Establishing Democracy:

A Comparative Analysis of the Genesis and Stabilisation of Democracy in Indepedent Ireland 1918-1937.

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Ph.D. Thesis

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Thesis Abstract

This thesis consists of a comparative exploration of the sources of democratic stabilisation in independent Ireland. It asks whether comparative theories of the genesis and stabilisation of democracy explain the Irish experience of democratic stability after independence. Each chapter tests the explanatory power of a distinct theoretical approach within democratic theory. These theories can be divided into two categories : those that emphasise structural pre-conditions for democratisation and the stabilisation of democracy ; and those that emphasise the importance of elite variables in these processes. My conclusion is that the emergence of a democratic system in independent Ireland could have been predicted by macro-sociological theories of democratisation, but that the stabilisation of such a system after 1922 can be considered an example of a successful re-equilibration which occurred after the Fianna Fail party rose to power in 1932. In that process conscious democratising strategies were central. The Irish case vindicates the view that strong leadership is required for the solution of particularly intractable problems in democracies. What proved decisive was the conscious commitment of a majority of the Anti-Treaty section of the political elite to building a redesigned democratic system after the civil war. In that sense the Irish case vindicates the view that correct elite decisions and the appropriate elite values are the *sine qua non* of any stabilisation process. The stabilisation of a democratic system cannot therefore be considered an automatic product of the fact that the state had reached certain levels of socio-economic development by 1922. A high degree of modernity was a necessary but insufficient source of democratic stability. Rather a stable democratic outcome was due to the fact that the commitment of the political elites to the legitimisation of the political system by democratic means was sufficiently great for democracy to survive the crisis of the civil war and its aftermath.

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When, in January 1922, Sinn Fein, the Irish nationalist party, split in two over the terms of the Anglo-Irish Treaty that created a self-governing Irish state the previous December, Winston Churchill hastened to denounce its leadership as, 'Irish terrorists', men who were 'naturally drawn to imitate Trotsky and Lenin'.[1] In his view the Irish were, 'members of a race who have a genius for conspiracy rather than government'.[2] The claims of Irish nationalists to Home Rule had long been countered with the assertion that the Irish were entitled to but incapable of self-government. An eminent opponent of Home Rule had put it this way,

> The confidence you repose in people will depend something upon the habits they have acquired. Well, the habits the Irish have acquired are very bad. They have become habituated to the use of knives and slugs which is wholly inconsistent with the placing of unlimited confidence in them.[3]

The apparent extremism of Irish politics under the Union also convinced many in Ireland itself that an independent state would not be stable. These included previously ardent nationalists who withdrew their endorsement of Home Rule during the Land War of 1879. 'The last few years have quite cured me of the notion that either property or liberty could be safely entrusted to an Irish popular chamber.... I do not believe in democratic Home Rule.....and Home Rule which is not democratic would never be tolerated'.[4] Unionist opposition to Home Rule had been predicated on the idea that Home Rule would be 'Rome Rule'. During the Treaty negotiations of 1921 it was further argued that the Irish could not be trusted to behave fairly to its Protestant minority.[5]

The rapid disintegration of the new state into civil war only six months after independence convinced many of the accuracy of these predictions. In early July 1922, Kevin O' Higgins, a senior member of the Irish Provisional Government, described the outlook for the new state 'as unquestionably very grave'. The 'internal morale' of the country and its international reputation were 'at a very low ebb indeed'. Economically the country was 'heading straight for ruin'. The situation in the North-East, established as a separate area of administration under the terms of the Anglo-Irish Treaty of 1920, was 'drifting from bad to worse'. Murders and burnings were following each other with 'dreary monotony', and refugees were fleeing the country altogether or

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[1] T. Towey, 'The Reaction of the British Governments to the Collins-de Valera Pact', *Irish Historical Studies*, 22, no.85, (March 1980),p.69.

[2] Ibid, p.66.

[3] Lord Salisbury May 15 1886, quoted in D.G. Boyce, *Englishmen and Irish Troubles; British public opinion and the making of Irish policy 1918-22* (London, 1972), p.29.

[4] William Lecky, quoted in D. MacCartney, *Irish Democracy and its nineteenth century Irish critics* (Dublin, 1979), p.16.

[5] See F. Packenham, *Peace by Ordeal* (London, 1935, 1992).

pouring across the Irish border into counties already 'menaced with famine'.[6] The amount of casualties, mostly Roman Catholic, from sectarian violence in Belfast alone, had exceeded five hundred in the eighteen months of Northern Ireland's existence. On February 3 1922, the Northern Premier, James Craig, had warned that 'if any attempt were made by the people in the South to take away large proportions of the Six Counties, there would be no other result than a renewal of Civil War'.[7]

Apart from the possibility of a clash between Northern Unionists and Southern nationalists over the question of partition, O' Higgins saw three other possibilities for the new state. The first consisted of a full-scale civil war within the area of the Free State itself. Such a war would be made necessary by the determination of a Republican section of the Sinn Fein movement, which had orchestrated the movement towards independence since 1918, to oppose the new government set up in conformity with the Anglo-Irish Treaty of December 1921. The second possibility was that of social revolution. 'Ominous processions of workless men are becoming a familiar feature', according to O' Higgins. Organised labour in Ireland had followed the reformist British path up to the World War, but since then the radical potential of the Irish workers' movement had become more pronounced. In May 1922, the Chairman of the Provisional Government raised the spectre of waging war against 'Bolshevism sheltering under the name of Republicanism'.[8] A third possibility consisted in reoccupation by the British. This would be effected by force, but if disordered conditions continued in Ireland, it would be accompanied with 'a moral mandate' such as the British never before had with regard to Ireland'.[9] Irish independence would vanish before it ever became a living reality.

The Irish state was born at what Churchill called 'the nerve centre of power, law, and freedom, in the Western World'.[10] Firstly, the authority of the new state was at stake. 'During the preceding struggle the entire machinery of government had been disorganised, and respect for law had disappeared in the absence of law which could command respect'.[11] As late as May 1922 the vast majority of the territory of the state was under the control of forces hostile to the government. These Republican forces were greater in experience and number. In the opinion of the Provisional Government, the assertion of the rule of law was the first priority. Secondly, the state was exposed to a classic 'succession crisis'. A 32-county Republic had been declared in

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[6] K.O' Higgins, Memo, n.d., Department of an Taoiseach, S 6695, National Archives. This memo was circulated to the other members of the Provisional Governemnt at the beginning of July 1922.

[7] 'The North-Eastern Situation ; Chronological Order of Events Since the Signing of Collins -Craig Pact', Items Connected with Collins-Craig Pact of January 21, 1922, Department of An Taoiseach, S 1801, National Archives.

[8] Michael Collins, Provisional Government Decision, May 25 1922, Department of An Taoiseach, S 2942, National Archives.

[9] K. O' Higgins, *Memorandum*, op. cit.

[10] W. Churchill, *The Second World War* (London,1989), p.875.

[11] B. Hobson, 'Introduction' to *Irish Free State Official Handbook* (London, 1932), pp.15-16.

1919 and most of the revolutionary movement had sworn allegiance to it. Now they were being asked to swear allegiance to the British Crown as head of a 26-county Irish Dominion. Such 'conflicts of principle' were widespread throughout the post-war successor states of the time, but in Ireland a Republican form of government had seemed to many the ideal form of government since the establishment of the Irish Republican Brotherhood in 1858.[12] Lastly, the issue of what constituted 'free' government was raised by the fact that the Pro-Treaty Provisional Government claimed to have received a majority of votes in the June election. It was thus the first democratically elected independent legal government in Irish history. On the other hand, since it was thought that the alternative to the Treaty was a renewal of war with the British, Republicans complained that the electorate had voted under duress. Accordingly the legitimacy of the electoral result was contested. Such 'conditional' attitudes to electoral democracy were widespread among radical nationalists, but they were not devoid of logic.[13]

1.1 Ireland and the interwar crisis.

The collapse of Empires in the wake of World War One gave rise to violent conflicts throughout the area of the former Hapsburg and Romanov Empires. The problems of the new Irish state were bound up with the wider crisis of the interwar era. Foremost among these was the intensification of national feeling brought about by the First World War and the Versailles settlement. That settlement was to establish an international order based on the principle of self-determination. This concept had played a central part in Sinn Fein's campaign for recognition of a 32-county Republic since 1919. The 1918 election, the first election under near universal adult suffrage, had resulted in a radical landslide victory for Sinn Fein and apparently for their Republican programme. There were however two problems with their demand. First, before 1916 the traditional nationalist claim had been for Home Rule only. The new mandate for a Republic was produced by exceptional and short-lived circumstances. Chief among these was that the British 'first past the post' electoral system had seriously exaggerated the size of Sinn Fein's mandate by allowing it to obliterate practically all other parties.[14] A second problem with the Sinn Fein demand was that the War also radicalised opposition to independence on the part of Ireland's large minority of Unionists who constituted a majority in the North-East of the country. As a result, partition was introduced by the British in 1920 as a 'provisional' solution to the conflict between two national loyalties in Ireland.

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[12] Republican currents in Irish nationalist politics in the half-century before independence are analysed in T. Garvin, *Nationalist Revolutionaries in Ireland* (Oxford, 1987).

[13] Republican attitudes to democracy are critically analysed in T. Garvin, *1922 : The Birth of Irish Democracy* (Dublin, 1966), pp. 40-51.

[14] See J. Coakley, 'The Election that made the first Dail' in B. Farrell, (ed.) *The Creation of the Dail* (Dublin, 1994), p. 36. See also the discussion in chapter seven of B O' Leary and J. McGarry *Explaining Northern Ireland : Broken Images* (Oxford,1995).

However neither 'the Partition Act' of 1920, nor the Anglo-Irish Treaty which followed, were satisfactory to nationalist opinion. Republicans continually referred to the 1918 election as the founding election of a putative 32-county Republic. Disputes over the Peace Treaties were common throughout the interwar era. Most of the successor states were 'nationalising states' which were 'conceived by their dominant elites as nation-states, as the states of and for particular nations, yet as incomplete or unrealised nation-states, as insufficiently national'.[15] The achievement of foreign policy objectives, the revision of demeaning peace treaties, the enlargement of state boundaries to include lost irridenta, or the possession of overseas colonies, were all part of this compensatory complex which proved fatal to democratic government in many of the new states. The signing of the Anglo-Irish Treaty in December 1921 which established an Irish Free State with jurisdiction over twenty six counties of Ireland, but gave Northern Ireland the right to 'opt out' from this state, did little to assuage Southern nationalist grievance at partition. A Boundary Commission in 1925 failed to redraw the boundary line to the satisfaction of nationalists, and this issue, alongside that of the Treaty, remained controversial right down to the eve of the next war. Over time, the Treaty came to be gradually revised, but not without causing a major conflict in Anglo-Irish relations between 1932 and 1935. The enactment of a Republican constitution in 1937 to replace that of 1922, produced a further breach in Anglo-Irish relations since the constitution appeared to assert the sovereignty of the Free State over Northern Ireland too.

The First World War had been accompanied by widespread social and psychological changes. The war had a radicalising effect 'on an important stratum of, largely middle class, nationalist soldiers or young men who, after November 1918 resented their missed chances of heroism'.[16] The problems posed by demobilisation and peacetime re-employment were especially pronounced. In Ireland, apart from the Great War itself, the 1916 Rising, the War of Independence, and the subsequent civil war, all added to the miltarisation of political life and to a sense that 'the experience of fighting' was 'central and inspirational' to political life. By Spring 1922 peacetime conditions had produced an IRA that was 'in danger of becoming popular' as 'Trucileers', young volunteers who had played no part in the War of Independence, flocked to its ranks.[17] The ranks of the IRA accordingly swelled exponentially. The civil war also saw the creation of an Irish national army which contained within it a small and pivotal group which continued to see the role of the army in an essentially political way, as an instrument for the realisation of nationalist objectives. As elsewhere in Europe, how the civilian authorities handled

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[15] R. Brubacher, *Nationalism Reframed : Nationhood and the national question in the New Europe* (Cambridge, 1996), p.79.

[16] E. Hobsbawm, *Age of Extremes: A Short History of the Twentieth Century* (London,1994), p.125.

[17] E. O' Malley, *The Singing Flame* (Dublin, 1978), p.16.

such a *fronesoldat* mentality within and without the state would be crucial to the course of Irish political development.[18]

Political controversy would also be intensified by the delay of the economic recovery of Europe, a recovery shattered by the experience of economic depression. The civil war placed the Irish state under severe fiscal stress from the beginning. It was followed by years of stagnation. The economic conditions in which the defeated Republicans lived were particularly constricted. Many were forced to emigrate. Then, the Irish experience of the depression was comparatively severe : by the late 1920s a government spokesman could speak of a country on the verge of Famine.[19] The effects of the depression were greatly exacerbated by the closing off of traditional emigration routes in the early 1930s, and then by the government's willingness to wage a tariff war with the UK This policy placed sectors of the agricultural population in great difficulties, which helps explain why sections of the farming community were willing to give their support to a radical right-wing movement in the 1930s.[20] The continued economic difficulties of the Free State were arguably responsible for the resumption of emigration in the mid- to late 1930s.

Another threat to the political stability of the new states was posed by their political structures. Before 1918 only a handful of European states were in any meaningful sense democratic, and the post-war settlement encouraged a boom in constitutional experimentation. This was marked by an enthusiasm for radical and French models of democracy which failed to provide political stability afterwards. As a result they were gradually replaced by less democratic institutions, but this process was a controversial one, in many cases leading to authoritarian forms of government. The experience of the Irish Free State was no exception. Having adopted some radically new institutions between 1919 and 1922, including an elected judiciary and an experimental constitution, the Irish political elite gradually came to discard its 'continental' and experimental institutions in favour of more traditional British ones. While these reforms fulfilled the important function of bringing constitutional law in line with political practice, they also gave rise to a centralisation of power which led to further polarisation between the main political parties. Political competition took place in an increasingly authoritarian institutional framework, something that led to the emergence of authoritarian systems of government elsewhere.[21]

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[18] See M.G. Valiulis, *Portrait of a Revolutionary ; General Richard Mulcahy and the Founding of the Irish Free State* (Dublin, 1992); E. O' Halpin, 'The Army and the Dail - Civil-Military Relations within the Independence Movement' in B. Farrell (ed.), *The Creation of the Dail* (Dublin, 1994); T. Garvin, *1922, The Birth of Irish Democracy* (Dublin: 1996).

[19] Patrick McGilligan, quoted in R. Dunphy, *The Making of Fianna Fail Power in Ireland 1923-1948* (Oxford, 1995), p.59.

[20] See M. Cronin, *The Blueshirts and Irish Politics* (Dublin,1997), pp.135-167

[21] See L. Karvonen, *Fragmentation and Consensus: Political Organisation and the interwar crisis in Europe* (Boulder,1994).

In short, the Irish state was not immune to the general crisis that affected Europe in the interwar years. The state was founded in conditions that made the stabilisation of a democratic political system unlikely. Both the regime and the regime-sustaining forces came under immediate attack when the state was founded and continued to be subject to widespread hostility from Republicans well after the civil war. As elsewhere, the extent to which a state which was considered insufficiently 'national' was able to contain the forces of 'unsatisfied nationalism' within democratic politics, would determine the degree of political stability achieved by the state. Two variables affected this process. One was the ability of the regime-founding coalition to surmount the initial challenges to the authority of the state within a democratic framework.[22] Another was the extent to which the disloyal opposition became committed to the defence of existing institutions.[23] Rather surprisingly perhaps, in view of the dire predictions of O' Higgins, the Free State was to score rather well on both counts. Full-scale civil war followed, in 1922-1923, but a victory for the Provisional Government was a certainty by September 1922. Armed resistance to the authority of the Free State subsided late the following April, and the bulk of the Republicans confined themselves to constitutional opposition afterwards. In the shape of the Fianna Fail party they entered the lower house of the Irish parliament, Dail Eireann in 1927, and formed a government from 1932 onwards. The changeover was accompanied by no retribution. By 1938 most of the controversial issues stemming from the Treaty had been resolved, and the state entered the coming world crisis with an impressive degree of political unity. The long period of political instability dating from before the First World War was then over.

Seventy five years later, the stabilisation of a democratic system of government is remembered as the chief accomplishment of the Irish state since independence.

The institutions of the state were soon established, an uncorrupt public administration and judicial system was in place, and within four years a public appointments system based on merit had been extended from the Civil Service to local government. Moreover an unarmed police force had established its moral authority ; and by the end of the decade tight discipline had been secured within the ranks of a greatly reduced Army. This ensured a smooth handover of power to those defeated nine years earlier; the great bulk of whom within three years of the end of the Civil War had taken their seats in the Dail as the principal opposition party... Within ten years of the foundation of the state a second government, composed of men who had been defeated in the Civil War, was demonstrating similar commitment and skill in securing, through the introduction of a new Constitution, the domestic legitimation of the State in the eyes of the one third of the population who had initially been alienated by the manner in which it had been brought into being.[24]

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[22] See T. Garvin, *1922; The Birth of Irish Democracy* (Dublin, 1996).

[23] For an analysis see chapter six of this thesis.

[24] G. FitzGerald, 'Days of doubt long gone as State reaches 75th birthday' *Irish Times*, 6/12/97.

On the other hand critics have been less than complimentary about the political culture of the new state. Fred Halliday, for example, compares the state to 'the smaller, less belligerent, European states of the right', such as Spain, and Portugal. While it may, appear unfair to include Ireland in this group, since the Irish 'allowed political pluralism and a measure of constitutional liberty from independence in 1922', in other respects that culture was authoritarian:

particularly under the Fianna Fail government of the 1930s and 1940s, it was engaged in a mild version of semi-peripheral escape: ideological repression through censorship and clerical control of education, economic delinking through import substitution and trade controls, all of this topped off with nationalist cant about Hibernian exceptionalism, in the economy and in the eyes of God.[25]

Arguably however, the Free State did satisfy the four main criteria of democratic politics.[26] Firstly, elections were decisive in determining who would govern, despite the fact that pressures to ignore this procedure, particularly in 1922 and 1923, were often great. Secondly, after 1923 the opposition was allowed to freely organise and compete on equal terms with the government, despite the fact that the loyalty of the Republicans to the Free State was clearly in doubt. Thirdly, a defeated government stood down in 1932, even though some of the outgoing government had viewed the changeover with trepidation. An effort to organise a preventive coup d'etat from within the ranks of the Free State army came to nothing, and was opposed by William Cosgrave, President of the cabinet or 'Executive Council'. Lastly, after 1922, the ultimate authority of Dail Eireann and popular sovereignty was never in doubt. This was demonstrated emphatically in 1924 when an abortive 'army mutiny' was accompanied by the resignation of the Free State Minister of Defence and several commanding officers.[27]After a decade of paramilitary involvement in politics the main achievement of the new governmental elite era was to subordinate the military to the civilian arm of government. In contrast in Finland, a useful control case for the Irish experience, the army and the civil guards, the civil war winners, remained beyond civilian control and were able to influence government policy until 1931, when the Lapua crisis enabled the President to assert the authority of the government.[28]

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[25] F. Halliday,'Three Concepts of International Relations',*Millenium* , 1992, vol 21, no.3, p. 459.

[26] M. Weiner, 'Empirical Democratic Theory' in M.Weiner and E. Ozbuddun. (eds.), *Competitive Elections in Developing Societies* (Duke University Press, 1987).

[27] See M. Valiulis, 'The 'army mutiny of 1924 and the assertion of civilian authority in independent Ireland' *Irish Historical Studies*, XXiii, no 92, (Nov 1983).

[28] W. Stover, 'Military Politics in Finland between the Wars', *Journal of Contemporary History,* 12, (1977).

Table 1.1. Democracy in Europe in 1938.

Full Democracies	Male Democracies	Unstable Democracies	Failed Democracies
1. Denmark.	1. Belgium.	1. Czechoslovakia.	1. Italy.
2. Iceland.	2. France.	2. Finland.	2. Poland.
3. Ireland	3. Switzerland.		3. Lithuania.
5. Luxembourg			4. Yugoslavia.
6. Netherlands			5. Germany.
7. Norway.			6. Portugal.
8. Sweden.			7. Estonia.
9. United Kingdom.			8. Bulgaria.
			9. Greece.
			10. Austria.
			11. Spain.
			12. Latvia.
			13. Romania

Source: adapted from Dahl, 1989, Table 17.1, 239.

Of all the European states that were created in the wake of World War One, the Irish Free State can claim to be the only one that remained fully democratic. Czechoslovakia could have been an exception, but it collapsed under German pressure in 1938. Finland was a partial exception too, but its large Communist party was banned from 1925 onwards. The rest of the successor states all became undemocratic. Excepting Finland, every other state that had experienced a civil war at the beginning of the period had reverted to formal authoritarian rule by 1937. Table 1.1. shows the fortunes of democratic government in the era. With the exception of the Irish case, none of the 'full democracies' were successor or new states. Iceland was still under Danish sovereignty, while Norwegian autonomy dated back to the beginning of the nineteenth century. In contrast Czechoslovakia and Finland, which were both unstable democracies, were successor states, as were, with the exception of Italy and Germany, practically all the states where democratic government collapsed in the interwar era. There was a clear relationship between the newness of the state and democratic breakdown.

1.2 Irish Democratic Theory

Why was the Free State democratic ? Four distinct interpretations can be found within the Irish literature. The first, 'the British tutelary theory', stresses the importance of the British legacy. The Free State had a majoritarian political system rooted in English common law. Under the terms of the 1922 Treaty all previously existing legal decisions were declared still valid. The bulk of its civil servants had joined the service before independence and the standards and procedures of Whitehall were put in place.[29] After 1922 the British nature of Irish political practice, in

[29] This was less a case of administrative practise building on established British tradition than of Irish politicians and civil servants insisting on a meritocratic and apolitical Irish civil service for the first time.

constitutional conventions, decision-making, and party competition, became more pronounced. Irish MPs had been attending the Westminster parliament since 1801. Elections had been popular events in Irish life since the 1820s. Democratisation was gradual, and since it coincided with the replacement of Irish with English as the language of the masses, the British system became 'internalised '.

As is the case of the white communities of the British Commonwealth, many of the currently held political traditions and values were inculcated and absorbed during a most critical and formative period: the period of the advent of mass democracy.....Extensions of the franchise in Britain were followed by extensions, with modifications, in Ireland ; and Irish people acquired democratic habits and values. Political ideas were almost wholly expressed in British categories, for, from O'Connell to Parnell and beyond, the political experience of most Irish leaders was gained in British political life, and they practised the parliamentary ways of Westminster.[30]

A second, constitutional nationalist interpretation, stresses that the progress of Irish nationalism towards self-government was inherently democratic. Home Rule meant a sovereign parliament based in Dublin, one that existed in the past. Farrell argues that 'it was through parliament and largely within parliament that Ireland grew to both nationhood and full independence'.[31] This view is essentially the one adopted by the state itself. A government sponsored report on the Constitution in 1967 declared;

the republican status of the State, national sovereignty, the supremacy of the people, universal franchise, fundamental rights such as freedom of speech, association, and religion, the rule of law and equality before the law, were all part and parcel of this nation's struggle for independence and it is not surprising, perhaps, that, in the minds of the people, they are now to be regarded as virtually unalterable.[32]

The Irish state no longer endorses the romantic view of revolutionary struggle, and is now embarrassed by semi-official ceremonies like the commemoration of the 1916 Rising which suggest that the revolutionary Fenian tradition was the central one in Irish political life. Farrell argues that if this had been the case the outcome would have been different. 'That work could scarcely have been accomplished if the central Irish political tradition had been so robustly rebellious, so chronically violent and so demanding of change as has been usually suggested'.[33] The new state's achievement of political stability after 1922 'was primarily part of Ireland's

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See E' O'Halpin, 'The Civil Service and the Political System' *Administration*, 38,4,1991, pp.283-303, and E. O' Halpin, 'The Politics of Governance in the Four Counties of the United Kingdom, 1912-1922' in S. Connolly (ed.) *Kingdoms United* (Dublin, 1999), pp.239-248.

[30] B. Chubb, *The Government and Politics of Ireland* (London, 1970), pp. 44-45.

[31] B. Farrell (ed.), *The Irish Parliamentary Tradition* (Dublin, 1973), p.24.

[32] Quoted in D. Smith, *The Irony of Irish Democracy : the impact of political culture on administration and democratic political development in Ireland* (London and Toronto, 1973), p. 40.

[33] Farrell, op. cit.

British inheritance from the nineteenth century', but a parliamentary tradition 'which Irish leaders and parties in parliament had done much to shape'.[34] Farrell's argument focuses on the importance of a sovereign parliament, *Dail Eireann*, during the nationalist struggle from 1919 to 1921. It represented more than a *de jure* claim to statehood since in some respects it exercised a *de facto* authority over areas of Irish life like local government and justice. It was 'a Westminster import' rather than a revolutionary parliament. 'A consistent effort was made to maintain Westminster standards' and procedures, according to Farrell. The Speaker's rulings were accepted by the members, priority was given to parliamentary questions, and above all, the authority of the Dail over the military campaign was continuously stressed during the War of independence. The creation of the Dail courts, he argues, showed 'a concern to preserve as far as possible the existing and accepted system'.[35] After 1922 both the survival of the Cosgrave government and Fianna Fail's decision to enter the parliament is taken by Farrell as evidence of the non-ideological, gradualistic nature of Irish political culture ; 'the willingness to accept what cannot be changed, the commitment to empirical solutions is paramount'. [36] This was dramatically revealed by the general acceptance of the Treaty's terms and the ruling of the Boundary Commission in 1925.

Arguably, both the tutelage and nationalist perspectives underestimate the problems faced by the Free State. Kevin O Higgins described the Provisional Government which took over the reins of power from the British as,

simply eight young men in the City Hall [the adjoining Dublin Castle's centuries-old association with British oppression made it unsuitable as a seat of government for Irish ministers] standing amidst the ruins of one administration, with the foundations of another not yet laid, and with wild men screaming through the keyhole. No police force was functioning through the country, no system of justice was operating, the wheels of administration hung idle, battered out of recognition by rival jurisdictions.[37]

The achievements of the subsequent Cosgrave governments have been widely praised by historians.[38] Britain had left the Free State with a lot of problems : partition, a discredited parliamentary tradition, and a monarchical constitution repugnant to its sense of nationality. The Anglo-Irish Treaty of 1921 had solved the Irish question by stabilising 'Ireland' but temporarily destabilising the two states. After 1916 'the wild men' had seized the initiative and now turned their guns on the Pro-Treatyites. More generally, in those areas where an experience of good

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[34] Ibid, p.212.
[35] Ibid, p.211.
[36] Ibid, p.218.
[37] Quoted in R. Fanning, *Independent Ireland* (Dublin, 1983), p.10.
[38] Roy Foster reflects that "Most historians who examine the record of the 1920s become "Free Staters", R. Foster, 'More Sinner than Saint', *The Independent on Sunday*, (17/10/1994), p.40. See in particular, F.S.L. Lyons, *Ireland Since the Famine*, (Glasgow, 1983), pp. 484-504; O. MacDonagh, *Ireland; the Union and its Aftermath*, (London, 1977), p. 107 ; J. Lee, *Ireland 1912-1985*, (Cambridge, 1989), pp. 171-174.

government would be most obvious, respect for the law, faith in the political process, and an acceptance of the ultimate writ of the state, the inheritance was an ambiguous one. This forced the Free State elites into a tutelary attitude themselves. They were concerned with order, legality, and the irresponsible and irrational nature of Irish political traditions. For many Free State politicians, the civil war was not about anything as such, but the product of fantasy and lawlessness. 'Leavened in with some small amount of idealism and fanaticism', there was 'a good deal of greed, envy, and lust, and drunkenness and irresponsibility' according to Kevin O' Higgins.[39]

There were two identifiable political traditions within the nationalist community which were expressed in the war.

1921-22 is the founding date of democratic Ireland's political life, not just because of the coming of the truce in July 1921 or the signing of the treaty in December 1921, but because of the emergence, for the first time in Irish history, of popular expression of two poles of Irish Catholic political culture: the vision of the Republic as a moral community, as a community of equals submerging individual identity and self-interest for the common good on the one hand, and a non-magical, lawyer's pragmatic nationalism on the other, which saw Irish independence as a means to the construction of a commercialised, mechanically representative democracy on the other.[40]

Kevin O Higgins was the first author of this theory. Democracy had to be taught, 'the problem is psychological rather than physical, we have to vindicate the idea of law and order to government, as against anarchy', he declared.[41] The other tradition had more in common with the secret society mentality of Southern Europe. Fenianism, the IRB the IRA, were part of this 'public band' tradition. It saw society as a 'moral community' and Republicans saw themselves as guardians of that community's highest values and aspirations. The nature of their commitment was expressed by the role of the secret oath. They were answerable only to themselves. As de Valera put it, 'the majority had no right to do wrong'. The Treaty split can be seen then as a conflict between 'the public band' tradition personified by the Anti-Treatyite IRA, and the world of 'civil society'; the church, the business community, the ex-Unionists, and the electorate who supported the Treaty in 1922. Garvin argues that democracy was not inevitable but the product of the defeat of one way of thinking by the other in 1923. After this, in his view, the 'unenthusiastic democrats' of the Fianna Fail party rejoined civil society in 1927.

A fourth interpretation, a Fianna Fail one, sees the progress of the Republic as the main constitutional theme of the inter-war years. It was later said that the 'primary misfortune' of the

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[39] Quoted in J. Lee, *Ireland 1912-1985* (Cambridge, 1989), p.98.
[40] T. Garvin, 'The Long Division of the Irish Mind', *Irish Times*, 28 December 1991.
[41] Quoted in Lee, op. cit., p.98.

new Irish state 'was that from the very beginning its existence constituted a violation of the principles of its founders'.[42] It's common to see signs of a healthy civic spirit in public participation in state holidays, which celebrate independence days and re-enact foundation myths in the US vein. There is no such thing in Ireland. For decades the commemoration of the 1916 Rising was the only such ritual. On the walls of Irish primary schools are hung copies of the 1916 Proclamation of the Irish Republic, not the constitutions of 1922 or 1937. There are also photos of the martyred heroes of 1916, but not of the real founding fathers of the Irish state, Cosgrave, Mulcahy, Collins, and O' Higgins. The terms "the Free State" or "Free Stater" were used either to denigrate the state's status or to question someone's nationalist credentials.

For some in 1922, de Valera had unleashed a 'wild and destructive hurricane....from a thin insubstantial vapour',[43] yet for Republicans the degree of British power implicit in the Treaty was more than substantial. The shelling of the Four Courts at the beginning of the war, Britain's possession of the ports under the terms of the Treaty, its insistence on an oath of allegiance, its dictatorial amending of the 1922 constitution, and the Boundary Commission fiasco, were all signs of Ireland's continued subordination to Britain. When de Valera tried to challenge the oath by using the constitutional right to initiate a referendum on it, the relevant article was later declared inoperative by Cosgrave. The Fianna Fail view argues that the Free State government was strong, but not legitimate. How did it became so, and how in turn did Irish Republicanism, at least in the South, become a purely constitutional form of politics ?

The constitutional republican view sees the role of Fianna Fail as crucial in creating a more legitimate state. Along with the Blueshirts, Fianna Fail was under threat from the IRA, which had around 30,000 members in 1932. Faced with opposition from both left and right it was necessary to put the state on a more legitimate footing. Repression, which had been the policy of Cumann na nGaedheal in the 1920s, was not enough. Positive constitutional measures undermining the Treaty settlement of 1921, especially the introduction of a new constitution, would have the effect of marginalising Republican opposition to the Free State and placing the state on a more popular footing. This view suggests that the bulk of the population, including those who initially saw the treaty as a stepping-stone towards greater freedom, were in favour of undoing the treaty. The 1937 constitution made republicanism constitutional for the first time. The leadership of de Valera was the *sine qua non* of this process.

Indeed, if we take together de Valera's move away from 1916 militarism to the constitutionalism of elections in 1916 and 1918, his break with abstentionist and extra-parliamentary Sinn Fein in 1926 and the

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[42] C.C. O' Brien, 'The Embers of Easter, 1916-1966', in O. Dudley Edwards and F. Pyle (eds.), *The Easter Rising* (London, 1968), p.229.

[43] Cardinal Logue, cited in R. Foster 'More Sinner than Saint', *The Independent on Sunday*, 17 October,1994.

stern, if professedly anguished, steps against the IRA in the 1940s, we can say that not only did he epitomise at the outset of his career the ambivalence of constitutionalist and violent traditions of Irish nationalism but that he also bridged and transcended them, and finally and firmly asserted the supremacy of the civil over the military tradition, the constitutionalist principle, over that of physical force, and majority rule over the people have no right to do wrong assertion.[44]

In summary, four distinct perspectives exist within Ireland as to the sources of democratic stability. The former two stress the legacy of the period under the Union. The latter two stress post-independence developments. Which emphasis is correct ? Should stable democracy be seen as the culmination of developments under the Union, or was the outcome of the civil war more relevant to the politics of the new state ?

Luebbert has stressed that it was only in those societies where liberal parties had been historically dominant before World War One, such as in America, Britain, or France, that liberal solutions to the problem of mass democracy were institutionalised. Elsewhere, the First World War had a radicalising effect on political opinion, particularly on the left, and 'corporatist' institutions had to be established afterwards. These took either Social Democratic or Fascist forms in the 1930's.[45] In Ireland there had been both radical and liberal elements in the nationalist movements of the nineteenth century, but between 1881 and the First World War, liberal assumptions, reflected by the electoral monopoly of the Home Rule Party, were in the ascendant. However the Home Rule crisis of 1911 and then the First World War greatly radicalised political life. This undermined the hegemony of Ireland's rather conservative parliamentary elites. If, as Farrell suggests, the Sinn Fein elite between 1919 and 1921 were bent on institutionalising a democratic political order based on the Westminster system, by 1922 the control of that elite over the nationalist movement had weakened considerably. What followed in the summer of 1922 was precisely the re-assertion of liberal hegemony and an attempt to reimpose a purely liberal solution to the problems of the new state afterwards. However liberalism, Cumann na nGeadheal style, failed. The one factor that could sustain a liberal polity, middle class unity, was absent. Significant sections of the middle or lower middle class refused to give their allegiance to the Free State. Irish democracy could only be stabilised if an alternative coalition of interests could construct a more radical alternative. In 1927, it appeared this would take the form of a Rainbow coalition of Labour, Nationalist, and Liberal elements. Later it appeared that an alliance of Labour and Fianna Fail would govern, but ultimately an alternative government emerged only under the nationalistic Fianna Fail governments of the 1930's.

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[44] J.A. Murphy, 'The achievement of Eamon de Valera', in J.P. O' Carroll and J.A. Murphy (eds.), *The Life and Times of Eamon de Valera* (Cork, 1968), p. 2.

[45] G Luebbert, 'Social Foundations of Political Order In Interwar Europe' *World Politics,* vol 34, no.4, July 1987.

As elsewhere where the First World War had undermined the traditional liberal or Lib-lab route to stable democracy, Irish democracy was stabilised 'in the midst of economic and political crises',[46] which emerged in the late twenties and early thirties. This is not to deny that the original values of the Sinn Fein elite were democratic. They were a necessary but insufficient ingredient of Free State democracy. What is more important is that after 1918 purely liberal attempts at stabilising a mass democracy in Ireland failed. As elsewhere, for a democratic regime to be stabilised, wider social strata had to be mobilised behind the regime. In the Irish case the liberal elite remained dominant, but divided into two camps which looked to mobilise broader sources of support behind their agendas. In the depressed socio-economic conditions of the late twenties the competition between the two sides reflected a clear right -left divide.[47]

An attempt has been made to develop a normative model of democratic regime-change out of the Irish experience.[48] In my view no such model can be constructed. Not only did the democratically elected political elite lose control of the movement to independence, they also failed to prevent a civil war occurring once that transition had taken place. The institutional and normative pre-conditions that would have allowed a smooth transition to democracy to occur certainly did not exist in 1922. Indeed one could argue that there were four successive attempts at constructing a democratic order in Ireland. The first began with the 1918 election and ended with the intensification of the Anglo-Irish War in 1920. The second began in 1922 and ended with the outbreak of civil war in June. The third begins with the Free State's prosecution of the civil war and ends with the coming to power of de Valera in 1932. After that de Valera attempted to stabilise the state on a different basis to his opponents. By and large he succeeded, but only after previous efforts had been made .

