the SDLP lost the support of its community, because of its inability to operate the system which greatly improved the position of that community, it began to act out of a purely party interest, and to yearn for a return to the free, but futile, party activity of the bad old days.

It has gone on strike against the Hume/Adams/Haughey construct, refusing to play its part in it. It plays instead the part that would be appropriate to a majority rule party system and has formed itself into the second string of a fantasy Oppos-

Killing Of Russian Ambassador To Turkey

Russian President Vladimir Putin has been very statesmanlike over this act. The Western hope is that the Russian/Turkish *rapprochement* can be derailed and the military collaboration in Syria broken. It is clear that there has been an arrangement between Russia, Iran and Turkey to facilitate Turkish occupation of a strip of land south of their border on Syrian territory. Whilst President Erdogan has remained formally anti-Assad, he is working with Putin for a settlement. Putin, Erdogan and Assad are scheduled to meet in Kazakstan.

Within the Turkish media, the assassin is being presented as a CIA/Jihadist/Gülenist agent. On the other hand, the questions being raised by the BBC and other Western media outlets attempt to stoke up antagonisms between the Russians and the Turks.

The US press is laying out the prospect of Russian help for the PKK (Kurdish insurgents) to frighten Erdogan back to reliance on the US. But this is very unlikely. Putin needs Erdogan and Erdogan needs Putin. Just before the attempted July 2016 *coup* in Istanbul, Erdogan concluded that the West was stringing him along and was only interested in instability in the region, something which is having very bad effects in Turkey.

The PKK is being used as an instrument of the US. Its Syrian offshoot acts as Obama's 'boots on the ground'. But it has done a fabulous job in estranging Turkey from the West and cementing the Turkish/Russian accommodation. Its activities can only result in civil war within Turkey and massive killing. A more peaceful settlement of the Kurdish issue can only occur as part of a general Syrian/Iranian/Iraqi/Turkish initiative—a prerequisite for general stability and order in the region, free from Western fishing in troubled waters.

These are very dangerous times for Turkey and the people who inhabit its territory.

Pat Walsh

ition of such system by the deal it has made with the failed party of the Unionist community, the UUP.

In the early days of the Agreement, before the DUP and Sinn Fein made it functional, Seamus Mallon made repeated attempts to escape from his inheritance from Hume by broaching a system of voluntary Coalition with Trimble's UUP. And Trimble did not rule such a Coalition off the agenda. But neither of them had the nerve to go through with it in earnest. They dithered—and their constituents slipped away from them.

Now, in their relative powerlessness, they have formed an alliance, reneged on their obligation to take up seats in the devolved Government, and will contest elections in future as a Coalition—each giving second preferences to the other.

They have not got a hope of winning an Election and setting aside the Agreement. What they can do is harass those who are making the Agreement work by seizing on matters that would be out of place in a democracy—and would be very unlikely to arise in one—and making spurious democratic propaganda out of them in the hope of bringing down the existing arrangement between the governing parties and profiting from the difficulties of making a new leadership arrangements.

The disguised payments to the

Protestant paramilitaries to keep them quiet was money well spent. Only mischief-makers, or doctrinaire democrats who can see no relevance in the fact that Northern Ireland, by British decision, is not democratically governed and is incapable of becoming democratic, could fail to see the sense of it.

The wood-chip affair is different in kind. Farming, Business and Public Bodies were subsidised to switch heating systems—replicating a British scheme. Butt, by omitting the cap on payments which operated in Britain, it meant that applicants were paid back more than they spent on wood-chips. It is a gross piece of administrative bungling without 'sectarian' side to it. Neither the DUP Minister (who is now the First Minister), nor the then DUP Minister for Finance followed the 'mainland' legislation comprehensively and applicants saw the possibility of getting 160p back for every pound spent on buying wood chips and burning them. Whistle-blower warnings about the flaw were ignored. However, a side-effect of the affair is that there has been a hidden subsidy to the relevant sectors—one that Máirtín Ó Muilleoir—the first ever Sinn Fein Minister for Finance—is determined to put an end to. Is it a coincidence that the row emerged a few months after he took over the Ministry?

A possible reason why the negligence was not remedied earlier is that there was a period last year when there was a spurious row about alleged IRA involvement in a retaliatory killing of one of its members—a row which the PSNI helped to stoke up. The UUP was making a lot of mileage out of this, putting First Minister Peter Robinson on the defensive. He found he could not suspend the functioning of the Executive, so he engaged in a charade of replacing his Ministerial team on a daily basis. The effect of the whole episode was to put real administration into suspension in the DUP-run Departments and the matter was left to fester until it appeared in the public domain and a BBC *Spotlight* programme dramatised what had happened.

Sinn Féin has many times in the past enabled the DUP to get over little difficulties instead of playing party-politics against it, as the SDLP wanted. But it appears to have decided that this is an issue that the DUP must deal with in earnest. That may be due to the fact that First Minister Arlene Foster made a statement to the Assembly as First Minister that had not been agreed with Martin McGuinness as Deputy First Minister, contravening established practice. She acted as if she was Prime Minister. But it is an essential part of the system that there is no Prime Minister. And the First Minister is only one of a pair.

Also relevant may be that fact that Máirtín Ó Muilleoir is a successful businessman who takes financial accounting in earnest.

Sinn Féin also has to make it clear that, while it will operate the system according to its logic, and taking due account of the realities under its artificiality, it is not locked into it and has purposes beyond it. And, if the Stormont Government falls in this crisis, and there is an Election brought about under SDLP pressure, it will be interesting to see how the SDLP campaigns in its new voting alliance with the Ulster Unionist Party. Under an Agreement reached last Autumn, the number of Assembly seats is to decrease from 108 to 90: each Assembly constituency will elect five instead of six members. In this situation a voting alliance between the UUP and the SDLP could make a big difference. However, voters will undoubtedly understand that by supporting such an arrangement, they are effectively ending the Power-Sharing which has brought a decade of stability to Northern Ireland.

Assembly Motion with Amendment proposed by Sinn Féin

Motion from Colum Eastwood, Mike Nesbitt, Naomi Long and Steven Agnew (representing SDLP, UUP, Alliance Party, Green Party):

"That this assembly, in accordance with section 30 of the Northern Ireland Act 1998, resolves that the First Minister no longer enjoys the confidence of the assembly and that she be excluded from holding office as a minister or junior minister for a period of six months because of her failure to observe the terms of paragraph (g) of the Pledge of Office and the first paragraph of the Ministerial Code of Conduct, in that she failed to observe the highest standards of propriety and regularity in relation to the stewardship of public funds surrounding the Renewable Heat Incentive Scheme."

Sinn Féin amendment:

"That this assembly recognises the mounting public concern relating to the Renewable Heat Incentive (RHI) scheme and the serious allegations of incompetence, corruption and abuse.

Calls on the First Minister to stand aside in order to facilitate an independent, time-framed, robust and transparent investigation and until a preliminary report is presented.

This investigation would be undertaken by an independent judicial figure from outside this jurisdiction and be appointed by the Attorney General.

This investigation must establish how the RHI was developed in strategic policy and legislative terms, including its primary purpose and objectives; how the scheme's operational roll-out was agreed, administered and implemented in order to match these objectives; and thereafter where overall accountability and compliance for the RHI scheme rested in both policy and financial accountability terms—and were these achieved in the view of the independent investigator.

Investigate the motives and actions of ministers, special advisors, civil servants, and any others involved in either the strategic policy and operational delivery making processes of the RHI scheme and whether this was done so ethically, within the law, in compliance with the standards established in the Ministerial Code of Conduct and principles of public life, and conditions of employment for special advisors.

Establish whether any individual (including ministers, civil servants, special advisors, others) acted knowingly where a conflict of interest existed, and/or intentionally and dishonestly to make a gain from the administration of the RHI scheme, or to aid others in doing so.

Examine and report on the manner in which the disclosure of whistleblowers or any individuals who alleged possible wrongdoing about the RHI scheme were tested and responded to by the relevant authorities.

Investigate all applications, including those which successfully benefited from the RHI scheme, and determine in each case whether the department has a legal basis to pursue and recover any payment

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The Heating Scandal

"...the Renewable Heating Incentive scheme... was launched in 2012... Unlike Britain, ...no cap [was] placed on the subsidy paid to encourage business to install the new heating system. The result, incredibly, was that the subsidy paid per kilowatt hour was greater than the cost of the fuel. Therefore, it paid business to keep the heat on 24/7. The bigger your burner the better. The more you burned, the more you made and will continue to make until 2036.

"Who presided over this fiasco? None other than the First Minister Arlene Foster who during the time of the scheme's operation was the minister at the Department of Enterprise, Trade & Industry (DETI). A whistleblower, the owner of a heating company, contact Arlene Foster in 2013 to warn her that businesses were keeping their heating on permanently, even leaving their windows open on warm days. Nothing was done. Again in 2014 and in 2015 the whistleblower emailed DETI with details of abuse of the scheme. To no avail.

Word of the largesse spread. Almost 2,000 businesses applied. There are reports of farmers heating barns and empty sheds. One Free Presbyterian church will make £270,000 over the next twenty years. Installers couldn't keep up with the demand. One engineer in south Derry had fourteen men working full-time on RHI. Finally after 984 applications between September and November 2015 panic took hold in DETI. The scheme was abruptly halted in February this year.

Only after an Audit Office report in the summer disclosed that Stormont was contracted to paying the subsidy for another twenty years did the magnitude of the financial loss hit home. The British Treasury will pay what would have been owed if a cap had been imposed the remainder, £400 million, will have to come out of the block grant. Critics have calculated that the money could have built a new hospital at Omagh plus a dual carriageway from Antrim to Ballymena and a Rapid Transit System for east and west Belfast..."

(Phoenix 16.12.16)

made; withhold partial payment yet to be made; establish cases for referral to the law enforcement agencies to consider prosecution where there is adequate corroborative evidence.

On its completion the outcome of the investigation will be made public and will not require agreement of the First and Deputy First Ministers or the Attorney General. A preliminary report will be published within four weeks of its establishment. The full report and its outcomes will be made public within three months from that date."

Irish News 19.12.16

Irish-German Alliance

continued

no salutes to the brave Captain Karl Spindler and his crew of the *Aud* who went beyond the call of duty in attempting to complete their arms landing mission, finally scuttling their boat and cargo near Cork rather than surrender them to the British, nor to the submarine crew of Captain Raimund Weissbach's U19 who in a very precarious operation successfully landed Roger Casement at Banna Strand in Kerry. Both missions would have been major successes had the Irish Volunteer group designated to rendezvous with Spindler and Casement not been wiped out in a tragic accident at the pier in Killorglin on their way to Banna.

Two years ago, in a letter published in the *Irish Times*, I suggested that the Ambassadors of the successor states of the "*gallant Allies in Europe*" referred to in the 1916 Proclamation (Germany, Austria, Turkey) be honoured in 2016 with an invitation to be present on the podium at the GPO for the main State commemoration event. Not only were our gallant allies of 1916 passed over in silence by the Dublin regime this year, but insult was added to injury by the commemoration parade being forced to file by a giant cult-of-the-individual banner of British Army 'Great War' recruiter John Redmond draped from the Bank of Ireland in College Green.

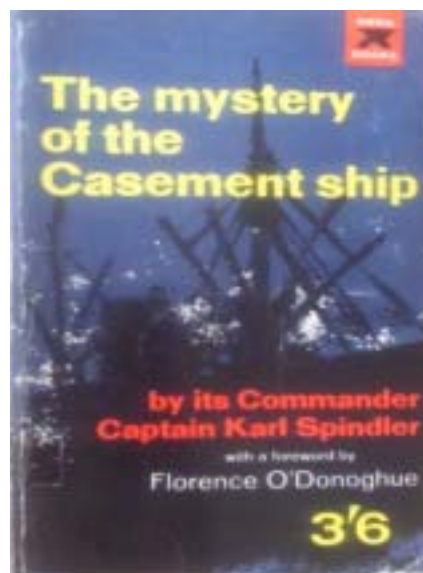
All of this was allowed to happen as no strand in modern Irish Republicanism seems able to break with *Sommism* or with the decades of Anglo-Hibernian propaganda about what the 'Great War' was about, or to embrace the Casement/Connolly perspective on that World War. The Dublin regime doubtlessly scented that Irish Republicans had dropped the ball and maximised its victory on this issue. The Free State Ambassador to the

Court of St. James, Dan Mulhall, was sent on all fours to various Somme celebrations (including one organised all by himself) and, according to British press reports, even visited the museum of the Sherwood Forresters (the soldiers of Battle of Mount Street fame) to thank them for helping to 'save' Dublin and Dubliners from rebel outrage in 1916!

On the other hand, SIPTU, to its credit, as part of its own 1916 commemorations reprinted the entire print-run of Connolly's pro-German *Workers Republic* of 1915-16 (which includes numerous reports from the German-American and Irish-American press), though with an unfortunate revisionist 'introduction' by Pádraig Yeates lamenting and sanitising Connolly's stand on Germany and the Irish-German alliance in the US which he did much to publicise in Ireland.

The Anglophile East Coast US Establishment (and its creature, the 'liberal internationalist' Woodrow Wilson) was determined from the start to get the US into the War on the British side. This was to prove tricky, given the overwhelming public opposition in America to involvement. Wilson was re-elected President in 1916 precisely on a pledge of continuing US neutrality, though privately waited for a chance to get in on the action.

When Wilson finally managed to pull off US entry into the War in 1917, among his first acts thereafter was to ban pro-German opinion and imprison large numbers of 'suspect aliens'. The then massive and vibrant German-language press in the US, largely social democratic, from which Connolly had so often quoted in the *Workers Republic* in 1915-16, as well as English-language German-American publications, were suppressed, never to recover.



Such was the popular anti-German hysteria worked up by the White House (and which was to survive long after the War), many German-Americans felt forced to Anglicise their surnames and to stop their children speaking what was now often stigmatised 'the vile language'. The German language press and culture in the US became just one more of the many casualties of Britain's all-changing, all-destructive "Great War".

The generation that had fought the War of Independence was still very much around in 1966 and the Irish State was still imbued with the thorough-going skepticism of British Great War propaganda of that generation. Karl Spindler's memoir—*The Mystery of the Casement Ship*—appeared in 1965 with a warm forward by Florence O'Donoghue, former Cork IRA head of Intelligence, and in April 1966 survivors of both the *Aud* and U-19 participated in a ceremony at Casement's grave. The State-sponsored revival of West British Hibernianism of recent times, as epitomised in the antics of Ambassador Mulhall and the Redmond banner on the Bank of Ireland, has rewritten the contribution of "*our gallant allies in Europe*" as an embarrassing episode of the 1916 story.

Philip O'Connor

The Border

continued

In October 2016, as a contribution to this aspect of the Brexit debate, Andrew Gilmore of the Institute of International and European Affairs (IIEA), a technocratic Irish think-tank, made the following suggestion:

"One possible solution to the question of free movement on the island could be found in the relatively recent past: upon the outbreak of the Second World War, the Common Travel Area was suspended, and immigration controls were introduced between the entire island of Ireland and the rest of Great Britain." (IIEA Policy Brief: 'A Special Status for Northern Ireland?' 28 October, Institute of International and European Affairs)

There are two aspects of the border that will need to be resolved in the initial Brexit negotiations and subsequent trade negotiations: the movement of goods and amount of tariffs or duties that will apply to them; and the movement of people and how migration between the two jurisdictions can be controlled. Andrew Gilmore's proposal relates only to the latter.

The CTA is nonetheless an important subject in the background of the Irish Brexit debate and the proposal that migration controls between the EU and the UK might, for practical purposes, be conducted as during the years 1939-1952 between the island of Ireland and the island of Britain deserves the attention of the parties in the negotiations.

This article summarises the background histories of three related institutions, the CTA, the border and the Schengen common travel area, with a view to teasing out some issues that are likely to feature in the Brexit negotiations. It draws from one of the few pieces of available research on the subject, "*Free movement between Ireland and the UK: from the 'common travel area' to the COMMON TRAVEL AREA*" by Elizabeth Meehan (produced by the Policy Institute, Trinity College Dublin in association with the Department of Justice, Equality and Law Reform, 2000).

A Conclusions section places these matters in the context of the Government's disastrous alliance with Britain and makes concrete suggestions regarding the Irish input into the Brexit talks. These proposals include: the travel ports between Northern Ireland and Great Britain, rather than the border, should be recognised as the effective external frontier between the EU and the UK; faced with an increasing need for immigration controls, the east/west controls between Ireland and Britain should be strengthened while the present light controls on the border should be retained; greater emphasis should be placed on modern immigration control methods other than frontier controls; and, regarding the Schengen system, possibilities that Ireland should quickly join the system and that the UK should be refused access to the SIS database unless it also joins, if only to revert to its present opt out, should both be added to the mix of negotiable options.

HISTORY OF THE CTA

Without being referred to as such, the CTA had its origins in the 1921 Anglo Irish Treaty. By linking citizenship of the Irish Free State with an external Power through the Oath of Allegiance to the British Crown and membership of the British Commonwealth, the Treaty allowed for uncontrolled travel between the UK and the newly independent state. According to Meehan, citing J.J. Lee's, '*Ireland 1912-1985, Politics and Society*', Michael Collins and Arthur Griffith—

"have been credited with securing British agreement to a different constitutional nuance for Ireland to that of other Dominions".

She then quotes a statement by Arthur Griffith in answer to questions from Lloyd George that gives a contrary impression. Griffith said that it was intended:

"that the Irish Free State shall be not merely associated with, but a member of and within the community of nations known as the British Empire and on the basis of common citizenship as explicitly provided by the Treaty" (Meehan, p. 13, author's emphasis).

The CTA was thus an aspect of the denial of Irish sovereignty expressed in the Treaty. As part of the process through which Fianna Fail in later years overturned the Treaty, Irish political leaders and officials aimed at replacing the concept of common citizenship with *reciprocal* citizenship, a concept deemed more befitting for a relationship between equal states. Yet there were at least six reasons why Irish Governments needed to act pragmatically in relation to common travel between the UK and the Free State. These are:

1. Close cooperation between the two governments was necessary so that both could control the movement of people across the border. The border extended over so large an area that from 1924 both sides agreed that it could not be sealed; an open border coupled with police cooperation was the only practical solution.
2. Irish citizens unable to find employment needed easy access to the British labour market
3. Irish emigrants needed the facility of easy travel between the two jurisdictions
4. The idea that British nationals should be able to compete for the relatively scarce employment opportunities then available was a problem for the Irish side. As Meehan puts it, "Full freedom for UK nationals to participate in the Irish economy was difficult to contemplate when British domain over Ireland had just been broken" (Meehan, p. 10).
5. Common citizenship meant that Irish emigrants to Britain could be conscripted into the British armed forces
6. The movement of tourists between the two jurisdictions, especially from the UK to Ireland needed to be made as easy as possible.

There was clearly a conflict between the aims of asserting independence from the UK and upholding the CTA on pragmatic grounds. Meehan judges that "*Irish governments were remarkably successful in realising this uncomfortable*

pair of objectives" (p. 10). From the time that Fianna Fail came into Office in the 1930s, the British strategy of curtailing Irish sovereignty was systematically rolled back to the point where de Valera was able to sustain a policy of Neutrality during the Second World War. This was achieved while retaining the pragmatic advantages for Ireland of the CTA.

As soon as he assumed power, De Valera set about giving Irish nationality and citizenship a legal definition; he did so independently of the Treaty and the statutes which make up the British Constitution. He used the power contemplated in Article 3 of the 1922 Constitution to repeal the *British Nationality and Status of Aliens Act, 1914* (as amended in 1918). The ensuing Irish legislation, *the Irish Nationality and Citizenship Act*, was many years in gestation and was duly signed by the King (as was required under the 1922 Constitution) in 1935. The passing of that Act was part of the process through which Ireland withdrew from the British Commonwealth, a process described by Meehan as follows:

"The Oath of Allegiance had been abolished by constitutional amendment in 1933 and, in 1934, during consideration of the Nationality and Citizenship Bill, instructions were given by the Executive Council to the Department of External Affairs to delete 'specific references to the British Commonwealth of Nations'. Following its enactment, Ireland introduced its own Aliens Act under which anyone who was not a citizen of Saorstát Éireann was an alien. This made the British as alien as any other nationality but an exemption Order (S.R. + O. No 80 of 1935) excluded them and the peoples of the Commonwealth from the application of the 1935 Act and, hence, permitted the continuation of free movement. In 1936 the External Relations Act was passed. This Act reflected de Valera's position at the time of the 1921 Treaty; that the King should not be Head of State in Ireland, though he would be Head of the Commonwealth with which Ireland might have an external relationship. Thus, the Act brought into being a 'state internally a republic' but with 'an act of parliament [i.e. a statute, not a fundamental law] associating us in certain respects with the states of the British commonwealth' for the duration of the legislation 'and no longer'. The 1937 Constitution, for which preparation had begun in 1935, the year of the Nationality and Citizenship Act and the Aliens Act, contains no direct reference to the British Crown or Commonwealth. Article 29, however, maintains a general possibility for legislation allowing the state to associate itself with 'any group or league of nations'..." (p. 13, 14).

Until the passage of the British Nation-

ality Act in 1948 the assertion of Irish nationality expressed in the Irish legislative programme of the 1930s, including the new Constitution, counted for nothing on the British side. The legislation informing the British view was the Nationality and Status of Aliens Act, 1914 which specified that persons born in what was then the United Kingdom of Britain and Ireland, as well as the Commonwealth, were British subjects. A British judicial decision delivered as late as 1942 declared that the 1922 Constitution "*did no more than confer... a national character as an Irish citizen within the wider British nationality*" (p. 15). The concept of citizenship was itself problematic for the British; it was only in the 1980s that the term 'citizen' replaced the term 'subject' in Government communications.

In practical terms the British view that Irish citizens were British subjects meant that the Irish in Britain could be conscripted into military service. From an Irish perspective this breached the principle of reciprocity in that obligations appropriate to Irish citizens were not imposed on British subjects living in Ireland. In discussions about the British Nationality Bill in 1947 before it became law, the Irish Government caused the Bill to be amended so that four categories of people were recognised: British citizen, citizen of the UK and Colonies, Alien, and Irish citizen. The Act failed to remove uncertainty in some areas but according to an article in the *Irish Press* quoted by Meehan, "*it ended a long-standing controversy between the two countries in the field of nationality law*" (p. 18).

If the recognition of Irish citizenship in 1948 was a victory for the Irish side, the rhetoric surrounding the passage into law of the *Republic of Ireland Act* in 1949 included a concession to the British that was taken advantage of in the UK's *Ireland Act* of 1949. According to Meehan, Taoiseach John A. Costello was insistent that the Act did not mean that "*Ireland regarded them (the British, DA) as 'foreigners', nor that they should treat Ireland as 'foreign'...*" (p. 18).

Meehan says that the UK's *Ireland Act* "*was important because it declared in Section 2 that, though Ireland was not part of His Majesty's Dominions, it was not a foreign country*" (p. 19). This shows the persistence of a proprietary attitude in relation to Ireland by the British authorities that lacks credibility, since de Valera's successful pursuit of neutrality during the Second World War showed precisely that Ireland was a foreign country from a British

perspective.

As Meehan concludes, in the quarter century from 1922 the CTA "*rested on a British conception of legal identity that was anathema to a newly independent people*". After 1948 the British recognised Irish citizenship but this recognition was constrained by an unfounded view that Ireland and Britain were not foreign to each other. During the early 1960s the CTA became caught up in British attempts to curtail black immigration from its former colonies, a policy that made Ireland complicit in the imposition of racist barriers. However the control of Commonwealth immigration to the UK is not directly relevant to the Brexit debate and, in any case, deserves separate treatment. While the access that the CTA has provided has been a benefit to Irish citizens, the perception that it arises from a relationship based on mutual respect is not borne out by the historical record.

History shows that the CTA has survived because of the pragmatic advantages that it has brought. The gains of easy access to the UK's labour market, relatively unhindered movement across the land border and the removal of a deterrent for tourists, have been sufficiently strong to override differences between contending Irish and British views on the most basic of constitutional questions. The importance of the pragmatic considerations will no doubt be recognised in the Brexit negotiations.

THE BORDER

The Irish border came into existence as an internal UK border in the *Government of Ireland Act* of 1920, the Act that was intended to bring Home Rule to Ireland. It was physically rolled out in 1921. Extending over 499 kilometres, it is considered one of the most atypical of international boundaries for the already-stated reason that it is too long to be sealed or effectively policed. It became an international frontier after the Northern Ireland Parliament at Stormont opted out of the Irish Free State on the 7th December 1922. Due to the deliberations of the Boundary Commission (which were superseded by events), the border with Northern Ireland was not formally recognised until an agreement was made in December 1925, an agreement subsequently ratified by the parliaments in Dublin, Belfast and London.

In theory and practice it is a matter of constitutional importance related to the sovereignty of the two states that both states control the movement of people across the border. The process of immigration control commenced after the Irish

Free State issued passports in 1924. From the start of the process, police cooperation between the two jurisdictions on the island was essential to its successful management.

Meehan's description of the early workings of the CTA explains how the border was able to remain relatively open:

"The bi-lateral provisions, first formally agreed in 1924, in the wake of the introduction of Irish passports, consisted of the practice of sharing the names of people on each others' 'Suspect Index'. Aliens who would be excluded by one country were inadmissible in the other, to prevent them from being able to make use of the absence of controls between the two. With respect to those allowed to land, the two states provided each other with duplicate landing cards. The British passed to the Irish cards pertaining to those landing in the UK who said they intended to travel to Ireland, but not those who expressed no such intention. The Irish treated all arrivals as likely to travel to the UK. The two countries also had a common list of countries whose nationals would need visas" (p. 23).

An important development occurred in 1939-40 with the outbreak of the Second World War. As adverted to at the beginning of this article regarding a suggestion from Andrew Gilmour of the IIEA, the border ceased to be used as the enforced line of demarcation between the UK and Ireland during the war and for seven years following the war. Security concerns dictated that immigration controls needed to be switched to the ports and airports. Meehan refers to the island of Great Britain enjoying "*a natural advantage in administering controls effectively*" (p. 61). Her account includes the following statement in inverted commas:

"our island geography means that there is a natural channelling of immigration into a limited number of ports, so it is sensible and efficient to do routine checks there" (p. 61).

The quotation is explained in the following long footnote:

"Letter to the author from the UK Immigration and Nationality Directorate, Home Office, 1.2.99. House of Lords 7th Report, op cit., paras 13, 20, Minutes of Evidence, para. 82. 'Funnelling' and 'choke point' are the analogies used here. Geography, however, may also facilitate the circulation of undesirable traffic, long, deserted coastlines providing too much opportunity for the illegal entry of persons and goods, though according to the 7th Report, there is little evidence that this is a serious problem for the UK as compared to Greece or Italy; Minutes of Evidence, paras. 21, 94, 95" (p. 61).

The full reference for the House of

Lords Report is: "House of Lords Select Committee on the European Communities, 7th Report, Session 1998-99, 2 March, 1999. London: House of Lords Publications".

Placing immigration controls at Northern Ireland's transport points of connection with the UK rather than at the border was considered necessary in the emergency conditions of the War. It is also notable that this arrangement lasted until 1952 and was ended in response to pressure from Unionist public representatives. In 1974, following the Birmingham Bombings and the extension of the IRA campaign to the British mainland, the *Prevention of Terrorism Act* (PTA) was rushed through the Westminster Parliament. By placing security checks at the points of entry to Britain from Northern Ireland it repeated the arrangement resorted to during the War. Once again the choke points and funnelling of movement at the sea- and airports were used on the grounds of security effectiveness and efficiency. The PTA operated for 25 years until 1999.

In January 1993 systematic customs checks at the Irish border were abolished as part of the creation of the EC single market. During the Long War from 1970 to 1998 military check points were installed at the main border transit points with Northern Ireland; many of the remaining crossings were made impassable. As part of the Good Friday Agreement, the border military posts were finally removed in 2005. In response to an increased risk of illegal immigration in 2007 a UK Government plan to tighten border controls was raised in the Dail. Then Taoiseach Bertie Ahern assured the House that the plan entailed no more than increased cooperation between the two Governments.

It was noteworthy that, when the UK and Irish Governments announced in July 2008 a joint intent to resume controls over the CTA, again in response to illegal immigration, each proposed to introduce detailed passport control over travellers from the other state, where travel is by air or sea, but both Governments were agreed that the land border would be *'lightly controlled'*.

On the question of immigration Meehan refers to statistics provided by the Department of Justice, Equality and Law Reform for the first seven months of 1999. She states that 85 per cent of those applying for asylum did so without having had any contact with immigration officers. Her inference is that the majority of applicants for asylum—

"must have evaded detection at the first point of clearance in Great Britain, becoming able to enter Ireland from the north—or, possibly, landing at Dublin airport without announcing themselves or being noticed" (p. 69).

Meehan's point is that, measured against the dangers posed by illegal immigration and 'people trafficking', current frontier controls may not represent the best use of resources. Working from the House of Lords 7th Report (referred to above), she notes that for 1998, UK frontier controls led to the detection of 4,000 illegal entrants but 14,300 were discovered through *"becoming illegal by overstaying"* (p. 75). She states:

"Moreover, 'devolved' immigration control may be more effective: that is visa officers in British Consulates and the commercial carriers in preventing the start of illegal journeys; and tax and social security officers in respect of those who enter" (p. 75).

It should be noted that the processing involved in US immigration control to the US from Europe is all conducted before travellers make their journeys. Frontier inspections in that way are becoming less important.

A point relevant to the Brexit negotiations regarding the Irish border is that transnational Intelligence-gathering, together with policies aimed at keeping migrants in their home countries, are certainly more effective than expensive frontier stoppage points, although the threat of terrorist attacks from radical Islamist groups in recent times has increased the need for traditional controls on internal EU borders as well as the external frontiers.

SCHENGEN

In 1985 the Schengen Agreement was signed by the six founding members of the EC (Belgium, the Netherlands, Luxembourg, France, Germany and Italy) to speed up the establishment of an area of free movement within a single secure external border. This objective was in line with an aspiration of the Treaty of Rome to create an area without internal borders.

The founding six were forced to take the initiative of creating the Agreement because of opposition from other member states, primarily the UK and Denmark. Under Schengen a pre-existing free travel area composed of the three Benelux states was augmented by France, Germany and Italy, and in due course, all of these linked with the five members of the Nordic Union free travel area (Norway and Iceland joined as non-EU members with Denmark,

Sweden and Finland).

The Agreement was solidified in 1990 by the Schengen Convention in which wide ranging supportive or 'flanking' measures were firmed up, including: asylum, visa and immigration policy, police co-operation and the exchange of information.

The documentation relating to Schengen is referred to as the Schengen *acquis*, the main elements of which are:

"removing internal border controls; freedom of movement; police co-operation; judicial and policy co-operation; the Schengen Information System (SIS); data protection and rules about this relating to the SIS database and asylum matters; transport and the movement of goods; and the Executive Committee responsible for implementing the Convention" (p. 95).

In the lead up to the Maastricht Treaty it was agreed that Schengen's flanking measures were of "common interest" to all EC members. However, efforts to formalise Schengen were stymied by a dispute between the UK and Spain over Gibraltar. Among other matters, the Amsterdam Treaty of 1998 had the purpose of regularising the Schengen *acquis* as EU law; it was ratified by all EU member states except the UK and Ireland.

At a late stage in the debate on the Amsterdam Treaty in March 1999 the UK Home Secretary, Jack Straw, stated that *"the UK might participate in the whole of the incorporated Schengen acquis except for the abolition of border controls on persons at ports of entry and anything that put the maintenance of such controls at risk"* (p. 2). Regarding Schengen, border controls are of course primary and everything else is secondary. The UK was concerned to opt in to many of Schengen's flanking measures primarily to gain access to the SIS. An insight into British thinking regarding the Amsterdam Treaty is provided by Meehan when she quotes Jack Straw's predecessor, Kenneth Clarke, a politician generally considered to be pro-Europe, as follows: *"The conflict over the maintenance of national frontier controls will be the ultimate test of who governs—the national or the supranational state"* (p. 61).

By contrast, Ireland's reason for opting out of Schengen was determined solely by the need to maintain the pragmatic advantages of the CTA, especially those relating to the border. This position is recognised by a formal Declaration from the Irish Government which stresses its intention to participate in the new Treaty

provisions to the maximum extent compatible with the CTA. Irish diplomats at the Amsterdam Treaty negotiations were able to procure a unique provision whereby Ireland could opt in to all protocols it had opted out from by simply sending a letter to the President of the Council.

In recent times the Schengen system has come under criticism on the grounds that it is inadequate for meeting the needs of European citizens in the wake of Jihadist terror attacks and mass migration. The increased security threat has undoubtedly strained the system, but the coordinated Intelligence that Schengen provides is ultimately an indispensable element of European security. Schengen, arguably needs to be modified and improved, not abolished.

CONCLUSIONS REGARDING BREXIT

Before the British referendum on 23rd June 2016 the Irish Government pursued an ill-advised policy of supporting David Cameron's campaign to extract a deal from the EU that would enable him to retain the UK's membership of the EU. In the event Cameron failed; the deal he brought back to London was not enough to appease rampant British euro-scepticism. Had he succeeded in procuring a deal strong enough to win the referendum, the EU would have been undermined in a way that would have discredited the long-term objective of '*ever closer union*', and from which it is difficult to see how the European project could have recovered. The Irish Government was short-sighted in supporting Cameron; its strategy was focused on national interests in far too narrow a way; acting as Britain's closest supporter aligned Ireland with the forces threatening to pull the EU apart rather than with the '*good Europeans*', as was the country's traditional stance.