There is therefore no model of democratic regime change to be found in the Irish case. Neither is there any vindication of the British legacy. Three features of British rule may account for the persistence of democracy after independence, according to Wiener.[49] One was the creation of bureaucratic structures that 'stressed the legitimate role of state authority in the preservation of order in societies that left to themselves, would have descended into anarchic violence'. A second was the opportunity given to native politicians to compete in elections, form political parties, and gain experience of office. This enabled rival elites to internalise the norms that regulate the peaceful competition for power. This is related to the third feature of the tutelary model, peaceful regime-change. When independence came, power was transferred to elected officials not armed

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[46] ibid, 312.

[47] See for example E. Rumpf, *Nationalism and Socialism in Twentieth Century Ireland* (Liverpool, 1977); P. Mair, *The Changing Irish Party System* (London, 1987); R. Dunphy,*The Making of Fianna Fail Power In Ireland* (Oxford, 1996); M. Cronin, *The Blueshirts and Irish Politics* (Dublin,1997).

[48] See P. Mair, 'The Break-Up of the United Kingdom : the Irish Experience of Regime Change, 1918-49', *Journal of Commonwealth and Comparative Studies*, (Glasgow,1978).

[49] M. Weiner, 'Empirical Democratic Theory' in M. Weiner and E. Ozbudun (eds.) *Competitive Elections in Developing Countries* (Durham,1987).

revolutionaries. However between 1919 and 1921 Irish elites were habituated not only to the peaceful competition for power, but also to conspiracy and factionalism. Power was handed over to elected politicians who had arrived at the negotiating table after a struggle during which their control of the military wing of the nationalist movement was never more than nominal.[50] Regardless of the long parliamentary lineage of Irish nationalism, ' there was no tradition of political control of armed nationalism; nor had there been any experience of effective centralised control over armed movements'.[51] Furthermore the Sinn Fein elite had little experience of genuine political competition. When they did face a competitive election in 1922, their reaction was to enter into an electoral pact which was denounced by Churchill as 'an outrage of democratic principles'.[52]

On the whole then Irish arguments have tended to overstate the importance of the British origins of Irish democracy and to downplay the importance of the civil war. Analogously the tendency to explain the outcome by the strength of democratic values in Ireland is open to the simple objection that if those values were so robust then why did the civil war occur ? Garvin's most recent work places the bulk of blame for the civil war on the anti-democratic instincts of the Anti-Treatyites, but this judgement obscures the fact that the Sinn Fein elite as a whole proved unable to prevent the drift to civil war occurring, despite their efforts to the contrary. Radical Republicanism was one reason for their failure, but no more so than the reality of continued British power, personal rivalry within the Sinn Fein elite, and the lack of a clear structure of authority within the nationalist movement.

A firm institutional basis for democratic government had still to be constructed in 1922. 'A key group of almost forgotten but brilliant people, principal among them William Cosgrave, Hugh Kennedy, Kevin O' Higgins, and Kevin O' Shiel', are credited by Garvin with this achievement.[53] However he tends to conflate two separate aspects of the stabilisation process, institutionalisation, or what he terms state-building, which took place between 1923 and 1927, and legitimation, which he tacitly but grudgingly admits was the achievement of de Valera afterwards.[54] Legitimation was important because of the centrality of what I term 'the regime issue' in Irish politics. To differing degrees all the successor states suffered from 'regime-crises' which existed where elites were either semiloyal or disloyal to a new state that did not fulfil all of their their expectations. In the successor states the extent to which the new states fulfilled the expectations of the traditional political elites was an important factor in explaining their political

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[50] See E. O' Halpin, 'The Army and the Dail-Civil Military Relations within the Independence Movement' in B. Farrell (ed.) *The Creation of the Dail* (Dublin,1994), p.113.
[51] M. Hopkinson, *Green Against Green; The Irish Civil War* (Dublin, 1988), p.4.
[52] T. Towey, 'The reaction of the British government to the 1922 Collins - de Valera pact, *Irish Historical Studies*, 22, 85, (March 1980), pp. 65-76.
[53] See T. Garvin, *1922; The Birth of Irish Democracy* (Dublin,1996), p.194.
[54] Ibid.

fortunes. Unfortunately given the intractability of foreign policy questions in the interwar period very few of these states managed to achieve sufficient foreign policy changes to appease their domestic critics. In this regard the Irish state was undoubtedly fortunate in remaining at a far remove from the maelstrom of central and East European politics.

Even in some of the longer established European states there was no basis for consensus on the nature of the regime. Spain for example had never had a stable liberal regime in the nineteenth century and in 1932 became a Republic without any convinced Republicans. The largest socialist party. the P.S.O.E., had supported the Dictatorship of Primo de Rivera in the 1920's and saw the concept of a democratic Republic in instrumental and highly conditional terms.[55] For the right, the conception of a Republic was just part of that wider mix of modern ideologies which was considered *Anti Epsana,* antithetical to the traditional order. The Spanish Republic's inability to gain and maintain the loyalty of its political elites in the 1930s was a chief cause of democratic breakdown. Regime crises also arose in states that lost out in the reorganisation of the European system after World War One. Such was the case in Germany, Italy, and Austria. In Austria, the rump state of the Hapsburg Empire, there was little consensus on the desirability of an independent Austrian state at the outset, rather than unification with Weimar Germany. The *GrossDeutch* idea appealed to both left and right at different times but became highly divisive after Hitler's coming to power.[56] Elsewhere the formation of new states after World War One led to a variety of constitutional crises which resulted in civil wars being fought between rival contenders for governmental authority in the new state. The transition to independence in Finland, Czechoslovakia and the Baltic states took place in confused conditions allowing a situation of 'multiple sovereignty' to emerge. The succession process was a 'typically contested one', with different claimants arising with regard to the exercise of governmental authority.[57] This meant that different institutions emerged to provide rival foci for national sentiment : left wing and Republican elements favouring more radical institutions and right wing and conservatives favouring more limited and traditional models of independence. Even where the lines of division in these conflicts were clearly sociological, as in Finland, the confusion involved in the transition to independence had allowed these conflicts break out in the first place.[58]

In the Irish case the initial attempt at secession had given rise to the declaration of a Republic in 1919. The following year the British government legislated for the existence of two separate parliaments, North and South, both clearly subordinate to the Crown. While Northern Unionists accepted that the Northern sub-state met their demand that they not be governed by Dublin, for

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[55] P. Preston, 'The Origins of the Socialist Schism in Spain, 1917-31', *Journal of Contemporary History,* vol X11, no. 1, (January 1977).

[56] R.A. Kann, 'The Case of Austria', *Journal of Contemporary History,* vol XV, no.1, (January 1980).

[57] J. Coakley, 'Political succession and regime change in new states in interwar Europe : Ireland, Finland, Czechoslovakia, and the Baltic Republics', *European Journal of Political Research,* 14, pp.187-207.

[58] See R. Alapuro, *State and Revolution in Finland* (Berkely, 1988).

nationalists the powers vested in the Southern Irish parliament were too limited. The following year negotiations led to the signing of the Anglo-Irish Treaty in December 1921 which created a 26-county Dominion of the British Empire in Ireland. While this compromise received majority support in the Dail, it was not acceptable to many of those who had sworn allegiance to a 32 county Republic. The civil war that ensued was a classic succession crisis, with both sides establishing their own government with a claim to legitimate authority over the country. As in all the successor states the Irish state had been established under conditions that made its future success unlikely. The early experience of civil war made the initial divisions over the Treaty all the more acute. Moreover, the legality of the process of regime change was 'sufficiently ambiguous' for the losers in the civil wars to claim a moral victory and to continue to deny the legitimacy of the new regime.[59] On the other hand the Irish case represents a case, like that of Finland, in which a disloyal opposition was gradually re-integrated into the political system. Despite its civil war Finland was in many respects a typical Nordic democracy by 1938. In that year the Social Democrats formed a coalition with their opponents in the civil war, the Agrarian Union. Likewise in Ireland the defeated side in the civil war regrouped and embraced democratic rules of political competition as a means of revising the Treaty settlement. By 1938 those features of the 1921 Treaty that had been objected to by Republicans in 1922, the oath of allegiance to the British Crown, the office of the Governor General, and British possession of Irish ports, no longer existed. This process, not discussed in Garvin's book, was a central part in the creation of a more legitimate state in Ireland.

As elsewhere, the stabilisation of a democratic system of government was a long drawn-out affair, consuming the collective energies of a whole generation of politicians. In this the Irish experience was certainly not unique. European democracies had gone through three stages in their development before 1945. The first began in the mid-nineteenth century and ended around 1920. The era before the Great War seemed to presage the universal triumph of the democratic idea. By 1914 even the three autocratic Imperial polities of Russia, Turkey, and Iran, had formally adopted parliamentary models of government. In the period following the war, this sense of democratic optimism was added to by the adoption of highly democratic constitutions, the introduction of proportional systems of election, and by the formation of reformist Social Democratic Governments. By 1920 the whole area west of the Soviet Union was under democratic rule. However that year proved to be the high tide of democratic optimism. Already between 1918 and 1920 two countries had reverted to authoritarian rule. The following decade was largely a period of political retrenchment, a process accelerated by the recession.[60] In the Catholic countries such as Austria, Portugal and Spain a reversion to the clerical authoritarianism of the nineteenth century took place. Political systems, democratic or

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[59] J. Coakley, 'Political Succession and regime change in interwar Europe', Ireland, Finland, Czechoslovakia, and the Baltic Republics', *European Journal of Political Research*, 14, pp.187-207.
[60] D. Thomson, *Europe Since Napoleon* (London, 1986), pp.663-673.

authoritarian, were consolidated on a nationalist and conservative basis. From the mid to late twenties right-wing or conservative governments emerged in the UK, France, Germany, and Hungary. Portugal, which suffered a military coup in 1926, became a Catholic authoritarian state under Salazar in 1929. Authoritarian coups also took place in 1926 in Poland and Lithuania. In 1928 the Kingdom of Yugoslavia reverted to a monarchical form of government. By the late twenties the democratic model of government was under serious assault. The third phase in the development of European democracy, the period between 1930 and 1938, proved to be one of ideological polarisation. The early experiment with mass democracy turned out to be nothing more than a prelude to dictatorship in countries like Spain and Germany. In others it was a prelude to the emergence of social democracy. Once Nazism was established in 1933, the threat to European democracies was made more real. In response, democracy, often containing a strong social democratic element, especially in the Nordic and Benelux countries, was consolidated. European states became more clearly divided into democratic and authoritarian categories. Nevertheless, the long term direction of change was certainly authoritarian. Overall 'in 1918-20 legislative assemblies were dissolved or became ineffective in two European states, in the 1920s in six, the 1930s in nine, while German occupation destroyed constitutional power in another five during the Second World War'.[61]

The place of Ireland within this scheme of things is clear. Between 1918 and 1921 its political life was democratised and radicalised. The first Dail was elected by universal suffrage and new democratic institutions such as the Republican courts were introduced. The period between 1922 and 1932 was one of political retrenchment. As elsewhere 'reaction against the subversion of the old social order in 1917-1920',[62] was at the root of the Cumann na nGaedheal regime, as it was of the Stormont regime in Northern Ireland. Ideologically, Cumann na nGaedheal governments advocated a mixture of tough law and order policies and economic monetarism, although they disassociated themselves from the radical nationalism of the European right. In the late twenties and early 1930's, when the depression was at its height, the political system became polarised on a left-right basis.[63] The government introduced a New Public Safety Bill aimed at left-wing and subversive organisations. William Cosgrave, then President of the Executive Council, stated that he and his colleagues believed

that the future of the country is linked up with the traditions and teachings of the Christian religion which have governed the minds of its people for fifteen hundred years. We believe that the new patriotism based on Muscovite leanings with a sugar coating of Irish extremism is completely alien to Irish tradition. The

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[61] E. Hobsbawm, *Age of Extremes*, (London, 1994), p. 111.
[62] Ibid, p.113.
[63] See P. Mair, *The Changing Irish Party System* (London, 1987).

right to private property is a fundamental of Christian civilisation and so long as the government remains in power it will maintain that sacred right for its people .[64]

The rising Fianna Fail party was able to take advantage of the economic distress in the country as well as the unpopularity of the government's coercive measures. Its period in office saw the consolidation of Irish democracy, as well as the introduction of measures designed to counteract the depression. A small right-wing movement, the Blueshirts, temporarily linked to the Fine Gael party, emerged, but proved unsuccessful, as elsewhere in democratic Europe of the time.

In short, the Irish underwent the three stages of aspiration, retrenchment, and polarisation that were experienced by European democracies at the time. Naturally historical analysis has concentrated on different phases in this sequence, but until recently post-independence developments have been neglected. The balance is somewhat redressed by Garvin, but his work overlooks the limitations of the Cumann na nGaedheal regime and the positive role the defeated side played in the stabilisation of a democratic system. Moreover, the extent to which the civil war was a crucial turning point in the evolution of a stable democratic system can be debated. Certainly it resulted in the destruction of the IRA as a leading influence within Irish nationalism, but it also polarised positions on the Treaty in a way that might not have happened if moderates had retained their influence. Some consensus on the basis of the Anglo-Irish relationship was an absolute pre-condition for the existence of stable democracy in Ireland. It was only achieved well after the civil war.

1.3 Comparative Democratic Theory.

What is missing from all these theories is a full discussion of the explanatory power of comparative theories of the genesis and stabilisation of democracy for the Irish case. As the only 'successor state' to have remained continuously democratic since independence, the Irish case should stand as a useful test-case for theories of democratic survival and breakdown in the interwar period. Curiously however, it does not feature at all in comparative analyses of the fate of democracy in the interwar period, and is generally ignored in the wider area of empirical democratic theory.[65] Only twice have explicit comparisons of the Irish case with other European states at the time been made, and only twice have attempts been made to explain the Irish case in terms of comparative democratic theory.[66]

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[64] *Dail Debates*, October, Vol XL, Col.49, October 14 1931.

[65] Two works with the unusual merit of treating a wide variety of European cases which ignore the Irish case completely are D. Rueschmeyer, E. Stephens, and J.D. Stephens, *Capitalist Development and Democracy* (Cambridge 1992); G. Luebbert, *Liberalism, Fascism and Social Demccracy* (Oxford, 1990).

[66] For the former see J. Coakley, 'Political Succession and regime change in interwar Europe', Ireland, Finland, Czechoslovakia, and the Baltic Republics', *European Journal of Political Research*, 14, pp.187-207; and D. Kirby 'Nationalism and national identity in the new states of Europe : the examples of Austria, Finland, and Ireland' in P. Stirk, *European Unity in context : the interwar period* (London,1989). For the

Why is the Irish experience seldom referred to in comparative discussions of the fate of democracy in the interwar era ? Firstly, it has been argued that the Irish experience was untypical of European experience on the whole, and that meaningful parallels can only be made with the developing nations in the Third World.[67] As the state is the only European state that can be considered a former colony of Great Britain's, comparisons with the colonial world are more suitable. This involves the additional assumption that Irish society, not simply Irish political structures and habits, was also post-colonial.[68] Secondly, since the Irish state was not seriously challenged by a strong Communist or Fascist movement in the period, it may be concluded that the state was ideologically immune to the sorts of pressures that led to democratic breakdown on the continent. However such organisations were considered sufficiently important for them to be banned in the 1930s. Their failure is part of the explanan not the explanandum of the Irish case. Thirdly, is the Anglo-centric view that the Irish Free State remained democratic because of its proximity to Great Britain. This view ignores the fact that British influence did little to shore up democratic practice in the statelet that was part of Britain, as well as underestimating the difficulties the British legacy created for democratic statebuilding in independent Ireland. Lastly, while Irish social science has absorbed many Anglo-American intellectual influences, it has only recently begun to look at the development of the Irish state in a European context.[69] Irish insularity has been the fundamental pre-condition of comparative neglect.

To date there has been no systematic attempt to assess the explanatory powers of comparative democratic theory for the Irish case. The chapters which follow attempt to do that by selecting a number of the most influential perspectives on democratisation and the stabilisation of democracy and testing them against the Irish evidence. They can be divided into two types : those that discuss structural pre-conditions for democracy and those that emphasise the importance of elite and institutional variables. The sources used reflect the eclectic choice of perspectives discussed in this thesis. Chapters two and three rely mostly on statistical evidence of the social structure of the Irish state. Some is taken from comparative volumes of historical statistics, some from official statistical collections such as Irish censal data. The subsequent chapters rely more on conventional historical primary sources. Throughout, primary sources are used not to chronicle

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latter see B Kissane, 'The Not So Amazing Case of Irish Democracy' *Irish Political Studies*, vol.10, 1995, pp.43-68; T. Garvin, *1922; The Birth of Irish Democracy*, pp.189-207.

[67] See R. Carty, *Electoral Politics in Ireland : Party and Parish Pump* (Dingle, 1983); J. Prager, *Building Democracy in Ireland* (Cambridge, 1986); D. Schmitt, *The Irony of Irish Democracy : the impact of political culture on administration and democratic political development in Ireland* (London and Toronto, 1973).

[68] For a criticism see L. Kennedy, 'Modern Ireland : post-colonial society or post-colonial pretensions ?', *Irish Review*, (Belfast, 1992).

[69] See for example J. Lee, *Ireland, 1918-1985* (Cambridge, 1989); L. Mjoset, *The Irish Economy in a Comparative Institutional Perspective* (Dublin, 1992); J.H. Goldthorpe and C.T. Whelan, *The Development of Industrial Society in Ireland* (Oxford, 1992).

or illuminate the unfolding of events but to illustrate and clarify theoretical arguments. The thesis is a work of comparative political science, not a study in the development of Irish political consciousness.

Ever since Hermens' diatribe against the effects of P.R. in the inter-war period most mainstream theories of democratic stability have addressed the issue of why the period proved to be so disastrous for democratic government.[70] However, the explanatory power of such theories, when tested against a wide number of cases, has proven to be of limited scope.[71] This doesn't necessarily imply that their explanatory power for individual cases can be dismissed from the start. Chapter two tests Lipset's argument that economic development and democracy were positively related by comparing Irish rates of economic development with those of the democratic and those of the undemocratic world. Chapter three tests Barrington Moore's thesis that democracy can only emerge when the traditional structure of agrarian class relations has been radically overturned, by looking at the impact of land reform on Irish political development. Chapter four assesses the now fashionable claim in democratic theory that elite decision-making is the crucial variable in the stabilisation of any democratic system. It looks at the efforts made in the first half of 1922 to prevent the outbreak of civil war in Ireland. Chapter five discusses the view, found in Prager and Garvin, that the civil war expressed the clash of two poles of Irish political culture, one a pre-modern communitarian one, the other a modern liberal-democratic one. Chapter six discusses two recent contributions to democratic theory which analyse the strategies elites employ to reshape chronically unstable political systems. In particular it concentrates on de Valera's creation of a constitutional Republican alternative to the Free State after 1932. Hermen's thesis that the sources of democratic survival and breakdown were to be found in the institutional structures of the interwar states is discussed in chapter seven. This chapter assesses the traditional claim that the stabilisation of Irish democracy after 1923 was a vindication of the Westminster system. Finally, chapter eight discusses the relationship between democracy and nationalism in Ireland by looking at the conflict between the two forces in the careers of Collins and de Valera. This chapter concludes the substantive part of the thesis. My conclusions are presented in the final chapter.

The theoretical relevance of the Irish case to the wider world of democratic theory has been the subject of a considerable Irish literature. Unfortunately much of this literature stresses the exceptionalism of the Irish case, suggesting that Irish democracy emerged out of an essentially unmodern society. In effect it treats Ireland as the India of the west. Carty sees Ireland as an exception to the rule that democracy blossoms only in modern developed societies.[72] Schmitt

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[70] F. Hermens, *Democracy or Anarchy : A Study of Proportional Representation* (New York, London, 1972).

[71] D. Berg Schlosser, and G. de Meur, 'Conditions for democracy in interwar Europe ; a Boolean test of major hypotheses', *Comparative Politics*, 26: 3, pp 253-281.

[72] R. Carty, *Electoral Politics in Ireland; party and parish pump* (Dingle, 1983), p.3.

argues that Ireland displayed many of the features of post- World War Two developing nations.[73] Prager also puts Ireland firmly within a Third World perspective.[74] Garvin's judgement is more ambiguous, although he also argues that 'the social reality of Ireland in the 1920's was that it was slowly emerging from serfdom and pre-literate culture and could only be built up slowly by the gradual and long-term efforts of large numbers of people'.[75] In contrast I argue that Irish democracy emerged out of a society that was relatively modernised, with high levels of education and urbanisation. Moreover it emerged after a half-century of land reform had thoroughly modernised the Irish social class structure. The stabilisation of Irish democracy after 1922 was no surprise. The relative modernity of the Irish state is precisely what distinguishes the Irish case from the less fortunate states in Eastern Europe, a point emphasised by Lee.[76]

It has been suggested that a robust democratic culture had developed in Ireland under the Union and that the strength of democratic norms in Irish political culture explains why the state remained democratic after independence.[77] Recent books by Prager and Garvin have provided different analyses of the nature of Irish political culture .[78] Their work is discussed in chapter four. It concludes that whereas the Irish social structure was comparatively modernised at the time of independence, Irish political culture contained residues of pre-modern cultural orientations that were incompatible with pluralist political processes. It has been suggested elsewhere that the Irish case can be considered 'one of the most politically overdeveloped countries in the world' relative to its social base.[79] However the fact that a relatively advanced society rapidly disintegrated into civil war in 1922 suggests an inversion of traditional wisdom is in order; Irish society in 1922 was socially developed but politically underdeveloped.

If the society had been underdeveloped, then the consolidation of a stable political system was a significant achievement, a testament to the skill and commitment of the Irish political elite. In this vein Garvin suggests that 'the Irish revolutionaries-turned politicians got it more right than wrong'.[80] In contrast, V.S. Pritchett, a correspondent based in Dublin during the civil war, believed that after six years of revolution 'the politicals were suffering from strain and many were out of their minds'. Personal relations were marked by jealousy and cruelty. 'There was continual talk of 'principle' but personal jealousy and vengeance were at the bottom of these

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[73] D. Schmitt, *The irony of Irish democracy; the impact of political culture on adminstration and democratic political development in Ireland* (London and Toronto, 1973), p.88.
[74] J. Prager, *Building Politics in Ireland* (Cambridge, 1986), p.29.
[75] T. Garvin, 'Revolutionaries turned politicians : a painful, confusing metamorphsis' *Irish Times,* 6 December, 1997.
[76] J. Lee, *Ireland 1912-1985* (Cambridge, 1989), p.69.
[77] See for example B. Farrell, 'The Paradox of Irish Politics' in B. Farrell (ed.) *The Irish Parliamentary Tradition* (Dublin, 1973).
[78] J. Prager, *Building Democracy in Ireland* ; T. Garvin, *1922; The Birth of Irish Democracy.*
[79] R. Carty cited in Garvin, *1922; The Birth of Irish Democracy*, p. 191.
[80] Ibid.

actions'.[81] Gavan Duffy, a Treaty signatory who resigned from the Provisional Government in the summer of 1922, believed that the 'bellicose Republicans' were to blame for the start of the civil war, but personal enmities that infected several of the leaders on both sides were 'of more lasting effect'. After the death of Collins the leaders of the Free State were not 'qualified by education and training to take part in constitutional controversies'. They were 'utterly perplexed by the problems of statecraft'.[82] In this vein, Gavan Duffy advised Mulcahy, Minister of Defence, in August 1922, of the need to purge the Provisional Government of its weaker elements.

> Time and patience would be saved by the elimination from your more intimate councils of the lesser men, who have been something of a dead-weight on recent ministry meetings and who scarcely contribute anything to counterbalance their indecision, their want of breath, and the obstinacy they mistake for strength.[83]

Naturally 'the character of elite political culture is central to any estimate of the prospects of democracy in any nascent polity, quite apart from economic conditions or even traditions of civic strife'.[84] A contemporary orthodoxy in democratic theory stresses that elites can 'craft' democracies in inhospitable climes if only the choices they make are the right ones.[85] However I shall criticise the voluntarist view that elites can always make a difference. Irish elites could do little to prevent the outbreak of civil war. Three factors, external pressure, insufficient elite hegemony, and the existence of a highly adversarial political culture explain their failure. The character of elite culture with its 'legitimist claims, abandoned oaths, and rival authorities',[86] was partially responsible for the disintegration of the nationalist movement into civil war. It proved compatible with democratic politics only after radical surgery had taken place.

A second characteristic of the new orthodoxy in democratic theory concerns the alleged centrality of elite constitutional choices for the stabilisation of democracy. A large literature has stressed the British origins of Irish constitutional choices.[87] Politics after 1922 continued to be conducted in a highly adversarial fashion in a political system that moved ever closer to its Westminster origins. Again, the instinct of the dominant civil war parties for adversary party competition

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[81] V.S. Prichett, *Dublin; A Portrait* (London, 1992), p.5.

[82] 'Voice Recording made for the Bureau by the Hon. George Gavan Duffy, President of the High Court', 20 January 1951, Gavan Duffy Papers, 1125/15 No. 17, National Archives.

[83] Duffy to Mulcahy, August 29 1922, Richard Mulcahy Papers, P7/B/100, U.C.D. Archives.

[84] T. Garvin, *1922; The Birth of Irish Democracy* (Dublin, 1996), p.197.

[85] See G. di Palma, *To Craft Democracies* ; *An Essay on Democratic Transitions* (Baltimore and London, 1979).

[86] E. O' Halpin, 'The Army and the Dail- Civil/Military Relations within the Independence Movement', p114.

[87] B. Chubb, *The Government and Politics of Ireland* (Oxford, 1970); B. Farrell, *The Founding of Dail Eireann* (Dublin 1971); B. Farrell, 'The Paradox of Irish Politics' in B. Farrell (ed.), *The Irish Parliamentary Tradition* (Dublin, 1973); B. Farrell, 'From First Dail through Free State', in B. Farrell (ed.) De Valera's Constitution and Ours (Dublin 1988); A.J. Ward, *The Irish Constitutional Tradition; Responsible Government in Ireland* (Dublin, 1993).

seems to have determined that the stabilisation of the Irish system would take a considerable amount of time. The viability of Westminster-type institutions was related to the nature of the initial divide between the civil war parties. If that division had been absent or less intense there is no reason to suppose that an alternative institutional framework would not have worked equally well.

The stabilisation of the democratic system, then, cannot be considered a vindication of Irish elite political culture. Rather, structural pre-conditions may have been more important. However one 'genetic' perspective that can be applied to the Irish case was developed by Dankwart Rustow two decades ago.[88] Rustow argued that the factors which bring a system into being are very different from the factors which keep it in place. In the Irish case sociological theories can tell us a great deal about the genesis of democracy but they tell us little about the process of democratic stabilisation. Rustow emphasised how important the experience of a phase of 'severe and deeply entrenched conflict' was to the life of a democracy. That experience can be positive if it is followed by the 'conscious adoption of democratic rules' by partisan elites. In this respect de Valera's formulation of a constitutional Republican alternative to the Free State after 1922 was a decisive aspect of the stabilisation of Free State democracy. Rustow also stipulated that 'national unity' was a pre-condition for stable democracy. In Ireland 'national unity' came about only when the Treaty had been significantly revised. A basic consensus on foreign policy was then manifest between 1939 and 1945 when the state pursued a policy of neutrality in the war, although personal hatreds prevented the formation of a national government. De Valera's creation of a constitutional Republican alternative to the Free State provided a necessary source of re-legitimation and one that was ultimately successful.

To summarise, the Irish state went through a familiar experience in the interwar period : the genesis of a democratic system was followed by breakdown, which in turn was followed by the re-equilibration of a democratic system. In all these phases British power was a vital determining factor. It was Britain's decision to democratise its own polity in 1918 that led to the Sinn Fein revolution at the ballot box and in the field. It was Britain's imposition of the Treaty settlement in 1921 that led to the civil war, and it was Britain's extension of the policy of appeasement to the 'restless dominion' in the 1930s that allowed de Valera to make the changes that were necessary for the creation of a more legitimate state. If Britain had acted differently, the outcome in Ireland would have been different. In saying that the sequence was one of genesis, followed by *breakdown*, and re-equilibration, I am setting myself at odds with two lines of interpretation in Irish political science. The first argues that the Sinn Fein elite achieved a significant degree of democratic institutionalisation between 1919 and 1921. The second represents the civil war as a conflict 'between majority right and divine right' and credits the

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[88] D. Rustow, 'Transititons to democracy ; toward a dynamic model' *Comparative Politics* 2 (April 1970); p.362.

Pro-Treatyites with the stabilisation of Irish democracy.[89] I argue that stable democracy came much later. Neither the failed attempts of the revolutionary Dail government to establish a democratic government in Ireland, nor the more successful efforts of the Cumann na nGaedheal elite to create a strong institutional base for Free State democracy, can be considered 'consolidations' of a democratic system. Both consolidation and legitimacy came only in the 1930s and were largely the work of de Valera.

[89] J.Lee, *Ireland 1912-1985*, p.67

Chapter Two : Economic Development and Democracy in Ireland.

'Ireland belonged to a group of countries which until the second world war had been largely unaffected by the main currents of industrial growth in the past century'.

U.N. Report 1961.

Writing in 1971, Robert Dahl reflected that ' it is widely assumed that a high level of socio-economic development not only favours the transformation of a hegemonic regime into a polyarchy but also helps to maintain - may even be necessary to maintain a polyarchy'.[1] The relationship between economic development and democracy has taken divergent patterns. First, development can lead to the permanent transition from an undemocratic to a stable democratic system. Second, where significant economic development does not take place, an undemocratic regime persists. Third, if the economic conditions are only 'mixed or temporarily favourable' then three possibilities exist: (a) democracy would break down and be replaced by an undemocratic system; (b) the same process occurs, but in this case the undemocratic regime also breaks down and is then replaced by a democratic system, (c) the second process continues without any type of system lasting long.[2]

Which pattern does Ireland fit into ? While Lee argues that between 1848 and 1918 'Southern Ireland modernised probably as quickly as any other western European society in this period', [3] other writers argue that independent Ireland is relevant to democratic theory precisely because it is an exception to the rule that democracy blossoms only in modern developed societies.[4] Irish democracy can be seen either as the normal outcome of processes of modernisation which transformed Irish society in the latter half of the nineteenth century, or as a modern polity which emerged out of an essentially backward society. In such a case 'unique historical events' rather than socio-economic processes, 'may account for either the persistence or failure of democracy'.[5] This chapter tests which of these possibilities is true, by comparing Irish rates of economic development with those of the democratic and those of the undemocratic world. The first section tests the relationship between democratisation and economic development, while the second examines the relationship between economic performance and the stabilisation of Irish democracy after 1922. The third provides a critique of the use of quantitative indicators in

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[1] R. Dahl, *Polyarchy: Participation and Opposition* (New Haven, 1971), p. 63.

[2] R. Dahl, *Democracy and its Critics* (New Haven, 1989), p. 242.

[3] J. Lee, *The Modernization of Irish Society 1848-1918* (Dublin, 1989), p.168.

[4] See for example R. Carty, *Electoral Politics in Ireland* (Dingle, 1983); J. Prager, *Building Democracy in Ireland* (Cambridge, 1986); and D. Schmitt, *The Irony of Irish Democracy* (Lexington, Mass, 1983).

[5] S.M. Lipset, 'Some Social Requisites of Democracy; Economic Development and Political Legitimacy', *American Political Science Review*, 4, 1959, p.72.

comparative politics. The emphasis is on clarifying the comparative position of the Irish state with respect to the levels of development existing in the democratic and the undemocratic world.

2.1 Economic Development and Democratisation.

The most influential developmental theory of democracy was published by Lipset in 1959. He asked why democracies are in general much wealthier, more urbanised, more educated, and more industrialised than non-democracies ? His answer was that the 'economic development complex', consisting of industrialisation, increased wealth, urbanisation, and education, provide a crucial support for democratic politics by creating a larger middle class.

Increased wealth.....also affects the political role of the middle class through changing the shape of the stratification structure so that it shifts from an elongated pyramid, with a large lower class base, to a diamond with a growing middle class. A large middle class plays a mitigating role in moderating conflict since it is able to reward moderate and democratic parties and penalise extremist groups.[6]

Lipset's hypothesis was that 'the more well-to-do a nation, the greater the chances that it will sustain democracy'.[7] The diffusion of wealth makes political compromise possible since it leads to a more open class system, educational opportunities for more people, and more economic security for the working class.

From Aristotle down to the present, men have argued that only in a wealthy society in which a relatively few citizens lived in real poverty could a situation exist in which the mass of the population could intelligently participate in politics and could develop the self-restraint necessary to avoid succumbing to the appeals of irresponsible demagogues. A society divided between a large impoverished mass and a small favoured elite would result either in oligarchy (dictatorial rule of the small upper stratum) or in tyranny (popularly based dictatorship).[8]

Lipset defined a democracy as 'a political system which supplies regular constitutional opportunities for changing the governing officials',[9] and more substantively as 'a social mechanism for the resolution of the problem of societal decision-making among conflicting interest groups which permits the largest possible part of the population to influence these

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[6] Ibid, 75.

[7] Ibid, p.80. Lipset speaks of 'social requisites' rather than necessary conditions but it is clear he believes that both the emergence of a democratic system and its' maintenance are closely related to this complex, whose components are so highly correlated with each other 'as to form one common factor' For example although individual characteristics, such as a high level of education may not be sufficient conditions for democracy, 'the available evidence does suggest, he argues, that it comes close to being a necessary condition in the modern world' (ibid).

[8] Ibid, p.75.

[9] Ibid, p.71.

decisions through their ability to choose among alternative contenders for political office'.[10] Independent Ireland is classified as a stable democracy. Since Lipset took durability to be one indicator of stability, he took his data from sources at the very end of the period he was discussing, from the late fifties. These data were used to answer the very different questions of why some states become democratic while others don't, and why some democracies remain democratic while others don't. The data I use to study the relationship between democratisation and development are taken from the beginning of the interwar period, whereas I use Lipset's data to explore whether the stability of democratic states has anything to do with their later economic performance.

Unlike Lipset I use durability as the only indicator of stability, providing these states satisfy democratic criteria continuously since 1920. The problem with Lipset's method was that his indicator of durability was at odds with his indicator of what he took to be another component of stability, legitimacy, which was shown by the non-appearance of an anti-system movement over the previous 25 years, beginning in 1934. I prefer to accept the fact that if the state continued to satisfy the criteria of democratic politics despite the emergence of an anti-system movement, then durability and legitimacy are more or less the same thing. Apart from that, I follow Lipset's method of testing his basic hypothesis; the higher the level of development the greater the chances for democratic politics, by comparing mean scores for the indices of development - wealth, industrialisation, urbanisation, and education - for a sample of democratic and 'less democratic countries'. I also include the figures for independent Ireland.

Lipset's data showed that the level of industrialisation was much higher for democracies than for non-democracies in 1959. His indices of industrialisation were the percentage of males employed in agriculture, and per capita energy consumed. It is difficult to find historical data for the latter, so I will concentrate only on the first, albeit for the whole of the workforce rather than males. Below table 2.1 shows the mean percentage of the workforce employed in agriculture for Lipset's samples around 1920, as well as figures for the Free State in 1926, and Ireland as a whole, in 1906. The figure for Ireland as a whole is exactly the same as that for Sweden in 1920, but with the qualified exception of Finland, no other democratic state had as high a proportion of its workforce in agriculture as the Free State, which has a figure midway between the democratic and the undemocratic mean. Ireland as a whole was not exceptional, but the independent state was significantly less industrialised than other democracies at the time.

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[10] Ibid.

Table 2.1 Percentage of the economically active population employed in agriculture around 1920.