The surprise result of the referendum represented the worst possible outcome for Enda Kenny's Government. It required a radical re-appraisal in which the traditionally cordial relations with France and Germany needed to be re-kindled and a working relationship forged with Theresa May's Government. Initially Kenny released a rather wild statement about a united Ireland being back on the political agenda, a move that seemed to indicate a shift in Government policy. But, as time passed, evidence built up, incredibly, that the '*close to Britain*' policy was being retained. A clause in a Government memo leaked to the press on November 14th read: "*the approach Ireland must take to building alliances to ensure that Britain maintains as close ties as possible to the*

EU". That clause appeared in the *Irish Times* story about the leak but also in the *Examiner* and other papers, suggesting it was extracted from the memo's wording. Far from changing tack, the leaked memo implied that the Government was seeking to hold to its pre-referendum course in defiance of the referendum result. Stating it baldly the Fine Gael Government was planning to make Ireland Britain's fool in Brussels!

Given the orientation of Irish foreign policy since the Good Friday Agreement, an orientation that has intensified under Enda Kenny's stewardship, it is not surprising that the standing of Irish foreign policy on the international stage has declined.

It is instructive to see the Irish response to Brexit against the background of traditional Irish foreign policy. In the process of dismantling the Anglo-Irish Treaty through a programme of legislation and diplomatic offensives, Eamon de Valera established a tradition of statecraft in the Irish body politic. That tradition survived his passing and was evident in some of the EU initiatives of Charles Haughey, notably his active and successful support, against the wishes of France and the UK, of German unification and the negotiation of EU Structural Funds for Ireland. The tradition of Irish statecraft is anchored in a historical understanding of the purpose underlying the independent Irish State. For at least twenty years that historical understanding has been whittled away to the point where Irish Governments no longer has any anchor in tradition. Enda Kenny's Government, with all the professional advisors and departmental General Secretaries at its disposal, has had to be prodded by outside forces into distancing itself from Britain for the simple reason that it can conceive of no other strategy by its own volition.

Regarding the Irish input into the Brexit negotiations on the subject of the border/CTA, the traditional stance, focused on asserting Irish sovereignty in the face of irrational Imperial presumptions while working to retain the pragmatic advantages, provides a good starting point. For irrational Imperial presumptions read irrational anti-EU prejudice. The advice from Dublin will clearly need to underline the expense and impracticality of using the border with Northern Ireland as an immigration control point. The case for moving the border to the Irish Sea between Northern Ireland and Great Britain as the EU's external frontier needs to be stated on pragmatic grounds, drawing on the

precedents of the periods between 1939 and 1952 and, under the *Prevention of Terrorism Act*, between 1974 and 1999. Controlling the movement of people, whether for 'people trafficking', illegal immigration, Islamic terrorism, or criminal activity is best done by 'funneling' the flow of travellers through the 'choke points' of the air- and sea-ports. Such arrangements for the external frontier should pose no threat to the current status of Northern Ireland. (A case for retaining Northern Ireland within the EU as a province having special status is a separate matter from the present discussion.)

Two problems remain: how to control immigration from the EU to Northern Ireland and *vice versa*; and how to control immigration from cities in the Irish Republic to British cities and *vice versa*. In this matter a relevant precedent is the July 2008 agreement between the UK and Ireland which envisaged detailed passport control over travellers from the other state, where travel is by air or sea, but both Governments were agreed that the land border would be 'lightly controlled'.

The function of controlling the movement of people between the UK and the Republic of Ireland as a member of the EU also needs to be seen as being exercised through methods other than the work of immigration officers working in transport stations. Professor Meehan's reference to "*devolved*" immigration controls involving visa, social security and tax officers provides a case in point. Another key area is transnational Intelligence-gathering and the relevant system here is the Schengen Information System (SIS).

Regarding the Schengen system itself, a strong case can be made that the Irish Government should dispatch a letter to the President of the European Council revoking its opt-outs from the Amsterdam Treaty, immediately following the triggering of Article 50. It should certainly be on the list of post-Brexit options available to the Irish Government. The Irish opt-out was conditional on the existence of the CTA; Brexit means that the CTA must be superseded by new arrangements; Ireland should not lend support or credibility to Britain's irrational opposition to Schengen. The danger that this would strengthen partition is answered by the inexorable logic that following Brexit, on security grounds, the ports and airports of Northern Ireland, necessarily, must become the effective EU frontier.

Another addition to the mix of options up for discussion during the negotiations

is that the UK should join Schengen as a non-EU member. Reverting to its present opt-out from the border controls provision of Schengen, the UK could still opt in to access to the SIS database. If the UK refuses to join Schengen why should it be given access to SIS? If Ireland were to join Schengen, it would certainly be better if the UK retained its current level of engagement with the flanking measures supporting that system.

In its EU dealings Ireland has an obligation to defend and advance our national interests, but it also holds a

responsibility to contribute to the EU at a time when the success of the European project seems uncertain. In truth Ireland has a long term interest in the survival and consolidation of the EU and most especially, of the Euro zone. One clear way that Ireland could cut through the diplomatic blather and deliver a boost to Europe is by joining Schengen. Such a move would have the merit of restoring the State's reputation as being pro-EU. It would go some small way to repairing the damage inflicted by the recent alliance with Britain.

Dave Alvey

Gerry Adams On Brexit

On 9th December Sinn Fein President Gerry Adams addressed the Institute of *International & European Affairs* (IIEA) on the Sinn Fein response to Brexit. He took as his cue the previous week's Sinn Fein position paper, "*The case for the North to achieve designated special status within the EU*".

During the course of his address, Adams said:

"There's a basic fact that's been largely ignored by most political actors and media commentators, both on this island and in Britain, that can't be stressed often enough, and that is that on Thursday 23rd June, a majority of citizens in the north, in the so-called 'Brexit' referendum, voted to remain in the European Union. It was only the second time since partition that nationalists, unionists and republicans have voted together in common cause. The first time was of course in 1998 when the people of the north, and indeed in the south, endorsed the Good Friday Agreement."

"Scottish First Minister Sturgeon in her address to the Seanad last week said, '*we are living in unprecedented times and those unprecedented times require imagination, open minds and fresh thinking*'. The Taoiseach should follow Nicola Sturgeon's example. Rather than being mesmerised by what the London government is going to do, he needs to develop an all-island vision. Rather than being blinkered by the parameters of this state, government policy has to be for a designated special status for the North within the EU."

(See www.sinnfein.ie/contents/42750 for the Adams press release. See www.iiea.com/events/a-new-ireland-a-new-europe for a video of the Adams IIEA address, in full. See www.sinnfein.ie/files/2016/The_Case_For_The_North_To_Achieve_Special_Designated_Status_Within_The_EU.pdf for the full text of the Sinn Fein position paper.)

In the brief time allowed for discussion following that IIEA address by Adams, I welcomed the differentiation between Sinn Fein and the Irish Government's response to Brexit. It was indeed the case that a majority in Northern Ireland had voted against Brexit, and Sinn Fein was in a position to win respect among Unionists for its stance on the EU. But this would be undermined and lost if that EU stance were to be perceived as a Trojan horse for Irish unity, if Sinn Fein was simultaneously pursuing its campaign for a Border referendum. I believed in unity by consent, but, in line with the realistic two nationalist analysis of my Sinn Fein hero, Father Michael O'Flanagan, I recognised that the other nation would only view such a Border campaign as an irritant, and it would put an end to any goodwill towards Sinn Fein from among pro-EU Unionists.

I stated that I did, however, welcome the all-island post-Brexit approach of Sinn Fein, in contrast with the British Isles approach of other parties. I remembered how horrified I had been some years ago when the present leader of the Labour Party, Brendan Howlin, proclaimed that Britain was Ireland's closest ally in the EU. Having served as a Workers' Group member of the European Economic & Social Committee from 2010 to 2015, I found that Ireland's name was dirt in Europe, where it was regarded as playing the role of a Trojan horse on behalf of the UK. Nothing could be more detrimental to the Republic's interests than if the Irish Government were now to attempt to play the role of interlocutor between the UK and the EU in respect of a Brexit 'deal'. I therefore welcomed Gerry Adams's criticism of Taoiseach Enda Kenny for sticking to a path of "*being mesmerised by what the London government is going to do*".

On that particular issue, and going back five years, I might also here recall my

experience on 29th November 2011, when Jacques Delors addressed an extraordinary meeting of the EESC Workers' Group in Paris. As I described it in an IIEA blog that December 15th:

"I myself was totally unprepared for the vehemence of Delors. At the Paris meeting I expressed my agreement with his emphasis on the need for cohesive action by the 17 member euro group in its own right, without being undermined by the UK. I further argued that the type of competitive devaluation that the UK had pursued in 2007-2009 was equivalent to imposing tariffs of 26 per cent and was incompatible with the concept of a Single Market. Moreover, it had a devastating impact on Irish manufacturing. Delors responded to me by agreeing that Ireland had very justifiable concerns about the stability of the euro/sterling exchange rate. But then he immediately proceeded to launch a blistering attack on Ireland for having vetoed any progress on tax harmonisation. He said that as Commission President he had alternated between 'spoiling' and 'teasing' Ireland in respect of regional and cohesion funds, in the hope of securing a breakthrough, but there was no give. Since Ireland had explicitly aligned itself with the UK in opposing any Treaty provisions on tax regimes, it became clear to me that Delors still viewed Ireland as somewhat of an Anglo-Saxon Trojan horse in the euro area."

For that December 2011 blog in full, see www.iiea.com/blogosphere/delors-has-had-far-more-to-say.

Manus O'Riordan

In Irish Foreign Affairs **December 2016**

* Lord Esher, the *eminence grise* of WW1, in the concluding part of Pat Walsh's brilliant essay, explained to Lord Hankey that he need not concern himself with the League of Nations:

"I am more convinced after this war than I was before of the collective importance to the world of the British Commonwealth and of the essential uses of collective English genius for the development of mankind."

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The Neutrality Bill: *Putting The Government On The Spot!*

On 24th November 2016, Aengus Ó Snodaigh and Seán Crowe, Sinn Féin Defence and Foreign Affairs Spokesmen, jointly tabled a Neutrality Bill [1] in Dáil Éireann. This provided for a referendum to amend Articles 28 and 29 of Bunreacht na hÉireann (the Irish Constitution)

(1) to ensure that Ireland is prevented from aiding in any way a foreign power in preparation for or during a war without the assent of Dáil Éireann, and

(2) to assert unequivocally that Ireland is a "neutral state", which will not join military alliances.

To give effect to the first of these the Bill sought to amend Article 28.3 1 of the Constitution, replacing

"War shall not be declared and the State shall not participate in any war save with the assent of Dáil Éireann."

by

"War shall not be declared and the State shall not participate in any war or other armed conflict, nor aid foreign powers in any way in preparation for war or other armed conflict, or conduct of war or other armed conflict, save with the assent of Dáil Éireann."

And to give effect to the second, the Bill sought to add the following new Article 29.3

"Ireland affirms that it is a neutral state. To this end the State shall, in particular, maintain a policy of non-membership of military alliances."

US USE OF SHANNON

This proposal to amend Bunreacht na hÉireann was prompted by Ireland's support for the West's wars of intervention in the Middle East, which it does by allowing the use of Shannon Airport (and overflight rights) to US aircraft carrying military personnel and equipment to battlefields in Afghanistan and Iraq.

Since 2002, approximately 2.5 million US troops have passed through Shannon Airport. This aiding and abetting of aggressive wars occurred despite repeated claims of "neutrality" by Irish Governments.

The pamphlet *Shannon Airport and 21st Century War* [2] provides details of this US military use of Shannon in the past 15 years and the opposition mounted against it. The pamphlet is published by Shannonwatch and the Peace & Neutrality Alliance (PANA), the groups that have led the opposition and are responsible for

this proposal to amend the Constitution.

IRELAND AIDS AND ABETS US AGGRESSION

The proposed amendment to Article 28.3.1 is an attempt to ensure that, without the consent of the Dáil, Ireland will not provide military or other assistance to a foreign Power engaged in (or about to engage in) armed conflict. Obviously, the framers have in mind the provision of landing and overflight rights.

In fact, the Fianna Fail/Government led by Bertie Ahern did force a motion through the Dáil on 20th March 2003, which agreed to the US having landing and overflight rights—on the spurious grounds that this was merely the continuation of normal practice. The motion "*recall[ed] the long-standing arrangements for the overflight and landing in Ireland of US military and civilian aircraft*" and "*support[ed] the decision of the Government to maintain those arrangements*". It was opposed by all the other parties in the Dáil, including Fine Gael.

Now, it's one thing for Ireland to allow the US overflight and landing rights in peace time, but it's an entirely different thing for Ireland to do so when the US is engaged in aggression against a sovereign state. This had begun the day before, when US troops crossed the border from Kuwait into Iraq. That US action was not taken in self-defence, nor was it authorised by the Security Council under Chapter VII of the UN Charter, so it was aggression.

By allowing US overflight and landing rights at Shannon, Ireland was aiding and abetting US in the crime of aggression, a crime which in the words of Justice Robert H. Jackson, the United States chief prosecutor at Nuremberg, is "*the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole*".

Strangely, the Government effectively admitted that the US was engaging in aggression, never pretending that the disarmament resolution 1441, passed unanimously by the Security Council on 8th November 2002, authorised military action against Iraq. Ireland had a seat on the Security Council at that time (until 31 December 2002) and speaking to the Security Council afterwards, the Irish Ambassador to the UN Richard Ryan said:

"This is ... a resolution about

disarmament, not war. It is about removing all threat of war. As far as Ireland is concerned, it is for the Council to decide on any ensuing action." [3]

Bertie Ahern himself told the Dáil a few days later on 13th November 2002 that resolution 1441 "*is not a mandate for military action*". On 20th March 2003 he told the Dáil that Ireland "*cannot participate in a military campaign without an explicit, further UN mandate*". So, in Ireland's view, the US military campaign was not mandated by the UN and was therefore aggression

The motion passed on 20 March 2003 expressed Ireland's commitment to the UN system "*as the appropriate forum for the resolution of disputes threatening international peace and security*". Nevertheless, it contained no criticism whatsoever of the US for overriding the will of the Security Council, which wanted the peaceful disarmament of Iraq to continue—and proceeded to grant the US continuing assistance in its aggression by allowing it overflight and landing rights in Ireland.

(And the Government voted down a Fine Gael amendment which stated bluntly that Ireland "*opposes and cannot participate in, or support, in any manner, the war which has commenced*".)

The proposed amendment to Article 28.3 1 extends the range of circumstances in which Dáil consent is required, which could only be a good thing. Bertie Ahern claimed in the Dáil on 20th March 2003 that "*the provision of landing and overflight facilities to foreign aircraft*" did not constitute "*participating in a war*". At the end of the day, that's for the Supreme Court to determine, but if it is so then under the present Article 28.3.1 Dáil consent was not a requirement. However, under the proposed amendment Dáil consent would be required for providing landing and overflight facilities to assist a belligerent.

IRELAND AND NATO

The purpose of the new Article 28.3 1 was to enshrine neutrality in the Constitution—it isn't mentioned in the Constitution at present—and to prevent Ireland joining NATO without a referendum.

Ireland embraced NATO in 1999 by joining its so-called *Partnership for Peace* (PfP). In opposition, Fianna Fail had opposed joining and promised a referendum about joining, but it did a U-turn when it came into government and, with enthusiastic support from Fine Gael, it was approved overwhelmingly by the

Dáil. Sinn Fein and Labour opposed. Absent a constitutional ban on joining military alliances, as proposed in the new Article 28.3, Ireland could become a full member of NATO without a referendum.

Ireland may not be a full member of NATO, with obligations to come to the aid of fellow members if they are attacked. But, as a NATO "partner", it can hardly dissociate itself from its actions in the world. NATO is a Cold War relic which should have been disbanded 25 years ago and which, having promised at the end of the Cold War not to move an "inch" eastwards, now has members on the western borders of Russia and "partners" in Central Asia thousands of miles away from the North Atlantic—and it is now building up military assets on Russia's western borders, on the grounds that Russia is a clear and present danger to Europe.

If the Irish Government concurs with this view of Russia, it should become a full member of NATO and play its full part in countering this threat (including spending 2% of its GDP on its armed forces). If it doesn't concur, then it should cease being a "partner" to an organisation that engages in fantasies that could lead to war in order to justify its existence.

Ireland may not be a full member of NATO but Irish troops have served under NATO command. However, deployments in these operations are supposed to be governed by a so-called "Triple Lock" principle. Under this, the operations must have been mandated by the UN Security Council and the decision to deploy troops must be approved by the Government and, if more than 12 personnel are to be deployed, by the Dáil as well. This also applies to the deployment of troops on UN peacekeeping missions, for example, to UNIFIL in South Lebanon where 379 troops are currently deployed.

"ARGUMENT" AGAINST

The Government opposed the Neutrality Bill entirely on the grounds that, under the amended Constitution, a Government would be unreasonably restricted in its exercise of foreign policy, specifically, in its "capacity to fulfil its obligations to support United Nations, UN, mandated actions, in particular peace enforcement missions under Chapter VII of the UN Charter".