	Mean Percentage	Range
European Democracies1	**27.5**	**7-44**
Ireland	**44**	
European Non-democracies3		
Irish Free State2	**53**	
European Non-democracies3	**75**	**58-28**

1 Denmark, Norway, Sweden, Belgium, the Netherlands, Switzerland, and Britain.

2 Figures are for 1926, and include those employed in forestry and fisheries.

3 Bulgaria, Hungary, Poland, Yugoslavia, and Austria.

Sources : M. Alestalo, 1986, Table 2, p.26. For Ireland, Mitchell, 1978, Table B1, p.148.

Most of the industries that had existed in the early nineteenth century, such as cotton, wool, silk, tanneries, and coachmaking, went into long-term decline after 1801.[11] The decline in industrial employment was particularly striking in the Western province of Connacht where in 1881 only 15.2 per cent of the labour force were employed in industry compared to 42.9 per cent in 1821. These Western areas were 'those most reliant upon foreign markets to absorb their surplus labour [and] were least successful in developing alternative sources of employment at home'.[12] Only in the province of Ulster was there a similarly dramatic decline in the percentage of the labour force employed in industry, from 55.3 per cent to 37.1 per cent, yet that decline was only in the border counties of Cavan, Derry, Donegal, Fermanagh, Monaghan and Tyrone, (three of which would be included in the Free State).[13] The closer one got to Belfast, the only example of large scale industrialisation in Irish history, the more decline gave way to growth. Partition, which removed the north-east from the territory of the new state in 1920, left the new state without a highly industrialised region. The censal report on the Occupation of Males over the previous decades in the areas of the Free State, published in 1926, showed a stagnant situation. In 1881 approximately 59 per cent of males worked in agriculture. This didn't decrease over the next decade and by 1901 it had actually increased to sixty per cent. By 1911, the last censal year before independence, it was only 56.4 per cent.[14] If Ireland did industrialise it was limited to certain areas. The Irish case neither supports nor refutes the thesis that industrialisation and democratisation are positively related. Areas of the Free State were industrialised by European standards. Others were less industrialised than the norm in Western Europe.

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11 J. Mokyr, 'Industrialisation and Poverty in Ireland and the Netherlands' *Journal of Interdisciplinary History*, (10,3, 1980), p 451.

12 Cited in S.A. Royle, 'Industrialisation, Urbanisation, and Urban Society in Post-Famine Ireland 1850-1921', in B.J. Graham, J.C. Proudfoot (eds.), *An Historical Geography of Ireland* (London, 1993), p.262.

13 S. Royle, ibid, table 8.2, p 263.

14 Irish Free State, *Official Census*, 1926.

Max Weber argued that the modern concept of citizenship was closely related to the emergence of cities. Similarly Lipset maintained that occupational groups such as farmers are more receptive to extremist ideologies and less tolerant of differences since they, 'like workers in isolated industries, tend to have a more homogenous political environment than those employed in most urban occupations'.[15] The more cosmopolitan social groups are exposed to a variety of influences and are less likely to accept all or nothing views. Table 2.2. shows the levels of urbanisation of eighteen states around 1920, ranked according to the size of the total population living in urban settlements of ten thousand or above. Figures are given for the percentage of the population living in areas of ten thousand to a hundred thousand inhabitants, a hundred thousand to a million inhabitants, and areas with over a million inhabitants. Rather surprisingly, Northern Ireland had one of the most urbanised populations in Europe, being typical of Great Britain rather than of Ireland as a whole. However, despite the effect of partition the Free State was not exceptionally rural among democracies. It was more urbanised than Sweden and Norway for example. A relatively large proportion of the population, fifteen percent, lived in cities of a hundred thousand or more. This is above the average for our sample of states and higher than that of Italy, Switzerland, and Denmark.

However the geographical pattern of urbanisation reveals a similar pattern to that of industrialisation. The overall proportion of the Irish population living in towns increased from 15 per cent in 1841 to 35 per cent in 1914.[16] Dublin, with a population of 300,000 in 1914, and Belfast, which saw its population grow from 100,000 to 400,000 between 1850 and 1914, were the largest population centres. Their growth was exceptional. Royle estimates that the mean rate of urbanisation for an Irish town between 1841 and 1911 was 0.47 per cent per annum. In other words a town would grow to 133 per cent of its 1841 size by 1911. Yet most Irish towns failed to grow at all, and were smaller in 1911 than in 1841. Only twelve out of thirty-two counties had any town with a growth rate above the mean. All the five counties with a positive general urbanisation rate were in the East of the country. Those towns that grew at a rate higher than the national mean clustered around commercial centres like Dublin, Limerick, Cork, or Galway, or around Belfast.[17] Again, while Irish figures do not disprove the thesis that urbanisation and democratisation are positively related, internal variation in the rate of urbanisation suggest that this relationship was stronger in some areas than others.

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[15] Lipset, 'Some Social Requisites', p.96.
[16] J. Lee, *The Modernisation of Irish Society 1848-1918*, p.14.
[17] Royle, op. cit., figure 8.5., p288.

Table 2.2. Distribution of total population by size of locality as a per cent of total population in European countries around 1920, ranked according to size of total population in urban centres of 10,000 or above.

Country	Less than 10,000	10,000 -100,000	100,000 - 1,000,000	More than 1,000,000.
England & Wales			39.1	
Netherlands	41.3	34.5	24.2	
N. Ireland	46.4	10.3	33.0	
Italy	54.4	32.3	13.3	
Belgium	57.9	14.6	30.2	
Germany	18.6	08.2		
Austria	58.7	08.3	02.6	30.4
Denmark	64.6	14.0	21.4	
France	65.4	19.2	08.0	07.5
I.F.S.	68.2	08.9	22.9	
Switzerland	72.4	16.1	11.5	
Norway	75.3	14.9	19.8	
Sweden	76.5	11.0	12.5	
Hungary	69.3	16.3	14.4	
Finland	87.5	06.8	05.9	
Czechoslovakia	81.1	11.3	08.0	
U.S.S.R.	85.6	07.9	06.5	
Yugoslavia	92.7	05.3	02.0	

Sources; for Western Europe, P. Flora, 1987, pp. 251-280; for Eastern Europe and the U.S.S.R., Schoup, 1981, Table H, pp. 397-407.

Increased wealth has positive political effects since it increases the security, income, and opportunities of the working class, which become reformist in their politics, according to Lipset. 'A belief in secular reformist gradualism can only be the ideology of a relatively well-to-do lower class', he argues.[18] The absence of a well-to-do working class also affects the upper classes' attitude towards democratisation.

the poorer the country, and the lower the absolute standard of the lower classes, the greater the pressure on the upper strata to treat the lower classes as beyond the pale of human society, as vulgar, as innately

[18] Lipset, 'Some Social Requisites', p.83.

inferior, as a lower caste. The sharp difference in the style of living between those at the top and those at the bottom makes this psychologically necessary.[19]

Only rough international comparisons are possible with respect to wealth. Here I rely on the figures for national income calculated by a group of Irish economic historians.[20] Two estimates of G.N.P. are provided in table 2.3. The first set in column A relates to G.N.P. per capita valued at U.S. prices. The second set, in column B, is based on different sources, and relates to G.D.P. per capita . In their discussion of the European figures Kennedy et al showed that the two measurements led to different results. The first set of figures, A, suggests that Irish G.N.P per capita in 1913 was only slightly below the European average, and sixty per cent higher than the level of Eastern Europe as a whole. Ireland comes tenth out of twenty-three European countries and its per capita GNP was about 15 per cent higher than the European mean level, only slightly behind that of France, Austria, and Sweden. However the second set of figures, B, leaves Ireland in twelfth position, its product per capita marginally below the mean level.

Table 2.3. Real Product per capita in Democracies, Non-democracies, and Ireland relative to the UK in 1913.

	A	Range	B	Range
Stable	**83.5**	**57 - 126**	**97.5**	**52-122**
Democracies				
Unstable	**41.8**	**28-72**	**46.6**	**26-67**
Democracies				
Ireland	**61**		**55**	

Source : Kennedy et al, 1988, table 1.1, .14.

Nevertheless, the authors conclude that

both sets of figures are consistent with the broad conclusion that average income per capita in Ireland was not widely different from the European average in 1913. Thus, while it would be going too far to imply, as Lee does, that Ireland in 1913 was in the first division among European countries in terms of per capita income, nevertheless its relative standing was surprisingly high for a country commonly thought of as a very poor and undeveloped country.[21]

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[19] Ibid.

[20] K. A. Kennedy, T. Giblin, and D. McHugh, *The Economic Development of Ireland in the Twentieth Century* (London and New York,1988), p.198, Table 1.1, p.14.

[21] Ibid, p.15.

Nevertheless, after including the non-European democracies, the United States, New Zealand, Canada, and Australia, the figures show that Ireland is, really in an intermediary position between the democratic and the undemocratic groups. Next to Norway it has the lowest score for per capita GNP on both measurements, while its position vis a vis the mean scores is midway between the democratic and the undemocratic countries on the first measurement, and clearly closer to the undemocratic mean on the second. In short, as a European democracy Ireland was not poor, but as a member of a larger world of democracies, it was quite a poor relation.

The widely-held view that the better educated a society the better the chances for democracy is shared by Lipset. Today democratic countries are almost entirely literate and have consistently higher rates of enrolment at all educational levels than non-democracies. Education is held to be an indispensable requirement of citizenship. In a basic sense, political literacy, reading newspapers, registering to vote, and voting, all require basic functional literacy. Education broadens outlooks, makes people see other's points of view, and enables them to appreciate the need for tolerance in a political system. Perhaps the most important educational qualification is the possession of literacy. The interwar data suggest that near-universal literacy is the norm for democratic countries. Diverse countries like Australia, Czechoslovakia, the Irish Free State and the United States, all had literacy rates well over 9O per cent around 1921.[22] In contrast, those Eastern European countries that were undemocratic show a consistently lower level of literacy. In 1928 the U.S.S.R. and Portugal had more illiterates than literates, Yugoslavia had almost as many illiterates as literates, while Roumania's literacy rate was only just above 50 per cent and Greece's was only 56.1 per cent. Poland and Italy, which had reverted to authoritarian rule by 1928, score highest among non-democracies with 71.7 per cent and 75.7 per cent respectively. Unlike other developmental indicators, the individual figures for democracies do not vary much and are in almost all cases close to 95 per cent of the population. The one qualified exception is Finland with only 81.2 per cent literate, but this figure is closer to the mean figure for democracies than to the mean figure for non-democracies.

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[22] See A. Banks, *Cross Polity Time-Series Data* (Cambridge; Mass, 1981), segment seven, column A.

Table 2.4. Educational Enrolment Rates in 1920, ranked according to number of enrolled students per ten thousand of the population in each educational sector.

Primary		Secondary		University
U.S.A.	1974	U.S.A.	247	U.S.A. 6.5
N. Zealand	1877	Switzerland	198	Italy 4.1
Netherlands	1629	Greece	167	New Zealand 3.2
Ireland	1608	Czech/vakia	166	Austria 2.3
Germany	1572	New Zealand	128	Switzerland 1.8
Belgium	1502	Germany	117	Germany 1.5
Norway	1449	Italy	108	Hungary 1.2
Switzerland	1388	Finland	102	Belgium 1.1
Austria	1381	Bulgaria	101	U.K. 1.1
Bulgaria	1347	U.K.	83	France 1.1
U.K.	1279	Norway	83	Poland 1.1
Sweden	1211	Poland	75	Sweden 1.0
Hungary	1211	Hungary	70	Czech/vakia 1.0
Italy	1113	Ireland	69	Finland 0.9
France	1025	Austria	65	Ireland 0.9
Czech/vakia	1017	Sweden	61	U.S.S.R. 0.8
Poland	899	Roumania	60	Netherlands 0.8
Greece	888	Belgium	52	Roumania 0.7
Finland	708	U.S.S.R.	51	Denmark 0.6
Yugoslavia	674	Yugoslavia	43	Portugal 0.3
Roumania	642	Netherlands	43	Greece 0.1
U.S.S.R.	417	France	38	Bulgaria 0.0
Portugal	313	Portugal	18	Norway 0.0

Source, A. S. Banks, 1971, Section 6, pp. 208-236.

Lipset uses three other indicators to measure the level of education in a country, primary enrolment, secondary enrolment, and higher education enrolment. Above table 2.4 gives figures for enrolment levels in these sectors per ten thousand persons. The figures suggest a strong relationship between the level of basic education and democratisation. They also suggest that while basic educational development may be a necessary condition of democracy, increases in the level of secondary and university education will not necessarily increase the prospects of democratic politics, unless this first hurdle is passed. Ireland came fourth out of twenty-three states in this table. A system of primary education was established in Ireland in 1831, and in the

1890's eight years of schooling was made compulsory. Where there had been 4,500 schools and 500,000 pupils in 1848, by 1914 this had doubled to around 9,000 schools and 1,000,000 pupils in 1914. Lee casts doubt on the efficacy of this system in reducing illiteracy rates. Poor attendance rates were common. The majority of children before 1918 received only 4-5 years schooling, the absolute minimum necessary to cross the threshold of literacy. It was estimated for example that in 1921 the average school attendance under the age of fourteen was only 15 per cent.[23] The 1927 School Attendance Act tried to enforce attendance. Nevertheless, the figues suggest that the Free State had achieved a comparatively high level of basic educational development by independence and that the vast majority of the population were functionally literate.

What conclusions can be drawn from these figures ? Firstly, there is little statistical backing for the argument that,

> as a twentieth century nation faced with the problems of decolonisation, it is more comparable in character and conviction, in many respects, to the new nations of the Third World than to Denmark, Switzerland, or other small Western democracies to which it is more frequently compared. Its economy and social structure bear the strong imprint of its colonially dependent status. It still remains a largely rural, agriculturally orientated nation, unlike most of its Western counterparts.[24]

Ireland belonged to the developed world and in 1920 was a more developed society than the Eastern European states, never mind those in Asia and Africa. In comparison to the other 'small Western democracies' to which it is in fact infrequently compared, the Free State was an educated and urbanised society, although the figures for industrialisation and wealth suggest that it was in an intermediary position between the Western European countries and those of Eastern Europe. That would still have been an undreamt-of prospect to the million people who died of starvation and disease between 1845 and 1849. The great benefit of the industrial revolution in the late nineteenth century was that 'it changed the life of those who lived through it by gradually eliminating the great subsistence crises and catastrophes which struck Europe before'.[25] Mokyr argues that the prospect of economic catastrophe should be counted as a measure of poverty : 'poverty is higher when the probability of a random individual, at a random point in time, dropping beneath subsistence is higher'.[26] When Irish harvests again failed in the 1870s there was no subsistence crisis. A fall in the population, a more commercialised farming sector, and a

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[23] J. Lee, *The Modernisation of Irish Society 1848-1918,* p. 28.
[24] J. Prager, *Building Democracy in Ireland,* p.29.
[25] J. Mokyr, 'Industrialisation and Poverty in Ireland and the Netherlands', *Journal of Interdisciplinary History,* (10,3, 1980), p.262.
[26] Ibid.

more extensive railroad network had reduced the threat of high mortality.[27] Economic development, however much it differed from that in the advanced West, was responsible for a considerable improvement in living standards since 1847.

On the other hand, although the Irish figures show that the new state's level of development was significantly higher than East European countries at the time, they do not support the stronger argument made by Lee that Southern Ireland modernised at a comparable rate to other Western societies between the Famine and independence.[28] Central to the concept of development is the idea of growth. Most European countries saw their populations grow by an average of one per cent per annum in the nineteenth century. In contrast, the Irish population decreased on average by one per cent per annum through the nineteenth century, and between 1849 and 1911, the population almost halved in size. This decline affected the pattern of economic development. Although Ireland's G.N.P. levels remained close to the European average in 1913, the annual growth rate of total product in the century before was only estimated to have been 0.7 per cent, which was the lowest among European countries. With Spain, Ireland was the only country to stay behind the 1 per cent rate. In contrast the per capita growth rate was one of the highest in Europe for the same period, but this is largely explained by the population decline.

Given the wide disparities in income levels in 1841, and the fact that the bulk of the population decline was concentrated in the poorer half of the population, a significant increase in overall average income per capita would emerge even if the better half of the population had experienced no improvement in income per capita.[29]

Although Ireland may have been as wealthy as Norway and was wealthier than Finland in 1913, this was not a product of greater development. Rather the vicissitudes of persistent underdevelopment were mitigated by large scale emigration from the areas worst affected. What emerges from the historical statistics of Irish social development is not a picture of overall growth, but one where

a declining rural economy associated with the loss of population at and after the Famine, contrasted with extensive urbanisation based around the commerce of Dublin, and more particularly, the industrialisation of Belfast and eastern Ulster.[31]

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[27] Ibid, p. 458.
[28] J. Lee, *The Modernisation of Irish Society 1848-1918*, p.168.
[29] Kennedy et al, *The Economic Development of Ireland in the Twentieth Century*, p.21.
[31] S. Royle, op. cit., figure 8.5., p. 288.

What developed was not so much two economies, an outward-looking commercial one in the East, and a backward subsistence economy in the West, but 'a continuum in which underdevelopment gradually became more severe as one moved westward'.[32] National statistics do not reflect this complex pattern. Some areas on the future *Saorstat* may have been very developed by West European standards while others may have resembled Eastern Europe more. [33]

On the whole the Irish case seems to occupy an intermediary position between the democratic and the undemocratic samples. Those countries that were less developed than the Free State were undemocratic, while those that were more developed were democratic. A possible exception is Finland, but the figures do not support the view that 'the Irish case is more impressive than the Finnish, because Ireland was a poorer country, less well-educated, and with far less experience of self-government in pre-1914 times',[34] since Finland scores significantly lower than the Irish case on each developmental indicator. Rather Finland's difficulties in establishing a stable democracy can be attributed to Finland's low level of socio-economic development when it became independent. In the Irish case the figures suggest the converse. By 1920 the Free State had reached those levels of socio-economic development that were necessary to sustain a democratic polity.

2.2. Economic Performance and the Stabilisation of Democracy.

It is frequently argued that continued economic success is a necessary condition of political stability in democratic states. Lipset analyses democratic persistence and breakdown in terms of two concepts, legitimacy and effectiveness. The first 'involves the capacity of a political system to engender and maintain the belief that existing political institutions are the most appropriate or proper ones for the society'.[35] The second is defined as 'the extent to which it satisfies the basic functions of government as defined by the expectations of most members of the society'.[36] The question Lipset asks is 'how the degree of legitimacy of a democratic system may affect its capacity to survive the crisis of effectiveness, such as depressions or lost wars'? [37]

A four-fold table is used by Lipset to analyse the fortunes of countries during the depression of the thirties. There are four possible combinations of his variables. These are represented graphically below in figure 2.1 by positions A, B, C, and D. In A he places Sweden, Britain, and

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[32] Mokyr, op. cit.
[33] The significance of these variations is discussed in chapter five.
[34] T. Garvin, 'Irish Democracy and British Rule' in *Revising the Rising* (Derry, 1991), p.26.
[35] Lipset, 'Some Social Requisites of Democracy', p.86.
[36] Ibid.
[37] Ibid.

the U.S.A., possessing both legitimacy and effectiveness. In C he places countries like Austria and Germany, low in legitimacy but which remained 'reasonably effective'. In D Lipset would place ineffective and illegitimate regimes which need to maintain themselves by force, as in the Stalinist regimes of Eastern Europe. No mention is made of regimes in B during the thirties, low in effectiveness and high in legitimacy.[38]

Table 2.5. Showing the relationship between different degrees of effectiveness and legitimacy in different political systems.

		Effectiveness.	
		+	-
Legitimacy	+	A	B
	-	C	D

Source, Lipset, 1959, 90.

Lipset summarises the inter-war experience as follows,

When the effectiveness of the governments of the various countries broke down in the 1930's, those countries which were high on the scale of legitimacy remained democratic, while countries which were low such as Germany, Austria, and Spain, lost their freedom, and France narrowly escaped a similar fate. Or to put the changes in terms of location in the four-fold table, countries which shifted from A to B remained democratic, while the political systems which shifted from C to D broke down.[39]

The Weimar Republic failed to survive the crisis of effectiveness during the Great Depression, even though its economy did not suffer to the extent of those of the U.S. or the Netherlands, which 'entered the depression high in legitimacy and their regimes consequently endured intact'.[40] So at first Lipset suggests that a high degree of legitimacy can compensate for short-run deficiencies in effectiveness. Later he seems to reverse the argument by hypothesising that

Prolonged effectiveness which lasts over a number of generations may give legitimacy to a political system; in the modern world, such effectiveness mainly means constant economic development. Thus those nations

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[38] Although as I suggest below many of the democratic survivors may be classed in this category.
[39] Ibid, p.90.
[40] Ibid, p.41.

which adapted most successfully to the requirements of an industrial system had the fewest internal political strains, and either preserved their traditional legitimacy, the monarchy, or developed new strong symbols of legitimacy (my emphasis).[41]

This suggests that the legitimacy of traditional institutions is due to successful modernisation, and that effectiveness is really a side-effect of economic growth. In short stability is solely explained by economic success. In a later article, Lipset explains the redemocratisation of Western Europe and Japan after 1945 in these terms. Post-war Germany, Italy, and Japan, 'clearly had no legitimacy at birth. But they have had the advantage of the post-war 'economic miracles, which produced jobs and a steadily rising standard of living. They have been economically effective for over four decades'.[42] So regimes which lack traditional legitimacy must be effective if they are to be stable.

Either way, what is noticeably absent from Lipset's analysis is a consideration of states like the Irish Free State that did not begin the interwar period with a high degree of legitimacy, and were therefore in either position C or D to begin with, but did not break down during 'the crisis of effectiveness'. In contrast it became more stable as the 30's went on. This leaves two possibilities. It could have moved from C or D to A or to B. If the former happened, its achievement of legitimacy could be explained by an increase in effectiveness, or if it moved to B it became legitimate without an improved economic performance. I test which of these possibilities was true by comparing the Free State's comparative position on the main developmental indicators around 1959, with its' position around 1920.

Table 2.6. shows the figures for industrialisation, which also include figures for the second of Lipset's indicators of industrialisation, per capita energy consumption, measured in terms of tons of coal per person per annum. These figures show that the position of the Irish Free State had changed dramatically since 1920. On both measures its position is typical of non-democratic states, whereas the 1920 figures suggested it was in an intermediary position between the two samples. Clearly there was little significant industrialisation between 1920 and 1959.

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[41] Ibid, p.91.

[42] Seymour Martin Lipset, 'Conditions of the Democratic Order and Social Change: A Comparative Discussion', in S Eisenstadt, *Democracy and Modernity* (Lieden New York, 1992), p. 9.

Table 2.6. Irish rates of industrialisation compared with 'more' and 'less' democratic countries 1956-59.

	% Males in Agriculture	Per capita energy consumed
Democratic mean,	**21**	**3.6**
Non-democratic mean	**41**	**1.4**
Republic of Ireland.	**41**	**1.3**
Ranges.		
Democracies.	**6-46**	**1.4-7.8**
Non democracies.	**16-60**	**2.7-3.2**

Sources, Lipset, 'Some Social Requisites', Table 11, p. 76 ; U.N. *Demographic Yearbook*, (1956), table 12, pp. 350-370 ; U.N. *Statistical Yearbook*, (1956), table 127, pp. 308-310).

Although the Irish educational data show moderate increases on the 1920 data in all respects, the basic pattern shown by the 1920 data has continued. The Free State had a very high level of basic educational development, but this had not been translated into growth in other sectors before 1959. Arguably the second generation in independent Ireland were not substantially better educated than the first. Although the level of secondary education was probably not low by democratic standards, university education was severely restricted by European standards, democratic or undemocratic. The Irish experience between 1921 and 1959, one might conclude, was more one of educational frustration than educational development.[43]

Table 2.7. Irish rates of education compared with 'more' and 'less' democratic countries 1956-59.

Means	% Literate	Primary Enrolment per 1,000 persons	Secondary Enrolment per 1,000 persons	Higher Education Enrolment per 1,000 persons
Democracies	**99**	**126.5**	**35.9**	**4.2**
Non-democracies	**93.4**	**120**	**18.1**	**3.5**
Republic of Ireland	**96**	**176.7**	**25.6**	**22.6**
Ranges				
Democracies	**96-106**	**92.5-183.9**	**12.3-76.7**	**1.7-17.83**
Non-Democracies	**77-100**	**91.6-152.4**	**6.0-30.6**	**1.6-6.1**

Source, Banks, 1971, Section 6, 206 - 236.

[43] On this point one counsels caution. If the figures for the 1920s hid a reality of poor school attendance, early drop out rates, and minimal literacy attainments, the achievement of the state after 1921 may have been to make the statistical illusion behind the Irish 'love of learning' more of a reality.

Lipset doesn't specify a date for the figures for urbanisation but the year 1959 is assumed to be a good guide.[44] Again the figures in table 2.8 show a changed situation. Whereas in 1920 the state was a relatively urbanised society, more so than Sweden for instance, by 1959 the number of people living in areas of ten thousand or less had declined by only four per cent. Over the same period the Swedish figure for the per cent living in areas of ten thousand or less dropped from over three quarters of the population to less than half. In 1920 almost a third of the Irish population lived in urban areas of 10,000 or more. By 1959 the figure was 35.7 per cent. This figure is much closer to the non-democratic mean. The percentage of the Free States' population living in urban areas between 10,000 and 100,000 inhabitants increased only slightly in this period. It also remains below the mean figure for the less democratic sample. In fact the Irish figure is the lowest of all the countries, having been passed out by Finland and Yugoslavia. The percentage of the Irish state's population living in large cities of 100,000 or more, slightly increased. The figure is still clearly closer to the democratic mean, but doesn't negate the overall impression picture of a society that failed to urbanise at a rate comparable to other Western democracies. In 1920 the Free State was an urbanised society by European standards. By 1959 it was an exceptionally rural democracy.

Table 2.8. Irish rates of Urbanisation compared with 'more' and 'less' democratic countries.

Country	-10,000	10,000 -100,000	100,000+
European Democracies1	**56**	**24.4**	**28**
European Non- democracies2	**63.7**	**18.9**	**16**
Republic of Ireland	**64.3**	**10.3**	**25**
Ranges			
European Democracies	**40-72.3**	**10.3-42.6**	**22-56**
European Non democracies	**40-77.4**	**10.7-35.3**	**7-49**

1 Belgium (1961) Denmark (1960) I.F.S. (1961) Netherlands (1960) Norway (1960) Sweden (1960) Switzerland (1961).

2 Austria (1961) Albania (1960) Bulgaria (1956) Czechoslovakia (1961) Finland (1960) France (1962) Hungary (1960) Italy (1961) Poland (1960) Romania (1960) Yugoslavia (1961)

Sources , see table 1.2.

44 The Irish figures are for 1961.

For the post war period it is easier to obtain figures for Lipset's numerous indicators of wealth than it is for 1920.[45] Table 2.9. shows that the Free State was not poor by European standards. What is noticeable is that its system of communications was undeveloped. Some decline is apparent in terms of its G.N.P. per capita. In 1913 it was placed about tenth out of twenty-three European countries in terms of G.N.P per capita. From these figures it had dropped to seventeenth out of twenty-seven countries, but its figure was still higher than those of most Eastern European countries, with the exceptions of East Germany and Czechoslovakia.

Table 2.9. Irish rates of wealth compared with 'more' and 'less' democratic countries.

	Per capita income in $	Thousands of persons per Doctor	Persons per motor vehicle	Telephones per 1,000 persons	Radios per thousand persons	Newspaper copies per thousand persons
Democr-acies	695	.86	17	205	350	341
Non - democracis	308	14	143	58	160	167
Republic of Ireind	550	1	16.5	52.5	174	225

Note; While all the mean figures and some of the individual figures for Ireland are taken from Lipset 1959, the following individual figures are taken from different sources. G.N.P. per capita for the year 1957 , thousands of persons per doctor for the year 1959 , and newspaper circulation per 1,000 for the year 1960. are from B. Russett et al, 1964, tables 44, 59, and 31. The national figures for Telephones per thousand and Radios per thousand are from C. L. Taylor and M. C. Hudson, 1972, Tables 5.6, 5.7, and are for the years 1965, and 1960 respectively.

In summary, do these figures support Lipset's hypothesis that improved effectiveness gave legitimacy to the system ? Clearly the possibility is disproved by the Irish figures which show a decline since 1920 on practically all aspects of development. Rather than moving from C to A on Lipset's figure, from being a state with a high degree of effectiveness and a low degree of legtimacy, to being a state with a high degree of both effectiveness and legitimacy, the figures suggest that the Irish case moved from C to B. It went from being a state with a low degree of legitimacy and a high degree of effectiveness, to being a state with a high degree of legitimacy and a low degree of effectiveness. This suggests that the achievement of legitimacy had next to nothing to do with economic performance.

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[45] Some of these indicators are more appropriately considered measures of social mobilisation, such as newspaper copies per thousand person. Nevertheless social mobilisation can still be considered a dimension of development and is relevant to the emergence of a political system that requires at least periodic mass participation.

Coakley tested the hypotheses that the collapse of liberal democracies was related to the severity of the economic crisis, by comparing economic fortunes of three democracies that survived the depression, Czechoslovakia, Finland, and Ireland, with those of three that collapsed, Estonia, Latvia, and Lithuania. He notes that the survivor's external trade experienced a slump of the same degree as the Baltic Republic's.[46] An examination of the cost of living index for the latter group suggests that the material conditions of people in the Baltic Republics may actually have been improving when the Estonian and Latvian coups took place. Furthermore, data on unemployment levels show that unemployment increased at a dramatically higher rate in Ireland and Czechoslovakia, 'where, ironically, the authoritarian threat was weakest - to a point enormously above the Baltic and Finnish levels'.[47] There seems to be no relationship between the two variables Lipset uses to explain the fate of democracy in the period.

Similarly, within the democratic sample, economic performance explains little about political outcomes. For example the economic crisis in Ireland was deeper than that in Finland but it was in Finland that the emergence of a small right-wing party in the early thirties, the Lapuas, proved 'almost fatal to parliamentary government'.[48] In contrast the emergence of the Blueshirts did not present as serious a challenge to democratic government in Ireland. The immediate reason for the severity of the depression in Ireland was the state's dependence on agricultural exports, which took up about 86 per cent of total exports and made up over a third of national income in 1929.[49] Agricultural income declined by 12.8 per cent between 1929 and 1931 and its fall accelerated after that.[50] The situation was compounded by the fact that traditional routes of emigration dried up in the early 1930s, leaving the state with more and more unemployment. According to one estimate, whereas in 1929 over twenty thousand people emigrated, by 1932 this figure had dropped to less than one thousand per annum.[51] The figures for those registered as unemployed, also show a dramatic increase from the late twenties to the mid-thirties.[52] Irish democracy was stabilised during a time of economic hardship, and high unemployment.[53] In Finland, the general consensus is that the state did not suffer heavily from the depression. Kirby argues that this was an important source of stability.[54] Between 1922 and 1928 the Finnish economy had recovered from the war time crisis and its export goods had found new markets in

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[46] J. Coakley, 'Political Succession and regime change in new states in inter-war Europe: Ireland, Finland, Czechoslovakia, and the Baltic Republics', *European Journal of Political Research,* 1986, 14.
[47] Ibid.
[48] M. Rintaala, *Three Generations* (Bloomington, 1962), p.164.
[49] A. Orridge, 'The Blueshirts and the 'Economic War': A study of Ireland in the contex of Dependency Theory', *Political Studies,* (1983), p.352.
[50] Ibid.
[51] Mitchell, *International Historical Statistics: Europe 1750-1933* (Basingstoke,1998), Table A9, p.130.
[52] Unfortunately these figures are notoriously unreliable.
[53] For a discussion of economic policy in this period see R. Dunphy, *The Making of Fianna Fail Power in Ireland 1923-1948* (Oxford, 1995).
[54] D. Kirby, *Finland in the Twentieth Century,* (London,1979), p.98.

Western Europe to replace the Russian ones.[55] Although the depression reduced exports, the larger companies survived and paper production actually increased its output. Smaller companies did go to the wall but by 1933 the economy was beginning to recover. The interwar period ended well for the Finnish economy

The industrial workforce grew from an average of 35,000 during the period 1921-25 to over 225,000 in 1939, and the power used in industry rose from 360,000 H.P. in 1939. The agricultural population (farmers and their dependants) had fallen slightly from 2,015,000 in 1920 to 1,900,000 in 1940, and as a proportion of the total population it had come down from 65% to just over one half.[56]

Economic trends before and immediately after the emergence of the Lapua movement were more favourable in Finland than in Ireland. It is therefore difficult to explain the more severe nature of the political crisis in Finland in economic terms.

There was no simple relationship between economic success and democratic stability. Linz suggests that this may also be true of other states.

The world depression that presumably destroyed democracy in Weimar and Austria created more unemployment in Norway and in the Netherlands and in fact consolidated the Norwegian democracy. The Dutch government was one of the most long-lasting after the depression. The degree of institutional legitimacy was more decisive than the economic crisis.[57]

Brian Barry reflects that regimes that were low in efficiency and high in legitimacy in the 1930s may have been the rule rather than the exception in the democratic world, since in the 1930s all the 'stable democracies' had 'serious unemployment problems'. The United States is the only such case Lipset acknowledges, but practically all the Scandinavian countries can be considered states that were low in effectiveness but high in legitimacy.[58] This suggests that for most of the interwar democracies what was important was that these systems had consolidated themselves prior to the depression, that the sole source of stability was simply the legitimacy of the existing arrangements, or as Coakley puts it, 'the extent to which it [i.e. the population} had had the opportunity of absorbing liberal democratic norms', and not a combination of legitimacy and effectiveness at all.[59] If a state's effectiveness is bound to vary, as it did in most states in the

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[55] F. Singleton, *The Economy of Finland in the Twentieth Century* (Bradford,1991), p.34.
[56] Ibid, p.35.
[57] J. Linz, 'Transitions to Democracy', *Washington Quarterly*, (Summer 1990), p.160.
[58] See B. Barry, *Sociologists, Economists and Democracy* p. 65 ; E.C. Bellquist, 'Government and Politics in Northern Europe: An account of recent developments' in *Journal Of Politics*, 1948, vol 8, no.3, p. 391.
[59] Coakley, op. cit., abstract.

1930s, then any stable state 'must be legitimate though it may or may not be effective'.[60] What explains long-term stability in democratic countries is therefore legitimacy on its own.

The achievement of Irish political stability then cannot be explained by the economic performance of the Irish state after 1921. MacDonagh argues that between 1921 and 1959 the Irish economy grew by only one per cent.[61] In 1961, just two years after the publication of Lipset's article, the U.N.'s annual *Survey of the World Economic Situation* published a report on the development problems of Southern Europe and Ireland. It grouped Ireland with the peripheral countries of Turkey, Greece, Yugoslavia, Spain, and Portugal

Per capita income in Ireland is roughly twice as high as in the countries of southern Europe, but still only one-half of that of the industrial countries of western Europe. Though climatically Ireland resembles more the countries of north-western Europe, it is closer to those of southern Europe in economic structure and its lack of economic development. In particular, as in those countries, agriculture predominates in employment, output and exports, and under-employment and unemployment are only partly offset by emigration.[62]

Despite these structural similarities, none of these Southern European countries was democratic whereas the Free State was. Peillon came to the paradoxical conclusion that 'Ireland displays major institutional features which are closely associated with advanced societies, although it cannot be defined as an advanced capitalist economy'. He pointed to 'striking disjuncture' between the processes of capitalist development and institutional development, a disjuncture which is more pronounced for the post-independence period than for before 1921.[63]

3 Minima and Maxima of Democratic Development.

For most of the last two decades the Irish case has been considered an exception to the rule that democracy blossoms only in modern industrial conditions. As 'a poor new nation' is serves as a useful test case for theories of democratic breakdown in the Third World.[64] Such a view suggests that there is no relationship between the processes of capitalist development and institutional development in Ireland. Part of the reason for this belief lies in the country's self-perception as a post-colonial state. Part also lies in the fact that the comparisons normally made between Ireland and the democratic world are with the very developed world of Anglo-American democracy, and not with the smaller European democracies where levels of economic development before 1921

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[60] Barry, op. cit. ,p.66.