Fianna Fail argued against the Bill in the same terms, but you will search in vain in their speeches for examples of circumstances in which this might occur. Even if it did occur, it isn't the end of the world if Ireland was constitutionally constrained from taking part in some UN-

mandated operations. After all, there is no obligation on Ireland, or any other state, to take part in any UN operation

THE OUTCOME

This was the third attempt by Sinn Fein to introduce these amendments to the Constitution. The two previous attempts (in 2003 and 2015) failed because Fianna Fail and Fine Gael both opposed.

Only 25 TDs supported the 2015 Bill and it was defeated by 85 to 25 on 6th March 2015. This time 42 TDs (Sinn Fein, Labour Party, Green Party plus independents) supported it and it was defeated by 52 to 42, when the vote was taken on 1st December 2016. Fianna Fail spoke against the Bill but abstained in the vote.

TDs Views on Border Poll

On 17th December 2016 the free online daily newspaper *thejournal.ie* published an article on a survey of TDs' views about holding a Border Poll, in the light of the Brexit decision in Britain.

Other surveys indicate that about half of the Republic's population would vote for a united Ireland; which presumably means establishing a single government for the whole of Ireland, independent of the Westminster government. In Northern Ireland surveys show a similar level of support for this among Catholics, whereas about 1 in 10 Protestants support it.

There is nothing much new in this. But Brexit has raised new questions and doubts about public opinion in the different parts of the UK, particularly Northern Ireland and Scotland. This is the context for the questions which *thejournal.ie* put to TDs.

Started in 2010, *thejournal.ie* now employs 20 journalists and includes Irish and international news items. They put the following questions to all 158 of the Republic's TDs, by phone and email:

1. Do you want to see a border poll in Northern Ireland during this government's term?

2. If such a vote was passed, would you support reunification if a vote was held in the Republic of Ireland?

Less than half of all TDs responded. It is likely they will not fully commit themselves on these issues until a clearer picture of the post-Brexit landscape emerges. Those who responded were split around 50-50 for and against holding a Border Poll in Northern Ireland.

But in the event of a united Ireland getting the support of a majority in a northern Border Poll, most of the responding TDs' were in favour of holding

Three non-Fine Gael members of the Government—Shane Ross, Finian Mc Grath and John Halligan—voted for the amendments in 2015 and would have done so again this time, had they been free to do so. This would have taken the total vote for the Bill to 45. However, Fine Gael refused to allow them a free vote.

David Morrison

References:

- [1] www.oireachtas.ie/documents/bills28/bills/2016/8516/b8516d.pdf
- [2] www.shannonwatch.org/sites/shannonwatch.org/files/docs/ShannonWatch_Book_2015.pdf
- [3] www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.4644

a United Ireland poll in the Republic.

Of the main political parties, only a quarter of Fine Gael TDs responded, about half of whom were opposed to holding a Border Poll in N. Ireland. Half of the Fianna Fáil TDs responded, of whom more than half were opposed to holding a Border Poll in N. Ireland. All Sinn Féin TDs responded, and all supported both a Northern Border Poll and a Southern Irish Unity Poll.

Broadly speaking, TD opinion ranges predictably from bright blue (Fine Gael) to bright green (Sinn Féin), with Fianna Fáil in the middle. The Labour Party remnants (7 of them) mostly did not respond, though their leader Brendan Howlin gave a "unification by consent" policy line, with a statement that there was no consent. TDs aligned with the Socialist Party were opposed to a Border Poll.

Full details can be found at *thejournal.ie* including response/non-response of each of the 158 TDs.

Pat Muldowney

WHEN WE THINK OF VICTORY

It takes an air-raid to
upbraid
while locked in your
emotional cell
a time of atonement
indiscretions remembered
reparations sort of meant
in an atmosphere
of dismemberment
waiting for it to be over
over
while all around
hovers
the surgeon's knife
cutting through concrete
taking life
not always precise
Guernica still burns
sometimes in lieu
it burns for
you.

Wilson John Haire

25 December, 2016

Another Casement commemoration— examining an examination

The Law Society (England and Wales) held a Roger Casement Centenary lecture at its Headquarters in Chancery Lane on 10th October, given by Mr. Justice Mc Closkey, President of the Upper Tribunal Immigration and Asylum Chamber in the UK, member of the High Court of Justice of Northern Ireland in 2008, Chairman of the Northern Ireland Law Commission in 2009, Judge in Residence at Queen's University, Belfast and much more.

McCloskey gave a resume of Casement's life, referring to the fact that he got a fair trial: it was open, he was represented, tried by a jury, had an appeal etc. Of course, it was unlikely that a Judge of the same jurisdiction would say otherwise.

A curious aspect of his lecture was his emphasis and abhorrence at the 'internal invasion' of the corpse after execution, by Dr. Mander, the Medical Officer at Pentonville Prison. The Judge did not explain the background to this 'invasion', an anal investigation. I had hoped that we might have had a legal eagle's cross-examination of Dr. Mander's four sentence report on the procedure, as it so shocked and seemed so significant to his Lordship.

Dr. Mander was first and foremost a civil servant who was instructed by his boss, the Government of the day, to confirm an allegation about a traitor who had just been hanged for supporting an enemy that at the time showed every sign of winning the war. This situation had generated hysteria at all levels of British society. And much of the hysteria was blaming moral degeneracy—a code for homosexuality—for the failings in the War.

One might suggest that the Doctor felt obliged to confirm his boss's instruction in these circumstances. For a taste of this hysteria see "*Salome's Last Veil: The Libel Case of the Century*" by [Michael Kettle](#).

As Angus Mitchell has pointed out, there are some questionable aspects to this report. It would need a qualified pathologist to assess whether or not he was dealing with a normal or abnormal anus post-mortem. There is no evidence that the prison Medical Officer had such qualifications.

Neither is there any evidence that he consulted Casement's medical history to find out about any pre-existing conditions. Yet Casement had a long history of anal fistula and haemorrhoids, first recorded in 1893 when he had his first operation for

them at St. Thomas's Hospital—not a million miles from Dr. Mander at Pentonville Prison. In 1900 he had another operation; and more examinations in 1912 to deal with the continuing afflictions.

Dr. Mander might also have located and consulted another doctor, Herbert Dickey, who with others spent several weeks during 1911 travelling with Casement in South America and got to know him quite well. Dr. Dickey wrote a book about the journey and later testified that: "*I am a physician with thirty years of experience behind me. I have encountered many homosexuals. But if Casement was one of those unfortunates I am a rotten diagnostician and I shouldn't be*" (4/5/1938).

Dr. Mander did not bother to explain the consequences of hanging on the human body and its effect of relaxing all muscles including the internal and external anal sphincters and the consequences of that. Another consequence of hanging not mentioned is the draining of blood to the lower parts of the body (causing erections in some cases) but also dilation of the anus because of blood congestion in the veins which would have been particularly noticeable in a situation with Casement's medical history. But none of this was brought to bear on his report. It is cursory in the extreme.

A proper, comprehensive, professional medical report would have dealt with all these aspects of the case.

Dr. Mander's report today is a short, solitary document in a file of its own at Kew. There is no information about it in the file—which is unusual and suggests a severe 'cleansing' operation by the creator(s) of the file and one cannot therefore judge the significance of what's excluded—which could be as important as what is included.

It is also somewhat odd that none of the "execution party", i.e., the hangman, his assistant, the Governor, the Sheriff, the Chaplain, or anyone else, is recorded as witnessing the Mander examination, or corroborated his report, as was done automatically with other documents relating to the execution.

There is another curious aspect to the Mander report that casts some doubt on

the author's reliability. It says that: "*The execution went without a hitch and the prisoner was dead in 40 seconds from leaving the cell*". It is a fact that British hangmen were very efficient indeed at their job but this seems to be extraordinary efficiency on the hangman's part, John Ellis, a hairdresser, who was hired for £25 to do the job. The scaffold was then 25 yards from the condemned person's cell. The following is a detailed and credible report of the execution:

"The trap was sprung at 9:07 o'clock this morning in the yard at Pentonville prison. Sir Roger was pronounced dead nine minutes after he dropped through the gallows... After his (Casement's) breakfast Rev. Father Carey went to him and the two remained closeted together until 9 o'clock when the governor of the prison came to lead the march to the scaffold. Attendants strapped his arms to his sides and he was led through the 'door of death' into the prison yard. After mounting the scaffold his legs were pinioned and, while the priest recited prayers, the white cap was drawn over his face. It was exactly nine minutes from the moment when the prison governor entered the death cell until Sir Roger Casement died at the end of the hangman's rope. Another nine minutes passed before the attending physician (Dr. Mander, J.L.) pronounced that life was extinct in the dangling body. Law required that the corpse remain suspended for an hour, at the end of which time it was taken down and taken into a room which had been prepared for the inquest, which was purely formal. The verdict of the coroner's Jury had been prepared in advance and but a few minutes were consumed in its official rendition... The notice of the execution was posted on the prison door at 25 minutes after 9" (*Los Angeles Herald*, Number 237, 3 August 1916).

This report challenges Mander's account. He seems overanxious to impress his superiors with his efficiency and to do so he reported what appears to be a physical impossibility. Was he also overanxious to confirm what they wanted to hear about Casement's 'degeneracy'?

It really was a pity that Justice Mc Closkey did not bring his legal skills to bear on this report and establish whether or not it would "*stand up in court*". Apparently it would in *his* court.

He later said that he believed Casement to be homosexual on the basis of the '*Black Diaries*': but, if he has approached them with the same lack of questioning as he approached the Mander report, that does not convince.

Like everything to do with the Casement case the more one looks at it the less

convincing are the claims made about Casement and so it is with the Mander Report. Casement was one of the best known people in the English speaking world—and further afield—but so far all evidence of extravagant homosexuality has come via British Government agencies of the day, beginning in 1914 and it had an obvious vested interest in discrediting him. In the context of the time this was the most effective way to do so and was a complete success in that it scuppered the appeal for clemency.

A 'man of the world' like the Casement should surely have left some undeniable and credible corroborating evidence for his alleged lifelong behaviour. Instead, we have another curious case of the dog(s) that did not bark. If true, there has been a much bigger conspiracy of silence than forging and/or interpolating a few diaries.

Also, if true, it is also most odd that he seems to have held the standard view of the time about homosexuality and, *inter alia*, wished for "..... saner methods of curing a terrible disease than by criminal legislation" (17 April 1903).

Jack Lane

Correspondence With The Irish Ambassador To Great Britain

Letter from Jack Lane, 11th November 2016

Dear Ambassador Mulhall,

I attach a copy of a report from "*The Nottingham Post*" about your recent visit to that city headed "*Irish Ambassador visits Nottingham to pay respects to Sherwood Foresters Regiment.*" (11/11/2016).

I would be grateful if you would confirm whether or not the report is correct when it says that you went there to "...pay your respects to a local regiment that helped his home country during rebellion."

This has caused some surprise and bewilderment to people who are aware of the role of the Sherwood Foresters in Dublin in 1916.

I look forward to your response.

Response from Ambassador Dan Mulhall, 17th November 2016

Dear Mr. Lane,

Thank you for drawing this report to my attention. I certainly did not make the comment that was attributed to me.

My visit was centred around an exhibition on Roger Casement and I delivered a speech about his life and work, which was

along the lines of the attached blog on Casement from earlier this year.

In the course of my remarks, I also stressed the fact that this year has seen a highly inclusive series of 1916 commemorations which included recognition of all those who lost their lives during Easter week—members of the Irish Volunteers and the Irish Citizen Army, civilians and members of the Police and British Armed Forces.

If you read the blogs and speeches I have written during this year in commemoration of 1916 you will find that I have great admiration for those who took part in the events of 1916 and that I value the nuanced and mature manner in which contemporary Ireland remembers that time and the sacrifices made in Dublin and in the battlefields of World War I.

Ambassador's Blog

Roger Casement: human rights campaigner and Irish patriot

<https://www.dfa.ie/irish-embassy/great-britain/about-us/ambassador/ambassadors-blog-2016/july-2016/roger-casement-campaigner-and-irish-patriot/>

When James Joyce wrote that 'history is to blame', he was alluding to the burden of Irish history, whose weight he felt in his own life and which was one of the reasons why he spent most of his days in exile from Ireland.

If Irish history was a source of frustration to Joyce, it proved to be inspirational for many of his contemporaries who involved themselves in Ireland's struggle for freedom a century ago. After all, 1916 leader, Patrick Pearse, was just over two years older than Joyce, but their lives took dramatically different paths. Pearse was gripped by Ireland's story and his own part in its destiny. Joyce wanted to observe and dissect Ireland from a safe distance.

Late-19th and early 20th century Irish nationalism had very wide appeal, drawing to its colours people who would not normally have fallen into the nationalist camp. Roger Casement (1864-1916) fell into this category and was among the most intriguing and enigmatic personalities associated with the 1916 Rising.

Although Casement was one of the sixteen men executed in the aftermath of the Easter Rising, his was a very different story from the others.

First, Casement took no part in the Rising, having been arrested in Co. Kerry in the days before the fighting commenced in Dublin. Indeed, he seems to have returned to Ireland in an effort to discourage an insurrection.

Second, he was considerably older than Pearse, McDonagh, Ceannt, MacDiarmada or Plunkett, and had a successful career behind him. Of those who were executed, only Tom Clarke was Casement's senior, and what different back stories those two men had. Whereas Clarke was a lifelong Fenian who spent long years in prison in Britain, Casement was part of the British

establishment, a member of the country's consular service, knighted for his services to the Crown and a gradual convert to Irish separatism.

Third, whereas the Rising's leaders apart from Connolly had all spent their lives preoccupied with Irish affairs, Casement was a ground-breaking internationalist. By any standard, Casement had a distinguished innings as a British consular officer. He bravely exposed human rights abuses in the Belgian Congo and in South America. It takes courage to stand up to powerful people like Belgium's King Leopold, and on behalf of powerless Africans and Amazonian Indians, as Casement did, and with only qualified backing from his superiors in London. The Congo Reform Association he helped to found was a prototype of the modern human rights organisation.

For Casement, it was an interest in Irish history, and a deepening critique of European Imperialism, that drew him ever more firmly into the nationalist fold. In this, he was influenced by his friend, the historian Alice Stopford Green, and following his retirement from the British Foreign Service he became deeply involved with the Irish Volunteers, helping to organise the importation of arms into Ireland in 1914. Like many others from that period, Casement's nationalism was buoyed by his commitment to Irish culture and the Irish language.

By the time war broke out in 1914, Casement was in America plotting with prominent Irish-Americans to secure German support for the Irish cause. This led to Casement undertaking a mission to Germany where he tried fruitlessly to recruit Irish prisoners-of-war for an Irish brigade that would take part in Ireland's struggle. He became disillusioned when he realised that German interest in Ireland was self-serving and decidedly limited.

Casement's only role in the Easter Rising was that his capture, having arrived in Ireland on board a German submarine, made the British authorities believe that the danger had passed and this meant that they were caught completely off guard when the Rising took place on Easter Monday. The British Government thus greatly exaggerated Casement's significance in the universe of early 20th century Irish republicanism.

Casement was the only one of the sixteen executed leaders to be tried in open court, even if the case put forward in his defence left something to be desired. The involvement of Attorney General F.E. Smith as chief prosecutor was somewhat ironic in light of his enthusiastic support for the Ulster Volunteers during the Home Rule crisis of 1912-14. Casement's speech from the dock was a classic of nationalist oratory, with its evocation of 'the painful stairs of Irish history'. The underhand use of Casement's Black Diaries in order to undermine support for the commutation of his sentence was discreditable.

Casement has had an extraordinary afterlife, with the long campaign for the return of his remains to Ireland and the controversy about the authenticity or otherwise of his diaries. While it is now

generally accepted that the diaries were genuine, there are those who continue to regard them as clever forgeries designed to blacken his name. While those who targeted Casement wanted to prevent him from becoming a nationalist martyr, as it happened his standing in Ireland was actually boosted by the belief that he had been a victim of character assassination orchestrated from London.

There was a time when the veracity of the diaries mattered a great deal to Irish people, but not anymore for most of us. Looking back, I see Casement as an extraordinary Irishman who achieved a great deal internationally as a human rights campaigner. His unlikely but wholehearted immersion in Ireland's cause in the last 3 years of his life illustrates just how appealing the goal of Irish freedom was to that idealistic, Irish revolutionary generation whose centenary we now commemorate.

I like to think that Casement's internationalist legacy is reflected in Ireland's contemporary profile, in our commitment to human rights, to UN peacekeeping and to the provision of high-quality development assistance, mainly in Africa where Casement registered his greatest achievements.

<https://www.dfa.ie/irish-embassy/great-britain/about-us/ambassador/ambassadors-blog-2016/july-2016/roger-casement-campaigner-and-irish-patriot/>

Daniel Mulhall is Ireland's Ambassador in London

Letter from Jack Lane, 18th November 2016

Dear Ambassador,

Thank you for your letter of 17 November.

I am very glad indeed that you did not make the remarks attributed to you by *The Nottingham Post*.

The report is therefore one of the most serious misrepresentations of a news item that I have ever come across.

I assume you have asked the newspaper to retract that report as a matter of urgency and to set the record straight in fairness to yourself and the historical record. As a reputable newspaper it should have no objection to doing so.

I look forward to reading such a retraction.

Thanks also for the blog extract on Roger Casement.

I am a bit surprised that in it the '*Black Diaries*' are accepted as authentic. There is a growing body of opinion among historians that questions this assumption and the sites below provide evidence of their case. I hope you will find them of interest:

<http://www.decoding-casement.com/preface/>

<https://limerick.academia.edu/AngusMitchell>

<http://www.drb.ie/essays/the-black-diaries-the-case-for-forgery>

NOTE:

To my knowledge no retraction or apology was published by *The Nottingham Post*.

Jack Lane

An Untenable Casement Diary Thesis

"As the British Government failed to prove how, or where they found the Casement atrocity diary; as they did not put it to the use its contents rationally indicated; as they did not issue it in full and open form; as they did not publish it until the state trial had closed when it could no longer be publicly challenged; and as they then published and authenticated it furtively, the conclusion is inescapable that the British Government did not find, or publish, or use, or authenticate the Casement atrocity diary as a genuine document is found, or published, or used, or authenticated.

Resting on such a document, the story of Casement the degenerate diarist had no true foundation..."

For readers of *Casement: Précis of a Proof* by Paul R. Hyde, which appeared in *Irish Political Review*, December 2016, or of *Discovering Casement* which appeared in the October 2016 issue of *Village* or readers of Hyde's website, *Decoding Casement*, especially the piece *The Casement Secret*, the argument behind the above passage, despite some archaic and unfamiliar phraseology, will hold some ring of familiarity. The quotation comes from pages 156 and 157 of *The Forged Casement Diaries* (Dublin 1936) by W.J. Maloney.

At the time Maloney was writing, the existence of the Diaries would be neither confirmed nor denied by the Home Office. It would be another 20 years before curious eyes would be allowed unofficially gaze upon their contents and a few more years still until they were officially acknowledged to exist and placed on restricted release in the Public Record Office, Kew, London. Basing his argument upon the furtiveness, surreptitiousness and lack of openness and transparency surrounding their use to denigrate Casement's reputation in the wake of his trial, Maloney is judicious and measured in his conclusions. However, basing his approach upon similar data, Paul Hyde leaps to unjustified conclusions in the articles cited above. He does so by failing to take relevant pieces of evidence into account, by being misled by a false trail deliberately left in the archives and by not fully appreciating the techniques of disinformation used by Intelligence chief Hall and his associates.

Hyde has made a fine contribution to the discourse around the question of the authenticity of the Diaries through his paper, *Lost to History*, published earlier this year in the special Casement edition of the

University of Notre Dame's Irish Studies journal; *Breac*. The magazine *History Ireland* carried his hard-hitting article, *Casement Tried and Tested* on the 2002 Giles examination in its July/August 2016 edition. The correspondence arising from this article is still ongoing almost half a year later. However, in relation to his most recent articles, he has overreached himself.

The case he makes is that, prior to Casement's execution, there is no record (so he claims) of anybody being shown the actual diaries themselves but rather that there is a record of typescripts being displayed to a range of individuals; these typescripts being purported to represent the contents of existing private writings. The said reluctance to display the originals on the part of the Intelligence chiefs he interprets as an indication that they had no originals then in their possession to display. He writes:

"The anomalous behaviour of the Intelligence chiefs was none the less intentional and intentional behaviour is that which is felt to be necessary. Therefore they felt it necessary to show typescripts rather than bound volumes. That necessity compelled them to exclude showing the bound volumes (*Irish Political Review*, Dec. 2016).

He goes on to say:

"(the bound volumes) could not be shown in that period because they did not exist before Aug 3rd; therefore they cannot be authentic Casement writings".

With this comes an implicit suggestion that the original volumes now held at Kew were completed after the date of Casement's execution, perhaps many months or even years after his death.

The notion that the Diaries were written or at least finished off after Casement's death is actually not at all new. So far it has persisted for 40 years; half a contemporary average human lifespan. Which makes you wonder; could this particular forgery theory be experiencing a form of mid-life crisis?

In the newspaper, *Irish Independent*, for 3rd August 1976, to mark the 60th anniversary of the execution, Eoin Ó Máille was interviewed. Ó Máille was a very active forgery proponent and avid newspaper letter-writer and occasional pamphleteer. Referring to his longstanding interest in the matter; the article reported him say: "*The forgeries may have taken as long as 40 years to get them the way the British government wanted them*".

How realistic is it to believe that an organisation would expend resources over a time period of decades to undermine the reputation of somebody already deceased? It is hard to imagine. Casement's reputation had already been, from the authorities' viewpoint, satisfactorily undermined in the run-up to his execution. Forgeries are created at the *diktat* of expediency. However, there is always an associated risk of discovery. Why incur that risk for little practical gain?

The notion of forged bound volumes being created in the wake of Casement's execution becomes conceivable if we let ourselves think the Intelligence chiefs began to wrestle with what to do about Casement only after his capture in April 1916 and there was little time to devise a suitable expediency which could lead to his execution for treason. There is a file in the archives which gives a date in April 1916 as when they were allegedly discovered. The autobiography of Special Branch chief Basil Thomson, *The Scene Changes*, published in 1939 also gives April 1916 as for when they were so conveniently discovered. However, he gives a different date! So, we can sense deceit.

The references to April 1916 focus our attention in the wrong direction; they serve as a conjurer's audience distraction; they set out a false trail. We need to conceive of the bigger picture. For Casement had become a serious headache for the British well before April 1916. In November 1914 he had gone to Germany and made contact with the Government there. In early 1915 a book by Casement, *The Crime against Europe*, appeared in the US which placed the main responsibility for the War upon the British Empire. These happenings were reported in the press in Britain and around the world. Are we to believe the reaction of the Intelligence chiefs to all this, as a ferocious war raged across the world, was one of indifference and inactivity?

In a handwritten statement from Casement's cousin and confidante, Gertrude Parry, dated 10th Jan 1926, she wrote:

"As a matter of fact the trunks left behind by Roger in Ebury St, were handed over to the police by the landlady at the instigation of another lodger, as soon as Roger went to Germany in 1914. Sir B.T. (Basil Thomson) had the diary in his possession for at least 16 months before Roger's trial & he had plenty of time to see that it was so doctored as to suit his purpose... (Mss 11844 NLI)

There is more evidence that the Diaries existed prior to the date of execution.

In the *Times Literary Supplement* of 18th April 1936 Shane Leslie, who was on the staff of the British Embassy at Washington at the relevant time, stated:

"Photographs (of pages of the Diary) were sent to the late Ambassador, Sir Cecil Spring Rice, in Washington, and he, in duty bound, showed them to American journalists" (Maloney 1936, Pg 31).

A secret telegram to the British Naval Attaché in Washington, Captain Guy Gaunt, of 29th June 1916 went:

"Photographic facsimile & transcript of Casement's diary of which you have, no doubt, already heard is being sent to America by today's mail. Person receiving it will communicate with you when it arrives" (Foreign Office Archive, TNA FO 395/43) (*Roger Casement, The Black Diaries*, Jeffrey Dudgeon, 2nd Ed. Pg 552).

The existence of photographs implies the existence of originals. It is noteworthy that Hyde misses the use of photography to back up the contents of the typescripts. Reproductions of the actual writing naturally added weight to the typed-out content. On his website (*The Casement Secret*) he discusses where there are instructions done in crayon by an unknown hand for photos to be made at certain points in a typescript and alleges that it was merely the typescripts that were meant to be photographed. But such a procedure would have little point. A photo of a typescript is merely a section of a typescript reproduced in a different medium. It adds zero clarification and a photo on its own of a text affords more questions than answers.

The quotation from the Foreign Office telegram above indicates that it was the original diary pages which were photographically reproduced. The quotation from Shane Leslie (also above) confirms the same point.

The wily head of the Naval Intelligence Department, Reginald Hall, would not have relied on typescripts alone to convince those he wished to place under his spell. For a start, people's suspicions would be aroused if typed reproductions were not backed up by the sight of an actual handwritten diary. Secondly, he was a man who had a certain way of working; the reflexive desire to have doubts allayed by corroborative material was always provided for.

The existence of the Diaries prior to Casement's date of execution on 3rd August 1916 is given witness to by something very powerful; the content of the Diaries themselves. They deal with the period of Casement's human rights investigations in Africa and South America dating from 1903, 1910 and 1911; a fair stretch of time before August 1916. They

feature weather observations, encounters with people and tropical creatures, snatches of conversation and private commentary on a day to day and even hour by hour basis. They feature much ordinary day to day activity such as Bridge games and books and letters read and visitors entertained. It is their faithfulness in such uncanny detail to the known mundane occurrences of his existence which prompted so many people, including people very well acquainted with him, to believe they must have been wholly genuine documents produced from his hand.

Proponents of forgery, with rare exceptions, have conceded long ago that these are original Casement documents, but original documents which have undergone concealed and malevolent adjustment. In other words; these are partial forgeries. So, by definition, they must have existed prior to the date of execution. Furthermore, what forgery was done upon them must itself have been carried out prior to that date because otherwise it would serve little purpose. And, there was ample time to achieve this if they were in the hands of the Intelligence chiefs from late in 1914.

Another possibility is that the Diaries were forged in their entirety. One way this could be envisaged is that a diary narrative was concocted from Casement's letters to the Foreign Office and from various other documents he created. However, it would have been next to impossible to create a diary from these with such fidelity to his actual day to day activities from such sources as witnessed in the Diaries we know. The level of detail required is too great. A more workable approach would have been to take a set of existing diaries and transcribe them. Piecemeal within the transcription process, various salacious musings and events could be added. This approach has the advantage that the surface of the pages would be more pristine and so less suspicious; the surface would be unsullied by the subtle but abrupt alterations to the appearance of ink and pencil markings which erasure and interpolation can cause and which might be revealed through inspection with high magnification apparatus. However, it would entail a great deal of work and time; the Diaries contain about 80,000 words. It would be a demanding challenge to oversee such an amount of patient and precise industry.

A critical disadvantage of such an approach is the defined time constraint. Such a project would demand a lot of time. But a forgery project related to Casement's activities in 1915/1916 would have to have a flexible temporal basis as the British authorities could not be sure when he might

leave Germany, so providing them with an opportunity to capture him. A project requiring great blocks of written material would require a long time to get finished and might be ready too late to be put into use. However, a project based on interpolation into and erasure from existing diaries would provide the required flexibility. There would be no defined point when it would be finished. It could be improvised to the extent that time allowed. It was the ideal solution.

The report stemming from the 2002 examination of the Diaries is quite instructive in regard to the possibility of interpolative forgery. It is instructive, that is, once you have learned to read between the lines. We know that Video Spectral Analysis was carried out on the documents. This technology can detect the effects of erasure and overwriting on a paper surface. If inked writing had been erased through the application of bleach and left to dry and then subsequently was overwritten, Video Spectral Analysis should be able to detect what happened. However, the output data from this test was not made known. There was a vague reference in the report to confusing changes in writing materials on the pages tested and nothing more. Another technique which can detect interpolation and erasure is Ramon Spectroscopy. This was described in the report as a test destructive to the material being tested which, in regard to the prevailing level of technology at the time (2002), was simply untrue. The resolute coyness in regard to techniques which can unmask this form of forgery speaks for itself.

There is a certain amount of physical evidence on the surface of the documents pointing to erasure and interpolation. The most obvious and convincing is the presence of a pink coating which has been roughly painted on to some of the pages of the 1910 and 1911 diaries. A decade ago the National Archives at Kew informed an investigator that this was Polyvinyl Acetate. This is a substance which, if coated onto paper, will serve to obstruct the workings of technologies which can detect forged interpolation. This is striking evidence, evidence from which even seasoned historians of the so-called 'revisionist' school must shrink away in horror like vampires overawed by the scent of freshly cut garlic.

Getting to grips with the Casement Diaries is tricky. Everybody has made mistakes. It takes time just to gain a useful level of familiarity. Today's exciting discovery can prove to be tomorrow's non-event.

Tim O'Sullivan

Legitimacy and Legality

—*Irish assertion v. British contention*

In modern democracies the theory, in crude terms, is that legitimacy comes from the people and legality from the State. The State exercises its legality through the various security and coercive agencies at its disposal and in a democracy those agencies and the code they police are given legitimacy through the endorsement of the people via elections. That, at least is the theory.

In Ireland after 1918 this relationship between the people, the State and the State's security and coercive agencies became problematic as a result of the overwhelming endorsement of an Irish Republic by the electorate. The people had decided that they no longer wished to be ruled by the existing State and endorsed the political party which had as its policy the construction of an alternative State. As Sinn Fein, the political party whose policies were given legitimacy in the 1918 Election, began implementing the expressed will of the people in terms of establishing an independent Irish Republic, it found itself in conflict with the existing State which was refusing to recognise any other legitimacy. This situation created a destabilising effect on events in Ireland for many years after the 1918 Election.

However, this need not have been the case. If the British Government had recognised the results of that Election and acted accordingly the conflict between legitimacy and legality in Ireland would have been very short-lived and incapable of leaving any destabilising legacy. But Britain chose a different path. Instead, in defiance of the legitimacy of the people's will expressed through a democratic election, it relied on the operations of its State-supported coercive agencies to impose its claim to be both the legitimate and legal authority in the country.

In order to sustain this claim the British State sought to invest legality on the actions of its coercive agencies in a situation where they lacked any real legitimacy. In the Irish context this called for actions by the coercive agencies of the British State that in effect constituted the imposition of a form of State terror on the electorate. In the British context it called for the construction of a type of shadow-land where the reality of the Irish situation was re-interpreted in ways that could be digested by the legal and constitutional framework of the British State.

Central to all of this was the refusal of the British State to recognise the Dail as holding any legitimate mandate from the people. We

can see this in the way in which the Treaty was framed and indeed in the negotiations leading up to the signing of the Treaty. At the outset, the Irish representatives, led by Griffiths and Collins, were delegated to negotiate with the British on behalf of the Dail but the British refused to acknowledge the status of the Irish delegation to the extent that their Government officials pointedly refused to even look at the papers which provided the delegation with its Dail accreditation. They preferred instead to treat them as elected Members of Parliament who had been invited "to ascertain how the association of Ireland with the community of nations known as the British Empire can best be reconciled with Irish national aspirations".

In fact, the original British invitation to hold talks, which was made the previous August, had not been taken up by the Irish for over a month as de Valera unsuccessfully sought to get Lloyd George to concede that Britain was now negotiating with a sovereign Government given legitimacy by the Dail.

This refusal by the British to acknowledge the Dail was then reflected in the title of the 'treaty' signed on 6th December 1921. The Treaty was entitled "Articles of Agreement for a Treaty between Great Britain and Ireland" with no acknowledgement that the Dail constituted any form of legitimate government. Likewise, the British House of Commons, in ratifying the terms of the 'Treaty' on 16th December 1921, required that it be approved by "a meeting summoned for the purpose [of approving the 'Treaty'] of the members elected to sit in the House of Commons of Southern Ireland". Again, no mention of the Dail as constituting the legitimate expression of government.

For the purpose of preserving its claim to legality and legitimacy the British Government reinvented the Dail and choose to view it as the "House of Commons of Southern Ireland"—a mythical shadow concept which it had brought into existence through the 1920 *Government of Ireland Act*. But of course the "House of Commons of Southern Ireland" did not exist in the legitimate world of the South of Ireland or anywhere else beyond the abstract constitutional fabrication of British law.

However, in terms of politics and practicalities the Dail had to be taken into account in its role as the functioning

government in Ireland. But the British could not let it develop along any natural path for fear of it becoming a State that possessed an actual independence. As a consequence the British, although denying its legitimacy, attempted to influence the manner in which the Dail began to form its own State structure. Initially it did this through the Treaty and the way in which it was interpreted and implemented within the Irish context. While this was taking place, the whole question of law and legitimacy remained in a state of confusion in Ireland. The extent of the confusion was illustrated in an exchange at Westminster which took place on 4th May 1922.

The event which provoked the exchange was reported briefly in *The Times* on 22nd April 1922, as follows:

"Alexander Dickson and Sons, Limited, nurserymen of Dawson Street, Dublin, have lodged a claim with the Town Clerk for £50,000, compensation for being compelled to close their premises and discontinue business, and for alleged destruction of books, typewriters, correspondence, etc. A notice on the door states that the premises are closed by order of the Belfast Boycott Committee" (*The Times*, April 22, 1922).

My paternal grandfather was employed at this time as a seedsman for the company in question, Dickson and Sons, and coincidentally was also a witness to the events surrounding the Army Mutiny of 1924. This event was one of a number of such events which took place within the context of the contending claims of the anti-Treaty IRA Army Executive and Collins' pro-Treaty Provisional Government National Army to act as the legitimate agency for the imposition of legal sanctions in the wider society. From the perspective of Westminster there was the additional element of its self-appointed role in the creation of the southern governing entity and its ongoing legal responsibilities for what some continued to insist had been its creation.