[61] O. MacDonagh, *Ireland: the Union and its Aftermath* (London, 1975), p.127.

[62] United Nations, *Economic Survey of Europe in 1959; with study of Development Problems in southern Europe and Ireland*, (Geneva: U.N., 1961), ch 7, p.1.

[63] M. Peillon, 'Placing Ireland in Comparative Perspective', *Economic and Social Review* 1994, p.193.

[64] F. Munger, *The Legitimacy of Opposition ; the change of government in Ireland in 1932* (Beverly Hills, 1976), p.34.

were comparable to Ireland's. A third reason lies in the nature of comparative indicators which exaggerate the discrepancies between the Irish case and the developed world. The manner in which this statistical fiction is maintained forms the subject of this section.

Lipset was trying to measure the shift from predominantly agrarian societies to industrialised societies. The key indicator of this is the size of the labour force employed in agriculture. This is a misleading indicator of industrialisation. For example in 1920 Finland's agricultural labour force was enormous by any standards, yet this should not be taken as an indication of retarded industrialisation because large parts of Finnish agriculture were in fact industrialised.

Socially and politically, it was of the greatest importance than the forests in Finland were owned mainly by peasants and farmers, since this meant that it was not only the country which was integrated into the world economy, but also, to a great extent, her independent farmers. Farmers in Finland, in fact, came into more direct and rapid contact with the capitalist market economy than the farmers in Eastern Europe, or even those in the eastern parts of Germany. As early as the 1870's the expansion of the sawmill industry had allowed the independent farmers to become comparatively rich.... In actual fact, the rapid integration of the farmers into the capitalist world economy provides one of the most important keys to understanding the political and social developments in 20th century Finland.[65]

Needless to say, this fundamentally important aspect of Finnish industrialisation is missed out on by Lipset's indicator, which a la Marx, lumps the worlds' agrarian populations into a sack of potatoes. The poor and rural image of Ireland is also reinforced by the use of G.N.P. per capita as a measure of wealth. G.N.P. per capita measures only the commercial value of goods and services produced. As the proportion of goods that are commercialised increases with the level of industrialisation this leads to the undervaluing of agricultural production.[66] Farming families' consumption of their own produce, family member's work on the family farm, and goods and service that are exchanged informally, are not included. Agricultural countries appear poorer than they are. Apart altogether from the fact that the question of change within the agricultural sector is overlooked, Lipset's indicators do not always provide reliable measurements of what they are supposed to measure.

Lipset's work has been criticised on other grounds, the most important of which is that his mean scores uphold a general relationship between development and democracy, which individual figures prove is not a necessary one. It has been pointed out that while the means of the two groups may differ

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[65] E. Allardt, *Finnish Society ; Relationship between Geopolitical Situation and the Development of Society* (Helsinki, 1985), p.15.

[66] M. Dogan, 'Use and Misuse of Statistics in comparative research' in E. Dogan, and A. Kazancigil, (eds.), *Comparing Nations* (Oxford, Cambridge Mass,1994.), p.44.

the spread in the values on almost every is so extreme that it appears that it would be very difficult to place a single nation in either the democratic or non-democratic category knowing, for example, only its score on the number of telephones. In the European and English-speaking table democracies a nation may have from 43 to as many as 190 per 1,000. One wonders about the stable European democracies that have only 43, 60, 0, 130, 150 or even 195 telephones. How do they manage while dictatorial European nations can at the same time have as many as 196 per 1,000.[67]

The mean difference suggests a correlation between the variables but it could be demonstrated that this is not a necessary one for practically all of Lipset's indicators. If, for example, independent Ireland's communications system was undeveloped in 1959, this is not such a problem, since the sheer variance in the values for each indicator suggests that democracies can have undeveloped communications systems and semi-developed communications systems, as well as developed communications systems. So Lipset's own figures do not support the argument that a high level of any of the four variables is a necessary condition for democracy.

The quantitative theorist who wants to clarify necessary or threshold levels of development must try to specify the levels of each variable at which the emergence of a democratic system becomes inevitable. Unfortunately attempts to do this lead to mixed results. In a review of the explanatory power of Lipset's theories for the interwar period, Berg- Schlosser and de Meur suggested the following threshold level for one indicator of each of Lipset's variables for the year 1930.

per capita G.N.P. must be $ 200 or above.
fifty per cent or more of the population must be resident in towns with a population of 20,000 or above.
seventy-five per cent of the population must be literates.
the industrial labour force must be 30% of the active population or more.[68]

Six countries - Belgium, the Netherlands, Britain, France, Czechoslovakia, and Germany, had reached these levels by 1930. All of them had become democratic, even if they would not remain so. The negative cases which did not pass any of the levels - Greece, Portugal, Romania, Spain, and Italy, failed to become democratic, which would confirm the theory. However, there are many cases which reach the levels on some indicators but not on others. Hungary, Poland, and Finland passed only the literacy threshold. Austria was not industrialised enough. Sweden, Denmark, Norway and Ireland were cases with high levels of wealth and education, but with low levels of industrialisation and urbanisation. The only clear positive result from this test is that

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[67] P. Cutright, 'National Political Development', in *American Sociological Review*, (1963), p.5.
[68] D. Berg- Schlosser and G. de Meur, 'Conditions of Democracy in Interwar Europe: A Boolean Test of Major Hypotheses', in *Comparative Politics*, (April 1994), pp. 253-279.

states must have three quarters of their population literate if they are to become democratic. The authors conclude that

On the whole these socio-economic indicators seem to have a rather limited explanatory power. They discriminate relatively little between the actual instances of democratic breakdown and survival in the universe of cases analysed. The industrialisation variable, for example, adds very little over and above the differentiations already provided by the other three indicators.[69]

If all the aspects of the economic development model which Lipset identifies as necessary conditions for democracy are relevant to democratisation, then we have as many anomalous cases within the democratic sample as we have explained cases. If Sweden, Norway, Ireland and Denmark are unexplained then the theory is simply wrong. Rather the results suggest that a high level on two of Lipset's indicators and a moderate score on the other two may be sufficiently high to sustain a democracy. At the very least the evidence suggests that the relationship between a high level of development and democracy is not a necessary one.

If it is true that the more you test the relationship in terms of individual states, individual variables, and individual figures, the weaker the thesis, the more you test it in terms of a large universe of cases, general correlations, and multiple indicators, the stronger the thesis. After all, Lipset pushes the burden of proof on the fact that 'in each case, the average wealth, degree of industrialisation and urbanisation, and level of education is much higher for the more democratic countries', not on the possibility that in each democratic state the levels for each of his variables is higher than the levels in this or that 'less democratic state', which would be a more stringent test. He is also reassured by the fact that he had combined Latin America and Europe in one table, the differences would have been greater.[70] So the sampling affects the outcome. The relationship between democracy and development in Europe, the English speaking world, and Latin America combined, is therefore stronger than the relationship between democracy and development only in Europe and the English speaking world.

For Ireland the consequences of the sampling are clear. I noted in section one that although Irish G.N.P. per capita was about average by European standards in 1913, in terms of the universal democratic world it was low. There is no reason why the fact that Irish levels of development were less than those of the more advanced countries should be held to be more significant than the fact that their levels were considerably higher than those of the European non-democratic countries. In fact the inclusion of the English-speaking democracies, who would have passed the thresholds chosen by Berg Schlosser and de Meur on all variables by 1930, heightens the

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[69] Ibid, p.257.
[70] S.M. Lipset, 'Some Social Requisites for Democracy'.

discrepancy between the democratic world and countries like Ireland,. The case of university education brings this out quite well. In comparison with both the more democratic and the less democratic sample, the Irish level of secondary and third level education were low in 1956. The mean figure for higher education per thousand was about one and a half times higher that the Irish figure. This would lead one to believe that the state failed to provide adequate higher educational opportunities for its citizens. If we change the more democratic sample by including only the European stable democracies we find that the Free State's level of higher education turns out to be above the European democratic average.[71] In general the contrast between the Irish state and the European democratic sample was one of small differences rather than large differences.

Lipset's argument was that a high level of development would produce a strong middle class, a reduction in material inequalities, more fluid class-boundaries, and political moderation on behalf of the working class leadership. This liberal model of development assumes that increases in the overall wealth of a society would necessarily result in greater distribution of wealth within that society. G.N.P. per capita for example, does not measure the distribution of wealth as opposed to its national level. Lipset is making an assumption that is crucial for his theory. Without greater diffusion of wealth political moderation is unlikely. Consider the case of education. In contrast to the literacy figures, the data on educational enrolment rates do not unequivocally support the theory that the higher the level of education, the better the chances for a democratic regime. Rather, the data show that a high level of basic education may be a necessary, if not sufficient pre-requisite of democracy since, as with the literacy figures, there seems a clear difference between democracies and non-democracies in respect of primary education. All democracies had high levels of primary education. Most of the democracies in 1920 are in the top half of the table and the four countries with the lowest level of primary education were undemocratic. Although those countries that had a high level of enrolment at all educational levels had become democratic by 1920, they also had high literacy and primary enrolment rates. There is no example of a democratic country with a high ranking in secondary and university education and a lower ranking in primary education. Conversely, all those countries that have a relatively high ranking for secondary or university education and a relatively lower ranking for primary education, such as Greece, Italy, Poland or Hungary, were either authoritarian or short-lived democracies. On the other hand, extensive primary education cannot be a sufficient condition, since countries like Bulgaria, Hungary and Italy, had relatively widespread primary education, but were not democratic. In the tables on secondary and university education, the ranking of the countries does not give us a clear picture of the relationship between democracy and educational development, since the democracies do not cluster at one end and the non-democracies do not cluster at the other. In short there is a random distribution of

[71] See below table 2.10.

states in these tables. Non-democracies like Greece had high rates of secondary education, while France, Belgium, and the Netherlands, are ranked near the bottom. The third table is less random, but the ranking of Denmark, Norway, Ireland, Finland, and the Netherlands in the bottom half of the table suggests that extensive university education is not a necessary condition of democratic politics, while the position of Hungary and Italy suggests it's not a sufficient condition either for democratisation or for stable democracy.

Table 2.10. Mean figures for Higher Education per thousand for countries classified as more democratic and less democratic by Lipset in 1959.

All Democracies.	**4.2**
Non-democracies.	**3.5**
European Democracies	**2.4**
European non-democracies.	**3.6**
Republic of Ireland.	**2.6**

Source : UNESCO , 1956, table M, 24-25.

So the pattern of educational development is a better guide to the political outcome than the overall levels. Why should that be ? Consider the data of university education that Lipset himself uses in 1959. Table 2.10. shows the paradoxical result that in the Europe of 1959 the higher the rate of third-level education the greater the chances for an undemocratic regime. What happens if advanced educational opportunities are extended to a minority before basic education is extended to everybody as was the case in Eastern Europe ? Or alternatively what happens where an elite continues to dominate higher education after the masses have already had basic education ?

Writers on interwar Eastern Europe have pointed out the dangers of a large underemployed class in societies where basic education was not widespread. This class was prone to political extremism and political debate was confined to this circle.[72] What seems to matter is the educational distance between elites and masses which in turn leads to an ideological gulf between town and country. So economic development will only reduce the inequalities between elite and mass if it is accompanied by a greater distribution of the benefits of wealth. Redistribution is as important as development. It may be that in societies like Britain and the United States, increases in wealth did reduce inequalities because the societies were so affluent, but this can hardly be the case for poorer countries where an egalitarian pattern of development may make up for deficiencies in the overall level.

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[72] A. Polonski, *The Little Dictators: the history of Eastern Europe since 1918* (London,1975).

Clearly the relationship between democracy and development is not a unilinear one. An increase in a state's overall level of development does not make a state more democratic. Some writers prefer to advance a threshold thesis which accepts that certain minimum levels of socio-economic development are necessary conditions for democratisation but that the subsequent performance of a democracy are unrelated to further increases in those levels.[73] Exploring the relationship between development and social equality, Jackman writes that

> while the initial stages of economic development may lead to a more equitable distribution of material rewards, a threshold is reached at moderate levels beyond which continued economic expansion and growth do not produce corresponding reduction in material inequality.[74]

The same may apply to the relationship between democracy and development. Early industrialisation may lead to a democratic breakthrough but it does not follow that all further industrialisation will be as strongly supportive of democratic institutions as the experience of advanced states like the Weimar Republic would suggest. [75] Conversely, a state like Ireland may have reached the necessary level of development during the first stages of industrialisation by the time it became democratic, but its failure to keep up with the rate of change after that may not have mattered since in those stages the relationship between the two is much weaker. The factors which bring a system into being are not the same as those that keep it in place.[76]

On the whole then, the wide divergences between the Irish state and the universal democratic means for socio-economic development should not lead one to see it as an anomalous case for developmental theory. Lipset's method exaggerates both the necessary levels of development and the extent to which the Irish state fails to meet these levels. Attempts at specifying minimum levels have led only to doubt not so much about whether there are such levels, but about the relevance of some of the variables themselves. There is no proof that any of these variables apart from literacy are necessary requisites for democracy. A combination of a high level of two variables with a low level of the others may be sufficient in itself. This suggests that the specific combination of developmental processes found in Ireland in 1920, high levels of basic education and urbanisation, alongside moderately high levels of wealth and industrialisation, may have been sufficient in itself. In other democratic states, particularly in the Nordic region, the specific combination was different, but the overall level of development was no higher. The evidence suggests that these patterns are not uniform for all successful cases.

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[73] D. Neubauer, 'Some conditions of democracy',*American Political Science Review*, (1967, 61), pp. 1002-9.

[74] R. Jackman, 'Political democracy and Social Equality', *American Sociological Review*, 39, (February, 1974), p.32.

[75] See W. Goldfrank, 'Fascism and the Great Transformation' in K. Polanyi-Levitt (ed.) *The Life and Work of Karl Polanyi : A Celebration* (New York,1990), pp.87-93.

[76] D. A. Rustow, 'Transitions to Democracy: Toward a Dynamic Model,' *Comparative Politics* (1970), 2 .

Conclusion.

To conclude, we can come to three conclusions about the Irish case. Firstly, we could argue that it validates the developmental theory. Irish democracy was the normal outcome of processes of modernisation that transformed Irish society in the second half of the nineteenth century. It was, in short, a normal case. We could argue in contrast, that since it remained an agrarian state until well after 1945, we can call it an anomalous case, which can only be explained by some extraordinary factor not present in other underdeveloped states. Democracy may have developed because of 'a syndrome of fairly unique historical factors, even though major social characteristics may favour another form'.[77] Thirdly, we could argue that whereas there may be some relationship between the genesis of a democracy and economic development, there is no necessary relationship between the two. Independent Ireland fits into a third pattern, with only 'mixed or temporarily favourable conditions' for stable democracy. 'Despite the limited scope of free choices in the process of democratisation, the strategies of political actors certainly matter, particularly so in transitional circumstances when social conditions do not clearly determine the nature of a country's political system'. The importance of these conscious strategies is greatest where 'social conditions are sufficiently favourable for democracy but do not yet guarantee democratisation'.[78] Ireland could be an impressive case, or if it survived merely because the favourable conditions for authoritarian rule, a powerful military, a severe depression, or an irridentist cause, for example, were less present, it could be a lucky case.

Independent Ireland was not a normal case for developmental theory because, while its institutional development followed that of the advanced capitalist countries after 1900, its economic development was characterised by a very late shift from agraria to industria. On the other hand it was not an anomalous case either, since independent Ireland possessed a relatively high degree of socio-economic development at the outset. The fact that Ireland experienced a severe depression in the interwar period rules out the possibility that the Irish case could be simply a lucky case. Independent Ireland was therefore an impressive case. Economic conditions in 1922 were 'mixed or temporarily favourable' but did not guarantee the survival of a democratic system. The genesis of Irish democracy could have been predicted by Lipset's theory, but not necessarily its survival.

There is no evidence in any case that developmental theory can succeed in its attempts to specify conditions which are sufficient to bring about a democratic system or conditions without which

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[77] S.M. Lipset, 'Some Social Requisites of Democracy', p.4.
[78] T. Vanhanen (ed.), *Strategies of Democratisation* (Washington, 1992), p. 6.

democracy is impossible.[79] No economic model can satisfactorily explain why the fortunes of democracy varied so much in such broadly comparable interwar states as Czechoslovakia, Ireland, Finland, and Hungary. The most developed and prosperous state was Czechoslovakia but

> In all, the Czech experience suggests that even with patterns of development close to those of the West, especially industrialisation and the existence of a native entrepreneurial class, these do not in themselves guarantee the evolution of a Western-style political system'. [80]

The experience of democratic breakdown in the interwar period is not explained by economic variables. Institutional structures, constitutional choices, and political strategies must have had some bearing on the outcome. Such variables cannot be reduced to economic factors.

Finally, Lipset hypothesised that in some cases democracy may survive because of 'a unique historical syndrome'. However in the Irish case a crucial such factor is obscured by his theory. About a third of the population emigrated between 1922 and 1960. Precisely because the average Irish person lived in an international as well as domestic labour market, social mobility was possible without growth at home. Polarised class conflict could never happen if the Irish working class was content to improve their position in other countries. Because of emigration Irish democracy was perfectly compatible with constant underdevelopment. This aspect of the Irish experience is probably unique; in the words of one economist, 'there is simply no similar demographic experience anywhere in the world, so far'.[81]

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[79] See A. Edwards, 'Democratization and Qualified explanation' in G. Parry and M. Moran, *Democracy and Democratisation*, (London, 1994), pp. 89-106.

[80] G. Schopflin, *Politics in Eastern Europe*, (Oxford U.K. and Cambridge Mass,1993), p.16.

[81] L. Mjoset, *The Irish Economy in a Comparative Institutional Perspective* (Dublin, 1991), p.7.

Chapter Three : The Barrington Moore Thesis and Irish Political Development.

"It is better to destroy serfdom from above, than to wait until that time when it begins to destroy itself from below".

Alexander II 1861.

This chapter examines another influential structuralist theory of democratisation. Since its publication in 1966 Barrington Moore's *Social Origins of Dictatorship and Democracy* has been regarded as a classic of modern social science,[1] but Moore's neglect of smaller countries has been regarded as a fundamental flaw in his account of democratic development in the Western world.[2] However his emphasis on the importance of changes in the character of agrarian class relations for democratisation has been shared by his detractors, as well as by his admirers. Indeed it is debatable whether later refinements of Moore's thesis have ever departed from the fundamental contention of his work: namely that democracy emerged only where the traditional pattern of landlord-peasant relationships had been fundamentally transformed.[3] Likewise in Ireland the significance of the land question to democracy has never been doubted. Yet there has been no serious attempt to assess the significance of Moore's theory for the Irish case, and little effort to compare the Irish case to other countries where the resolution of the land question has had a fundamental effect on political development.

3.1. The Barrington Moore Thesis and the transformation of the Irish land system under the Union.

Although primarily the work of a historical sociologist, Moore's work was also a contribution to modernisation theory. Rejecting prevalent assumptions which suggested that all societies would experience essentially the same process of modernisation, Moore described different 'routes' to the modern world. The social costs and achievements of these routes were explicable by the pattern of social class development experienced by each society. Moore took social classes as the basic units of analysis. This involved two assumptions. The first was that particular classes

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[1] B. Moore, *The Social Origins of Dictatorship and Democracy; Lord and Peasant in the Making of the Modern World* (Boston, 1966).

[2] See S. Rokkan, 'Models and Methods in the Comparative Study of Nation-building' in T. Nossiter et al (ed.), *Imagination and Precision in the Social Sciences* (London, 1972), pp 133-137; F. Castles, 'Barrington Moore's Thesis and Swedish Political Development, *Government and Opposition*, vol.8, no.3,(Summer 1973).

[3] For criticisms see J. Femia, 'Barrington Moore and the Preconditions of Democracy', *British Journal of Political Science*, 1972, 2 (1) ; T Skocpol, ' A Critical Review of Barrington Moore's Social Origins of Dictatorship and Democracy', *Politics and Society*, 1973, 4, (1) ; J, Wiener, 'Review of Reviews: The Social Origins of Dictatorship and Democracy', *History and Theory*, 1976, 15, (2).

favour those political systems which enhance their economic interests. The second was that the switch from subsistence to commercial agriculture was the key event which shapes the subsequent development of class relations within societies. The manner in which this change affected prevalent class relations determines later political outcomes.

In particular Moore set out to

explain the varied political roles played by the landed upper class and the peasantry in the transformation from agrarian societies ... to modern industrial ones. Somewhat more specifically, it is an attempt to discover the range of historical conditions under which either of these rural groups have become important forces behind the emergence of Western parliamentary versions of democracy, and dictatorships of the right or the left, that is, fascist or communist regimes.[4]

Moore saw three possible routes to the modern world : 'the bourgeois revolution', 'revolution from above' and 'peasant revolution'. The first, the 'bourgeois democratic route', took place in Great Britain, France, and the U.S. In these countries violent social upheavals resulted in the destruction of the traditional landed elite. Democracy and industrialism emerged after a revolution in which the bourgeoisie or a bourgeois-led coalition was the leading element. The second route, followed by Germany and Japan, saw industrialism achieved without revolution, through a fascist dictatorship of landlords and industrialists. The traditional landed elite retains its political and economic power and thwarts popular revolution. Instead it forms a modernising alliance with the industrial class. The third route, followed by Russia and China, proceeds first through a peasant revolution which destroys landlord domination, and then through a Communist revolution which undermines peasant proprietorship as well, ending up with an industrialised but not a democratic system.

Moore identified three separate sets of preconditions leading to the emergence of democratic, communist, or fascist systems. The difference between them rests on the strength of the respective social classes and their relationship with the state apparatus. The conditions leading to a peasant revolution identified by Moore were the existence of a weak bourgeoisie, a powerful agrarian elite, and a highly centralised state, combined with high peasant revolutionary potential. In contrast the critical pre-condition for the emergence of a fascist dictatorship is the development of an alliance between large landowners, the crown (or the state apparatus), and a politically dependent bourgeoisie. The most important feature of the authoritarian route is that landlords must remain a politically powerful group into the modern era. Their dependence on 'labour repressive' means of exploiting the peasantry makes them seek an alliance with the state in order to maintain the peasants in a politically subordinate position. The bourgeoisie also

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[4] B. Moore, *Social Origins of Dictatorship and Democracy*, viii.

becomes dependent on the state for different reasons. In late industrialisers the state plays a heavy role in encouraging industrial enterprisers and the bourgeoisie therefore loses its incentive to mobilise against the state.

If a society has undergone an initial stage of industrialisation and avoids peasant revolution it will develop in a democratic direction if it lacks the pre-conditions leading to authoritarianism. Moore outlined five preconditions for the democratic route : (1) the development of a balance to avoid too strong a crown or too independent a landed aristocracy, (2) a turn towards an appropriate form of commercial agriculture either on the part of the landed aristocracy or the peasantry, (3) the weakening of the landed aristocracy, (4) the prevention of an aristocratic-bourgeois coalition against the peasants and workers, (5) a revolutionary break with the past. As we shall see all five are relevant to the development of Irish society in the second half of the nineteenth century.

Moore recognises that the course of democratisation has consisted of quite different causal elements in the various cases analysed, and attempts to identify 'only the background conditions against which a variety of different configuration of forces have generated similarly different outcomes'.[5] Nevertheless some basic causal hypothesis can be gleaned from Moore's statement, 'No bourgeoisie no democracy'. Moore's analysis suggests that the two classes most hostile to the survival of bourgeois democracy, landlords and landless peasants, had been eliminated as serious political forces from the scene by independence. To a degree Moore's work is a powerful restatement of an argument also present in Lipset's theory which suggests that democracy can only emerge where the pyramidal structure of traditional class relations is transformed so that the middle class becomes the largest and most powerful political actor.

The political problems of nineteenth-century Ireland had their origins in the Cromwellian and Williamite land settlements of the seventeenth century. In the 1640s Cromwell had proposed 'an almost universal transfer of land held by Catholics' to Protestants.[6] His ambition was to reduce the dominance of the native population, deprive it of leadership, and establish a 'decisively large Protestant majority on the island'.[7] The land settlement which followed transferred 'nearly all landed wealth from Catholics to Protestants and created a new Protestant Ascendancy which ruled over the majority native and Old English Catholic population'.[8] Within the following decade the Protestant share of Irish land doubled from forty to eighty per cent. Furthermore from the 1690s to the 1720s a succession of 'penal laws' succeeded in further reducing the area of

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[5] A. Edwards, 'Democratization and qualified explanation' in Parry, G. and Moran, M. *Democracy and Democratisation* (London, 1994), p.96.

[6] P. Corish, 'The Cromwellian Regime, 1650-60' in T.W. Moody, F.X. Martin, and F.J. Byrne (eds.),*A New History of Ireland* vol 111*Easrly Modern Ireland 1534-1691* (Oxford,1991),361.

[7] I. Lustick, *Statebuilding Failure in British Ireland and French Algeria* (Berkely, 1985), p.29.

[8] Ibid, p.68.

Catholic ownership to five per cent. In Europe as a whole the seventeenth century had seen an intense struggle between the centralising forces of royal absolutism and the landed aristocracy. In general 'neither throne nor nobility triumphed. Instead an uneasy compromise between *etatisme* and administrative centralisation on the one hand, and seigniorial privilege and private proprietary rule on the other, worked itself out'.[9] In Britain however, the century saw two revolutions against Crown authority succeed, one asserting the rights of a gentry-dominated parliament, the other establishing the Protestant succession.

Although the legislative power of the eighteenth-century Irish House of Commons was limited, Ireland remained a separate Kingdom controlled by a landed aristocracy. The penal laws were approved 'under pressure from the Protestant gentry who formed the majority of the Irish House of Commons and whose relish for anti-popery legislation had its grounds in a desire to avenge past humiliations as well as to prevent future threats to their economic and social ascendancy'.[10] The Irish House was overwhelmingly composed of the Anglo-Irish gentry or those aspiring to enter that class. Catholics were debarred by Oaths of Allegiance and Supremacy. Local government, the administration of justice, and the means of defence, British militias based in Ireland, were also exclusively under gentry control. The bulk of the population was excluded from 'the nation' and from participation in its political life on specifically politico-religious grounds. As in Eastern Europe, the assertion of Crown authority in the seventeenth century had undermined the traditional communal freedoms of the poor, and concentrated seigniorial power over the peasantry to a degree unknown in 'the West'.[11]

Throughout the colonial world challenges to the power of the imperial metropole emerged in the late eighteenth century. The Irish aristocracy was not alone in being dissatisfied with the economic and legislative relationships which existed between the two islands. It drew back however from revolt because 'the only security by which they hold their property, the only security they have for the present Constitution in Church and State, is the connection of the Irish Crown with, and its dependence on the Crown of England'.[12] This suited the English too, alarmed as much by the tendency of the independent parliament to go its own way, as by the threat then posed to her western coast by French revolutionaries. A proposed Act of Union between the two Kingdoms would also appeal to middle class Catholics who hoped for emancipation from disabling laws which the Ascendancy had denied them, as well as the Catholic hierarchy who were promised state support for their clergy. After the 1798 Rising which was inspired by the French revolution, it was decided that a union of the two kingdoms

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[9] J. Blum, *The End of the Old Order in Europe* (Princeton, 1978), p.199.

[10] J.G. Simms, 'Protestant Ascendancy 1691-1714' in Moody, T.W., Martin F.X., and Byrne F. J. (eds.), *A New History of Ireland* (Oxford, 1986), pp. 205-206.

[11] P. Anderson, *Lineages of the Absolutist State* (London,1979).

[12] R. Foster, *Modern Ireland 1600-1972* (London, 1989), p.257.

under the same parliament would be the best way to strengthen the link between the two islands and consolidate the power of the British Empire. The island would continue to be governed indirectly through the Lord Lieutenant at Dublin Castle, but the Irish parliament was abolished.

The Act of Union was emblematic of a new change in the conception of Empire which occurred in the nineteenth century. After the American and French Revolutions which promoted the principles of liberty and equality, 'imperialists needed to justify their seizure of land and mastery of areas which were inhabited with large number of indigenes'. Old ideas of limited liability fell away as imperial power took responsibility for the colonial societies they now held in trust, as well as for the extension of the full benefits of citizenship to all regardless or race'.[13] The hopes vested in the Act of Union by Catholics were initially disappointed. For example, Catholics were not emancipated until 1829, but the attempted integration of Ireland into the United Kingdom had profound consequences for the development of class relations within Ireland. Indeed it resulted precisely in the creation of a set of conditions which Moore held was most likely to favour democratic development.

The first of these was the creation of *a balance to avoid too strong a crown or too independent a landed aristocracy.* The Act of Union placed the whole of Ireland under the sole authority of the Westminster parliament. In the course of the next century the British state, responding to popular demands and to international pressure, took the institutions of government out of the hands of the Anglo-Irish Ascendancy. The militias, whose activities were previously co-ordinated by the county gentry, were disbanded. In their place a centralised constabulary service under the control of Dublin Castle was introduced. The British slowly introduced a separation of Church and State. Catholic emancipation was introduced in 1829. Catholics were now entitled to hold all offices except those of regent, chancellor, and lord lieutenant although strict controls on the behaviour of Catholics who held public office were retained.[14] In 1869, the Protestant Church of Ireland was disestablished, and over the following decades, religious tithes, taxes paid by Catholics to that Church, were eased out. As Catholic education developed and meritocratic reforms were introduced, more and more Catholics were recruited into the civil service itself. This happened slowly but was an unmistakable trend in the last decades before independence.[15]

Moore's argument was that *a balance* of power must emerge between the crown and the landed aristocracy. The Anglo-Irish retained their dominant position in Irish society until the late nineteenth century. The British aristocracy, which had close links with the Anglo-Irish landed elite, retained its power through the century. The House of Lords succeeded in blocking three

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[13] P. Clayton, *Enemies and Passing Friends ; Settler Ideologies in Twentieth Century Ulster* (London, 1996), pp.2-3.

[14] D. McCartney, *The Dawning of Democracy ; Ireland 1800-1870* (Dublin, 1987), p. 118.

[15] L. McBride, *The Greening of Dublin Castle ; the transformation of bureaucratic and judicial personnel in Ireland 1892-1992* (Washington D.C., 1922).

Home Rule Bills for Ireland between 1886 and 1911. As late as 1874, out of six occupational categories, large landowners with over 1,000 acres were the second largest group in the Irish parliamentary Home Rule Party. Dramatic change came about only in 1880 when the proportion of M.Ps from middle class and lower middle class dramatically increased.[16] In Northern Ireland the landed elite continued to play a leading role in Ulster Unionist politics until partition in 1920. At the end of the century senior positions in the Irish civil service and the professions were still disproportionally staffed by Protestants.[17] Anglo-Irish institutions such as Trinity College, the Bank of Ireland, and the Church of Ireland retained their importance in Irish life. It was only in the last two decades of the century that the demise of the Ascendancy was rapid. For the rest of the century a balance between the Crown and the landed elite existed.

The second pre-condition discussed by Moore was *a turn towards an appropriate form of commercial agriculture*. By 'commercial agriculture' Moore meant the production of agricultural produce not for family consumption but for the market. Commercialised agriculture allows for capital accumulation to take place and stimulates further industrial growth. Moore's analysis of the English case led him to conclude that 'getting rid of agriculture as a major source of social activity is one pre-requisite for successful democracy'.[18] However Moore also suggested that if the peasant is turned into a farmer producing for the market rather than for his own consumption or that of his landlord, small-scale proprietorship need not be incompatible with capitalist development. If the opportunities for market production as well as the existence of market towns, appropriate financial institutions, and an adequate transport system, are present, then peasants can become part of the democratic capitalist system. Moore accepts that this is what happened in Scandinavia and Switzerland where the peasantry 'have become part of the democratic system by taking up fairly specialised forms of commercial farming, mainly daily products, for the town markets.[19]

From Lee's study *The Modernisation of Irish Society 1948-1918* it is clear that commercial norms had penetrated the Irish countryside by the late nineteenth century.[20] Likewise a large external market for the export of Irish livestock had developed in Britain alongside a network of market towns for the consumption of all forms of agricultural produce. The most striking evidence in support of the thesis that Irish agriculture was relatively commercialised in the second half of the nineteenth century comes from statistics concerning the size of lower agricultural classes in Ireland in the half-century after the Famine of 1845-1849. Lee has demonstrated how the Famine ushered in a rapid reduction in the size of the lower agricultural

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16 C.C. O' Brien, *Parnell and his Party 1890-90* (Oxford,1957), p.15.

17 B.O' Leary, and J. McGarry, *The Politics of Antagonism ; Understanding Northern Ireland* (London and New Jersey, 1993), figure 2.4, p. 82.

18 B. Moore, *Social Origins*, p. 429.

19 Ibid, pp. 422-432.

20 J. Lee, *The Modernisation of Irish Society 1948-1918* (Dublin, 1973).

classes. Most dramatically, the years after the famine saw the virtual elimination of 'the cottier class', those tenants who subsisted on holdings of five acres or less. I have represented his figures as percentages. Below, table 3.1. shows lower agricultural classes by acres between 1845 and 1910. What is most noticeable about this table is that over the fifty-five years after the famine it was the poorer agricultural peasants that declined in numbers, whereas the medium size farmers holding more than fifteen acres, tended to become more numerous. Alongside the overall fall in the proportion of agricultural labourers, Table 3.1. shows that whereas the largest occupational class in 1845 were the agricultural labourers, by 1910 farmers with over 15 acres had become the largest occupational group. While the proportion of farmers with between five and fifteen acres showed a slight decrease, the proportion of farmers with more than fifteen acres actually increased. The class which experienced the most dramatic fall in their numbers were the cottier class of farmers with less than five acres. Likewise in the period between 1941 and 1911, while the number of farmers declined by just over a quarter, the number of farm workers or agricultural labourers fell by nearly two-thirds.[21]

Table 3.1. Lower agricultural classes by acres 1845 -1910.

	Labourers	Cottiers (-5acres)	Farmers (5-15 acres)	Farmers (15+ acres)
1845	44.1	18.9	19.5	17.4
1851	46.7	8.2	24.6	27.1
1910	36.5	7.5	18.7	37
% increase	-7.6	-11.45	-.8	+19.6

Source : Lee, 1973, 2 .

The statistics point to a steady consolidation of larger agricultural units. On the other hand this process was not exponential, since very large farms remained the exception rather than the norm. A report on the state of agriculture in the Free State in 1932 concluded

Farms of between fifteen and 100 acres, of which there are 194,200 in the Irish Free State comprising about 7,000,000 statute acres, constitute the agricultural mainstay of the country. They are mostly economic, and many of them are well worked on a mixed system of farming. As a class they constitute more, in ratio, to the stable upkeep of the country than either smaller farms or those that are larger in extent.[22]

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[21] D. Fitzpatrick, 'The disappearance of the Agricultural Labourer',*Irish Economic and Social History* , vol 7 (1980), p.74.

[22] *Irish Free State Official Handbook,* (London, 1932), p.120.

Table 3.2 Per cent of Irish farmers as owner occupiers 1870-1929.

Year	% Owner Occupiers	% Other
1870	3	97
1906	29.2	70.8
1911	63.9	36.1
1929	97.4	2.6

Source : Hooker, cited in Rumpf and Hepburn 1977, 227.

The weakening of the landed aristocracy was the third pre-condition identified by Moore. A series of Land Acts between 1881 and 1923 undermined the system of labour-repressive agriculture. Independent Ireland was to benefit from one of the most extensive reforms in Western history. Over a period of seventy odd years, fifteen million out of a total of nineteen million square acres were transferred from landlord to peasant.[23] The scale of these changes is indicated in table 3.2 which shows the shift in agricultural proprietorship between 1870 and 1929. Whereas in 1870 only three per cent of Irish farmers owned their land by 1929 this had increased to ninety-seven point four per cent. By 1918 when the Irish political system was democratised, at least two thirds of Irish farmers would also have been proprietors. This policy was continued under the post-independent governments. In 1923 the first Free State government passed a Land Act that created up to 100,000 new holdings. Furthermore the electoral franchise was extended in 1850, 1868, 1884, and 1918. A reformed system of local government was introduced in 1898. These reforms, combined with the introduction of secret ballots and the abolition of rotten boroughs, meant that Ascendancy lost the ability to control local voters.