"**Mr. Gwynne:** (by Private Notice) asked the Secretary of State for the Colonies if he is aware that the director of boycott acting under the I.R.A. and occupying official premises in the Four Courts, Dublin, has recently seized the premises of Messrs. Alexander Dickson & Sons, Limited, of 61, Dawson Street, Dublin, and removed all the ledgers, private ledgers, cash books, purchase journals and official receipt books, together with three typewriting machines, and are now demanding payment of accounts due to the firm, to the extent of £25,000, are also arranging to dispose of the stock-in-trade, estimated to be worth over £20,000, and have notified the firm in writing that as their head branch is situated in Belfast their property has been formally confiscated, and will he state

what course this company is to pursue to procure compensation and protection, which is due to members of a company as British subjects and Imperial taxpayers to His Majesty's Treasury?

Sir H. Greenwood: I have made inquiries into this matter and am informed that the facts are as stated in the question. I understand that the firm have brought the occurrence to the notice of the Provisional Government and have lodged claims for compensation with the Southern and Northern Governments of Ireland. His Majesty's Government is pressing the consideration of this case upon the Provisional Government.

Captain Stanley Wilson: Is there any Government in Ireland?

Mr. Gwynne: How long are the Government going to remain passive onlookers whilst British citizens are murdered and British property is stolen?

Mr. J. Jones: In Northern Ireland.

Mr. Speaker: I would point out that there are Governments in both parts of Ireland. [An HON. MEMBER: "Not comparable!"] Two Acts of Parliament have been passed conferring responsibility, one to the Government of Northern Ireland and the other to the Provisional Government of Southern Ireland, and we cannot have continual Debates, except on a proper Motion, as to what we have already done.

Mr. Gwynne: Are we to understand that the effect of passing the Free State Act has been to give British citizens residing in Ireland less protection than in foreign countries?

Mr. Gritten: Before the right hon. Gentleman answers that question, may I ask whether his answers to all these questions mean that the Government have jettisoned the national honour, good faith and humanity as a result of the Act?

Mr. Speaker: The hon. Member gives his own opinion.

Sir Henry Craik: May I ask, Mr. Speaker, whether we are to infer, from your conception of the present position, that the confirmation of the agreement with certain leaders in Ireland establishing a Constitution, is comparable with, and on the same footing as, the Constitution in Northern Ireland?

Mr. Speaker: I have been dealing only with what is a fact. If the right hon. Gentleman will read the Act, and the Orders in Council properly issued under the Act, there he will find the answer to the question.

Sir H. Craik: With all respect, did not the Act defer the confirmation of the Constitution to a subsequent Bill to be laid before Parliament, and it is only after that subsequent Bill is passed that any Constitution the least comparable with that established by Act of Parliament in Northern Ireland can be said to exist in Southern Ireland?

Mr. Speaker: The right hon. Gentleman is perfectly correct on the point of the Constitution. What I was speaking of was the responsibility. If he

will look at the Act, and particularly at the Orders in Council under the Act, he will see that the transfer is complete.

Lord Robert Cecil: This seems to be a very important Constitutional question. May I put this to you, Sir? Under the Act we passed, powers were given to the Government to issue certain Orders in Council, and, if I recollect rightly, they have power, by subsequent Orders in Council, to vary those Orders in Council. Therefore, does not the Government still have under its administrative jurisdiction control of the state of things in Southern Ireland, and are they not, therefore, responsible to Parliament for the way they execute that?

Mr. Speaker: I think they had responsibility up to the 31st March. If the right hon. and learned Member will look at the Act, and the Orders in Council which necessarily followed upon the Act, he will see that what I have stated is quite correct.

Lord R. Cecil: I am afraid I did not make my point clear. My point was that the Government have the right, under the Act, to issue fresh Orders in Council to modify the Orders in Council they have issued. Therefore, administratively they are still in control of the situation in Southern Ireland.

Mr. Speaker: I doubt that very much. I doubt whether the Government could recall the Orders in Council.

Mr. Inskip: On a point of Order. May I ask whether the result of your ruling is that the state of Ireland may be as bad as it is possible to conceive, but it will not be open to hon. Members to ask a question as to whether the Government are going to intervene?

Mr. J. Jones: Before you answer that question, Sir, I want to ask whether the same conditions apply to the Northern Parliament as are now being suggested to apply to the Southern Parliament?

Mr. Speaker: The House will recollect that for several months I was pressed continually by Members on events happening, in Northern Ireland—in Belfast. All I am doing is to apply exactly the same treatment to the one as to the other.

Mr. Devlin: Is it not much more competent for this House to discuss the affairs of Northern Ireland than of Southern Ireland, because this Parliament still controls many of the services in Northern Ireland, and Members come here?

Mr. Speaker: That is so. In so far as there is a difference between Northern and Southern Ireland, the transfer is more complete in the case of Southern Ireland than it has been in the case of Northern Ireland.

(Hansard, House of Commons Debates, 4 May 1922).

So, having refused to recognise the legitimacy of the Dail, and failing to destroy that body's capacity to function as the expression of the people's will, the British were compelled to accommodate the

situation in some way. This was done through the creation of a legal device that was based on the pretence that it was its own *Government of Ireland Act* which brought a separate governing structure in the South of Ireland into existence. The problem of course was that the British Government, through the *Government of Ireland Act*, may have done 'what it said on the tin' when applied to the north of Ireland—i.e. established the physical entity which was given legitimacy and authority by dint of legislation passed at Westminster—that same legislation was not the formative element in the emergence of the authority behind the physical entity of what had become the functioning authority in the context of the south of Ireland. While the overweening state authority of Westminster continued to exert physical control over the entity its *Government of Ireland Act* had brought into existence in the North of Ireland, it could not exert similar control over the entity in the South of Ireland as that entity pre-existed the *Government of Ireland Act*.

However, for the sake of constitutional and political consistency Westminster was compelled to pretend that in legal terms they both had gained their legitimacy by the same mechanism. But, while this was all well and good in the realms of abstract constitutional law, the point at which constitutional law touched the functioning society in April 1922 provided the real test of its organic relationship with that society and in this regard the Westminster claims fell at the first hurdle. The incident at Alexander Dickson & Sons showed the limits of Westminster's legal reach despite the constitutional pretence of its *Government of Ireland Act*.

At the time of this debate in the House of Commons Michael Collins, in an effort to ensure that the situation would not degenerate into a full-scale military confrontation, had been making progress towards an accommodation between the pro-Treaty forces and anti-Treaty IRA. However, the following month all of this came to naught as a result of the pressure exerted on him by the British Government. The assassination of Sir Henry Hughes Wilson in London in June 1922 brought a demand from the British that Collins take on the anti-Treaty forces militarily. Despite the fact that there was strong evidence that the assassination of Wilson was done at the behest of Collins in retaliation for the anti-Catholic excesses of the Stormont Special Constabulary (Wilson had been security adviser to the Northern Ireland Government), the British choose to make out that the anti-Treaty forces were responsible and they made it plain that, unless Collins dealt with the situation the British Army, of which significant forces

still remained in the country, would intervene.

The end result of all of this was that in late June Collins authorised the pro-Treaty

National Army, to attack and dislodge the anti-Treaty forces held up in the Four Courts. Thus began what came to be known as the Civil War.

Eamon Dyas

Armenians in WW1

Roger Casement, Denialist!

Roger Casement wrote on 11th October 1915:

"A fresh 'Armenian Massacre' having been deftly provoked by a conspiracy engineered from the British Embassy at Constantinople, whereby English arms, money and uniforms, were to be furnished to the Armenians on condition that they rose against the Turkish Government, England now turns to the humanitarian impulse of the American people to secure a fresh sword against Turkey. America is being stirred with tales of horror against the Turks—with appeals to American manhood on behalf of a tortured and outraged people. The plan was born in the (British) Foreign Office; and the agency for carrying through the conspiracy against Turkish sovereignty in Armenia was Sir Louis Mallet, the late British Ambassador at Constantinople" (published on 18 October 1915 in *The Continental Times*).

This statement (recently discovered by Jack Lane) makes Casement, with his impeccable humanitarian credentials, one of the first, if not the first, "denialist".

So why was Casement—the great humanitarian, exposé of genocidal behaviour of "gallant, little Belgium" against African natives in the Congo and abuses of the rubber plantation workers in South America—so dismissive of the Armenians in 1915?

During the Summer of 1915 US newspapers began to be deluged by reports of Turkish and Kurdish massacres of Armenians. Claims of half a million deaths appeared even at this stage. It was in response to these reports that Casement was writing his condemnation of Britain and Ambassador Mallet for what was happening to the Armenians.

Casement was an insider and knew the direction of British Foreign Policy and where it was leading. From 1906 he began discouraging Irish recruiting to the British Army whilst still working for the Imperial State.

Perhaps he did not know that substantial amounts of weaponry began to be filtered through to Armenian revolutionary groups in Ottoman territory from the time of the British/Russian understanding of 1907. This agreement, which partitioned Persia/Iran among the two Powers, was meant on

the British side to prepare the ground for the "*Russian Steamroller*" to be employed against Germany in a future war.

It was part of the encirclement of Germany, closing off a large land area that Royal Navy Blockade was incapable of reaching. It culminated in the *Constantinople Agreement* of 1915 by which the Tsar was to be rewarded with his heart's desire—Istanbul—for the lend of his army and the keeping of it in the field against Germany.

From 1907 onwards the Russians prepared the Armenian revolutionaries as a fifth column which was to support the future invasion of Ottoman territories—which in 1915 became permissible with England as an ally rather than an enemy blocking any Russian advance. (The traditional British Foreign Policy had been expressed in the famous chorus: "*The Russians Shall Not Have Constantinople!*")

The *Times* obituary of 10th August 1936 for Ambassador Louis du Pan Mallet says that his appointment by Edward Grey in 1913 came as a great shock:

"The appointment caused no little surprise, as it had been expected that it would be given to a member of the Diplomatic Corps with experience of Constantinople. Conditions in Turkey had greatly changed in the past 15 years. British influence had waned, while that of Germany had increased to the point of dominance. The Secretary of State considered it wise to have an Ambassador in Constantinople without prepossessions derived from former experience there. Mallet had wide experience of foreign politics in general; and, in Sir Edward Grey's opinion, a special knowledge of the problems to be dealt with by a British Ambassador to the Porte."

Ambassador to Constantinople Louis Mallet was a duplicitous servant of the British State where duplicity was absolutely essential, in Istanbul. The British State was playing a double game with Istanbul, contributing to its defences, whilst making spying surveys of them, making a naval alliance and having control of the supply of its ships, pretending to be fast friends whilst plotting with the Tsar to hand over Constantinople to him, and helping with policing and order in Eastern Anatolia whilst knowing what use was planned for

the Armenian revolutionaries there.

Casement knew Ambassador Mallet and there was a series of letters between the two men a few years before the Great War. It was in this period that Casement formed his understanding that there was something rotten at the heart of the Imperial State he served. Casement realised that there was going to be a Great War because the people he worked with in the British State were organising one. They had detailed plans in place and in the public sphere all the indications were there of preparation of public consciousness.

Liberals did not want to see it, particularly because it was their men—Asquith, Grey, Haldane, Churchill etc.—who were organising it within the Committee of Imperial Defence, along with the Unionists who were threatening civil war against the Government over Irish Home Rule. But Casement, the insider, knew it. He perceived it, warned of it and he was proved correct.

With this in mind Casement had not only to be killed off but his reputation had to be destroyed. He was too clever by half.

In a review of US Ambassador Morgenthau's *Story* (memoirs) in 1919, *The Spectator*, as well as crediting the US Ambassador Morgenthau for facilitating embroiling Turkey into the War also described the role of Ambassador Mallet in the proceedings:

"The governing fact of the situation with which the Entente Ambassadors... had to deal was the entry of the 'Goeben' and 'Breslau' into the Dardanelles, which British naval dispositions had failed to foresee, prevent, or follow up; for which the Ambassadors were not responsible (Sir Louis Mallet indeed only returned to his post after it had happened); and which Ille Morgenthau appears to have facilitated (through information given to the German authorities by his daughter on her arrival just before the German cruisers appeared) without probably fully realising at the moment the decisive importance of this event (pp. 44-45). Reflecting upon it, however, he justly observes: 'I doubt if any two ships have exercised a greater influence upon history than these two German cruisers', and adds that 'their passage through the Straits made it inevitable that Turkey should join her forces with Germany's when the proper moment came'. No one more fully and instantly realised this truth than Sir Louis Mallet, who over and over again, in his telegraphic reports to the Foreign Office, repeated his conviction that 'Germany had obtained complete control at Constantinople', and that the Dardanelles, Constantinople, and the Bosphorus were in course of becoming 'nothing more or less than a sort of German

enclave'; and who told the Grand Vizier that 'Constantinople and the neighbourhood were an armed German camp', and that 'we all, including his Highness, were at the mercy of Liman Pasha and the Minister of War' (Cd. 7628 of 1914, pp. 14, 15, 28, he)" (*Spectator* 11.1.1919).

Ambassador Morgenthau's book, of course, is a central piece of evidence in the Armenian lobby's case against the Ottomans. It purports to be a diary of events but comparison between the original diary, and the published book has shown the latter to be a piece of propaganda and embroidered fiction. However, if the *Spectator* is correct and the US Ambassador was indeed a facilitator of the War on the Ottomans then he was an author of the later Armenian event, since no War/no Genocide, surely. As to whether he was unwitting; was there really a chance that a Zionist did not want the Ottoman Empire carved up and not be consciously working for it?

Ambassador Mallet mysteriously went "on leave" during a most crucial time in the Summer of 1914. He got 'off-side' in English parlance. This was the July/August period in which it was well known in England that the Germans would desperately seek out the Ottomans as allies to break their isolation. It was known that Enver Pasha had concluded that the Ottoman policy of neutrality would ultimately prove impossible with the Imperialist thieves mustering around the Ottoman territories, jemmies in hand. A defensive alliance was a distinct possibility. Did Britain want to go to war with the Ottomans as well as the Germans?

The British constructed a diplomatic record to serve the purpose of what their real objective was. That record demanded Germany and the Ottomans be placed in the wrong. Provocations, which in themselves were causes of war, were made on the Turks, such as the seizing of their battleships—which had been paid for by popular subscription—in British shipyards. Churchill also blockaded the Straits, cutting Istanbul off from the Mediterranean. And there was the mysterious shepherding of the Goeben and Breslau battleships into the Straits by the Royal Navy, a move intended to compromise Turkish neutrality. Margot Asquith noted in her diary the astonishment in London at the incompetence of the "pursuing" Royal Navy which, whilst controlling the Mediterranean, "lost" the German ships. Incompetence or design?

Ambassador Mallet was allowed to

leave his post at this most crucial time, when prominent, but gullible people, in England were decrying the fact that Britain, friend of the Young Turks, was losing them as allies because of atrocious diplomacy. He was not there during Churchill's provocative breaking of the naval alliance, only returning to Istanbul a month after the British Declaration of War on Germany, when all the important events had occurred that sealed the destiny of the Ottomans. As Admiral Fisher put it in his Memoir: "*We kick their arses but they still love us!*"

And yet the Ambassador and the diplomats deserted their posts at the vital hour, when all logic said their efforts were most needed as the Germans intrigued, as only Germans could intrigue! (As we know, Germans make very bad intriguers. They are far too straight a people to be good at subterfuge. And we know who the greatest intriguers in the world are, with centuries of practice and success.)

Upon Mallet's return to his post, he reported to Edward Grey that there was "*a renewal of the insurrectionary activities of the non-Turkish races*" which would precipitate Russian invasion in the East. He noted that the Armenian revolutionaries were heavily armed right across the Six Vilayets they claimed (though being in a small minority numerically) and in Adana, and would be able to take the leadership of the Armenian community in the coming situation.

It appears that Ambassador Mallet's role was to keep Turkey sweet—and neutral—until it suited Britain to wage War on the Ottomans. He advised the Russians on September 3rd, two months before the British Declaration of War on the Ottomans, not "*to raise the question of the partition of Turkey at the present time*".

War had to be declared and wages in the end, so that the Tsar would believe he could acquire Constantinople and to keep his armies fighting Germans and Austrians, to maintain the possibility of receiving this prize. It was reported that the Grand Vizier (Ottoman first minister) sobbed in despair to Ambassador Mallet: "*Ne me lachez pas!*" when the British representative left Constantinople a few days before the British Declaration of War on the Ottomans on November 5th. Mission accomplished!

It is unsurprising that Casement, knowing all that he did, took Ambassador Mallet to be a conspirator in the destruction of

* Do not abandon me.

Ottoman Turkey and a collaborator with the Armenian revolutionaries, who were being armed and organised by the Tsar. Mallet could not possibly have been above all that was happening in the background, unless he was a complete and willing dupe of the British Foreign Office, cultivating a friendship with the Ottomans as a decent English gentleman who knew nothing.