The fourth precondition was *the prevention of an aristocratic-bourgeois coalition against the peasants and workers.* Once land reform was introduced the landed elite no longer required the state to repress a large agrarian labour force. In any case even before land reform was introduced an authoritarian alliance of the bourgeoisie and the landed elite would have been unlikely. From the beginning of the century Catholic politicians had successfully mobilised and united the Catholic peasants and the inchoate middle class against the Ascendancy and the British state. On the basis of pre-existing religious, ethnic and class-based grievances Catholic nationalist politicians were able to maintain the support of the Catholic masses to their political goals. Even where a common material interest might have brought Protestants into this alliance, as with the Tenant League of the 1850s, Catholic politicians were unable to recruit long- term Protestant support. Why did the emerging middle class Catholic political elite choose to oppose the *status quo* in Ireland ? The simple reason was that the British state in nineteenth century Ireland was

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[23] F.Dovring, *Land and Labour in Europe in the Twentieth Century ; a comparative survey of recent agrarian history*, 3rd ed., (The Hague, 1965), p.241.

only relatively autonomous from the Protestant interest in Ireland. Catholic emancipation came a quarter century after the Union and religious equality was not attained until the disestablishment of the Church of Ireland in 1869. The Catholic Association, the first mass organisation to represent Catholic interests, had emerged half a century before any significant suffrage extension or land reform had taken place, and almost a century before they had been completed. The Catholic masses were mobilised into political movements well before enfranchisement, a fact which structured the pattern of political mobilisation for the next century.[24] From the outset both Catholic elites and Catholic masses faced a type of double domination, whereby the subordination of Ireland within the U.K. at the macro-level was reproduced at the micro-level by the subordination of one religion to another, of the peasantry to their landlords, and with respect to finance, status, and opportunities, of the Catholic elite to the Protestant elite.

On the other hand the British state *was* relatively autonomous from the Protestant interest in Ireland. Although many of the reforms were made in response to popular pressure, the state played a role in pioneering social reform within Ireland. This fact is particularly relevant to Moore's conception of the state's role in 'late industrialisers'. In the cases he discusses, state intervention in the economy resulted in modernisation 'from above' because the state gets drawn into imperialist expansionism and arms production as a result of its involvement in promoting economic growth. In Ireland the British state, while ostensibly concerned with maintaining its sovereignty, was not involved in industrialisation efforts but merely in social reform. The best instance of British reformism was what is known as 'Killing Home Rule by kindness', a policy pursued by the Conservatives after 1886. Since the British state did not sponsor industrialisation no sizeable Catholic bourgeoisie developed which could have allied itself with the landed elite. A decade after independence a constitutional lawyer reflected that 'the more wealthy classes had tended to oppose national aspirations, and the movement had, therefore, been in essence one in which the mass of the people was arrayed against a small but powerful aristocracy'.[25] Whether the democratic attitudes of Irish Catholic politicians in the early and mid-nineteenth century were due to the country's status as a late developer or to the electoral logic of nationalist politics is not a question that can be easily answered.

It has been suggested that a factor necessarily present in any authoritarian coalition was the state's capacity to repress popular protest,[26] but this was not totally absent in nineteenth century Ireland, particularly after 'the Kilmainham Treaties of 1881' when the scale of popular unrest greatly decreased. What was more important was that the state was relatively autonomous from the landed elite and had an autonomous conception of its role. No reactionary alliance between the state, the bourgeoisie, and the landed elite, could have emerged in Ireland. Only in Ulster did

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[24] See T. Garvin, *The Evolution of Irish Nationalist Politics* (Dublin, 1981).
[25] E.M. Stephens, 'The Constitution', *Irish Free State Offical Handbook* (London, 1932), p.72.
[26] T. Skocpol, *State and Social Revolution* (Cambridge New York,1973), pp. 439-41.

an alliance against Catholic peasants and workers develop between the Protestant bourgeoisie and the landed elites. Again the confessional divide in Irish society determined that the Protestant working class would support this alliance in the form of Ulster Unionism.[27]

The final pre-condition discussed by Moore was a *revolutionary break with the past.* This factor was absent in the Irish case. The fall of 'landlordism' came about through legal reform. The War of Independence did not significantly alter the Irish social structure, and in so far as a transformation of the social structure is an essential ingredient of social revolution, it was not a revolution at all.[28] In any case most European democracies did not experience a violent break with the past in the modern era. Moreover the extent to which either the French or English revolutions or the American civil war gave rise to dramatic social transformations has been questioned by historians. Late twentieth century historiography has been largely revisionist on this score.

Moore's schema provides a useful framework for analysing changes in class relations in nineteenth century Ireland and suggests that the two classes most hostile to the existence of democracy, a landed upper class and the landless peasantry, had been removed from the scene by 1921. It also suggests that the creation of a balance between the Crown and the landed elite in 1801 was a fundamental pre-condition for democratisation. Having said that, a feature of the Irish case that is missing from Moore's account is the role of the colonial state in promoting these changes. As a recent theory has put it 'the transplantation of state structures' was a crucial aspect of democratisation in the colonial world and the same was true for Ireland.[29] In Moore's account, for a democracy to emerge 'the monopoly of power of a small group of arbitrary rulers must be broken'.[30]In the early stages the aristocracy and the bourgeoisie must ally to prevent the growth of royal absolutism, but the bonds between these classes must not be so secure as to prevent the formation of a common front against the popular classes, since in the later stages the bourgeoisie must be able to turn to broader social classes for support in its' struggle for an extension of democratic rights. The Irish case represents a colonial variation on this theme. The arbitrary power of the Protestant Ascendancy was broken by a periodic alliance between the forces of Catholic nationalism and a reformist British state. At the same time there was no incentive for middle class Catholics to ally itself with the status quo, since the Crown was only relatively autonomous from the landed elite. The need for Catholic politicians to look for broader bases of support was therefore constant. In that need lies the genesis of Irish democracy.

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[27] F. Wright, *Northern Ireland : a Comparative Analysis* (New Jersey, 1987), pp. 86-112.

[28] See the essays in Boyce, D.G. (ed.), *The Revolution in Ireland 1879-1923* (London, 1988).

[29] D. Rueschmeyer, E. Stephens, and J.D. Stephens, *Capitalist Development and Democracy* (Cambridge, 1992), p. 280.

[30] T.Tilton, 'The Social Origins of Liberal Democracy : the Swedish Case, *American Political Science Review*, vol.68 (1974),p.562.

3.2. The Timing of Land Reform and the Civil War.

The traditional pattern of landlord-peasant relationships in pre-democratic Ireland had been fundamentally transformed by independence. In order to appreciate the significance of this fact for the democratic development of the Free State, it is worth comparing the Irish case with the Finnish case where an unreformed agrarian system remained an obstacle to democratic stabilisation after independence. In the Finnish case there was, as a result, a strong class dimension to the civil war which was absent in the Irish case. This was not due to the different political traditions existing in the two countries, since in the Irish case, there was a stronger tradition of land agitation dating back at least to the late eighteenth century, whereas the Finnish peasantry was traditionally quiescent in the century before the civil war.

From the 1870s on Finland's economic development had been based on a thriving export-trade, especially in timber. It was highly important that the forests from which this timber was extracted were owned by the farmers and peasants.[31] The sawmill industry led to the creation of a rural capitalist class among median-sized farmers who in turn invested their profits into the local banking, educational, and co-operative movements. As the distinction between these independent farmers and the traditional manorial farmers becoming clouded due to the increased wealth from timber, the gap between those that had land per se and those that didn't became more and more acute. This gap increased because of a number of factors, foremost among them being the decreasing death rate which created rural overpopulation. As the numbers of the rural population began to grow the practice of sub-division was not sufficient to generate employment for all. As a result the landless population began to increase. At this time Finland's industrialisation had not started so there was no industry to absorb surplus labour either. Neither was emigration a way out. It was concentrated in the Western province of Ostrobothnia and the national rate of emigration was much lower than elsewhere in the Nordic region. Over the sixty years before 1910 less than eight per cent of the whole population emigrated. In neighbouring Sweden the relevant figure was nearer 18 per cent. There was no safety valve in Finland as there was in Ireland.[32]

The rural class structure in Finland became increasingly stratified as the century wore on. Alapuro has provided a breakdown of the figures relating to changes in the sizes of agrarian social classes in the nineteenth century, part of which I have reproduced in table 3.3. It seems that the Finnish experience was exactly the opposite of the Irish one.

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[31] E. Allardt, *Finland; Relationship between Geopolitical Situation and Social Development* (Helsinki,1985), pp.14-15.
[32] Ibid, 19.

Table 3.3 Agrarian Households In Finland by Class, 1815-1901.

Class	1815	1870	1901	Increase / decrease
Landowners	57%	39%	35%	-18%
Crofters a	28%	32%	17%	-11%
Agricultural Workers	15%	29%	48%	+33%

a Includes other 'tenant farmers' too.

b In 1901 scrapholders, previously classified as crofters are now done so as labourers, thereby exaggerating the relative decline of the former and the relative increase of the latter.

Source : adapted from Alapuro ,Table, 4 ,40.

The proportion of landowners between 1815 and 1901 decreased, from well over half to just over a third of the total number of households, while the proportion of crofters also declined. Agricultural labourers, who comprised only 15 per cent of agrarian households in 1815 made up almost half of agrarian households by 1901. By the turn of the century half of the rural population were landless. Alapuro has described the consequences of this overpopulation.

As the landless population expanded without being effectively absorbed into industry, it remained in the countryside, producing a large number of agricultural workers. In 1910 there were 2.3 agricultural workers and 0.5 crofters and other tenant farmers for every landowner, and in the Southwest the proportion was much higher, with 4.6 agricultural workers to every landowner.[33]

The Irish situation was very different. Table 3.4 shows the total number of persons employed in agriculture and the number of agricultural workers in Ireland between 1881 and 1911. Unlike in Finland the size of the second group in Ireland declined, falling from a total of 160,757 in 1881 to 99,848 in 1911.

Table 3.4 Persons Engaged in Agriculture and agricultural labourers in the Future Area of the Free State 1881-1911.

	1881	1891	1901	1911
Total	684,206	643,196	606,612	554,059
Agricultural	160,757	116,239	106,069	99,848
Labourers	(23.4%)	(18%)	(17.4%)	(18%)

Source : Irish Free State. Census 1911.

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[33] R. Alapuro, *State and Revolution in Finland* (Berkely, 1989), p.47.

In the last census year before independence, 1911, their proportion of the total agricultural labour force had fallen from 23.4 to 18 per cent. This means there was less than one agricultural labourer for every five farmers in 1911, whereas in Finland there were more than five for each one. Before the Famine in Ireland there had been at least two male farm workers for every farmer, by 1911 that was true of only four counties. Moreover farm workers who were often 'labour occupiers' in reality, had as a class become far less distinct from the farming class after the Famine.[34]

What was the consequence of these changes for Irish political development ? Both Rumpf and Pyne argued that opposition to the Irish Free State during the civil war of 1922-23 was positively correlated with the number of agricultural workers in each county, yet this class was comparatively unimportant in Ireland. With respect to independent farmers, Lee's figures suggested that in 1906 only about a quarter of Irish farmers were owner-occupiers. This figure compares poorly with the Finnish case at the turn of the century where 'there were two comparable strata of peasant farmers in Finland - over 100,000 independent landowners and about the same number of tenant farmers'.[35] However in Ireland, due to land reform, by 1911 the proportion of owner-occupiers increased to almost two thirds of the total number of farmers. In contrast a number of ill-conceived reforms of tenancy arrangements aggravated the tenant-landlord relationship in Finland without increasing the number of independent farmers. Between 1909 and 1915, around 14 000 tenant evictions took place, according to an official enquiry.[36] The Finnish parliament had intended to pass a Land Reform improving tenancy conditions in the months before the war, but this proved impossible in the uncertain conditions of the time. The Finns paid dearly for their delay. During the civil war of 1918 both industrial workers and agricultural labourers were on the Red side with the independent peasantry and the upper classes in general supporting the Whites. Tenant farmers were found on both sides.[37] The comparison suggests that the existence of a large rural proletariat was a cause of the Finnish civil war in 1918 whereas in Ireland the rural class system was less stratified and the rural proletariat much smaller. In Moore's terms there was less revolutionary potential in the countryside.

The Socialist Republican interpretation of the Irish civil war had been that the wider conflict with Britain was inextricably bound up with the existence of rural class conflicts within Irish

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[34] D. Fitzpatrick, 'The Disappearance of the Irish Agricultural Labourer', *Irish Economic and Social History*, vol 7. (1980),p.74.

[35] M. Peltonen, 'From peasant holdings to family farms : impact of the agricultural depression of the 1880s-1910s on Finnish peasant farming in L. Graberg L. and J. Nikula, *The Peasant State ;The State and rural questions in 20th century Finland* (Rovaniemi, 1995), pp.32-33.

[36] Ibid,pp. 34-35.

[37] O. Manninen, 'Red, White and Blue in Finland, 1918 ; A Survey of interpretations of the civil war' in *Scandinavian Journal of History*, 3, (1978). pp. 229-249, 1978.

society.[38] However this view has limited validity. The high tide of agrarian disorder had occurred between 1879 and 1881. After that it subsided. 'With the widespread establishment of peasant proprietorship the social base of the forces calling for change had narrowed down to landless men and small uneconomic smallholders', according to Rumpf.[39] Agrarian strife in 1922-1923 was still acute in some areas. Garvin argues that 'there was a marked agrarian radicalism hiding behind the anti-Treaty cause' on the basis that the Anti-Treaty Sinn Fein vote in 1923 correlated heavily with areas where agrarian outrages were perpetrated during the Land War of 1879-1882.[40] However those areas where agrarian disorder took place during the war and those where militant opposition to the Free State was strongest did not coincide. Serious agrarian strife was actually confined to a few counties. Army reports reported serious agrarian trouble in Sligo, Cavan, Leitrim, Monaghan, Roscommon and Tipperary for example, but with the exception of Tipperary, electoral support for the Republicans was weak in all these counties in 1922, and military resistance to the Free State thereafter was also weak.[41]Military opposition, with the exception of Mayo and Sligo was confined mainly to the south-west, more specifically to counties Cork, Kerry, Limerick, Tipperary, and Waterford, as well as Wexford. However these were not areas of great agrarian disorder, although they were areas where Anti-Treatyites fared reasonably well in the 1922 and 1923 elections.

Table 3.5 shows the distribution of various sizes of farms by province in the Irish Free State. It shows that there were two areas of relative agrarian poverty in the Free State, Connacht and the Border Counties, and two areas of relative agrarian prosperity, Leinster and Munster. In both Leinster and Munster just under fifty per cent of those engaged in agriculture were employed on farms of between fifty and hundred acres. In contrast well under twenty per cent of those employed in agriculture were employed on farms of this size in Connacht and the Border counties. Rather, over two thirds of all farmers were employed on farms between one and thirty acres in both areas. The relevant figure for Leinster and Munster was thirty-two per cent and thirty-seven per cent respectively. Significantly these sharp differences are not reflected by positions on the Treaty. In Connacht and much of Munster (Kerry, Clare, Tipperary, and Cork) support for Anti-Treaty candidates was strong in 1922 and 1923. Not all of this area can be considered poor. Moreover the border counties did not show strong support for Republican candidates in 1922 or 1923 and were quiet during the fighting.

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[38] For an extensive critique see R. English, *Radicals and the Republic : Socialist Republicans in the Irish Free State 1925-1937* (Oxford,1994),

[39] E. Rumpf, *Nationalism and Socialism in Twentieth Century Ireland* (Liverpool, 1977), p.15.

[40] T. Garvin, *1922;The Birth of Irish Democracy* (Dublin,1996), p.155.

[41] *Civil War ;Army Reports on General Situation and Organisation,* Department of An Taoiseach, S3361, National Archives.

Table 3.5. Percentage of those engaged in agriculture by farm size (acres)

	Number	1-15	15-30	30-50	50-100	100+
Leinster	155,442	14.4	17.5	18.0	22.1	25.5
Munster	207,365	10.7	16.8	21.7	28.4	20.6
Connacht	187,384	34.9	35.6	17.1	7.5	4.1
Ulster	96,104	34.7	29.9	17.3	10.6	5.7
Saorstat Eireann	646,295	22.2	24.4	18.8	18.1	14.8

Source : Census of Irish Free State 1926 General Report.

A close analysis of the agricultural statistics then does not support the hypothesis that opposition to the Free State was strongest where small farmers were more preponderant. Rather it suggests that Republican military opposition to the Free State was strongest in the counties of the South-West where medium sized farms between 50-100 acres were more numerous, while in the poorer areas of Connacht, the Border counties and Donegal, where small farms between 1-30 acres were most common, opposition to the Free State was weaker. The south-west had been the area where nationalist violence was at its height between 1918 and 1921 and Munster was the province where the Sinn Fein organisation was most extensive. Farm workers were plentiful in both areas but more so in the second group of counties.[42] The profile of Republican resistance to the Free State is overwhelmingly Southerly rather than Westerly, the area in the south-west proving to be the stronghold of the Anti-Treatyites, as it was to remain over the next year. The decision of Liam Lynch Chief of Staff of the IRA in June 1922 to maintain a defensive line running from Waterford to Tipperary, behind which 'the Munster Republic' could exist, reflected this geographical reality. Indeed by the beginning of August 1922, Collins could report that there were only three groups of Irregulars causing any disturbance in the West of Ireland. Only one of these represented a serious threat.[43]

There is thus little empirical support for the view that the Irish civil war was a veiled class war. Opposition to the Free State had, according to Kevin O' Higgins, consisted of three elements; Republican fundamentalists, Document Number Twoites, and Socialist Republicans, [44] The latter were only a minority element, whose aspirations were not shared by the majority of Anti-Treatyites. The comparison with Finland suggests that the early timing of agrarian reforms explains the weak class basis of the civil war. If the proportion of farm workers had not shrunk from over half the occupied male workers in 1841 to less than a third in 1911, the situation may

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[42] See *Agricultural Statistics*, Irish Free State,1926. Maps 13,14 IV111.

[43] *Civil War ;Army Reports on General Situation and Organisation,* Department of An Taoiseach, S3361, National Archives.

[44] O' Higgins, Kevin, *Civil War and the Events which led to it* (Dublin, 1926), p.34.

have been different. 'The survival of the class of rural labourers might well have engendered a social revolution still more far-reaching than that which resulted from its collapse'.[45] No such revolution occurred and the values of a rural capitalist society survived the civil war. According to Bew

The discontent of the small farmer population, particularly in the west, would give rise to some localised and sporadic 'anti rancher' manifestations but it had neither the social depth nor geographical reach to turn the countryside upside down. The small farmer and landless labourer were still mesmerised by visions of piecemeal land acquisition which were easily assimilable by anti-rancher rhetoric that had been the stock and trade of Irish nationalism since the days of the land league.[46]

To return to Moore's thesis, the fact that land reform had preceded democratisation, eliminated the one social group that could have enabled a social revolution to take place during the civil war. Naturally there were some social revolutionaries among Irish nationalists, but the civil war did not reflect social divisions as in the Finnish case, which has been regarded one of the clearest examples of class warfare this century. Likewise the enfranchisement of a mass electorate in 1918 did not lead to the emergence of a large socialist party in Ireland as it did in Finland in 1906 where the Social Democrats emerged as the largest party in the Finnish Eduskunta. Again the early timing of land reform in Ireland helps explain this difference as well as explaining why democracy was more easily institutionalised in independent Ireland than in 'White Finland', where the Communist party remained banned until the Second World War.

3.3. Democracy and Modernity.

Moore had asked, 'what are the prerequisites for entry into the modern, industrialised, urban world; what changes needed to be effected in the countryside to make such revolution possible, and what is the necessary social cost of such a process'.[47] His conclusion was that getting rid of agriculture as a major social activity is an essential pre-requisite of successful democracy. Either the landed elite or the independent peasantry adopts commercial methods of agricultural production or they are violently removed from the scene, by revolution as in France, or by land enclosures as in England. However Moore also acknowledged that 'democracy and an independent peasantry have not been incompatible bedfellows in France; rather it is modernisation and peasantry which seem to be necessarily incompatible'.[48]

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[45] D. Fitzpatrick, 'The Disappearance of the Irish Agricultural Labourer', p.84.
[46] P.Bew, E. Hazelkorn, and H. Patterson, *The Dynamics of Irish Politics*, (London, 1989), p. 35.
[47] L. Stone, 'News from everywhere', *New York Review of Books* ,9, (1967), p.34.
[29] Ibid.
[48] Ibid.

A wider purview of European rural history suggest that the relationship between democracy and rural society was more complicated than Moore's theory allowed for. Norway, Sweden, and Denmark for example, became democratic when agriculture was still the major economic activity. Luebbert has regrouped the cross-national data for industrialisation in western Europe according to the division of labour.[49] I have included data both for the Free State and for the whole of Ireland. The figures are presented below in table 3.6. and are for the year 1900 except where noted. The table makes it clear that Europe can be accurately divided into three separate types of state : industrial, semi-industrial, and peripheral. The second group stands out on its own as neither a predominantly industrial nor a predominantly agricultural group. The mean percentage for population in agriculture for the four 'semi-industrial' democracies - Denmark, Norway, Sweden, and Ireland, is 47.2 per cent, while for the four industrial democracies (all excluding Germany) it is a much smaller 23.2 per cent. The mean figure for the last group is 68.7 per cent. In short the second group has as little in common with the industrial democracies as with the non-democracies. Around 1900 45 per cent of the Danish labour force was employed in agriculture. The figure for Norway is 41 per cent, for Sweden 51 per cent. The figure for what became the Irish Free State is 53 per cent. All but two of the semi-industrialised states were full democracies by 1922 (Ireland 1918-1922, Norway 1921, Sweden 1921, Denmark 1918). France was a male democracy (equal suffrage came in 1946).

Table 3.6. Division of Labour In European countries around 1900 ranked according to size of agricultural sector.,

	Agriculture	Industry	Services
Industrialised States			
Britain	8	46	41
Belgium	23	37	27
Switzerland	31	44	25
Netherlands	31	32	36
Germany	38	37	25 (1895)
Mean	26.2	39.2	30.8
Semi-Industrialised States			
Norway	41	27	30
France	43	30	28
Denmark	45	26	27
Ireland	47	25	27 (1911)
Sweden	50	20	23
I.F.S.	53	15	31 (1926)
Mean	48.4	23.8	26.1
Peripheral- Agricultural States			
Austria	64	20	14 (1910)
Hungary	68	14	18
Spain	71	17	12
Finland	72	11	9 (1910)
Mean	68.7	15.5	13.2

Source : Luebbert, 1991, 325. I have included Irish data from Mitchell1988, 148.)

Alestalo and Kuhnle point out that the Swedish and Norwegian cases, with no elimination of the peasantry and no violent revolution, contradict Moore's' thesis. Only in Denmark did widespread commercial farming precede the incorporation of the peasantry into a modern democratic political system. The process whereby the Scandinavian peasantry was orientated

[49] G. Luebbert, *Liberal Fascism or Social Democracy* (Oxford, 1991), p.325.

toward market reform in the nineteenth century was a long-drawn out and peaceful one, and occurred in countries where the individualisation of agriculture had already begun. In Scandinavia 'the family farm became the basic production unit' before modern improvements in farming methods and before the growth of commercial markets for agricultural products.[50]The 'Scandinavian route' to modern democracy suggests that democratic politics can thrive in states where individual agricultural producers form the backbone of the rural economy. An increase in peasant proprietorship took place throughout Scandinavia in the late eighteenth and nineteenth centuries. In Sweden and Denmark it was the result of land enclosures. In Norway the position of the nobility had always been weak. These development contrast with the experience of Britain where enclosures eliminated the peasantry from the countryside. The Scandinavian route also contrasts with that of eastern Europe where landlords maintained quasi-feudal agricultural arrangements well into the twentieth century. In the Nordic countries, although the landowning nobility did not disappear altogether, 'the nobility became increasingly urban and had a strong position in the state'.[51]

The Scandinavian 'model' thus suggests that the individualisation of agriculture is a more important precondition for democratisation than a turn towards commercial agriculture, since it allows for the emergence of independent farmers as a collective actor. Moore suggested that the commercialisation of agriculture was necessary in order to further industrialisation. However it was important in Scandinavia that the independent peasantry found its political identity before the industrial working class was mobilised. Where this did not happen, as in Finland where the large Social Democratic Party gained the support of both urban and rural workers between 1907 and 1918, violent class conflict between socialists and the agrarian middle classes ensued. Indeed where Social Democratic parties became involved in rural class conflicts the independent farmers typically opposed both democracy and socialism. Social democratic regimes in interwar Europe could only be consolidated if they had the support of the independent farmers. This was only forthcoming where socialist parties stayed out of rural class conflict. In short social democracy could only emerge after rural politics were dominated by independent farmers and agrarian parties. This in turn could only happen after the individualisation of agriculture had taken place. In an important region of Northern Europe therefore, the individualisation of agriculture was a crucial historical pre-condition for the emergence and consolidation of democracy.

The fact that the two classic urban classes, the working class and the industrial bourgeoisie, played little role in the Irish national revolution, has been cited as one of the peculiarities of Irish political development.[52] However it is necessary to emphasise that these classes were not

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[50] M.Alestalo, and S. Kuhnle, *The Scandinavian Route : Economic, Social, and Political Developments in Denmark, Finland, Norway, and Sweden*, (Helsinki,1984) p.12.

[51] Ibid, 13.

[52] For an analysis of the role of the lower middle class in Irish nationalist politics See T. Garvin, *Nationalist Revolutionaries in Ireland*, (Oxford, 1987).

everywhere the most important ones. Rather independent farmers, either on their own, or in alliance with urban liberals or urban socialists, were crucial to the emergence of democracy in most of Northern Europe.[53] The manner in which the pre-industrial cleavage between Catholics and Protestants affected the pattern of mass mobilisation in Ireland bears some relationship to the development of agrarian class relations in the Nordic region where independent farmers were a major political actor. In Scandinavia independent farmers formed a cornerstone of a tripolar class structure between the upper class in business and administration, the working class, and the farmers.[54] Castles considers the pre-industrial cleavage between the independent farmers and the urban aristocratic bureaucracy, the main reason for the development of a widespread peasant identity in the nineteenth century and a base for rural social movements in the Scandinavian countryside.[55]Unlike in Eastern Europe, the state was not controlled by the landed nobility but by a combination of an emerging middle class and by a bureaucratic nobility. However this urban elite was usually split between liberal and conservative elements, and lacking popular support in the countryside, it proved unable to prevent democratic reform. The weakness of the Scandinavian right was thus 'basically connected with the cultural and economic cleavage between the urban elites and the rural producers. The cleavage became accentuated in the quest for franchise and parliamentary reforms when the urban and peripheral radicals were united to carry out the reforms'.[56]

In Northern Europe, then, the cleavage between the agrarian population and the urban elites weakened those classes most opposed to the introduction of democracy and led to the formation of urban rural-coalitions in favour of democratic reform. The role of the independent peasants in Scandinavia was quite similar to that in Ireland, where on the basis of pre-industrial cleavages between the Catholic peasantry and the Protestant Ascendancy, urban radicals were drawn into an alliance with the peasantry in search of political reform. The difference in Ireland was that such an alliance emerged before peasant proprietorship had been established. Furthermore the weakness of the political right in independent Ireland was also due to the existence of this cleavage which divided liberal Catholics from the Protestant upper class. The Irish landed aristocracy also became an urban elite, like its Scandinavian counterparts. After 1885 Unionist electoral majorities in the future area of the Free State emerged only in urban and university constituencies. The decline of the Anglo-Irish on the land was tempered by their dominance of the professions

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[53] The best treatment of this subject is found in Greg Luebbert's, *Liberalism, Fascism or Social Democracy* (Oxford, 1991).

[54] M. Alestalo, and S. Kuhnle, *The Scandinavian Route : Economic, Social, and Political Developments in Denmark, Finland, Norway, and Sweden*, (Helsinki, 1984), p.12.

[55] F. Castles, *The Social Democratic Image of Society: a study of the achievements and origins of Scandinavian social democracy in comparative perspective* (London,1978), p.132.

[56] Alestalo and Kuhnle, op. cit., 14.

in 1926, when they were 8.4% of the population, they still accounted for 28 per cent of farmers with over 200 acres, and 18 per cent of the entire professional class. By 1936 the Protestant proportion of Irish employers and business executives was 20-25 per cent ; bank officials, 53% ; commercial representatives, 39 per cent ; lawyers, 38% .[57]

However, outside of Ulster where Unionist leaders were able to mobilise rural and working class support, Protestants proved unable to resist the trend toward Catholic democracy. The historical weakness of the right in Ireland may also explain why the victors of the civil war did not resort to authoritarian rule in 1922 but were content to defend the status quo within a democratic political framework.

In short the Irish case was not as exceptional as it seems. Even the persistence of a large agricultural sector, another of the alleged peculiarities of Irish social development, was perfectly compatible with the survival of democracy. Allardt has suggested that

there are three different patterns in the development of the structure of the agrarian population: (1) the Western European development, which means that industry could absorb the workforce which was released from farming. The modernisation of farming gave an impetus to industrialisation and facilitated its development. (2) The East European development meant that only farming was developed. At the same time, it became heavily dependent on demand in Western Europe. (3) The development in Finland, which represented an intermediate form and meant originally that the modernisation of farming and industrialisation took place almost simultaneously. The development of agriculture gave no significant impetus to industrialisation, which was slower than in Western Europe in general. The solution to the problem of the landless population was sought in turning the landless, a whole class in the society, into independent farmers.[58]

Ireland clearly belongs to the pattern typified by Finland. In both land reform was instigated to provide landless peasants with a stake in the social order. In Ireland it was part of a long-running policy of 'killing Home Rule by Kindness', whereas in Finland it was part of a programme of 'national reconciliation' backed by the Agrarian Union and the National Progressives after the civil war. In 1918 the Eduskunta passed a Crofters Act which enabled tenant farmers to buy their own land. Four years later, a second act, the *Lex Kallio* , led to the creation of new small-holdings for the landless population. As a result of both acts about 100,000 new farms were created. 'There is no doubt that the reforms had significant economic

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[57] R. Foster, *Modern Ireland 1600- 1972,* p.534.

[58] E. Allardt, *Finnish Society : relationship between Geopolitical Situation and the Development of Society* (Helsinki, 1985), p.22.

consequences. The population which had previously formed the agrarian proletariat in rural areas began to accept the existing system in the society as legitimate, and worth defending'.[59]

Table 3.7 Proportion of the agricultural population as a per cent of the economically active population in Denmark, Norway, Sweden, Finland, and Ireland.

Country	1880	1890	1990	1910	1920	1930	1940
Denmark	50	45 (-5)	48 (+3)	43 (-5)	35 (-8)	35	30 (-5)
Norway	52	49 (-3)	41 (-8)	39 (-2)	37 (-2)	35 (-2)	30 (-5)
Sweden	66	63 (-3)	57 (-6)	50 (-7)	44 (-6)	38 (-6)	31(-7)
Finland	83	81 (-2)	78 (-3)	74 (-4)	73 (-1)	70 (-2)	64 (-6)
Ireland 1	42			43 (-1)	52 (+9)	48 (-4)	46 (-2)
I.F.S. 2	59	59	60 (+1)	56 (-4)	58 (+2)	55 (+2)	53 (-2)

1 Includes those engaged in forestry and fishery. After 1910 refers only to I.F.S. Figures are for census years 1881, 1911, 1926, 1946, in that order.

2 Refers only to males in future area of I.F.A. Same census years as 1.

Sources : Adapted from Alestalo op. cit. p.26. Figures for Ireland are from Mitchell, 1989, p26. Figures for Irish Free State Census Ireland 1911, Mitchell, 1989, p148.

The net effect of land reform in both countries was to slow down the rate of industrialisation. Table 3.7 contrasts the rate of industrialisation by comparing the sizes of the agricultural workforce in Scandinavia with those of Ireland and Finland. Compared with Scandinavia Finland and Ireland took a detour into an inter-war agraria. The decennial figures for the Scandinavian countries show an almost constant decrease in the size of the agricultural sector. This reflects the existence of a growing industrial sector to absorb the surplus labour. While in Scandinavia, the proportion of the workforce engaged in agriculture dropped between twenty and thirty per cent over a sixty year period, the figure for Ireland is only six per cent. The impact of the massive pre-independence land reforms meant that no decrease would take place before 1920. After the 1920 partition, a jump of almost ten per cent is reflected in the 1926 census figures for the numbers employed in agriculture. In 1880 the Finnish agricultural workforce was over twenty per cent bigger than in the Scandinavian countries. In 1940 the gap was even bigger. The Finnish rates do decrease, but at a much slower rate than in Scandinavia.

[59] Ibid.

Table 3.8. Stable Democracies and agrarian structure.

Country	Decade of /Independence	Democratistion	% of the economically active population employed in agriculture	Area of family farms as a % of total area of holdings.
Industrial Route				
U.K.		1910-1919	07.6	20
Belgium		1890-1899	23.1	21
Netherlands		1910-1920	38.4	26
Costa Rica		1920-1930	23.0	15
Semi-Industrial Route				
Canada		1867-1869		63
France		1870-1879	39.1	29
New Zealand		1890-1899	36.1	46
Australia		1900-1910	32.2	67
Norway		1900-1910	41.3	77
Sweden		1910-1920	45.6	41
Denmark		1910-1920	42.7	44
Uruguay		1920-1930	41.4	15
Agrarian Route				
Finland		1917-1919	70.4	34
Ireland		1920-1930	51.3	40
America		1860-1869	59.4	60

Source :Vanhanen, 1984, Appendix pp 13-159 : Mitchell, 1983 .

However Finland and independent Ireland were not alone in being agrarian democracies. Table 3.8 shows the social structure of interwar democracies in the decade in which they became democratic/independent, by comparing the figures for two variables. The first of these is the percentage of the economically active population employed in agriculture, forestry, and fisheries. The second measures the percentage of the total agricultural area occupied by family farms, i.e. farms that are mainly cultivated by the holder family which employ no more than four people, including family workers.[60] The table makes it clear that democracies emerged out of three different types of social base. The first, that of the U.K., an almost uniquely industrialised case, with a small proportion of family farms, is the industrialised route, where agriculture had been displaced as the biggest economic sector by the time the state became fully democratic. The Netherlands and Belgium also fit into this pattern. The second, exemplified by the Scandinavian countries, shows a moderately high agricultural population in which family farms were predominant. Here agriculture may well have been the biggest sector. The White Commonwealth Countries also fit in here. In the long run the modernisation of agriculture gave an impetus to industrialisation but this occurred late, compared to the British route. The third route, which covers the U.S. and later cases like Finland and Ireland, shows a heavily agricultural social base with an egalitarian property structure. Agriculture was still by far the biggest economic sector. With regard to Ireland and Finland the most remarkable feature of their social structure would be that the area covered by family farms would actually increase after independence, to 60 per cent in Ireland in the 1940s and to 68 per cent in Finland in the same period. In Costa Rica, this figure would only have increased to 20% in the 1940s, and in Uruguay would rise to 19% in the same decade.[61] Agrarian reform, in short, slowed down the rate of industrialisation in both cases, but still provided an adequate social base for the survival of democratic politics.

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[60] T. Vanhanen, *The Emergence of Democracy* (Helsinki, 1984), p. 34.
[61] Ibid.