The *Continental Times* was a publication very popular among German-Americans and Irish Americans. It cut through the War Propaganda with which the British were deluging the US at the time. At the outset of the War the Royal Navy cut the underseas cables that brought news to the US from Europe (as well as the diplomatic cables).

The British then took control of the news agencies to establish a monopoly of information to America. Wellington House was established as a Propaganda Department with the cream of British academia and *literati* doing their duty, supposedly writing independently, to propagate the British view of the War—which, of course, was not the real view of Britain. And so many countries joined in the Great War for Civilisation, the War to end all Wars etc. only to find they had been duped by very gentlemanly and intelligent fraudsters.

It is ironic that Casement's exposure was published in a German newspaper, owned in Berlin, given the German Parliament's 2016 decision to endorse the idea of a Turkish Genocide of Armenians. Germans had been the first denialists along with Casement?

Today, the Armenian lobby is starting to suffer its first defeats, most recently in Hungary. It presumed it could march forward irresistibly, gathering up the gullible in political resolutions of parliaments. It depended on humanitarian platitudes, devoid of historical context, platitudes which have been recently exposed as nothing but instruments of destabilisation in the world.

But the people are back! And the people tend to see the world in more simple terms than their Western liberal elite. And the Turkish position about 1915 is understandable to those who are seeing the realities of states and their stability. After all, the world has seen what has happened in recent years in Iraq, Syria and Libya, and Europe has been flooded with those who have been forcibly migrated by humanitarian wars, or wars waged on the basis of humanitarian sentiment by the West. It is no wonder that the tide has

turned against the Armenian lobby through the dash of reality that it has been drenched with.

Liberals are now blaming US identity politics for the reverses they are suffering. The Armenian lobby is the ultimate form of identity politics that has led the West astray into its existential crisis. It has bound a group together on the basis of a political campaign which is entirely negative and dysfunctional and generally debilitating as politics. The word "*Armenian*" cannot be typed into Google without the word "*Genocide*" appearing next to it, even though nothing of the sort exists in the sphere where it counts, Law. A people have been defined without reference to reality.

Casement had a good understanding of these things. He knew that the Armenians were a mere instrument of Imperial conquest in 1914. For decades he had heard the substance of Britain tell them to behave themselves because of their hopeless position, a scattered minority everywhere, sprinkled across the Ottoman territories. Lord Salisbury had told them that the Royal Navy, powerful as it was, could not traverse the Taurus Mountains. And he had presumably heard George Curzon accuse the moralising Liberals of "*Fatal Philanthropy*" as they instigated the Armenians into insurrection. The Bulgarian template was tempting but ultimately fatal if applied to the Armenians, given their very different circumstances. And so it proved.

But in August 1914 the Balance of Power men and the Liberal moralists joined together for war-mongering and the moralists blew the trumpets to summon the cannon-fodder to England's cause.

Casement had been an associate of Lord Bryce of *Blue Book* fame in humanitarian work for the Empire. They were both Ulster Protestants of sorts. But, whilst Bryce was the academic *poseur*, Casement was the genuine article, getting his hands dirty on the scene of real genocides and reporting on them. He saw how his reports were used by the British State, however: their behaviour in the Congo being held as a threat over them, one that could be used if they consented to a German traverse of their territory. That surely made Casement think about the relationship between humanitarianism and *realpolitik*.

When Casement saw Bryce lend his services to the Propaganda Department in 1914-16 he described him as a prostitute.

This was a rather unfair comparison to make and deeply offensive to honest prostitutes. Casement described the work Bryce was doing, in describing German and Turkish atrocities on behalf of the War effort, as fraudulent. From the quotation in *The Continental Times* it is apparent that Casement realised that Britain was engaged in intentionally creating the conditions within which atrocities were bound to occur and then using them, through its sentimental moralists, to help create a feel-good atmosphere about the killing-fest it had organised across the world. In all this the Armenians did not matter one jot. They were only useful as cannon-fodder and atrocity-fodder. The more that suffered and died, the better for the War effort.

The Armenian lobby now stays silent about Britain's role in what happened to Armenians. Is it so important to achieving the magic word to be such denialists about historical fact? That surely undermines their credibility as serious seekers of the truth if they are prepared to ignore such an important factor in their own destruction to achieve a victory over the Turks. It is a sad affair indeed.

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A final word needs to be said about the historical position of Irish Republicanism. I have yet to find a Republican of the time who was supportive of the Armenians during the Great War. Any Republicans that spoke about or acted upon the Great War on the Ottomans were entirely pro-Turk in their attitude. The pro-Imperialist Redmondites were, to a man, pro-Armenian, and one of the most famous, T.P. O'Connor, was not only a prominent campaigner for an Armenian state but was also the person who suggested to Charles Masterman the need for the propaganda department that became Wellington House.

There are references to the plight of the Armenians by Priests in the North after the Pogroms against Catholics in Belfast. The Priests were supporters of Joe Devlin and John Redmond and had help recruit Irish cannon fodder for the British Army and Imperialist War. They were aggrieved that the loyal Catholics of West Belfast were treated so despicably by the loyal Protestants of Ulster having done their Imperial duty.

This must be where the current Sinn Fein policy comes from, rather than from Roger Casement and the Irish Republican tradition.

Pat Walsh

Irish Political Review Group

Last month *Irish Political Review* carried a letter from *the Irish Political Review Group* to the *Irish Times*. Below is a response to that letter, along with a further letter, which was not published.

Prof. John O'Brennan, Jean Monnet Chair of European Integration, Maynooth University:

Too close to Britain in Brexit debate?

Dave Alvey (Letters, December 5th) claims that the ability of the Government to respond to the multiple challenges presented by Brexit is weakened by too close a friendship with the United Kingdom.

By implication he suggests Ireland will struggle to have its own interests and prerogatives recognised in the Brexit negotiations once (if?) British prime minister Theresa May triggers article 50.

But far from being viewed as a surrogate of the UK, Ireland charts a completely independent course in Brussels.

That we enjoy a very positive relationship with the United Kingdom is surely something most reasonable people will applaud.

One of the great paradoxes thrown up by our membership of the European Union since 1973 is that, as our economic dependence on the UK reduced very significantly, the political relationship deepened appreciably. The relations of trust forged in the margins of the Council of Ministers in Brussels constituted one important element which facilitated rapprochement.

The enactment of the Good Friday Agreement in 1998 enhanced the relationship further.

Arguably, from an early stage in the 1970s, Irish officials learned to "play the European game" much better than their UK counterparts and, as a consequence, developed a reputation for collegiality which British officials never enjoyed.

Through all this time Irish representatives in Brussels sought determinedly to pursue purely Irish positions independent of the UK.

Irish and British interests converge around Northern Ireland in particular and it is only right that Dublin co-operates as closely as possible with London to achieve the best possible outcome for the people of this island. (*Irish Times*, 12.12.16)

The following response was not published:

Professor John O'Brennan (Letters, December 12th) seeks to shroud the weakness of the Government's Brexit strategy in a fog of ambivalent reasonableness.

The blunt truth is that the Government has failed to adequately alter course from the overly close alignment with the UK that marked its strategy during the referendum campaign.

This failure is most recently evidenced by an extraordinary statement in the Dail from Minister Simon Coveney that Ireland will be neutral as between the UK and the EU in the Brexit negotiations ('State will not take sides in UK-EU Brexit talks, says Coveney', 8th December). How can a member of the EU be neutral in a confrontation between the EU and an anti-EU former member?

The Irish response to Brexit begs a question regarding the Government and those members of the academic community who like Professor O'Brennan actively support the current strategy. It is this: given the zeal with which they have embraced the closer relationship with Britain of recent years, how much can they be trusted to sustain an independent voice for the Irish State in a post-Brexit EU?

Dave Alvey

Irish Political Review Group (Unpublished)

FURTHER REMARKS:

Fine Gael MEP Mairead McGuinness has failed to win the nomination of the EPP group to be its candidate for President of the European Parliament. In an article in the *Irish Times* she was reported by Suzanne Lynch as having a good prospect of getting the nomination. The article was published on November 24th.

Towards the end of the article Lynch states:

"Some EU sources suggest McGuinness's nationality could go against her, given the perception in some member states that Ireland is too close to Britain at a time when Britain's exit negotiations top the EU agenda" (<http://www.irishtimes.com/news/world/europe/mairead-mcguinness-well-placed-to-lead-european-parliament-1.2880786>).

McGuinness got 57 votes. An Italian, Antonio Tajani won the nomination with 94 votes.

Irish interests in the Brexit negotiations will suffer because of the entirely justified perception that Ireland is too close to Britain.

Foreign Minister Flanagan has criticised the British Government along the same lines as the British *Remainers*. The Irish appendage wants its main body to publicly commit to a definite strategy in advance of the negotiations. This is foreign policy without any anchor in historical understanding or historical tradition. (See: <http://www.irishtimes.com/news/politics/minister-criticises-british-government-over-brexit-strategy-1.2916819>)

Taoiseach Kenny seems determined to hold on to power so he can keep up the ill-conceived strategy of keeping close to Britain under the illusion that it will somehow lead to a united Ireland. In the unlikely event that the strategy finds success it will sink the Irish question into a swamp of misunderstanding and distrust. (See: <http://www.irishtimes.com/news/politics/enda-kenny-refuses-to-rule-out-leading-fg-into-next-election-1.2916723>)

An interesting aspect of all this is what position will Fianna Fail take.

Dave Alvey

Does
It
Up

Stack
?

**GENERAL TOM BARRY
ANNUAL COMMEMORATION AT
FITZGERALD'S PARK, CORK 2016**

On Saturday 26th November, 2016, the General Tom Barry National Commemoration Committee held this year's event at the General Tom Barry Monument at Fitzgerald's Park, Mardyke at 2.30pm. On a cold dry Winter's day about one hundred people turned out to honour this great Irish patriot as he was referred to by the Chairman of the Committee, Séamus Lantry. The City of Cork was represented by the Lord Mayor of Cork, Cllr. Des Cahill, Fine Gael, who made a brief introductory speech. The Chairman then introduced Liadh Ni Riada, MEP, Sinn Féin, to give the Oration. The following is her speech:

"A cháirde,

Today we remember and honour a great Irish patriot.

Now you would not normally hear a Cork Sinn Féiner extolling the virtues of a former British soldier who was the son of a Royal Irish Constabulary (RIC) and a Kerry man to boot. But there was nothing normal about Tom Barry. If there was one word to describe him it would be *"exceptional"*.

He was a fearless guerrilla fighter, an outstanding military tactician and as a leader of men he inspired the most unwavering trust and loyalty. When the British demanded that Barry be handed over as a prerequisite to any truce negotiations, Michael Collins, a man he would later go to war with, flatly refused.

Tomorrow we will mark the 96th anniversary of the Kilmichael Ambush, a turning point in the War of Independence, masterminded by Barry and carried out by his fabled flying column, but today I would like to speak about the man himself. When speaking about any of the great Irish patriots who have left us, it is easy to get wrapped up in what they did rather than who they were. Yes; Tom Barry was a legendary revolutionary but he was first and foremost a beloved son, a brother to 13 siblings and a devoted husband.

His wife, Leslie de Barra, nee Price

was an extraordinary woman in her own right. She was stationed in the GPO during Easter Week where she carried messages and ammunition between the main rebel buildings; a perilous task. When Captain Thomas Weafer was shot standing beside her and the volunteer who ran to his aid was also shot, Leslie immediately went to their aid as well even if all she could do at that stage was whisper a prayer—an act of contrition—in their ears as they died. Undeterred by her brush with death, she would go on to become Director of Cumann na mBan during the War of Independence.

A tireless humanitarian, she established the anti-hunger charity *Gorta* and went on to become President of the Irish Red Cross, being awarded the Henry Dunant Medal in 1979, the highest honour of the global Red Cross Movement.

She and her husband were well matched.

Portrayed as a bloodthirsty murderer in the press, a salacious lie that shamefully continues to be peddled by certain revisionist commentators today, Barry was actually a deeply sensitive and religious man. While his book *'Guerrilla Days in Ireland'* gave stunning first hand accounts of the exploits of his Flying Column during the War of Independence, he rarely spoke of his experiences during the Civil War; the memories of comrades set against comrades were too painful to recall.

Nor did he ever seek to glorify his actions. When one journalist asked him about the *"glory days"* of the IRA he replied: *"There is no such thing. You fight because you have to and you do the best you can—that's what we did."*

He was a man who valued honesty. He spoke frankly and plainly about others and himself. When referring to his time in the British Army during World War 1 at just 17 years of age he said: *"I cannot plead I went on the advice of John Redmond or any other politician. I was not influenced by the lurid appeal to fight to save Belgium or small nations. I knew nothing about nations, large or small. I went to the war for no other reason than that I wanted to see what war was like. Above all I went because I knew no Irish history and had no national consciousness."*

However, even as he fought in Mesopotamia in a British uniform, he was beginning to develop a national consciousness. The British had recognised Barry's skills as a soldier and promoted him to the rank of Corporal but, upon hearing of the Easter Rising in Dublin and the execution of its leaders, he rejected the rank and dropped himself back down to Gunner in protest. By the time Barry joined the Third Cork Brigade after returning to Ireland, they had already been fighting for over a year. However, he quickly rose through the ranks of the Brigade and under his tutelage they gave new impetus to the IRA across the country.

With no more than 310 men under his command he made Cork unconquerable for the British, despite the 12,500 troops they poured into the area. When the Treaty was signed he strongly opposed it, along with the majority of IRA volunteers, citing the partition of the country as his main reason. He continued to oppose partition for the rest of his life, viewing it as a heinous betrayal of the Irish Republic and the Irish people. In 1949, he addressed huge crowds in New York, Chicago, Pittsburgh and Boston telling them: *"My one aim is to unite the Irish people"*.

Despite the deep divisions caused by the Civil War, Tom Barry is one of those remarkable figures that still unites people. All shades of republicans view him as a principled, honourable and heroic freedom fighter. And all shades of republicans still aspire, or claim to aspire, to Barry's lifelong dream of a reunified Ireland. But as with the War of Independence, aspirations are not enough, actions are required.

This week Sinn Féin has launched a series of campaigns on our vision for a united Ireland. They cover a broad range of issues, from the price of partition and the economic possibilities opened up by reunification to our proposals on national reconciliation and an all-Ireland health service, free at the point of delivery. On Monday, we will publish a discussion document based on these campaigns and more entitled *'Towards a United Ireland'*. The document will outline the case for unity and show that a united Ireland by definition must be a new Ireland. It is more than the sum of its parts.

The document highlights that a new, united Ireland makes sense in terms of economy, reconciliation, inclusion and equality, public services, investment and exports, agriculture and agri-foods, policing and justice and even sports. While the document highlights the case for unity the type of new Ireland we build is still very much up for discussion and debate. Reunification is not, indeed cannot, be the responsibility of Sinn Féin alone. If we mean to build a new Ireland for all of its people then we all have a responsibility to plan, to act and to deliver unity. So to those who have yet to get involved in the discussion on reunification, I say now is the time to make your voice heard.

To those hard working activists in other parties, now is the time to play a meaningful role in the discussion that will shape a new Ireland. To our Unionists brothers and sisters, I say your input is as essential as everyone else's. Take part in the conversation, even from an opposing point of view. Share with us your hopes, concerns and ideas and we will share with you our vision of a fair, free and progressive country that cherishes all the children of the nation equally.

It is just and right that men like Tom Barry are remembered and honoured, even if he personally would have rejected the notion that he did anything other than his duty. But what would Tom Barry say if he were here today; to see his country still divided and the bitter divisions of the Civil War that broke his heart still prevalent? What would he, by all accounts a modest and humble man, make of a gathering like this?

Would he want such a broad body of his fellow countrymen and women to devote such potential and energy to eulogising him or would he urge you to look to the future, get involved and get to work building the republic he dreamed of?

Tom Barry died in July of 1980 at 83 years of age in Mercy Hospital, Cork still inspiring generations of freedom fighters. 250 miles away, naked and locked in a filthy six by six foot cell, 27 year old Bobby Sands, who would face death himself less than a year later, drew strength from Barry's example, composing on toilet paper with a smuggled pencil the ode:

Tom Barry.

In the southern realms of Munster world,
The humble whin bush sway,
Shedding yellow tears like child
For a legend passing away.

And they blow down lanes of time gone by,
O'er Crossbarry and Kilmichael grave,
And resurrect a battle cry,
'With Barry, boys be brave!'

And we prayed tonight for Barry's rest,
Would Barry e'er be free
As he tramps across old Munster's breast,
To blind eternity.

And in darkened shadows, 'neath prison bars,
The hags of torture wave,
But we hear a voice that is ours,
'With Barry, boys be brave!'

As the poetic words of Bobby Sands mourning the death of General Tom Barry flew out over the hushed crowd, a deep stillness—almost uncanny—hung over all those who were there.

HENDERSON concluded

Jews were British subjects of the Jewish faith, and he stamped on any attempt to treat them otherwise.