The possibility that democracy could flourish in rural conditions has long been considered by political theorists. Aristotle maintained that 'there is no difficulty in constructing a democracy where the bulk of the people live by arable and pastoral farming'.[62] Travelling through America in the nineteenth century, de Toqueville reflected, ' Among the novel objects that attracted my attention during my stay in the United States, nothing struck me more forcibly than the general equality of condition among the people'.[63] Before him Rousseau specified what he thought were the most ideal social conditions for a democratic system : 'a very small state, in which the people may be readily assembled, and in which every citizen can easily know the rest; secondly great simplicity of manners, which prevents a multiplicity of affairs and thorny discussions; next,considerable equality of rank and fortune, without which equality in rights and authority could not long subsist'.[64] These views on the appropriate social base for democracy were not so different from the views adopted by the Irish state itself. In 1926 the new Fianna Fail party declared its commitment to 'the distribution of the land of Ireland so as to get the greatest number possible of Irish families rooted in the soil of Ireland'.[65] Consciously or not, this affirmation of rural values was an Irish restatement of a familiar theme in modern European political propaganda where arguments advanced for land reform often tended to stress a social ideal as much as the practicalities of land provision.[66] For example the leading ideologue of the Finnish Agrarian Union Santeri Alkio committed himself to the search for a 'third way' between capitalism and socialism; a vision of society that would guarantee the protection of private property, but at the same time promote inter-class harmony through general social reform'.[67] That was almost exactly the same type of social ideal that was articulated by Eamon de Valera among others.

Why should democracy flourish in rural societies ? Dahl has identified two aspects of an egalitarian agrarian society that may sustain a democratic system.

as Tocqueville observed (among many others), the agrarian society of the United States possessed the two crucial features that make an MDP society favourable to polyarchy; It produced a wide dispersion of power and it strongly fostered democratic beliefs. In fact, ideologues of agrarian republicanism like Thomas Jefferson and John Taylor were so firmly convinced that an agrarian society of independent farmers was absolutely essential to the existence of a democratic republic that they were unable to forsee the possibility

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[62] T. Vanhanen, *The Process of Democratisation : A Comparative Study of 147 States,1980-1988* (New Tork,1990), p.37.
[63] Ibid, p.38.
[64] Ibid.
[65] J.Lee and G. O' Tuathaigh, *The Age of de Valera* (Dublin, 1982), p.62.
[66] F.Dovring, *Land and Labour in Europe,* p.345.
[67] J. Mylly, *Political Parties in Finland* (Turku, 1984), p.107.

that a republic might continue to exist in the United States even after farmers became a minuscule minority.[68]

Widespread dispersal of property and the existence of strong beliefs in equality, two factors which are not related to the degree of industrialisation of a given society, are thus the two crucial components of the agrarian model of democracy. Arguably both existed in the Ireland of 1921 and remained the basis for a stable but agrarian democratic system until the 1960s.

In summary there is little evidence to support Moore's thesis that replacing agriculture as a major social activity is an essential pre-requisite of democracy. Rather a change in the balance of class power in the countryside in favour of independent farmers is the crucial variable. Beyond that, getting rid of agriculture may be a threat to democracy. Without the possibility of an alignment with a politically committed agrarian middle class, urban liberals or urban socialists in the Third World are unlikely to be able to stabilise a democratic regime on their own.[69] Moreover there is little evidence to justify the view that the costs involved in the transition to democratic capitalism must be borne by the peasantry per se. In Ireland they were borne by the poorer agricultural classes only. Indeed most European democracies have incorporated the independent family peasantry as a collective actor into their democratic systems.[70] Furthermore democratic values have thrived in Free Farming communities of widely different cultural backgrounds, including the worlds' earliest modern democracies, the United States, France, Iceland, and Switzerland. This suggests that democracies can survive in pre-industrial societies and that Moore's emphasis on the necessary costs of the transition to modernity is a mistaken one.

Conclusion

The basic contention of this chapter is that the creation of a large class of independent farmers was a basic pre-condition for the emergence of a stable democratic system in Ireland. British liberal reformism succeeded in eliminating the two social classes, the landed aristocracy and the landless peasantry, who had least stake in a democratic system. Whether Moore would have considered the Irish revolution a modernising revolution is more open to debate. It seems just as likely that he would have compared it to the Indian case : democratic but unmodern. However in so far as fundamental changes in agrarian class relations are concerned, the Irish experience was more like the Nordic cases, where the individualisation of agriculture was a basic starting point for democratic political development. In these countries, although historical and topographical factors were also important, the modernisation of agriculture was also carried out by the Crown, often in alliance with the nobility. In the Irish case the state was a major actor too, but Moore's

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[68] R. Dahl,*Democracy and its Critics* (New Haven and London, 1989),p.254.
[69] G. Luebbert, *Liberalism, Fascism or Social Democracy*, p.47.
[70] Ibid.

theory, which limits itself to the analysis of class relations, actually tells us little about why the state should act in this way.

Arguably the choice in independent Ireland then was not between fascism, democracy, and communism at all, but between democracy and social democracy. The agrarian class system did not fully determine which of these regimes emerged after independence, since two other factors, a deeply- divided middle class and a politically weak working class, added further elements to the equation. The former, a divided middle class, prevented a purely liberal regime being stabilised after independence and would have allowed for the emergence of a social democratic regime had there been a more radical urban socialist party to fight for it. There wasn't and rural assumptions about political life continued to dominate political debate thereafter. The new state has been described as 'a periphery-dominated centre',[71]but the alignment of the countryside has been a crucial factor in the emergence of most European political systems. European social democracies were based on an alliance between town and country, more specifically of Social Democratic and Agrarian parties. These regimes incorporated this positive evaluation of the role of the small farmer into their self-image.

On the other hand the extent to which rural society dominated political life in independent Ireland was probably unequalled among twentieth century democracies. Even in Finland the Social Democrats, the Swedish People's Party, and the liberal National Progressives, were important sources of ideological variety. In Ireland in contrast there were few ideological rivals to the former Sinn Fein elite before 1960. However it is also true that in Ireland no agrarian parties flourished either. The two largest parties have always been composed of rural and urban interests. Moreover political representatives have tended to come from the ranks of the professions and politics as a profession has traditionally been dominated by the middle class. The characteristically Irish pattern of political representation, with a middle class 'national' political elite representing rural constituencies developed in the nineteenth century and continues today. It does little to disprove Moore's dictum 'No bourgeoisie no democracy'.

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[71] T. Garvin 'Political Cleavages, Party Politics and Urbanisation in Ireland - the Case of the Periphery-Dominated Centre' *European Journal of Political Research*, vol.11 no.4 (1974).

Chapter four : Voluntarist theory, elite decisions, and the origins of the civil war.

'A coalition government is probably the most suitable method of carrying over the period of stress'.

Michael Collins, *New York Herald,* 2/5/22.

Democratic theory has undergone something of a paradigm shift in recent decades. Eschewing attempts to find structural preconditions for the emergence and stabilisation of democratic regimes, it concentrates on elite behaviour and elite strategies as the crucial variables in explaining the fate of democratic regimes. The structural characteristics of societies 'constitute a series of opportunities and constraints for the social and political actors, both men and institutions, that lead to one or another outcome'. Within those constraints elite actors have a number of choices that 'increase or decrease the probability of the persistence and stability of a democratic regime'. Whether they act to strengthen a democratic regime depends not only on the availability of the requisite skill and foresight, but also on their level of commitment ; 'One cannot ignore the actions of those who are more or less interested in the maintenance of an open democratic political system or those who, placing other values higher, are unwilling to defend it or even ready to overthrow it'.[1]

With this voluntaristic perspective has come a new optimism with regard to the ability of elites to craft democracies in areas traditionally considered inhospitable to democracy. In *To Craft Democracies* di Palma suggests that a democracy need not enjoy from birth 'rare conditions of legitimacy' in order to consolidate its system, nor need such legitimacy be the product of 'hard fought consolidation'. Instead, he stresses the rewards that democratic politics, as an open political game, can bring to those who play them. In his analysis of the politics of transition, he concentrates on 'the rules that are best suited to induce reluctant players to play,... the transitional coalitions that favor the adoption of those rules, and finally the tactics that assist democratisation'.[2] The appropriate 'crafting' of the rules of the game can bring reluctant players into the political game and establish a democratic consensus from the outset. This consensus, once achieved, is sufficient reason for a stable democratic system to be institutionalised.

This chapter applies di Palma's perspective to the events leading to the Irish civil war. In that period the Collins-de Valera electoral pact represented a last-minute attempt to stabilise the new

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[1] J. Linz, 'Crisis, breakdown, & reequilibration' in J. Linz and A. Stepan, *The Breakdown of Democratic Regimes* (Baltimore and London,1979).

[2] G. di Palma, *To Craft Democracies* ; *An Essay on Democratic Transitions* (Berkely, Los Angeles, Oxford, 1990), p.11.

polity by elite pact. The pact failed, as is well-known, but there has been no systematic attempt to unravel the reasons why it did. Some have suggested that the Pact was merely reverted to as an expedient which enabled an election to take place, while others suggest that it represented a genuine attempt to avert civil war, one which was scuppered by British intervention.[3] Likewise some maintain civil war was a virtual certainty from the time the IRA refused to give their allegiance to the Provisional Government, while others argue that civil war came about only because of the collapse of the Pact.[4] Which perspective is true ? Could civil war have been averted by Irish elites or was it the inevitable consequence of the Treaty split ? What part did elite error or elite motivation play in creating the circumstances which led to civil war ?

5.1. The Collins de Valera Pact.

The Anglo-Irish Treaty signed on December 6th 1921 made the 26 counties of Ireland a British Dominion. Its consitutional status within the Empire was to be analogous to that of Canada.[5] The Irish delegates had secured a large degree of practical independence but only on terms that left the country firmly within the British Empire. The decision to sign the Treaty resulted in an immediate division within the Irish cabinet. Three members opposed, while four supported the Treaty. De Valera, the President, was in a minority. The Cabinet nevertheless agreed to recommend the Treaty to the Dail. De Valera attempted to have 'Document No 2', his alternative to the Treaty, discussed by the Dail, but his document was unprepared. Debate on the Treaty continued until the Dail went into recess from December 22 to January 3. An open split in the Sinn Fein parliamentary party was feared. A meeting between four Pro-and four Anti-Treaty deputies was held on January 4 in order to find a basis for party unity. It was suggested that the services of de Valera should be retained as President of Dail Eireann. A majority vote on the Treaty would be avoided and the President would suggest abstention from the vote on the basis that the new Provisional Government be permitted to function by the Dail. Only members of the Provisional Government need sign acceptance of the Treaty.[6] The proposals were agreed to by Griffith and Collins who had signed the Treaty, but de Valera insisted that Document No 2. should be accepted instead.[7] The Peace Conference failed.

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[3] The former view is contained in T. Garvin, *1922; The Birth of Irish Democracy* (Dublin,1996),p.129. For a different view see E. de Valera, 'Civil War 1922-24, Historical Summary by President de Valera', *The Catholic Bulletin,* September 1936.

[4] M.Hopkinson, *Green Against Green ; A History of The Irish Civil War* (Dublin, 1988), p. 272. For the latter interpretation see H. Lacey, 'There need never have been a civil war; what caused the tragedy ?' *Irish Press* 6/7/58.

[5] See Appendix A.

[6] 'Meeting between Pro-Treaty and Anti-Treaty Deputies in the House of Deputy S.T. O' Kelly, January 4 1922', *Political Disunity 1922; Pre-Election Negotiations* Department of An Taoiseach, S 2942, National Archives.

[7] Document No 2 had already been, in the form of external association, rejected by the British. It envisaged a Republic externally associated with the Crown for matters of common concern. See Appendix B.

In the Dail debate on the Treaty on January 7 sixty four members supported the Treaty while fifty seven members rejected it. The Treaty was accepted by the Dail.[8] As a result de Valera immediately resigned as President of the Dail, and failing to secure re-election, led his side in a walkout from the Dail. His place was taken by Arthur Griffith. A Dail cabinet composed entirely of Pro-Treaty members was elected. The anti-Treatyites would continue to attend the Dail until June. De Valera later remarked that this was evidence 'that we accepted the principle of majority rule, and the right of the people to decide finally on the question at issue'.[9] The truth, however, was more complex. Under the terms of the Treaty a Provisional Government could only be elected by 'the parliament for Southern Ireland', a body which had been created by the Government of Ireland Act of 1920. The parliament had been boycotted by the Sinn Fein TDs, but now the Pro-Treaty deputies, alongside four Unionist members, attended in order to elect a Provisional Government. Michael Collins became Chairman of this Government and was now largely responsible for the direction of government policy. The authority of his Government was not however derived from the Dail, but from the Treaty. The anti-Treatyites refused to accept that the Provisional Government was the legitimate Government of the country or that the Dail departments which had functioned in the revolutionary period had been superseded. The Second Dail had been elected in 1921 as the parliament of a thirty-two -county Republic. Some candidates still held seats representing constituencies in Northern Ireland. It was argued by Republicans that the Dail had not the power to disestablish the Republic which could only be done by the votes of the people. Griffith was now nominally President of this Republic, and gave assurances that the Republic would remain in being until the Free State came into being.

The Republic could only be disestablished if the Treaty was accepted by the electorate. This was the view of both sides. On February 22 an *Ard Fheis* or general convention of the Sinn Fein party agreed to delay the election for three months, so that when the vote on the Treaty came, the public would have the constitution before it. Collins hoped to produce a constitution that would be acceptable to the Republicans. He was encouraged to do so by de Valera who stated that if Collins was to persuade the anti-Treatyites that the King was not part of the Irish constitution, then the best way to do so was 'to frame a constitution in which he will not be there, and then it may not be too difficult for us to agree with this afterwards'.[10] An intermediary between the two Treaty sides informed him that,

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[8] De Valera attempted to have Document No 2 discussed by the Dail as an amendment on the motion approving the Treaty, but was frustrated by a technicality. Over the following months Pro-Treaty publicists mounted a campaign against it.

[9] 'Civil War 1922-24', *Historical Summary by President de Valera,* Department of An Taoiseach, S 9282, National Archives.

[10] Cork Meeting, February 19 1922, 'Eamon de Valera Speeches 1921-22' Department of An Taoiseach S2980, National Archives.

Unity can be won by the correct drafting of the Constitution. You could carry practically all Republicans with you provided the wording of the Constitution fits in with the national ideal of complete independence, irrespective of forms of government.[11]

Since late January a non-party constitutional committee chaired by Collins had been drafting a new constitution. It was hoped it would be available by the end of April so that 'people will be free to examine it in its entirety' and 'neither Mr de Valera nor anybody else will be able to complain that the issues are being concealed from the country' .[12]

At this stage, as the British decided to withdraw from the country, the attitude of the IRA to the Provisional Government became crucial. Army barracks were immediately occupied by local Brigades of the IRA, regardless of attitudes towards the Treaty. The Government, unsure ot its military strength, allowed this to happen, leaving a country divided between armed camps with most areas under the control of anti-Treaty Commanders.[13] In late February leaders of the anti-Treaty IRA demanded that the Minister of Defence hold an Army Convention with a view to establishing a new Army Council. They hoped the Convention would maintain army unity and show the Government that the majority of the IRA were against the Treaty. Mulcahy hesitated, but eventually agreed, fearing that not to do so would threaten the position of the Free State. On March 15 however this decision was reversed by the Cabinet, Griffith's objection being that its purpose was to remove the army from the control of the elected government. The banned Convention met on 26 March with over two thirds of IRA brigades represented. It unanimously agreed that the army 'shall be maintained under an Executive appointed by the Convention'.[14] The IRA was no longer under the authority of the Ministry of Defence and the new Executive ordered that recruitment into the National Army and the Civic Guard should cease. It claimed the right to prevent an election taking place if the Provisional Government did not update the 1918 register which allegedly excluded large numbers of young people. Finally, on 13 April the Executive occupied a number of buildings in Dublin, including the Four Courts. Asked whether this occupation consituted a *coup d'etat,* the leader of the men in the Four Courts, Rory O' Connor, equivocated.

There were now four rival groups competing for influence in the new state. First, there was the departing British state, which had begun a rapid evacuation of its troops but which remained anxious about the growing state of disorder in the country. Then, there was the Government of the Dail which had initiated the truce with the British, but which was bitterly divided over the Treaty. Thirdly, there was the Provisional Government itself, which was not elected by the Dail

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[11] P. O' Dalaigh, April 4 1922, 'Peace Proposal 1922 : Suggestion by Fr.McCarthy & P. Daly, Cork, Department of An Taoiseach S 2978, National Archives.

[12] *Irish Times* , April 19 1922.

[13] See M. Hopkinson, *Green Against Green ; A History of The Irish Civil War* (Dublin, 1988), pp. 52-109.

[14] Ibid, 66

and which had little practical control over the IRA. Finally, there was the Executive set up by the IRA, which was composed entirely of men without previous ministerial experience. There was no neat overlap between these groups. On the anti-Treaty side the Four Courts men had little interest in de Valera's Document Number Two, and de Valera had privately opposed the setting up of the Executive. Collins, whose assumption of the Chairmanship of the Provisional Government was something of a personal coup, had a very different outlook from those of his colleagues. The British were anxious about the lax attitude of the Provisional Government to the IRA

Differences over the election reached a head in late April when a Conference was held at Dublin's Mansion House. The Government proposed that in keeping with the February agreement, 'a plebiscite on the issue of acceptance or rejection of the Treaty shall be taken within a month and a full opportunity be afforded to every adult to vote'. The plebiscite would be held on Sunday, and all over 21 would be entitled to vote. Voters would have to walk through gates to register their preferences. The Labour Party, the Church, and local government bodies would be entrusted with supervising voting. The anti-Treatyite delegates rejected the idea, 'both in principle and in detail', ridiculing the scheme as a 'stone age plebiscite'. In response the Provisional Government refused to continue with the Conference. The people were entitled to say yes or no to the Treaty and that right was being denied. Collins and Griffith issued a statement stating that the Government 'has now cast upon it the duty of seeing that the people of Ireland who are and must be the sovereign authority shall be free to vote their approval or disapproaval of the Treaty'.[15]

It was at this time that the idea of an 'agreed election' began to take hold. Late in March Harry Boland, a prominent anti-Treatyite, had met with the Minister for Defence and suggested that the two Dail sides should avoid further party meetings and instead cooperate on one platform on the basis of Collin's Ulster policy. An agreed constitution would also be produced by the Dail. As an afterthought, he proposed that the anti-Treatyites be guaranteed around 20 per cent of seats in the new Dail.[16] On April 12th it was then suggested to Collins that all members be returned unopposed. They would be free to attend the Free State parliament but the Dail would continue to exist, having control of the IRA and 'all matters dealing with English relations'.[17] Collins replied that he was 'interested' in the scheme and would, with qualifications, do his best to secure it. Significantly he didn't oppose the idea of an agreed election. During the Mansion House Conference Labour made a parallel suggestion. The army would be reunited under a stable executive. A Council of State would be appointed by and remain responsible to the Dail. The Council would take over from the Provisional Government responsibility for 'the transfer of the

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[15] *Freeman's Journal*, May 1 1923.

[16] Mulcahy to Collins, March 25 1922, Richard Mulcahy Papers P7/B/192, U.C.D. Archives.

[17] Suggestion by Fr. McCarthy, April 12 1922, 'Peace Proposal 1922 : Suggestion by Fr.McCarthy & P. Daly, Cork, Department of An Taoiseach S 2978, National Archives.

administrative machinery'.[18] The IRA would be responsible to the Council of State. The scheme was rejected by Griffith but de Valera promised to use his influence to win acceptance of the proposal 'not indeed as a principle of right or justice, but as a principle of peace and order'.[19]

On May 1st, after a series of meetings of former IRB colleagues, a document was drawn up by officers on both sides. It proposed ;

(1) Acceptance of the fact - admitted by all sides - that the majority of the people of Ireland are willing to accept the Treaty.
(2) An agreed election with a view to
(3) Forming a government which will have the confidence of the whole country.
(4) Army unification on the above basis.

The proposal was rejected by hardliners on the grounds that only the IRA Executive as a whole could make decisions. However on May 3rd the officers were permitted to address the Dail. A motion proposing that the Dail approve their statement led to immediate division over the first clause. However the Dail approved of their efforts and subsequently appointed a Committee of Ten, five from each Treaty side, to explore the possibilities of agreement. During the debate there was considerable support for the idea of an agreed election. After ten sessions the Peace Committee reported to the Dail on May 10th having failed to agree a basis for peace. The Pro-Treaty side of the Committee had prepared a separate report, but in deference to the other side did not present it to the Dail. The anti-Treaty side were also preparing their separate report. The two reports were presented to the Dail on May 17th. A long debate followed. There was no consensus on the necessity of an election. Both sides accused the other of 'haggling' for seats in the coalition government. An eleventh hour meeting took place the next day at University College Dublin between de Valera and Collins. As a result they agreed to put a united slate of candidates forward at the election and to form a coalition government afterwards. On May 19th the Dail met to consider agreement. Despite some vitriolic speeches, Boland, a member of the Peace Committee, stated that the coalition was still possible if Collin's constitution showed that 'the independence of the country can be gained by parliamentary methods'.[20] The following day the Dail approved the agreement reached by de Valera and Collins. The agreement was signed on May 20th and contained seven clauses:

We are agreed :

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[18] *Freeman's Journal,* 1 May 1922.
[19] E. de Valera ,'Civil War 1922-24, Historical Summary by President de Valera'.
[20] Harry Boland, *Dail Debates*, 473, May 19, 1922.

(1) That a National Coalition Panel for this Third Dail, representing both parties in the Dail and in the Sinn Fein Organisation be sent forward, on the ground that the national position requires the entrusting of the Government of the country into the joint hands of those who have been the strength of the national position during the last few years, without prejudice to their present respective position.

(2) That this Coalition panel be sent forward as from the Sinn Fein organisation, the number of each party being their present strength in the Dail.

(3) That the candidates be nominated through each of their existing party Executives.

(4) That every and any interest is free to go up and contest the election equally with the National-Sinn Fein panel.

(5) That constituencies where an election is not held shall continue to be represented by their present Deputies.

(6)That after the election, the Executive shall consist of the President, elected as formerly, the Minister for Defence, representing the army, and nine other Ministers - five from the majority party and four from the minority, each party to choose its own nominees. The allocation will be in the hands of the President.

(7) That in the event of the Coalition Government finding it necessary to dissolve, a general election will be held as soon as possible on adult suffrage.

The agreement represented a clear victory for the Anti-Treaty side since it contained in essence 'the terms already proposed by the Republican section of the Peace Committee and rejected by the pro-Treaty section'.[21] Moreover the Treaty would not be an issue in the election so the vote could not disestablish the Republic. The people were given a chance to postpone their decision on the Treaty until its ramifications would be clarified. For the Pro-Treatyites the Pact was firstly a means by which an election could be held. In certain areas registers which had been raided were returned after the Pact, with the result that an election could be held in those districts. The Pact was also a means by which responsible figures on the Republican side could cooperate with the Provisional Government in their attempts to bring ordered conditions back to the country. It was in that spirit that de Valera publicly endorsed it on June 10th, as a means of restoring power to a central authority and of bringing the two sides together on the basis of a law and order policy.[22] The Pact was approved by an Ard Fheis of the Sinn Fein organisation held on May 23rd.

It soon became clear that Britain was not happy about the Pact. The Irish were to meet the British on May 27th. Their policy was to stress the fact that the pact was agreed to 'to enable the Provisional Government to carry out the terms of the Treaty and to restore order'.[23] A government delegation met their British counterparts in Downing St. on May 27th. Churchill pointed out that Article 17 of the Treaty obliged all members of the Irish Government, in the

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[21] D. McArdle, *The Irish Republic*, (2nd ed., Dublin, 1951), p. 712.

[22] C. Desmond Greaves, *Liam Mellowes and the Irish Revolution* (London, 1971).

[23] Provisonal Government Minutes, May 25 1922, Department of An Taoiseach, National Archives Dublin.

period between the elections and the establishment of the Free State, to sign a declaration of adherence to the Treaty. There was no requirement in the Pact that the four Republican ministers would sign the Treaty. Churchill stated that if Clause 17 did not go ahead 'the process of transfer of function does not go forward anymore'. On the other hand, the British did not want to be seen to be interfering in the internal affairs of a Dominion. Their acceptance of the Pact was subject to one fundamental condition. The Conference agreed that acceptance of the Pact did not prejudice the British Government's right 'to raise any question of non-conformity between the constitution and the Treaty'.[24] Having gained that condition, they allowed the Pact election to go ahead.

Collin's policy came under a different pressure when he returned to Dublin. During the pre-pact negotiations he had dropped his party's demand for an increase in Dail representation which meant that his side would not hold an absolute majority of seats if the Pact failed. De Valera had assured him that the Third Parties could be called upon to support his government but Collins was not convinced. As soon as campaigning began, the third parties became subject to a range of intimidatory tactics. Collins warned his legal adviser that 'clause four must be absolutely adhered to. I cannot agree to any appeal, joint or otherwise, that is not seen by me and that does not fairly protect the principle contained in clause four'.[25] Despite this, on the eve of the nominations for the election he approved a draft of a joint statement which was given to the press on June 9. It was also signed by de Valera and stated that 'in view of the fact that one of the most obvious aims of the Agreement was the avoidance of electoral contests which could not fail to engender bitterness and promote discord and turmoil, the signatories had hoped that the spirit of the Pact would have ensured that such contests would be reduced to a minimum'.[26] Collins had again given ground to the Republican side and had gained the assent of his government colleagues to this appeal. In a speech at the Mansion House on June 9th he told his audience that 'practically there is only one party' and advised them to vote for the candidates put forward by that party.[27]

Collins soon had reason to revise his position. An advertisement issued by the Republican party Cumann na Poblachta appeared in the Dublin papers on June 12 asking voters whether they would play 'the enemy's game' and destroy the Pact by voting for a Dail of 'warring sections and interests'.[28] The next day Collins denounced the advert as 'not in keeping with the spirit of the Pact and to suggest that non-Panel candidates by contesting the election branded themselves a national enemy was obviously contrary to the agreement'.[29] This may have been the event that

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[24] Conference on Ireland 10 Downing St. London, May 27 1922, Department of An Taoiseach S 2942, National Archives.

[25] Collins to O' Shiel May 29 1922, Department of an Taoiseach, ibid

[26] 'Leaders Appeal for Support of National Panel', Mitchell and O' Snodaigh, *Irish Political Documents* , 1916-1949, p.135.

[27] Collin's Speech at Mansion House, June 9 1922, 'Michael Collins, Statements and Speeches', Department of An Taoiseach, S10961, National Archives.

[28] Ibid.

[29] Press Statement, June 13 1922.

sparked his decision to renounce the Pact. The next day May 14, two days before the election, Collins apparently renounced the Pact from an election platform in Cork stressing that 'the country must have the representatives it wants'.[30] Despite a speech moderately in support of the Pact the following day, the renunciation was published by the press on election day.[31]

Garvin suggests that the apparent renunciation represented a final explosion of Collin's 'essentially democratic instincts' against the elitism of the IRA.[32] However Collins was also aware of other factors undermining his attempts at mediation. On election day his new constitution was published. It is doubtful whether more than a handful of the voters had seen it before voting. Collin's original draft, intended to be short and easy to amend, had contained no references to the Treaty, no mention of the oath of allegiance to the Crown, and the office of Governor General was omitted.[33] However, the British had severely amended it, and the final draft contained a clause stipulating that if in any respect the constitution conflicted with the Treaty, it would be 'void and inoperative'. Republican objections to this new draft came fast and furious. They 'were mainly grounded on the fact that the king is to be part of the Parliament, that he is to have a veto on legislation and that executive authority is to be vested in him'. Rory O' Connor declared that ' its' only merit was that it gave a holiday every four years' .[34] A key part of Collin's strategy, that of producing a constitution acceptable to the Republicans, had already failed before he renounced the pact.

More importantly, behind the scenes negotiations had been going on between the Ministry of Defence based at Beggar's Bush and the Four Courts Executive. They had begun on May 4th when both sides agreed to suspend all operations except training and routine activities. A G.H.Q. staff memo proposed that a unified Army Council would be periodically elected by an IRA Convention. Eight members were proposed by Mulcahy, four from each Treaty side. The overall scheme of army organisation was agreed to by the Four Courts Executive on June 7th but they demanded that the Chief of Staff would be chosen by their Executive. It was understood that this would be Rory O' Connor who had been included in a non-staff capacity on the Army Council. The demand was accompanied two days later by a warning that negotiations could not be prolonged after June 12. The Executive would hold a Convention on June 18th. On June 12th Mulcahy replied that the original list was only a probable one, subject to overall agreement. His side had 'gone in this matter as far as it is possible for us to go'. He believed that five members of the Proposed Army Council were prepared to agree to his proposals and two of those from the Executive were prepared to recommend to the Convention on June 18th that army unification on

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[30] *Cork Examiner*, June 15 1922, Mitchell and O' Snodaigh, *Irish Political Documents 1916-1949*, p.136.
[31] J.Curran, *The Birth of the Irish Free State, 1921-23* (Mobile, Alabama, 1980), p.220.
[32] T. Garvin, *1922; The Birth of Irish Democracy*, p.129.
[33] See Appendix C.
[34] *Irish Times*, June 17 1922.

the proposed lines be proceeded with. On June 17th however it was indicated that because of objections on the part of the members, Sean Moylan and Liam Lynch, to portions of the draft constitution, the proposals would not be recommended to the Convention. The next day they were rejected. In short, negotiations on army unification had also broken down before Collin's renunciation of the Pact, and irretrievably so before the election results became known.

The election on June 16th returned Pro-Treaty Sinn Fein as the largest party with fifty eight seats out of 128, while the anti-Treatyites got thirty-six, a loss of twenty-two seats. The Provisional Government interpreted the results as giving them a clear mandate to implement the Treaty. Against that Republicans interpreted the result as a mandate for a coalition government. The Treaty had not, after all, been an issue in the election. The Panel candidates had been returned in a majority of seventy three per cent, and the seventeen Labour candidates had also pledged to support the Pact. Republicans have since maintained that Republican voters gave their support to Pro-Treaty candidates as a means of supporting the panel. In practically all constituencies the Sinn Fein candidates had stood on joint platforms and there was a high degree of transfers between coalition candidates.[35] Nevertheless the election greatly strengthened the government's position. According to Hopkinson, before the March Convention, 'the anti-Treaty side had been able to argue that the Provisional Government had undermined stability by the subterfuge of building up its army under the camouflage of the IRA. From the Convention onwards the anti-Treaty IRA got most of the blame for the worsening disorder and the increasingly apparent threat of civil war'.[36] Now in a pattern that became more pronounced as the war unfolded, the Government began to project itself as the defender of law and order and majority rule as its opponents were gradually forced to resort to the tactics of a subversive organisation.

On June 18th a motion was put to the IRA Army Convention that unless Britain withdrew from the island within seventy hours, resumption of war should occur. The Convention was divided between those who felt that further IRB-led negotiations on army unity were futile and that peace moves only gave their opponents a chance to prepare for war, and the delegates of the 1st South Division, who followed the Chief of Staff Liam Lynch in his belief that negotiations with G.H.Q. should continue and that the IRB men around Collins could be trusted. Lynch had been one of those who had been willing to recommend the Beggar's Bush proposals to the Convention. In general the Four Courts men preferred to force national unity by renewing the conflict with Britain, while the 1st Southern men felt that unity could be based on the coalition government to be established on the 30th. The majority of the Executive and a slim majority of the delegates seemed to back war, but on a second ballot the motion was narrowly defeated. It was opposed by the majority of the delegates of the 1st Southern division. After that the defeated minority walked

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[35] M. Gallagher, 'The Pact General Election of 1922', *Irish Historical Studies*, vol. 21 (1979), p.419.
[36] M. Hopkinson, *Green Against Green*, p.31.

out and returned to the Four Courts.[37] Lynch temporarily ceased to act as Chief of Staff while remaining on the Four Courts Executive.[38]

The decision to attack the Four Courts on the 28th was prompted by the assassination of Field Marshal Wilson on the 22 June and Lloyd George's subsequent demand that the sham government in the Four Courts no longer be tolerated. Two days later the election results were published. On the 26th Lloyd George warned that further tolerance would mean the Treaty would be 'formally violated' and the British government would resume 'liberty of action'. Griffith who had never favoured *rapprochement* with the anti-Treatyites demanded action, and following the kidnapping of their assistant Chief of Staff, the Government attacked on June 28. The attack was not simply the result of British pressure but was the culmination of months of failed efforts at mediating between Pro and Anti-Treaty sections of the IRA and Sinn Fein. The external factor, in the shape of Britain's veto on Collin's constitution, was clearly one reason why these proposals failed. It was not, however, the only one. Rory O' Connor and Liam Mellowes had rejected Mulcahy's proposals for unity and the anti-Treaty IRA as a whole had not kept to the terms of the Truce which began on May 4th. Nevertheless Collins and Mulcahy had come close and the anti-Treatyites were still divided on whether they wanted a showdown. Unfortunately this may have been a reason why the Provisional Government attacked the Four Courts and in so doing precipitated civil war.

5.2. Elite Tactics and the failure of the Pact.

Civil war having begun, to what extent was its outbreak an inevitability, or to what extent was it the product or elite error, elite misdeed, or elite short-sightedness ? This brings us firstly to the question of elite tactics. Di Palma's *To Craft Democracies* is an influential approach to the politics of democratic transition. In his view the task of democrats in transitional situations is that of transferring loyalties to the new democratic regime. This task requires an understanding of democracy's strength as a system of 'co-existence in diversity'. If, during a transitional situation, 'the first object is not or does not soon become co-existence, it is axiomatic that the democratic experiment will be short-lived'.[39] Concentrating on co-existence means finding rules of the game that promise to preserve it. The more concerned those who craft the transition are with guaranteeing representation, the more attractive the rules will be to a variety of players. Di Palma argues that 'the essence of the democratic method is to regulate and institutionalise uncertainty of outcome'.[40] Avoiding a situation that keeps winners always winners and losers always losers, is the chief merit of a competitive political system. It is also the prospective *sine*

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[37] E. Neeson, *The Irish Civil War*, p.109.
[38] *Poblacht na h Eireann*, July 4, 1922, FF/ 6, Fianna Fail Archives.
[39] G. di Palma, *To Craft Democracies*, p.27.
[40] Ibid, 31.

que non of any successful transition. 'By choosing the democratic method, political actors are also choosing a degree of calculated uncertainty' .[41] Democracy has two features which allows this uncertainty to prevail.

Institutional dispersion and the removal of politico-institutional monopolies curb institutional sources of uncertainty. At the same time by legalising equal access to institutional positions and by deploying them to countervail socio-economic positions, democracy also corrects the unequal effects of social and economic privilege.[42]

The rules of the game that are chosen must accentuate these two features of a democratic system. Ideally such rules should be able to balance two contradictory pressures - the desire of the majority to govern, and the desire of a minority to get rules that curb majority rights. In the latter case the task of democrats is to find rules that gain the consent of small parties to lose as a condition for winning later.

It stands to reason that reluctant players will be more attracted to the democratic game if the representation of their interests in a democratic form is a paramount concern. It stands to reason that if some players worry that their interests will be disregarded or minoritarian, all players, whatever their investment in democracy, may be better served by rules that embrace fair and equal representation.[43]

The rules that satisfy these requirements are called *garantista* rules, rules which stress the competitiveness of the political market. Institutional *garantismo* aims 'to avoid prejudging or loading the future wins or losses of anyone who abides by the market's intentionally easy rules for admission'.[44] This can be done in two ways. One way is to choose representative institutions such as P.R., a multi-party system, a strong parliament, and a weak executive combined with a policy role for the opposition. Another way is to introduce checks and balances within the system or countervailing powers, such as an active constitutional court and a strong role for regional assemblies. Di Palma also welcomes transitional pacts in conflict-ridden situations as means by which parties can give a sign of a mutual commitment to democracy. In his view 'decisions can be embodied in pacts that will signal a firmer and clearer collective commitment'.[45] At its simplest pacts are chosen 'to provide some orderly exit from divisive times'.[46] They may be merely transitional coalition arrangements which enable a fledging democracy to achieve a measure of civil order before the development of an openly competitive political system. However pacts are also a means by which 'breakdown games' are avoided if recalcitrants are included in a

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[41] Ibid.
[42] Ibid,41-42.
[43] Ibid,46.
[44] Ibid,55.
[45] Ibid,87.
[46] Ibid,88.

transitional government. In such a way political behaviour that is openly hostile to democracy, or merely fearful of lopsided outcomes, can be constrained. In this sense the more extensive and durable the pact the better.