Then in 1945 he found that he was expected to erect this religion into a state, riding roughshod over another people in the process. What the anti-Semites had been condemned for saying—that the Jews were not merely a religion but were also a nation in their own right, with separate national interests—had been true. The new meaning of anti-Semitism was denial of the separate nationality of Jews, and denial that Palestine was their national territory, though they had abandoned it two thousand years ago, and that other nations had an obligation to put them back in possession of it, using whatever means were necessary.

Seventy years later Protestantism in Britain is in serious decline and the number of Labour Party members who see Zionist activity in Palestine under the glow of the Books of Deuteronomy and Joshua is in serious decline. Although Bevin's influence was wiped out in the early fifties by Crossman, Bevan etc., many members now see the Palestinians situation as he saw it. And they are condemned as anti-Semites. And a Party Committee has drawn up a definition of anti-Semitism which makes any attempt at a realistic history of the formation of the state of Israel anti-Semitic.

The Chairman then introduced the wreath-laying ceremony. Wreaths were laid in honour of General Tom Barry, Leslie Price, Bean de Barra, and all the members of the Third West Cork Brigade. Then Monsignor O'Callaghan stepped forward and recited a decade of the Rosary as *Gaelge*, followed by Séan Kelleher singing with all there that great ballad '*The Third West Cork Brigade*'. This was followed by the Piper, John Madden playing a lament. Then the Chairman Séamus Lantry thanked everyone for attending including the Lord Mayor, and invited everyone present to go for soup and sandwiches to Canty's Bar in Pembroke Street, Cork.

Michael Stack ©

There will be a report of the Commemoration of the Battle of Kilmichael held on Sunday 27th November 2016 with the oration again by Liadh ni Riada in next month's issue of the *Irish Political Review*..

The present condition of the British Labour Party—with the Parliamentary Party in rebellion against the Party membership which it holds in contempt—can be seen as being in line with its almost accidental founding by Henderson's *coup* one hundred years ago, and its five years of outstanding achievement that came about through Churchill's appointment of a Trade Union boss in a billion to run the country for him during his War. It is not a Party that came to power and achievement through steady political growth. It is the product of two exceptional political operators, both of whom have been all but forgotten by it.

The Labour Party is a product of opportunist construction. The *New Statesman* did not approve of Henderson's seizing of the opportunity that he saw for breaking up the great obstacle in the way of a Labour breakthrough—the Liberal Party. But what could any real politician do when he sees an opportunity but seize it?

About eighty years later Tony Blair and a couple of his close colleagues began to see Henderson's cutting of the umbilical cords tying Labour to the Liberal Party as a great tragedy for the Socialist movement—or the *Radical movement*, as he put it. He would have liked to reunite the two Parties under Liberal hegemony. And, insofar, as his heirs in the Parliamentary Labour Party can be said to have minds, that notion seems to be what's in them.

HENDERSON contin-

Labour adopted the Zionist project enthusiastically. It was adopted by a succession of Labour Conferences in the decades between the Wars.

The great socialist reform of the 1945 Labour Government was not a product of the growth in power and political acumen of the Parliamentary Party during the years between the Wars. It was the achievement of Trade-Union boss, Ernest Bevin, who had built up the power of the Transport & General Workers' Union and given it political orientation while the Parliamentary Party was drifting and subordinating itself to the Tories in the 'National Government' of the 1930s.

When the National Government suddenly declared war on Nazi Germany in 1939—after collaborating with it actively since 1934 and building it up into a major Power—it prosecuted the war half-heartedly for eight months, waiting for Germany to respond. When Germany eventually responded in May 1940 it quickly defeated the French Army and the small British Expeditionary Force. Churchill was then made Prime Minister. (It is unlikely that he would have been made Prime Minister in any other circumstances.) and he put Bevin in his Cabinet, although Bevin was not then an MP, and had never been an MP.

For the next five years Bevin governed Britain domestically while Churchill dealt with foreign affairs. As Minister for Labour he mobilised the economy and society for the continuation of the war. He did enter Parliament, but he tended to treat it much as he had treated his Union Conference. The Parliamentary Labour Party—which had become very, very Parliamentary—harassed him throughout the War. But it was because of the impression he made on society in general that Labour won its great victory in 1945—and put into effect reforms on lines developed by Bevin.

But Bevin was ousted from domestic British politics in 1945 by Attlee—allegedly because the King was rootedly hostile to him.

He was made Foreign Secretary, and had to deal with a world situation in which Britain's grip on the Empire was beginning to crumble, chiefly because of Churchill's war policies.

Churchill had supported the aggressive American policy against Japan, which

had acted as protector of Britain's Asian Empire in the 1st World War. When Japan responded by attacking part of the American Navy at Pearl Harbour (in the mid-Pacific), it swept away most of Britain's Asian Empire at the same time, giving encouragement to Asian national movements. Then in 1945 Bevin was allocated the dirty work of trying to hold the subverted Empire together, instead of supervising the construction at home of the Welfare State of which he had laid the foundations.

But there was one piece of dirty work that he would not carry through—the final implementation of the Balfour Declaration. The job of carrying out a mass Jewish colonisation of Palestine, basing a Jewish state on it, and suppressing the native population of Palestine so that this could be done, was too similar to what the Germans had recently been doing in Eastern Europe for him to undertake it. He refused to do it—and he was branded an anti-Semite for his refusal. And, when a Jewish 'national independence' war was launched in Palestine, waged by unrestrained terrorist methods, and British military force was used against it, he began to be compared with Himmler.

His lieutenant at the Foreign Office, Left Labour MP Richard Crossman, became a fanatical Zionist and acted against him. And Crossman was of the opinion that it was Britain's obligation, as the Imperial Power which had launched the project of imposing a Jewish colony and state on Palestine, to carry out the ethnic cleansing of the native Palestinians that was needed for the realisation of the project.

Bevin would not carry through the project, and he could not abort it. Zionist bias was built into Labour Party politics. So he washed his hands of it by referring it to the General Assembly of the United Nations, which decided (under the combined influence of the United States and the Soviet Union) to divide Palestine into areas for a Jewish state and a Palestinian state, awarding the greater part for the Jewish state, even though Jews—after a generation of British-protected colonisation—were still very much in the minority.

The General Assembly gave the green light to the Zionist movement, but it could not supervise the development it had authorised as it had no Executive authority.

Zionist expansion beyond the territories awarded by the UN began instantly, and

Jewish conquest of the whole of Palestine was prevented only when the Labour Government sent its "*Arab Legion*" in Jordan into action to restrict it. And there was extensive Jewish ethnic cleansing of the very large Palestinian minority within the borders of the territory awarded by the UN for the Jewish state.

There is little to be said for Bevin's policy of washing Britain's hands of responsibility for the final enactment in 1945 of the policy set in motion by Henderson's Lloyd George/Carson Coalition of 1917. The effect was to give Zionism a free hand against the Palestinians with American/Russian support.

Henderson was political quadruped. He was a Methodist, an active Trade Union leader, and an active Liberal politician until he came to the conclusion, rather reluctantly, that there was a working class interest that could not be realised under Liberal Party hegemony and he became a kind of Socialist. He had a foot in all camps and that was what enabled him to do what he did in 1916-1918.

Somebody said that British Labour was Methodist rather than Marxist in its cultural and ideological sources. And that of course gave it an Old Testament Zionist predisposition, which it shared with Lloyd George. And that made the unthinking adoption of the Balfour Manifesto the most natural thing in the world for it. But Bevin had nothing of the spirit of the *Book of Joshua* in him. He saw the world in secular terms, and his ideals were derived from secular interests, and, remote as he was from the spirit of Moses, he saw what the Balfour Declaration involved in human terms, and he refused to be involved in the doing of it. He was therefore branded an anti-Semite—and that branding helped to ensure that the Labour Party did not take off on the realistic mode of working class development that he pioneered.

The meaning of "*anti-Semitism*" changed fundamentally with the working out of the Balfour Declaration. Before 1917 the view that the Jews were not merely a religious body, but were also a nationality dispersed amongst the nation-states, and therefore could not owe their primary allegiance to whatever nation-state they happened to be in, was the anti-Semitic position. And that was Bevin's understanding of anti-Semitism. He understood Judaism to be merely a religion, like the many other religions in the state.

continued on page

HENDERSON continued

"Throughout the political crisis there was remarkably little talk of a General Election. Nobody apparently is now very anxious for one. The 'elder statesmen'... do not want an election for the same reason for which they did not want one last year, namely, it would involve a totally unnecessary and undesirable distraction of the nation's energies without producing a more representative Parliament than the present. The Lloyd George-Carson party, on the other hand, who last year did want an election, are now much more doubtful on the point. At any rate, they do not any longer want the soldiers' vote, wherein we believe they are very wise... —the combination of Mr. Asquith, Viscount Grey, Mr. Balfour, Mr. Runciman and Mr. McKenna... we would venture the opinion would win very easily... And with every month that the election is delayed and the war prolonged, that result will become more certain..."

But Asquith could have gone for an Election instead of tamely conceding power to the "*Lloyd George-Carson party*", in the face of the political crisis which they concocted. Why didn't he? It was not just a matter of personal ambition operating within a stable structure of government. The political structure of Britain was at stake—as was the future of Home Rule Ireland. The rebel party of 1912-14, which had armed against an Act of Parliament, was manoeuvring its way into political dominance in Parliament with a talented Liberal opportunist as figurehead.

Perhaps it was because Asquith could not in a crisis shrug off his laid-back style of governing, summed up as "*wait and wee*". He had enabled many things to be done, rather than doing them himself by active leadership. He had been the enabler of other forces, apparently expecting that things would work out as long as he gave them cover with his pose of a lethargic Liberal grandee who was in secret complicity with the *Zeitgeist*, the Spirit of the Age.

Asquith's last major enabling act was that he enabled war on Germany to be launched. The Unionists had laid the groundwork for that War but it would have been difficult for them to deliver it against Liberal Party opposition—and the Liberal Party had one basic foreign policy idea, which was that British balance-of-power wars in Europe were a bad thing.

Asquith delivered the War by misleading the German Government about his intentions with regard to the European crisis of late July 1914, and particularly about how he saw the Belgian situation, and then, when a German Army began to march through Belgium, by launching a Crusade for the Millennium, with the help of the Irish Party, that swept the Liberal backbenches out of their senses.

He delivered the War that brought the Unionists back into the Corridors of Power in 1915, and that led to him being ousted and his party broken by "*the Lloyd George-Carson party*" in 1916.

Maybe he would have won an Election. But the crumbling of the cookie is never predictable. Even the break-up of such a set piece as a rack of snooker balls is unpredictable. Anyhow he chose not to risk it—and the Liberal Party went down the plug-hole.

When an Election was called two years later—on an electoral franchise that was democratised by the 1918 Reform Act—it was the Asquith party that was swept away. And the Labour Party rocketed into second place as Official Opposition as a consequence. Would Labour have done so well if it had not been on message with regard to the Empire in general, and Irish rebels in particular?

Henderson very easily managed the various Labour and Socialist elements and forged them into an electoral party with constituency organisation around the country, in time for the 1918 Election.

In mid-December 1916 he had his way with a joint meeting of the Labour Executive and the Labour MPs. The *Statesman* commented that this marked "*the passing of the Parliamentary Labour Party as an independent political force*" (Dec. 16).

Then Henderson managed the Party Conference in January 1917, preventing it from losing itself in the "*high politics*" of the situation and focussing it on discussion of practical arrangements for demobilisation at the end of the War and the restoration of the pre-War economy. They would live with Lloyd George for the time being and then deal with him at the proper time.

Henderson's *coup* made Lloyd George Prime Minister but deprived him of a political party, while at the same time disabling the Liberals who stayed loyal to Asquith, making them ineffective as a party. The outcome was not greatly exaggerated by the *Statesman* character-

isation of the new ruling body as "*the Lloyd George-Carson*" party. And Carson was the substance of that party.

The formal position of Labour was greatly enhanced by the *coup*. It was no longer in the Government as a marginal attachment to the Coalition of the Liberal and Unionist Parties. It became the second party in the Government while the Asquith Liberals sulked—as did their Irish allies.

Then, at the end of the War, Henderson's re-made Labour Party left the Coalition, leaving the Unionist/Lloyd George combination to win by a landslide, and gaining the privileged position of official Opposition for itself.

Labour did not grow into the Constitutional position it gained in December 1918. It was catapulted in. And then it did not quite know what to do.

The class reckoning with Lloyd George came in 1921 with the powerful Trade Union combination known as the Triple Alliance (Miners, Dockers, Railway Workers). The leaders of the Alliance went to Downing St. and made demands on him. He told them that they were the leaders of the most powerful force in the state. He commented that the Government had no power equal to theirs which he could use to meet their demands. The power of the State was puny compared with that of the three great Unions. Were they ready to use their power to take over the running of the country, and achieve their demands for themselves? If not, there was nothing he could do for them.

They could not deny that these were the facts of the case. And, as they were not prepared to make their Trade Union power the ruling power in the state, they went home.

The Lloyd George Coalition, while Labour was part of it, set in motion a colonial project which is giving today's Labour Party a great deal of bother. It went into alliance with the Zionist Organisation, and issued the Balfour Manifesto, which committed Britain to the imposition of a Jewish colony on Palestine as the basis for a Jewish State which could be used against the Arab population, to which Britain had made promises (which it had no intention of honouring) in order to make it an ally against the Turks.

The Balfour Manifesto was completely in breach of the principles for which Britain was supposed to be making war on Germany. Balfour admitted as much. But

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LABOUR

Comment

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A Neglected Centenary Arthur Henderson's 1916

Amidst all the Centenaries in this decade of Centenaries there is one that has passed altogether unnoticed, even though it has to do with an event of much greater consequence than some of those on which attention has been lavished (the killing match at the Somme for example): the decision of Arthur Henderson to put Lloyd George in Office in Britain, in collusion with the Unionist Party, splitting the Liberal Party and consigning it to the rubbish-bin of history. With the ousting of Asquith from the Prime Ministership the death-knell was rung for the Home Rule Bill—the *Home Rule Act in the Statute Book*".

Arthur Henderson is barely remembered in Britain today. He was rather well remembered in Ireland, until about a generation ago, as the English Socialist who murdered James Connolly. But orders have been given that such unpleasant things must not be remembered anymore.

Henderson was the Labour member of the War Cabinet in April/May 1916 that decided to kill the leaders of the Irish Insurrection, who had made an orderly surrender in order to prevent further civilian casualties resulting from the reckless British assault with disproportionate force, and had become Prisoners of War.

We are still reminded sometimes that in 1914 the German Social Democrats in the Reichstag voted for War Credits, thus betraying their ideals, and accepted the Kaiser's declaration of a *Burgfrieden*, a political truce, for the duration of the War. But we somehow have not quite taken in the information that the British Labour Party not only voted for the War Credits but actively joined Asquith's War Coalition in 1915 along with the Unionists.

The 1915 Coalition left the party structure of the British state intact. The

Unionists had to be brought into the Government because a General Election was due and Parliament could not continue without an Election without their consent.

The Coalition of December 1916 was different in kind. It broke the British party structure and brought the Unionist Party to effective dominance behind an opportunist Liberal upstart who became a Prime Minister without a party—Lloyd George.

That was Henderson's doing.

The *New Statesman* (Fabian Society Labour) commented at the time:

"Whether Mr. Lloyd George will succeed in forming a Government that has reasonable prospects of stability is not yet known, but it is reported as we go to press that the Labour Party has decided to join forces with him, and that being so, it is practically certain that he will take office and retain it at any rate for a period. If Labour support had been withheld, it is practically certain that Mr. Lloyd George would not have undertaken the task of governing the country, and the Coalition Government would have been reconstituted. Mr. Lloyd George was therefore no doubt justified tactically in making an extremely tempting offer to Mr. Hender-

son and his colleagues...

"Whether the Labour Members are justified in accepting the offer is another question. They had two considerations to take into account: first, whether they could best forward the national interest and the principles which they represent... by giving the support of organised labour to the new Administration; and... second, whether they could deliver the goods. The second consideration is probably the most uncertain element in the whole political situation at the moment. There was, and is, of course, a strong division of opinion in the Party itself on the subject. At the Party meeting those in favour of acceptance carried the day by a majority. Will they carry the day at the Party Conference next month, and will their decision receive throughout the Labour world the general support without which it is worthless? For our part, we should not have supposed it possible for anyone to answer these questions in the affirmative. But Mr. Henderson must be presumed to know better than we do how he stands with his own supporters, and the measure of influence which in the last resort he can exert. His choice represents at any rate a final and definite break with Liberalism which may ultimately prove of advantage to his Party. On the other hand, it seems more likely that the Party itself will be broken up: (*New Statesman*. 9 December 1916).

There was an accompanying Editorial on the subject of holding a General Election. Early in the War, when there was a Liberal Party Government with non-participating Irish Party back-bench support, the Unionist Party wanted the Election to be held when the 1910 mandate ran out, but it agreed to postponement for the duration of the War when Prime Minister Asquith agreed to take them into his Government, among with Labour. But in December 1916—

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