Di Palma assumes that successful elite agreement on the rules of the game is a sufficient source of democratic stability. Eschewing theories which stress the need for some prior value-consensus among the political elite he concentrates on the continued attractions of the democratic game for those who commit themselves to playing it. If there is a precondition for a transition to democracy, it is that rules must be designed to achieve a wide and fair representation of interests. Without an attractive set of rules reluctant actors will not be brought within the democratic game. Logically, the failure of a transition must be due to one of two factors : either elites have not concentrated on devising appropriate rules for the political game, or elites have erred in choosing the rules. The failure of the transition must be due to one or other of these factors : this amounts to a negative version of the minimalist hypothesis.

The situation that faced the Provisional Government in the Spring of 1922 was a scenario not altogether different from that discussed by di Palma. Under the terms of the Anglo-Irish Treaty of December 1921 the Irish Free State would come into being no more than a year later than 18 December of the following year. In the transition, the government of Ireland would be gradually encharged to a Provisional Government. It became agreed between the British and Irish representatives that an election should take place in that period, although no fixed date was established. The task of the Provisional Government became that of gaining the assent of their Republican opponents to the election. A government guaranteed majority support faced a recalcitrant minority that would agree to an election only if it were guaranteed a share of representation proportionate to its existing position in the Dail, and if it were guaranteed future participation in a coalition government.

By conceding the ground to the Republicans on both counts, Michael Collins created his own *garantista* solution to the problem posed by Republican opposition to an election. He also constructed a transitional pact which would secure the Cupertino of Republicans in the management of the transition after June. This was understood on both sides to mean that anti-Treatyites would cooperate in the maintenance of ordered conditions in the country. It was in that sense that de Valera welcomed the Pact. Collins for his part indicated that he thought coalition government 'probably the most suitable method of carrying over the period of stress'.[47] From di Palma's perspective the Irish political elite employed the correct tactics, chose the right options, and found the right rules of the game to enable a transition to take place. Attention had been focused on securing precisely the kind of coexistence in diversity that di Palma believes is

[47] Interview with New York Herald 2/5/1922, 'Michael Collins: Statement and Speeches', Department of An Taoiseach, S 10961, National Archives.

important. No party dissented from the consensus on the desirability of these rules. Labour, soon to be an important minority in the Third Dail, pledged its allegiance to the Pact. This was a reward for Collin's insistence that 'there be no inherent thought or wish to interfere with the free choice of the electorate'.[48] For the time being both Treaty sides had suspended their search for majoritarian solutions to the Treaty question. The Pro-Treaty side had sacrificed what would have been an absolute parliamentary majority in return for Republican cooperation in the Pact. The anti-Treatyites had suspended what was in effect a campaign to curb majority rights, once assured that the Treaty would not be an issue in the election.

As already suggested, the failure of a transition could logically be due to one of only two factors : elites had not concentrated on finding the right rules of the game, or they had erred in choosing those rules. At first glance, neither was true of the Irish case. The problem lay rather in the institutional basis of the Pact. As already noted, the agreement followed almost two weeks of failed efforts at mediation by a Peace Committee which could not bring itself to provide a united report. When the committee reports were presented to the Dail they gave rise to bitter debates about the necessity for an election. On two occasions, May 17 and May 19, it seemed that the Dail would abandon its efforts for peace. Certainly if the train of debate taking place in the Dail had been repeated in the meetings between de Valera and Collins no agreement would have taken place. It is significant in this regard that Griffith's motion approving the electoral pact on Saturday 20th did not follow a lengthy Dail debate that day. Far from renewing the authority of the Dail, the signing of the pact reflected the reality that only a backroom agreement between elites could avert civil war.

For some on the Pro-Treaty side a straight contest over the Treaty was preferable to the endless negotiation that attended the signing of the Pact. For O' Higgins the Treaty conferred 'very great benefits, very great advantages, and very great opportunities on the Irish people and I would not declare off-hand that it was not worth civil war'.[49] For hard-line Republicans a renewal of the struggle with the British would be preferable to the loss of national honour involved in accepting the Treaty. Some of these had a relatively exalted view of politics, denouncing each other for 'haggling' for extra seats at the Peace Committee. Cathal Brugha declared that he was 'absolutely sick of politics' on May 3rd, and favoured a return to war.[50] Liam Mellowes denounced the IRB peace scheme as a way of turning the country again 'into the mire of rotten politics'.[51] Apparently by early May the Dail's appetite for 'politics' was getting exhausted. The spokesman for the I.R.B.

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[48] 'Meeting at University College, Report By Michael Collins', May 18 1922, Department of an Taoiseach, S 2967A, National Archives.
[49] *Dail Debates*,464, May 19 1922.
[50] *Dail Debates*, 429, May 17, 1922.
[51] *Dail Debates*, 361, May 3, 1922.

delegation referred to 'an atmosphere of absolute hostility' combined with 'a sense of utter irresponsibility' existing in the Dail.[52]

How faithfully then did de Valera and Collins reflect the views of their supporters ? On Collin's side opposition within his cabinet was a known fact. Griffith was reportedly 'appalled' by the Pact when he first read it.[53] Cosgrave protested that 'no party in the Dail ever has the power of the authority to get members returned unopposed'.[54] The day before the Pact was signed, O' Higgins told the Dail that they had come close to 'trifling with a thing that cannot be outraged without serious reactions, trifling with the absolute right of the people to choose their own representatives and their policy in any given circumstances.[55] The anti-Treatyites were basically undemocratic ; 'We were threatened with terrible and immediate civil war if we did not ram certain gentlemen down the necks of their reluctant constituents.[56] He believed that Collins had gone too far in his attempt to appease the Republicans. Griffith had always been against compromise and Cosgrave later claimed that the events of June persuaded him that he 'was not going to go any further to meet the Republicans'.[57] On the other side, Cathal Brugha used the phrase 'when we take the field again', in the Dail debate on May 19, suggesting that peace with the British was only temporary. Another Republican delegate stated that civil war was 'a certainty' if an election takes place. De Valera, as is known, had not been consulted when the Four Courts Executive was set up and had not persuaded the hard-liners to accept Document Number Two. By late June most of these Republicans regarded the Pact as 'a dead letter'. The hard-line Republican attitude to peace talks was later captured in a recollection by Ernie O' Malley 'Whatever alliance could have been made with Collins, civil or military, some section of the country would possibly have fought, and I knew that I would have joined them'. [58]

The legitimacy of the rules of the game is extraneous to any consideration of substantive ends, according to di Palma. In his view 'legitimation must come from shared institutional guarantees for competitiveness before coming from anything else'. This he describes as 'the democratically effective and correct view'. [59] Such legitimation is threatened by those who see democracy as 'a tool of social upheaval' or as 'a majoritarian lever of wilful social progress'.[60] In particular the radical view, that legitimation can only come with the achievement of certain specific policy ends, is one that is likely to be counterproductive. The problem in Ireland was that both sides

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[52] Sean O' Hegarty, *Dail Debates,* 357, May 3, 1922.
[53] T.P. Coogan, *Michael Collins*, (London, 1990), p.322.
[54] Minute by Cosgrave, n.d. 'Peace Proposal by F. Daly and Fr. McCarthy, Civil War 1922-24, Peace Proposals, Department of An Taoiseach, S 2978, National Archives.
[55] *Dail Debates,* 464, May 19, 1922.
[56] *Dail Debates,*464, May 19, 1922.
[57] 'Interview between the President and Donal Hannigan and M.J. Burke of Neutral I.R.A.' - February 27 1923.
[58] E. O' Malley, *The Singing Flame,* p.246
[59] Di Palma, *To Craft Democracies*, p. 72.
[60] Ibid,73.

were unable to consider the rules of the game separately from a consideration of policy ends. There was deep divergence of opinion with regard to the purpose of an election. Churchill saw it as a means by which the Provisional Government would mobilise national support in defending its 'just and lawful position'.[61] The Provisional Government saw it as a means of giving the public a chance to give or withhold their assent to the Treaty. Collins believed that they had a right to know if the people would give them a mandate for the course they were taking.[62] The anti-Treatyites feared that an election in the 26 counties would signify the disestablishment of the Republic. An election, would be a misrepresentation of the free choice of the Irish people and give the English an opportunity of claiming that the Irish had freely chosen to remain within the British Empire. If the people were free to choose they claimed they would 'get for the independence of Ireland and a continuation of the Republic as overwhelming a vote as you got in 1918'.[63] It was against these wildly different standpoints that the Provisional Government had to secure an election on the Treaty.

Both sides had very majoritarian attitudes to the electoral process. The election would give, or fail to give, a mandate for a particular national policy, and was welcomed or opposed as such Public opinion was something to be mobilised behind a particular course of action. The conservative aspect to this view was that elections existed in order to return a government to power. As one speaker put it 'I believe in any country the one sure bulwark of stability - human nature is so imperfect- of peace and ordered government is that the will of the majority should prevail'.[64] The radical side emphasised the malleability of public opinion. Since 1916 Republicans had believed that heroic leadership would galvanise a majority behind any particular course of action. Left to their own devices however, the majority, to use Mary MacSwiney's aphorism, always choose the line of least resistance. Both radicals and conservatives tended to see elections as majoritarian levers for certain policy ends.

It seems natural then that the Pro-Treatyites should have interpreted the election result as a decisive result in favour of the Treaty. During the Peace Committee's sessions it was argued that an election was required to give the Dail an opportunity to renew its representative character.[65] Pro-Treatyites maintained that the outlook of the Second Dail had been more radical than that of the population as a whole, and the election had just returned a more representative body. A breakdown of the vote for the Coalition candidates seems to confirm the accuracy of this judgement. Table 4.1. compares the anti-Treaty and the Pro-Treaty vote in contested and

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[61] Churchill to Collins, May 12 1922, 'Civil War 1922-Outbreak and Immediately Preceding Events', Department of An Taoiseach, S1322 B, National Archives.
[62] *Dail Debates* ,437, May 17, 1922.
[63] Eamon de Valera, *Dail Debates*, 427, May 17, 1922.
[64] Sean Milroy, *Dail Debates*, 422, May 17, 1922.
[65] Seamus Dwyer, Memo, Dail Peace Conference, Supplementary Report by the Anti-Treaty Members, May 17 1922.

uncontested constituencies. On the Pro-Treaty side forty one were elected in contested constituencies, and seventeen in uncontested constituencies. Of the fifty-six anti-Treaty candidates thirty-six were elected, seventeen from uncontested constituencies.

Table 4.1. Coalition candidates in the 1922 general election.

	Contested Constituencies		Uncontested Constituencies	
	Pro-Treatyite	Anti-Treatyite	Pro-Treatyite	Anti-Treatyite
Number of Candidates	48	42	17	17
Number Elected	41	19	17	17
Number of these re-lected from Second Dail 1	39	19	17	16
Number of these defeated from Second Dail	6	20 2	0	0

Notes : 1. Figures refer only to Sinn Fein candidates.

2. Excludes Dan Breen who was a joint candidate.

Source: Walker 101-108.

The most striking electoral statistic is the large number of anti-Treatyite T.D.s from the Second Dail who failed to get re-elected when faced with opposition. In all, one hundred and eighteen Sinn Fein candidates went forward for re-election from the Second Dail, sixty-two endorsing acceptance of the Treaty, and fifty-six rejection. Of the twenty-six candidates that failed to get re-elected, twenty one were opponents of the Treaty. Of the forty two anti-Treaty candidates from the Second Dail who faced opposition, twenty-three were defeated. In contrast, only six out of thirty-nine Pro-Treaty Sinn Feiners from the Second Dail who faced opposition, lost their seats. In all, of the one hundred and twenty-eight members of the Second Dail, only nineteen members managed to reject the Treaty and subsequently keep their seats in a competitive election. It is not surprising that the result was interpreted by the government as a mandate for the Treaty.

The idea that creating appropriate rules of the game requires a prior commitment to democratic values on the part of political elites, or the existence of an overarching consensus on fundamental matters of policy, is rejected by di Palma:

democracy's rules, being a means for coexistence, need not be more than a second best for the parties that negotiated their adoption. Rules can be a matter of instrumental agreement worked out among competing leaderships, even in the absence of a popular or elite consensus on fundamentals.[66]

The problem in Ireland stemmed from the fact there was no consensus on fundamentals. The pro-Treatyites would renounce the Pact rather than jeopardise the Treaty and the anti-Treatyites

[66] Ibid, 30.

would reject an election if it meant disestablishing the Republic. The legitimacy of the rules of the game was not extraneous to a consideration of policy ends. Although Collins was willing to make concessions on numbers he was not willing to make them on principle. On the other side a reduction in the numbers of Republicans to be nominated to the coalition panel was resisted on the anti-Treaty side to avoid giving the impression that in the election 'the Treaty issue was being further determined'.[67] The rules of the game were less important to Republicans than the symbolic issues, such as the presence of the Crown in the Constitution and the oath of allegiance. Neither side was willing to swap concern for substantive outcomes for short-term party advantages. This was also true of the army negotiations, the success of which was an essential precondition for the continuance of the pact. Early in June Mulcahy had been warned that the anti-Treatyites would not accept unity 'unless by an agreed election was involved that the Dail continued as the Government of the Irish Republic and was solely responsible for the administration of the country -Ulster included'.[68]

The pact, if it had been buttressed by an agreement on army unity and by the continued support of the Southern IRA, might have delayed the outbreak of civil war. However some conflict between the Provisional Government and the more extreme of the IRA men seems to have been inevitable. The issue of the Treaty had not been resolved by the Pact. At the outset, the Dail had been divided by a proposal that it accept the fact that the majority of the people accepted the Treaty. Likewise, after eleven sessions of the Peace Committee, a similar division arose over the Pro-Treaty side's Preamble which recommended acceptance of the fact that a majority of the Dail and of the people accepted the Treaty. It was objected that the conference was not being used to secure peace and unity between the sides, but as an instrument for 'enforcing acceptance of the Treaty upon us'.[69] Indeed a member of the Pro-Treaty delegation spoke of 'a very big difference' between the two sides' conceptions of coalition government. The Pro-Treatyite conception was that the coalition would work the Treaty and preserve all the advantages which the Treaty had brought. The Republican conception was that the Coalition government should evade the Treaty.[70] One member threw cold water on the viability of a coalition under such circumstances. 'If the anti-Treaty Party go in to work the Treaty a coalition is possible, but if they go in to break down the Treaty Government, a Coalition is not'.[71] It is difficult to believe that the Republican section of the proposed army council would have been happy with the Treaty. In his negotiations with de Valera Collins stressed that nothing could be done to endanger the Treaty position and insisted that the policy of the House would be the policy of the majority, in short the Treaty position.[72] De Valera replied that he envisaged that the party spirit might disappear as the

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[67] Dail Peace Conference, Supplementary Report by the Anti-Treaty Members, May 17 May 1922.
[68] G.H.Q. Staff Memo, n.d. P7/B/100. Mulcahy Papers, U.C.D. Archives.
[69] Sean MacEntee, *Dail Debates*, 434, May 17, 1922.
[70] Seamus O' Dwyer, *Dail Debates*, 417, May 17, 1922.
[71] Dr MacCartan, *Dail Debates*, 415, May 17, 1922.
[72] 'Report by Michael Collins, Meeting at University College', Thursday May 18 1922, D/T S 2967 A.

benefits of the Coalition were made felt. If not Collins could rely on the support of the Third Parties. De Valera's reassurances notwithstanding, there was no explicit agreement that the Republican members of the coalition government commit themselves to protecting the Treaty. Likewise there was no agreement on the nature and name of the new assembly.

Republican commentators have seen in the Pact a genuine attempt at elite conflict-regulation which was undermined by British interference.[73] In this vein de Valera pledged his support for the Republican side in the civil war on 29 June, stating that the Pact, if adhered to, would have given the Irish 'an opportunity for working for internal peace and of taking steps which would make this nation strong against the only enemy it has to fear - the enemy from outside'.[74] Even some non-Republican accounts of the war accept that Britain was indirectly responsible for the breaking of the Pact.[75] However it does not follow that the Pact had long-term potential as a peace-saving device. Britain's position could only be tested by a united government but there was little basis for such unity. Collins and de Valera had their own reasons to compromise but they didn't have the full support of their own sides in making the pact. The constitutional status of the IRA remained to trouble the political elite and beyond that lay the question of Northern Ireland. If the Pact had worked, unity may have been achieved, but if unity had been achieved, British military intervention might well have followed. [76]

Ultimately the Pact failed because it went against the grain of Irish political traditions. From the decision in the cabinet to allow the Dail to decide by majority vote on the Treaty, a majoritarian solution to the crisis was inevitable. If de Valera was interested in a non-majoritarian solution, he should have accepted the offer on January 4 and avoided a Dail vote on the Treaty. Once the Dail had decided in favour of the Treaty, a conflict between the views of the Dail and the majority of the IRA was inevitable. The problem for constitutional engineers in Ireland derived from the fact that the Irish were majoritarian rather than pluralist democrats,[77] and majority rule, as de Valera was soon to realise, provided the simplest base for political order.

5.3. Minimalist and Maximalist Views of Consolidation.

The analysis of the Pact and its failure requires us to ask how voluntaristic theory can be usefully applied when the transition to democracy and the transition to independence take place simultaneously. Between the signing of the Treaty and the ratification of the constitution of the

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[73] See D. Macardle, *The Irish Republic*, pp. 720-727; M. MacSwiney, *The Republic of Ireland*, Pamphlet, Lee Press Printing Works, n.d., pp 2-25; H. Lacey, 'There need never have been a civil war; what caused the tragedy ?' *Irish Press* 6/7/58.

[74] Mitchell and O' Snodaigh, *Irish Political Documents*, p.140.

[75] See J. Curran, *The Birth of the Irish Free State*, (Mobile Alabama, 1980), p.220.

[76] Ibid, 32.

[77] T.Garvin, *1922; The Birth of Irish Democracy*, p.32.

Irish Free State by the British parliament the following December, an Irish state existed only in provisional and embryonic form. As such, the Irish case is altogether different from those interwar polities discussed by Stepan and Linz, where the state had been consolidated well before the transition to democracy. Inevitably the constraints within which political elites acted were different from those that existed within more established polities. Moreover, where the establishment of governmental authority over a territory is a primary focus of elite competition, the motivations of political actors may differ from those with established central institutions.

In the period between the signing of the Treaty and the civil war effective diplomacy was conducted mainly through informal and secretive channels but there was no formal and routinised set of procedures for the regulation of conflict. As it turned out ad hoc agreements did not prove binding on pivotally situated actors and they had a provisional and informal character about them. This was a reflection of the institutional incoherence of the Free State in the early months. Another aspect of that incoherence was that the Free State lacked the basic institution of parliamentary democracy, an executive collectively responsible to parliament. A number of proposals were made that would have created an executive responsible to the Dail, but these were opposed by the Provisional Government itself. It had been suggested for example that the Dail take responsibility for producing an agreed constitution. This may have bosltered the authority of a Dail that had become in the words of T. Desmond Williams merely 'a showpiece which preserved the trappings of Republicanism'.[78] It may also have provided a more robust base for the defence of a Republican constitution than the Provisional Government. However this idea was also opposed by members of the Provisional Government. The autonomous status of the IRA was the most dramatic aspect of the institutional incoherence of the Free State, but one that was not surprising. Local brigades of the IRA had never been subject to effective central control before the Treaty. The closest the Government had come to resolving the issue was to create an army council elected by a convention. However that solution was unlikely to have fully satisfied either the British or the Provisional Government.

It follows then that the consolidation of a democratic system required a prior process of institutionalisation whereby certain institutional structures become simplified, routinised and authoritative. Between December 1921 and June 1922 the Provisional Government existed in a kind of vacuum. The ambition of the Provisional Government was 'to set up a new state based on law and freedom within the bounds of the Treaty'.[79]The Dail decision to accept the Treaty on January 4th provided the starting point for that process. Inevitably the election victory conferred a great deal of legitimacy on that ambition. By late Spring asserting the authority of the

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[78] T. D. Williams, 'From Free State to Civil War', in T.D. Williams (ed.), *The Irish Struggle 1916-1926* (London, 1966), p.125.

[79] T.D. Williams, 'From Free State to Civil War', p.124.

government had become the chief concern for many on the Government side. As O' Higgins put it

If things go on as they are going I do not know who is going to govern the country. I do not know who is going to collect the revenue of the country. I do not see who is going to keep any ordered fabric of Government or even of society existing in Ireland. That is the issue that you are faced with.[80]

The problem was that the imperative of asserting the authority of the government cut across the logic of building bridges to the Republican side. Asserting the authority of the state meant establishing an institutional monopoly over decision-making and establishing a clear hierarchy within governmental institutions. Inevitably it also meant undermining those institutions that were associated with the Republic, the IRB, the IRA, the Republican Courts, the Second Dail, and later local government bodies. It also meant curtailing the secretive manoeuvrings of Michael Collins by insisting on a collective cabinet policy.

At what point did the imperative of asserting the authority of the Provisional Government replace that of seeking compromise ? From January onwards the Provisional Government was well aware of its military vulnerability. Early in March de Valera told the Provisional Government that 'but for the majority of the Dail you would not be talking as a member of the Provisional Government because you would be swept out of the country by the army'.[81] At this stage, to paraphrase Robert Dahl, the cost of suppressing the IRA far exceeded the cost of tolerating it. An attempt at repression would have jeopardised the very existence of the Provisional Government and of the Treaty. On the other hand by June, with a basic military organisation established, and a guarantee of a continued supply of British arms, the situation had changed. Britain had left the Government with little room to manoeuvre over the Treaty. The truce with the IRA, dating from May 4th, had failed to provide stability. 'Robberies, assaults, shootings, attacks on national troops, commandeering of goods, raiding of houses and the taking out of prisoners, murders of British soldiers, bank robberies etc' had all followed, apparently with the approval of the Four Courts Executive.[82] Rory O' Connor's ambitions put paid to any possibility of army unity, and as the Convention date approached, the possibility of British re-occupation was foremost in people's minds. At this stage the costs of toleration had become greater than the costs of suppression. O 'Donnell and Schmitter argue that governments may choose to tolerate recalcitrant opponents up to a point, but if widespread violence occurs or if the existence of the opposition threatens 'the vertical command structure of the armed forces, the territorial integrity of the nation state, the country's position in international alliances, (or) ... the property rights underlying the capitalist

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[80] K. O' Higgins, *Dail Debates*, 417, May 17, 1922.
May 17 1922, p.417.
[81] Eamon de Valera, *Dail Debates*, 156, March 1, 1922.
March 1 1922.
[82] R. Mulcahy, 'Army Truce May 4th', Mulcahy Papers, P7/B/192, U.C.D. Archives.

economy' repression soon follows tolerance.[83] All these factors influenced the Provisional Government's decision to attack the Four Courts.

Retrospective wisdom suggests that the Pact had conferred certain short-term advantages on the Provisional government and was renounced when it no longer served the Government's purpose. Garvin suggests that it was used by Collins as a ruse which 'deceived' the IRA into allowing an election to take place.[84] This is too brusque a dismissal of the Pact. Collins had been careful to ensure that the Treatyites retained a plurality of Dail seats. Once the Pact had been signed however the anti-Treatyites could only question the legitimacy of the Government's subsequent actions. As already noted, Griffith had promised de Valera that Republican institutions would be preserved until the people in an election had pronounced upon the Treaty. Since the Treaty was not an issue in the election, in de Valera's view the Republic still existed. Moreover the 2nd Dail was never formally dissolved and the Third Dail did not meet until September. In the meantime 'by what can only be called an Executive coup d'etat they proceeded to change the established state and substitute another'.[85]

The civil war has been described by Coakley as a 'succession crisis'. In the wake of world war one the formation of several states resulted in several civil wars being fought between rival contenders for governmental authority. The succession process was a 'typically contested one' with different claimants arising with regard to the exercise of governmental authority.[86] The transition took place in confused conditions allowing a situation of 'multiple sovereignty' to emerge. This meant that different institutions emerged to provide rival *foci* for national sentiment: left wing and Republican elements favouring more radical institutions and right wing and conservatives favouring more limited and traditional models of independence. In all these cases the legality of the succession process was sufficiently ambiguous for the losers to deny the legitimacy of the new state and to claim a moral victory afterwards. Ireland was no exception to this pattern and the legacy of the Pact was not helpful in this regard. Despite government rhetoric to the contrary the Pact had not allowed a clear-cut vote on the Treaty and the subsequent actions of the Provisional Government seemed to suggest that it placed a higher premium on honouring agreements with the departing colonial power than with its domestic rivals. Republicans would come only slowly to accept the legitimacy of the Free State.

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[83] G. O' Donnell and P. Schmitter, 'Tenatative Conclusions about Uncertain Democracies' in G. O' Donnell, P. Schmitter, and L. Whitehead, (eds)., *Transitions from Authoritarian Rule* (Baltimore, 1986), p.15.

[84] T. Garvin, *1922;The Birth of Irish Democracy*, p.129.

[85] E. de Valera, 'Civil War 1922-24; Historical Summary by President de Valera', extract from *Catholic Bulletin*, September 1936.

[86] J.Coakley, 'Political succession and regime change in new states in interwar Europe : Ireland, Finland, Czechoslovakia, and the Baltic Republics', *European Journal of Political Research*, 14, pp.187-207.

Di Palma's is a minimalistic theory of democratic transition. He disagrees with those who argue that the adoption of democratic rules must be followed by a habituation phase where political actors are gradually socialised into their new democratic rules. For this reason the decisive role in establishing democracy belongs to the agreement phase of the transition not to what people typically assume to be a consolidation phase which follows. By contrast, the traditionalist view of consolidation has three components. The first is that consolidation involves a dual process where the process of institution-building is complemented by the simultaneous growth of a democratic political culture. It is assumed that the process of institutionalisation is insufficient unless accompanied by a corresponding growth in favourable attitudes on behalf of political elites. The second component is that the process of consolidation be lengthy ; a second phase of democratic reconstruction begins only after democratic institutions are first set up. Thirdly, it is assumed that the process of consolidation is almost always a difficult and decisive process. 'Rare are the new democracies in which consolidation is uneventful, short, and assured'.[87] Di Palma, however, accepts none of these propositions, stressing that 'democracy can gather sufficient resistance before its institutions and practitioners are put to the test of performance' .[88]

However, in my view, di Palma's prescriptions can only be applied to situations where the basic authority of state institutions is not at stake. Where the authority of the state and the performance of its basic functions are under threat, institutional sources of uncertainty are going to be far less attractive to constitutional engineers than institutions that guarantee order, hierarchy, and continuity. For that reason majority rule was a far more attractive alternative than di Palma's *garantista* rules to the Provisional Government. Likewise di Palma's views on consolidation seem to be flatly contradicted by the Irish experience where an initial phase of institutionalisation was followed by a lengthy and dramatic phase of consolidation during which the defeated Republicans came to accept and transform the existing institutions of the state. Moreover, the process by which Republicans accepted the legitimacy of the Free State was a slow and problematic one. It was only after these two hurdles, those of consolidation and legitimacy, had been overcome, that explicit agreement on the rules of the game was secured. It did not predate de Valera's adoption of a constitution in 1937.

Di Palma's explanation of successful transitions was written against a background of theoretical pessimism with regard to the prospects of democracy in the non-western world. More specifically the hurdles of consolidation and legitimacy were seen as difficult and decisive experiences by those whose theoretical perspectives were inspired by 'the resounding and unquestionable democratic failures during the interwar period in Europe'.[89] Since such democratic theory was shaped by the demise of democracy rather than its onset, it was natural to believe that

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[87] Ibid, 139.
[88] Ibid, 140.
[89] Ibid,139.

consolidation and legitimacy were crucial in fulfilling or undermining democracy. As di Palma put it, 'the fascination with explaining demise ... accounts for the tendency to see the event, even retrospectively, as rooted in the very origins of the new democracies'.[90] My conclusion, however, is that this emphasis on the origins of the new democracies and the centrality of consolidation and legitimacy is correct.

What Di Palma has offered is a distinct set of tactical recommendations for political elites in transitional situations but these tactics can only be applied successfully in certain situations. By and large Irish elites were sensitive to the need to find guarantees for rival political positions but were unable to guarantee substantial rewards for compliance. Finding the right rules of the game was not enough. The national aspirations of both sides had also to be protected and it was impossible for Collins to protect both the Treaty and anti-Treaty positions at the one time. Here British power was a crucial limiting factor and one that Collins tended to overlook. For his colleagues the need to establish an authoritative government was a more pressing concern than that of appeasing the Republicans, and was probably held to be worth civil war. For the Provisional Government, majority rule, with its winner-take-all implications, was a far more attractive idea than the uncertainty promised by di Palma's *garantista* rules. Majority rule was also deeply rooted in Irish political culture although it was immediately attractive because it served as a means through which a stable institutional order could be rapidly constructed. Its attractions were as much psychological as cultural.

Conclusion

For decades after the civil war impartial analysis of its origins was hampered by a paucity of original documents and also by the atmosphere of recrimination and bitterness which surrounded discussion. In the light of the available evidence is it now possible to attribute blame to individuals or to particular decisions that were taken in the run up to the civil war ? Voluntarist democratic theory assumes that elites can always have a decisive effect on political outcomes, but the bulk of the theory that has been built up to support this proposition has been taken from states which already possessed authoritative central institutions. In the Irish case the absence of such institutions was crucial. The fall-out from the Treaty revealed 'the lack of effective relations between the various nationalist institutions which prevented any controlled, disciplined response to the Treaty'.[91]

As already noted, the Provisional Government had a dual transition to handle. On the one hand it was a transition to self-government. On the other it was a transition to electoral democracy.

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[90] Ibid,140.

[91] M. Hopkinson, *Green Against Green,* p.35.

The first provoked the most dissension. Irish nationalists had a rather rudimentary conception of democratic politics and tended to view electoral politics through the prism of distinctly nationalist agendas. An election would either legitimise the Free State or disestablish the Republic. As such the June election became the crucial threshold for the establishment of a government under the terms of the Treaty. Irish recalcitrance was not the product of misgivings about the virtues of democracy, but more of a sense that the Free State represented for Republicans a betrayal of national ideals. The problem for moderates on both sides was that the political game was not an attractive option if it failed to protect positions on the national question. Constitutional engineers were dealing with rather refractory material when it came to Ireland.

Williams holds both de Valera and Collins responsible for the outbreak of civil war, the former for doing too little, the latter for doing too much.[92] Certainly de Valera did not do too much to distance himself from the stance of the Four Courts men, while Collins concentrated too much power in himself. However Collins had not deprived the Pro-Treatyite position of majority support in the Dail, and had appeared to gain de Valera's consent to an agreement protecting the Treaty. On the other hand, de Valera had no authority over the IRA who, in his own words, had 'taken up an independent position in this matter'.[93] So de Valera's supporters would not have allowed him to work the Pact for long, unless the British were to allow the Treaty to be rapidly undermined. There was no evidence that that would happen. Certainly Collins erred in underestimating British determination to protect the Treaty. He had been informed quite early on that Britain would not be flexible on the Treaty settlement. On May 12th Churchill told him that 'every one of us will swing round with every scrap of influence we can command against a Republic or any inroad upon the Treaty structure'.[94] Why Collins still believed that a Republican constitution would still be accepted by the British is something of a mystery ? More specifically, why he thought the British would accept the Governor General being called the Irish President, is beyond comprehension.[95]

Collins also erred in exchanging the freedom to draft a constitution as the price of securing British acquiescence in the Pact. In the long run the loss of a 'free' constitution may have been more damaging to the cause of peace. Sean Moylan, Liam Lynch, and Harry Boland, a representative sample of Republican opinion, had all expressed approval of the constitutional idea as a valid test of Collin's stepping-stone approach to the Treaty. Furthermore, once the decisive phase of the civil war was over, an acceptable document might have encouraged

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92 T.D. Williams, 'From Free State to Civil War', p.124.

93 *Dail Debates*, 368, May 3, 1922.

94 Churchill to Collins, May 12 1922 'Civil War 1922-Outbreak and Immediately Preceding Events', Department of An Taoiseach, S1322 B, National Archives.

95 See Appendix C.

moderate Republicans to attend the Dail in September when it was being amended.[96] The claim that Collin's colleagues in the Provisional Government did not defend Collin's draft in conference with the British, has to be seen in the light of the agreement of May 27th, when they all, regardless of private opinions, defended the Pact. Rather it seems that the Pact 'frightened the British into inserting every unpleasant form into the new constitution' as O' Higgins later claimed.[97]

Collin's failure however only seems to confirm the validity of the argument that elites can prove decisive only in certain situations. In the Irish case the crucial period was the period between the signing of the Treaty and the Dail debate on January 7th. The initial meeting between four Pro and five Anti-Treaty delegates on January 4th had led to eight of the Conference accepting terms. After consultation with de Valera the next day however the anti-Treaty delegates' position had changed. It was 'immediately found that the agreement reached on the previous night did not now meet with the approval of the other side'.[98] Instead it was proposed that the Conference ask the Dail to give majority support to an alternative Document, probably based on Document Number Two, which would be submitted to the British. This was rejected by the Pro-Treaty side. De Valera's intervention had been decisive in preventing agreement. Moreover, once he had attempted to rally public opinion against the Treaty he was inviting the IRA to do the same. He was also undermining the pivotal position of the Dail cabinet.

A united cabinet responsible to the Dail was the only way in which the split could have been contained within democratic politics. There was no point in de Valera attempting to reconstruct a united cabinet with the Pact when he had effectively destroyed it four months earlier. A comparison can be made with the impact of the Kilmainham Treaty of 1882 on the alliance between the radical Land Leaguers and the Parnellite party. The agreement seemed to close off for good the radical route to social change, and closely identified the Irish party with the Liberal Party. The split which ensued ran deep and might have been 'extremely serious in its results'.[99]However the leaders of the radicals, Michael Davitt and John Dillon, loyally accepted the Treaty and thus helped secure Parnell's position. Forty years later the radical wing of the national movement quickly deserted those who had compromised and left the moderates identified as the agents of British policy in Ireland.

Of course the earlier Dail cabinet had been deeply-divided on personal and ideological lines and had not really functioned as a government during the War of Independence. For this reason I

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[96] At least this was the view of Gavan Duffy, 'Voice Recording made for the Bureau by the Ho. George Gavan Duffy', President of the High Court, January 20 1951, 1125/15 No 17. Gavan Duffy Papers, National Archives.

[97] K. O' Higgins, Memorandum, n.d., Department of An Taoiseach, S6695, National Archives.

[98] M Hayes, Michael Hayes Papers, P53, 27-30, U.C.D. Archives.

[99] F.S.L. Lyons, *Parnell* Dublin Historical Association, Dundalk,1978, p.13.

have stressed how important it is for a transition to benefit from a period of prior institutionalisation whereby decision-making structures become routinised and hierarchical. After that the more onerous hurdles of consolidation and legitimacy have to be overcome. Any analysis of the difficulties faced by Collins in his attempts to prevent civil war must come to the conclusion that the independence movement's adherence to conventional forms of government was far more apparent than real. Viewed in the light of the enormous difficulties faced by the elites in the Spring of 1922 di Palma's optimism and his recommendations seem rather unrealistic and superficial. The basic question- who was to be the sovereign authority in the country ? - was only answered by civil war. Before that Collins and others had attempted to improvise solutions to the Treaty split that reflected di Palma's suggestions. However majority rule was too engrained in Irish political culture and in the logic of the situation, for these tactics to be effective. From one point of view, that of the Provisional Government, the transition, both to self-government and to democracy, had been successful, and many seem to share this judgement.[100] From another point of view the civil war raised as many questions as it resolved. The resolution of these issues forms the subject of the next chapters.

[100] See footnote 37, chapter one.

Chapter Five ; Durkheim's Division of Labour and the Social Basis of the Civil War.

Every man and every women within the nation has normally equal rights, but a man or a woman may forfeit his or her rights by turning recreant to the nation.

Padraig Pearse.

The impact of political culture on political behaviour has long been a central issue in empirical democratic theory. Particularly in the 1960s and 1970s it was argued that the crucial differences in political behaviour between different states were to be explained by observable differences in the political culture of states. In the Irish context the study and characterisation of Irish political culture has long been a central preoccupation of Irish political science, certainly more so than any other comparable area of interest.[1] It has been assumed that political culture has an independent impact on political processes and especially on the manner in which particular political institutions acquire authority and legitimacy. Practically all the comparative works on the stabilisation of Irish democracy make this assumption, however much they differ as to the nature of Irish political culture.

In their 'benign' variant these political culture explanations stress how strongly democratic Irish political culture was in the years before independence. The long exposure to British cultural influence is credited with inculcating democratic norms into the Irish population. Furthermore the constitutional choices of the political elite and the institutional design of the fledgling state bear sufficient witness to the strength of British cultural influences in Irish political life after 1922. A more 'malign' view is that elite political culture must be viewed in the context of a wider set of Irish cultural values, which include norms not typically associated with democratic politics, such as authoritarianism, anti-intellectualism, and personalism. It is argued that Irish political culture exhibits a combination of liberal and authoritarian norms and that it is the fusion of these various elements that explain the stability of the state after 1922.[2]

This chapter concerns itself with one 'malign' diagnosis of Irish political culture. The civil war, Garvin argues, reflected 'the long division of the Irish mind' between two political subcultures, one communitarian and pre-modern, the other individualistic and modern.[3] The victory of the

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[1] See for example, B,. Farrell, *The Founding of Dail Eireann* (Dublin,1972); B. Chubb, *The Government and Politics of Ireland* (Oxford,1982); R.K. Carty, *Party and Parish Pump: Electoral Politics in Ireland* (Waterloo Ontario,1981).

[2] For a critique of both explanations see B. Kissane, 'The Not so amazing case of Irish democracy' *Irish Political Studies* ,vol 10, 1995.

[3] T. Garvin, 'The Long Divide of the Irish Mind', *Irish Times,* 28th December 1991.

latter over the former in 1922-23 was a crucial moment in the emergence of Irish democracy. The view that the roots of the civil war lay in the irrational and authoritarian streak in Irish political culture is as old as the civil war itself. In September 1922 Kevin O' Higgins demanded of the Dail that it 'face the big fact that the question in this strife that is proceeding, is whether the people shall rule in Ireland, or whether a clique of neurotics, a clique of pseudo-intellectuals, shall rule by the force of the revolver'.[4] What follows is a critical assessment of the explanatory power of this political culture approach. In the first section the two poles of Irish political culture identified by both Garvin and Prager are related to Durkheim's work on the division of labour. The second section assesses the empirical basis of their arguments, while the third provides a critical assessment of the Durkheimian theory of Irish political development.

5.1. Durkheim's Division of Labour and Irish Political Culture.

In his work on the division of labour Durkheim distinguished between societies in which social solidarity is based on the existence of strongly- held moral beliefs, on a single *conscience collective,* and societies where such an all-embracing moral consensus is lacking. Such a *conscience collective* is found where strong collective beliefs are grounded in religious beliefs. To be sure, the new organic type of social order does not lack moral precepts entirely, but those precepts which exist express a different set of social relationships based upon relationships of exchange within a differentiated division of labour. Such a set of relationships 'creates among men an entire system of right and duties which link them together in a durable way'.[5] The difference between the two forms of social solidarity can be understood in terms of the importance of individualism in the later type. In the mechanical division of labour the scope for individual freedom is limited. In these societies 'social conduct is controlled by shared values and beliefs: the collectivity dominates the individual, and there is only a rudimentary development of individual self-consciousness'.[6] In the organic division of labour, social conduct is guided by precepts derived from a system of moral individualism. Moral norms underpin a system which recognises the autonomy, dignity, and freedom of the individual. The influence of collective beliefs is limited.

The two forms of social solidarity also differ in the character of the sanctions imposed against deviant behaviour.

A society with mechanical solidarity is held together mainly through normative coercion ; deviants are severely punished, and penal repressive law is important. With increasing division of labour, restitutive

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[4] K. O' Higgins, *Dail Debates,* September 10, 1922.
[5] E. Durkheim, *The Division of Labour in Society* (New York, 1933), p. 406.
[6] A. Giddens, *Durkheim* (Glasgow, 1980), p.25.

law, regulating relations of exchange, comes into the foreground. The necessity to punish deviants diminishes, and as a consequence, men are willing to grant each other more freedom and equality.[7]

'Repressive sanctions' are those associated with penal law and involve the infliction of punishment in the form of suffering on the transgressor, such as the loss of life or liberty. 'Restitutive sanctions' on the other hand involve the restoration of the *status quo ante*. The object is not punishment but the restoration of a balance between individuals. The existence of repressive laws is an index of the presence of strongly-held moral beliefs : 'the greater the preponderance of repressive over restitutive law, the more unified and inclusive is the conscience collective'.[8] The conscience collective is most all-embracing in the simplest form of society where strongly-held collective beliefs are grounded in religion. Violation of the moral code invokes a religious sanction and is severely punished.

Organic solidarity is defined as the interdependence of individuals or groups in systematic relations of exchange with one another. The replacement of a mechanical with an organic form of social solidarity comes with an increase in the complexity of the division of labour. Organic solidarity presupposes not the similarity but the growth of differences between individuals.[9] In primitive societies individuals are tied to one another through sameness : solidarity derives from a similarity of sentiment of belief. Society is merely an aggregate of individuals sharing the same outlooks and beliefs, rather than a system of mutually dependent elements. 'The parts of the whole are connected 'mechanically, rather than forming an 'organic unity' as the parts of a biological (and social) system do'.[10] The disappearance of this type of social solidarity is predicated upon the disappearance of the 'segmentary' form of society in which the population of a territory is divided into a number of internally homogeneous segments with rigid boundaries separating them.[11] As more movement and interaction takes place between these segments, and the partitions dividing them become more permeable, as there is an increase in the 'moral density' of society, so the division of labour becomes more advanced. This follows a number of social changes, the most important of which are population increase, the spread of town life, and finally improvements in the means of communication.

Durkheim's argument about the direction of social change can be summarised as follows.

(1) that the common moral culture of mechanical societies was replaced by a more abstract collective conscience constituted by the reverence for the individual, liberty, democracy and justice.

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[7] E. Allardt, 'Types of Protest and Alienation' in E. Allardt and S. Rokkan (eds.) *Mass Politics: Studies in Political Sociology* (New York,1970), p.47.
[8] A. Giddens, *Durkheim*, p.25.
[9] Ibid.
[10] Ibid
[11] E. Durkheim, *The Division of Labour in Society* (London, 1981), p.220.

(2) that organic solidarity grew out of the web of interdependent links formed in the advanced division of labour.

(3) that occupational groups formed the basis of a system of different moral and social milieu.[12]

In essence Durkheim's view is an evolutionary one. Although the transition to a society may involve a number of strains and conflicts, these conflicts can themselves only be resolved by further advancement in the division of labour.

The civil war split in Ireland has been explained in ways that reflect Durkheim's work on the division of labour. For Prager the inability of the nationalist elite to maintain a common front after the Treaty reflected a disagreement over much more than the terms of the Treaty. The split revealed 'the presence of sharply divergent conceptions of the meaning of the Irish nation and distinct understandings of who were the rightful members of that nation and of the social relations that ought to prevail among its members'.[13] There existed two cultural traditions, the Irish Enlightenment, and the Gaelic Romantic tradition, both of which offered their own solutions to the crisis of Irish modernity which emerged after the Famine. Each had its own understanding of 'the proper course of affairs for the nation', and 'the appropriate relations among its members'.[14]

There was the Irish-Enlightenment tradition, deriving its original insights from the Anglo-Irish Ascendancy and articulating modern secular aspirations for the Irish nation. Here the objective was to construct a social order characterised by autonomous individuals and independent spheres of social life in which the Irish citizen could rationally influence the course of Irish affairs. On the other side there was a competing Gaelic Romantic set of thoughts and beliefs. Its aim was to promote a solidary nation without conflict and disharmony, imbued with a vivid sense of the past in the functioning of the present. Neither secular nor individualistic, this orientation expressed a yearning for a social order protective of the values and patterns of interaction putatively characteristic of the ancient Gaelic Ireland.[15]

Although these traditions can only be taken as ideal types, they reflect Durkheim's analysis of the types of solidarity obtaining in pre-modern and modern societies. The basis for freedom in the Irish Enlightenment tradition was the autonomous rational individual. The basis for freedom in the Gaelic Romantic tradition was a social community based on authentic traditional values. Although most pre-independence nationalist movements reflected an amalgam of both traditions, the prospect of independence raised very different expectations, according to which tradition one

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[12] S. Fenton, *Durkheim and Modern Sociology* (Cambridge,1984), p.49.
[13] J. Prager, *Building Democracy in Ireland* (Cambridge, 1986), p.30.
[14] Ibid, 31.
[15] Ibid, 16.

subscribed. For those who subscribed to the Anglo-Irish tradition, the new Ireland would be led by 'an elite committed to non-sectarian and urbane values'.[16] Independence would mean a break with the provinciality and sectarianism of Irish life and would 'promote the replacement of traditional orientations with a new dedication to culture and learning'.[17] For Gaelic Romantics, the prospect of independence raised very contrasting hopes. Republicanism offered a picture of the future that was 'far more detailed than any commitment to the free rule of individuals in an independent Irish community'.[18] It would create a self-sufficient agricultural state in which Gaelic patterns of social life would re-emerge and create a community free from the evils of modern capitalist society.

The Gaelic-Irish conception of Ireland was that the nation ought to strive to re-create its past and resist those changes that seemed to challenge the basic meaning of Ireland as embodied in its traditions. Modern Ireland was to be celebrated as a pre-industrial nation ; its identity was to be found in its rural character. The sanctity of the family was to be preserved, the Church was to remain a central social institution second only to the family, and the farm was to serve as the backbone for a healthy thriving society.[19]

The Gaelic Romantic tradition, in short, sought to preserve what was left of traditional Ireland, or reconstruct a new Ireland in accordance with the mythic patterns of the past. The new Ireland was to be 'a harmonious nation, communal and free from "modern" urban, British, and Anglican influences, from which it was currently suffering'.[20]It is clear that in Prager's theory Republicans in 1922 intended to maintain a type of primordial solidarity among the Irish nation that would be lost if the Treaty were accepted. For the Pro-Treatyites, as inheritors of Irish Enlightenment thinking, acceptance of the Treaty was a means of achieving an independent state composed of equal and free individuals. It was a state that would discard the mechanical solidarity of an undifferentiated communal order. It was this communal order that underpinned Irish Republicanism and the political attitudes associated with it.

The political norms that existed within the two cultural traditions, according to Prager, were also markedly different. The Irish Enlightenment tradition saw parliamentarianism as the best way of promoting its values. Parliamentarianism reflected more than a preference for a political method, but implied a normative acceptance of 'hierarchical arrangements whereby certain individuals, occupying particular social roles and meriting their status because of demonstrated ability, legitimately possess greater authority than others in determining the course of events'.[21] Those who subscribed to Irish Enlightenment norms were firmly committed to democratic

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[16] Ibid, 40.
[17] Ibid.
[18] Ibid, 44.
[19] Ibid, 42.
[20] Ibid, 43.
[21] Ibid, 41.

individualism. Firstly, they viewed Ireland as a non-sectarian community composed of citizens, equal in their rights and responsibilities under the law. Secondly, they shared a belief in proceduralism, defined as 'a belief that the purposes of the community would be served only when each individual agreed to abide by the rules of conflict resolution'.[22] The representative system had no purpose other than to promote individuals' interests as they themselves understood them. In contrast Gaelic Romantics were communalist in their attitude to politics. Citizenship to them was not a civil but an ethnic category : membership of the nation was restricted to those who were primordially related to the ancient Gaels. Irishness and Catholicism were virtually synonymous. Gaelic Romantics also considered authority and hierarchy illegitimate in the organisation of social relations. Gaelic Romantics supported violence against the British not because the British blocked the Irish demand for independence but because the British represented 'the most recent expression of the forces perverting the 'natural' and egalitarian Gaelic community'.[23] Physical force came to be a central plank in the Gaelic Romantic political armoury. It involved a rejection of parliamentary negotiation and constitutionalism and came with a demonstration of the different level of political commitment of the Irish : violence was held to be an act of liberation in itself. Lastly, violence also served to define the relationship among members of the nation:

> Violence in short was an essential component of the Gaelic Romantic normative commitment precisely because it created a moral bond demarcating Republicans from those attempting to uphold the social order. In so doing, it realised the goal of solidarity and common purpose that was at the heart of the Republican dream.[24]

So, Republicans held their political beliefs much in the same way as communicants hold their religious beliefs and responded to deviance with violent repression. The Pro-Treatyites on the other hand were much more concerned to regulate conflicts through the application of the proper procedures and were committed to the defence of individual freedom. Again reflecting Durkheim's ideas, it is implied that Gaelic Romantics responded with repressive sanctions when the moral consensus underpinning Republican beliefs was threatened, while the Pro-Treatyites response to deviance was to re-assert the established legal framework on the society.

For Garvin the civil war is also understood in ways that echo Durkheim's theory of the division of labour. The split 'tended to follow a divide that separated those who saw the Republic as a moral and transcendental entity analogous to the Church of Christ, an entity whose citizens were duly bound to defend it with their purses and their lives, from those who saw the Republic as a bargaining device in achieving rational legal self-government for as much of Ireland as possible,

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[22] Ibid.
[23] Ibid,
[24] Ibid,46.

regardless of formal political labels'.[25] The victory of the Free State in the civil war was thus a crucial moment in the creation of a democratic political order in Ireland. Garvin suggests that the cultural orientations of the anti-Treatyites were pre-modern and anti-individualistic. The anti-treatyites were aiming to establish a moral community rather than 'a nation state of citizens whose individual moral state, was subject to minimal legal restraints, a private rather than a public matter'.[26] They preferred an ethnic definition of citizenship, refusing to allow Northern Unionists to opt out of the Free State, while the Free State government recognised the right of Ulster Unionists to do so. Garvin suggests that this ethnic sentiment was stronger 'because it taps into apparently perennial human desires for solidarity and comradeship against the outside world and is psychologically similar to kinship or tribalism in the relationships it poses between people'.[27]

Table 5.1. Garvin's Political subcultures.

	Republican Moralism	**Nationalist Pragmatism**
Political Style	Communalism	Individualism
	Moralism	Legalism
	Fundamentalism	Pragmatism
	General Will	Will of all
	Moral Elitism	Voter rule
	Romantic	Classical
	Transformist	Empirical
	Ethnic Nationalist	Civic Nationalist
Policy Stances	Neo-Gaelic	Neo-Gaelic
	Subsistence Economy	Commercialism
	Protectionism	Free Trade
	Isolationism	Commonwealth
	Zero Sum Economics	Non-zero sum economics
	Dirigisms	Laissez Faire
Social Bases	Gemeinschaft	Gesellschaft
	Peasants, small farmers	Commercial farmers
	Unskilled worker	Skilled worker
	Petty bourgeoisie	Bourgeoisie
	Public sector	Private Sector
	Rural	Urban

Source : Garvin,1996, 146.

The civil war division was between Republican moralists and nationalist pragmatists. The former went hand in hand with an inability to handle differences of opinion and a tendency to view opposing political stances as motivated by unworthy considerations. The instincts of Republicans were then essentially undemocratic. Pragmatists had a cooler political outlook. They saw politics as 'a process by which large numbers of people settled their differences non-

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[25] T. Garvin, *1922; The Birth of Irish Democracy* (Dublin, 1996), p.143.
[26] T. Garvin, *1922; The Birth of Irish Democracy*, p.145.
[27] Ibid,144.

violently, rather than a process by which human beings became better people'.[28] Garvin provides a table outlining the main differences between the two contending subcultures in 1922. I have adapted it in table 5.1. He suggests that these subcultures are ideal types but ones that reflect deep-rooted tendencies in Irish life. The Republican moralist subculture derived from the type of puritanical Catholicism that was established in post-Famine Ireland, while the nationalist-pragmatist approach had its roots in the eighteenth century Enlightenment. Garvin describes Irish society at the time as essentially a peasant society although it was becoming 'a classic western free farmer society'.[29] A belief in communalism, in the family as the central unit of society, and in the preservation of rural life in the face of the forces of commercialisation, were typical of peasant societies everywhere.[30]

In summary, for both Prager and Garvin the civil war was a reflection of the value strains experienced by a society that was undergoing the throes of modernisation. From a Durkheimian perspective the civil war can be seen as a conflict caused by the strains inherent in the transition from a society based on mechanical to organic solidarity. Republicans had a 'mechanical' highly normative understanding of political order, while the Pro-Treatyites defended an 'organic' or legalistic conception of political order. Democratic mechanisms for forging agreement were rejected by Republicans because they didn't reflect traditional understandings of the public realm. As a result democracy had to be imposed on the anti-Treatyites by the Provisional Government in 1922-23.

5.2. Uniformity and Diversity within Irish Nationalism.

A tension between the two forms of social solidarity is common in developing societies. As Durkheim put it, advancement in the division of labour is due to the stronger pressures exerted by social units on one another which leads them to develop in more or less divergent directions. However 'at every moment this pressure is neutralised by a reverse pressure that the common consciousness exerts upon every individual consciousness'.[31] In societies where the nation-building process it in its active stage, the tension between the two tendencies is increased. In order for different societies to be differentiated from one another 'they must be attracted or grouped together through the similarities that they display'.[32] The need for each social segment to highlight its distinctiveness inhibits the development of organic solidarity.

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[28] Ibid,145.
[29] Ibid.
[30] Ibid,152.
[31] E.Durkheim, *Division of Labour in Society* (London, 1981), p.226.
[32] Ibid,219.

What draws men together are mechanical forces and instinctive forces such as the affinity of blood, attachment to the same soil, the cult of their ancestors, a communality of habits, etc. It is only when the group has been formed on these bases that co-operation becomes organised.[33]

The presence of mechanical solidarity is explained not just by the low division of labour, but also by this pressure towards uniformity. In a new nation it is to be expected that this pressure is all the greater. Conversely the greater the amount of exchange between individuals and the less the uniformity, the greater the degree of organic solidarity. 'Instead of saying as Durkheim does that mechanical solidarity is based on similarity and organic solidarity is based on the division of labour, we can assume that there are two separate variables that can be used together to explain both types of solidarity'.[34]

Table 5.2. Allardt's Typology of Solidarity Inducing and Solidarity Thwarting Situations.

		Division of Labour	
		Low	**High**
Pressure Toward Uniformity	**Strong**	1. Strong solidarity; situation of mechanical solidarity	3. Weak solidarity.
	Weak	2. Weak solidarity.	4. Strong solidarity; situation of organic solidarity.

Source : Allardt ,1970, 48.

Allardt derives four propositions from this choice of variables.[35] The first is that *the less developed the division of labour and the stronger the pressure towards uniformity, the less the likelihood of legitimacy conflicts.* In this situation a state of mechanical solidarity obtains, which can only happen in undeveloped societies. The second is *that the less developed the division of labour and the weaker the pressure toward uniformity, the greater the likelihood of legitimacy conflicts.* Such conflicts may exist in pre-industrial societies that are weakened by religious schism as in seventeenth century Britain. The third is that *the more developed the division of labour and the stronger the pressure toward uniformity, the greater the likelihood of legitimacy conflicts.* This situation I argue existed in Ireland in the late nineteenth and early twentieth

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[33] Ibid,219.
[34] E. Allardt,'Types of Protest and Alienation', p. 47.
[35] Ibid, 48.

centuries. Lastly, *the more developed the division of labour and the weaker the pressure toward uniformity, the less the likelihood of legitimacy conflicts.* In such a state a situation of organic solidarity prevails. Allardt provides a typology, reproduced above, which shows how two situations of weak solidarity may arise from combinations of his two variables.

Independent Ireland was in situation three in 1922, where a relatively high division of labour co-existed with strong pressures towards uniformity. A detailed picture of the Irish social structure can be found in Vanhanen's work.[36] He tries to explain the emergence of a competitive political system in terms of the widening distribution of intellectual, organizational, and economic power resources in society. Two of his variables are related to the division of labour. The percentage of the population living in urban areas of twenty thousand people or more, and the size of the non-agricultural population are interrelated and are combined to form an index of occupational diversity (I.O.D.). Vanhanen hypothesised that the threshold level of occupational diversity for democratic countries will be between the 30-50 per cent level.[37]

Table 5.3 Index for Occupational Diversity 1920-1930

	Index of Occupational Diversity
Irish Free State	33.5
Democratic Mean	47.8
Undemocratic Mean	26.5

Source: Vanhanen, 1984, 144-45.

Table 5.3. compares the Irish figures with the European democratic and non-democratic countries in the 1920s. It shows that the Irish degree of occupational diversity is above the democratic threshold level, although the index of occupational diversity for the 1920s is only 33.5, which is closer to the undemocratic mean figure of 26.5 than to the democratic mean figure of 47.8. This suggests that the division of labour was relatively high in the 1920's even if it was less so than in most advanced democracies.

On the other hand, a number of factors ensured that strong pressures towards uniformity also existed in Irish society. Strong pressures towards uniformity tend to emerge where 'lower class individuals are hindered by class barriers to indulge in social exchange. Inequalities of an economic nature, thus, are subsumed under factors, which make for a strong pressure toward uniformity'.[38] In Ireland a chief source of pressure towards uniformity was the historical

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[36] T. Vanhanen *The Emergence of Democracy* (Helsinki, 1984).
[37] Ibid, 123.
[38] E. Allardt, 'Types of Protest and Alientation', p.49.

religious cleavage, 'the cultural division of labour,' between Protestants and Catholics, to borrow Hechter's terms, which left Catholic nationalists as a homogeneous minority community within the U.K. Social mobility for Catholics was blocked by the existence of religious discrimination and lack of higher educational opportunities. As a result the Catholic community remained less sociologically differentiated than its Protestant counterparts. Moreover since industrialisation took place mainly in the North-East, nationalist Ireland did not develop an urban industrial enclave separate from its rural surroundings. As Hechter suggests 'the lack of enclave hinterland differences in southern Ireland permitted the development of a solidary and broad-based political party capable of effecting independence'.[39] It prevented the nationalist community from being divided by urban-rural divisions.

Table 5.4. Tenure Structure in selected countries, per cent distribution of the number of farms.

Country	Year	Owner-Operated	Rented
Irish Free State	1929	98	2
Bulgaria	1934	92	8
Sweden	1932	80	20
Czechoslovakia	1930	80	20
Greece	1929	79	6
Italy	1930	69	16

Source : Dovring, 1964, 169.

Land reform was another factor reinforcing the pressure towards uniformity in the Irish countryside. Adam Smith and J.S. Mill had hoped that the process of economic specialisation would be checked in the agricultural sector 'seeing in it the last refuge of small scale ownership'.[40] Garvin argues that what he calls 'Republican moralism' in Ireland resembled the conformist and puritanical cultures that 'owner occupier free farmers seem to create whenever they form a dominant social group'.[41] Table 5.4. compares the tenure structure of Irish agriculture with a sample of European states in the interwar period. It shows the extent to which owner-occupier farms completely dominated the Irish rural landscape by 1930. Practically all Irish farms were owner-operated by the end of the 1920s.

For Durkheim the development of organic solidarity could come only with specialisation in economic production. The two historical pre-conditions for this were, (a) the separation of productive tasks from family obligations, and (b), the concentration of legitimate authority in a single agency. Neither of these tasks was completed in Ireland by 1920. Land reform had

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[39] M. Hechter, *Internal Colonialism: The Celtic Fringe in British National Development, 1536-1966* (Berkely and Los Angeles, 1975), p.293.

[40] E. Durkheim, *Division of Labour in Society*, op. cit., p. 17.

[41] T. Garvin, *1922: The Birth of Irish Democracy*, p.147, my emphasis.

ensured that the family survived as an economic unit. On the other hand, while nationalists continually challenged the authority of the British state, the Irish nationalist community represented itself as a solidary community of equals and not as an entity that contained different interests. In the majoritarian political system under the Union, it was always to the advantage of nationalists to emphasise the homogeneity of Irish society and the existence of strong solidary bonds between its members. This was to counter the claim that Ireland was composed of two nations and that Ireland's right to self-rule was based on the majority rule principle.

Table 5.5. Contested Parliamentary Elections by Region 1885-1917.

Region	No. of Elections.	No. of elections contested	Percentage of Elections Contested
Centre	75	41	54.6
N.E. Ulster	239	147	61.5
Heartland	338	121	35.7
Border Periphery	154	60	38.96
Western Periphery	154	55	35.7

Source : Walker, 1978, 325-383.

That there were strong political pressures towards uniformity can be seen from the electoral history of Irish constituencies under the Union. In large areas of Ireland, reflecting the dominance of the nationalist Home Rule Party, parliamentary seats went uncontested in as many as half of the elections that took place. In a constituency like Donegal West, none of the ten parliamentary elections which took place between 1885 and 1917 were contested. In contrast, six of the eight parliamentary elections which took place in neighbouring Donegal East, a religiously mixed constituency, were contested. The monopoly of the Nationalist Party on political representation was only challenged in highly urbanised constituencies, or in areas which were religiously mixed. The only constituencies in Ireland where all the parliamentary elections which took place between 1885 and 1917 were contested, were Dublin St. Stephen's Green, and Tyrone East. Adapting Garvin's regional classification of Ireland, table 5.5. shows the number of contested elections by region between 1885 and 1917.[42] It suggests that the nationalist party's electoral dominance reflected a socio-cultural divide separating the North-East from the more traditional rural constituencies of the South and West. In the future area of the Free State only in the Centre was there a robust tradition of contested elections and this was still low, scoring just over fifty per cent. In the heartland, and in the border and Western peripheries, uncontested elections were the norm.

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[42] See T. Garvin *The Evolution of Irish Nationalist Politics* (Dublin,1981), p.11.

It is important to realise that the new Sinn Fein party inherited this position of electoral monopoly in 1918, when the party won over two thirds of the seats in Nationalist Ireland. In addition 25 out of the 72 seats in the area of the future Free State were uncontested.[43] This situation was even more dramatic in 1921 when all seats, bar those for the National University, were uncontested in Southern Ireland. The peculiar history of Irish representation can only be understood by appreciating that Ireland was what Therborn terms 'a national mobilisation democracy' where democratisation is seized upon as a means of nationalist mobilisation.[44] In such democracies, where political elites use electoral contests as means of demonstrating the national will, they have a vested interest in downplaying the significance of social divisions among their supporters and in stressing the homogeneity of outlook among them. The 1918 election, the first democratic election to take place in Ireland, was thus seen as a national plebiscite, not as an election giving different sectors of Irish society a chance to represent themselves. The founding fathers of the Irish state believed that politics were there to serve the interests of the nation, not of discrete social groups. As Pearse put it, 'a government of capitalists or a government of clerics, or a government of lawyers, or a government of tinkers or a government of red-headed men, or a government of men born on a Tuesday does not represent the people and cannot bind the people'.[45] The Treaty split brought into the open the conflict between this conditional acceptance of electoral democracy and the reality that the nation was composed of different elements, each with their own agendas and interests.

In the Spring of 1922, having delayed the election until June 1922, the Sinn Fein organisation then decided that it would field a joint panel of Pro and Anti- Treaty candidates for the election. Contests between Sinn Fein candidates would be kept to a minimum and the Treaty issue would not be discussed. A joint Government would be formed afterwards. The Labour Party refused to be part of this government on the grounds that it was an independent party. Clause four of this electoral pact had allowed 'that every and any interest is free to go up and contest the election equally with the National Sinn Fein panel'. However advertisements shortly appeared in the Press stating that the national interest would be best served by voting for the Joint Panel candidates.[46] Furthermore, it was later alleged in the Dail by a Labour candidate that 'many of the members sitting in these benches had revolvers and guns used against them by people who were party to that pact'.[47] On the one hand, the Pact had seemed the only way of preventing the political division over the Treaty culminating in civil war and of enabling an election to take place at all. On the other Labour later complained that it was an agreement designed to make sure that 'the

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[43] J. Coakley, 'The Election that made the first Dail' in B. Farrell (ed.), *The Creation of the Dail* (Dublin, 1994), pp. 31-47.

[44] G. Therborn, The Rule of Capital and the rise of Democracy' in *New Left Review*,103 (1977).

[45] P. Pearse, 'The Sovereign People', *The Complete Works of Padraig Pearse; Political Writings and Political Speeches*, (Dublin,n.d.),p. 341.

[46] Mitchell and O' Snodaigh, *Irish Political Documents* (Dublin, 1985), p.135.

[47] Deputy Davin, *Dail Debates*, vol 1 col 101, September 11, 1922.

people would be given no opportunity of expressing any view except to return to power the two wings of the old party'.[48] In retrospect the Pact fell apart because it brought into the open the conflict between the two conceptions of democracy which existed in Ireland, one seeing elections as a means of demonstrating the national will, the other seeing them as a means of registering the preferences of a pluralist society. The conflict was rendered all the more dramatic since the third parties that emerged to contest the election were clearly two self-consciously interest-orientated parties, the Labour Party and the Farmers Party.

Table 5.6. Changes in Dail representation in constituencies where Third Party or Independent candidates won seats in the Pact Election.

Constituency	1920			1922			+ -		
	Treaty	Rep	3rd	Treaty	Rep	3rd	Treaty	Rep	3rd
Carlow Kilkenny	2	2	0	2	0	2	-	-2	+2
Cork Borough	2	2	0	2	1	1	-	-1	+1
Cork East and North East	0	3	0	0	1	2	-	-2	+2
Cork Mid, North, South, South East and West	4	4	0	3	2	3	-1	-2	+3
Dublin Mid	1	3	0	1	1	2	-	-2	+2
Dublin South	2	2	0	2	0	2	_	-2	+2
Dublin Co.	4	1	1	2	0	3	-2	-1	+2
Galway	4	3	0	4	2	1	-	-1	+1
Kildare Wicklow	1	4	0	1	1	3	-	-3	+3
Leix Offaly	4	0	0	3	0	1	-1	-	+1
Longford Westmeath	3	1	0	2	1	1	-1	-	+1
Louth Meath	4	1	0	3	1	1	-1	-	+1
National University	2	2	0	2	1	1	_	-1	+1
Tipperary, Mid, North and South	1	3	0	1	2	1	_	-1	+1
Waterford-Tipperary East	1	3	1	1	1	3	_	-2	+2
Wexford	0	3	1	0	1	3	-	-2	+2

Source : Walker, 101-108.

It was also the more dramatic because a multi-party system represented far more of a threat to the anti-Treatyites than it did to the Pro-Treaty candidates. It has often been suggested that the Pact collapsed because the anti-Treatyites reneged on the promises to respect freedom of speech they made when signing the Pact. Clearly the anti-Treatyites stood to lose more from a fair election than the Pro-Treatyites. During negotiations over the Pact it was Pro-Treatyite delegates that argued that the country needed an election to renew the representative character of the Dail and not merely to ratify the Treaty. It was significant that this argument originated on the Pro-Treaty side since they proved to have least to fear from a free election. Table 5.6. shows the changes in Dail representation between 1921 and 1922 in those constituencies where 'third parties' or independents won seats. The losers were usually anti-Treaty candidates. All in all, in the sixteen constituencies in which Third Parties won seats, the Republican side lost seats in

[48] Deputy O' Brien, *Dail Debates,* vol 1 col 159, January 12, 1922.

thirteen, while the Pro-Treatyites lost seats only in five. In total the Republicans lost twenty-two seats while the Pro-Treatyites lost six. The majority of Republican seats were lost to the Labour party. Indeed Labour topped the poll in first preference votes in three constituencies. Independent candidates topped the poll in two constituencies, while Farmers' candidates topped the poll in Cork East and North East. In none of the sixteen constituencies did a Republican candidate top the poll. The results in these constituencies are very important because Republicans would later claim that support for Pro-Treaty candidates should be interpreted as support for the Joint Panel. However the analysis offered here suggests that when offered a choice, the voters systematically voted against Republican Panel candidates and not against Pro-Treaty Panel Candidates. The Republican position was thus undermined by the forces of electoral competition.

There was a clear geographical pattern to these results. Independent candidates won seats in the urban constituencies of Cork and Dublin, as well as in the National University constituency, but not in rural constituencies. Farmer's Party victories were recorded in Carlow-Kilkenny, Cork Mid, North, South, South East and West, County Dublin, Kildare-Wicklow, Waterford-Tipperary East, and Wexford. Overall they didn't contest seats in the West of Ireland. Labour won sixteen seats overall, six in the urban constituencies of Cork, Dublin and Galway, a total of five in the South Eastern constituencies of Carlow-Kilkenny, Waterford-Tipperary East and Wexford, a total of five in the midlands constituencies of Kildare-Wicklow, Leix-Offaly, Longford Westmeath, and Louth-Meath. Labour's support base was both heavily eastern and urbanised, largely confined to the centre and heartland regions of Ireland. On the basis of this analysis it seems reasonable to argue that the degree of electoral competitiveness in 1922 was positively related to the degree of urbanisation. The Republicans were strong mainly in backward Western constituencies which were politically underdeveloped. Again this analysis reinforces the hypothesis that Republicanism was strongest in areas which were least developed sociologically. This analysis also reinforces the hypothesis that the presence of a relatively high division of labour in Irish society combined with very strong pressures towards uniformity lay behind the civil war conflict in 1922.

Allardt suggests that the existence of strong pressure towards uniformity has two necessary preconditions : (a) existing norms are specific and related to strong sanctions that are applied with great consistency, and (b) there are no or very few conflicts between norms'.[49] Between 1918 and 1921 both of these conditions were in place. There was little overt disagreement among nationalists about the aims of the nationalist movement, and in 1919 all elected Deputies were obliged to swear an oath of allegiance to the Republic. Moreover most of the major interest groups in Irish society supported the War of Independence, particularly when British counter-insurgency measures had the effect of alienating public opinion in the later stages of the war. The

[49] E. Allardt, 'Types of Protest and Alientation', p. 47.

Second Dail, which was elected in an uncontested election, contained a large number of fundamentalist Republicans as a consequence. After 1921, however, there was a split between the military and civilian wings of the Sinn Fein movement, the Church and the Press now backed the Treaty, and the third parties that contested the 1922 election also recommended abandoning the goal of the Republic, at least as an immediate goal. The reaction of the anti-Treaty IRA to these developments was to take refuge in the application of the same repressive sanctions that had galvanised public opinion in the war against the British. For that reason supporters of the anti-Treatyites smashed newspaper officers, prevented public meetings taking place, and intimidated opponents in the run up to the 1922 election. The anti-Treatyites rejected majority rule 'by appealing to a theory of the electorate's expressed will being irrelevant and intimidated by various tyrannies, in particular, the apparatuses of thought control represented by the journalists and the clergy.[50]

It was only a matter of time before the Pro-Treatyites began to see the Republican campaign as an attack on 'the people's rights'. Once the anti-Treaty IRA had seceded from the Ministry of Defence they became dependent on raids and mutineering in order to finance themselves. This had a knock-on effect.

The Wild West atmosphere was spread about by the gunmen at the bidding of leaders more culpable and a lot more foolish then themselves, and as a result of this the bonds of restraint common to civilised communities were torn asunder. Widespread brigandage made its appearance. Banks were robbed. Post Offices were raided. It was open to everyman to take what he could. Some took houses and land. Others more modest, only took motor cars.[51]

After the defeat of the anti-Treatyite forces in conventional hostilities in August, they switched to terrorist tactics designed to make the country ungovernable. The government's perception of events had always had a social dimension to it. The shift to terrorist tactics only confirmed the veracity of this interpretation, at least for those on the Government benches. Cosgrave, who had succeeded Griffith as President of the Executive Council, also declared 'that there is a state of woeful moral degradation abroad'.[52] The issues at stake were no longer purely political.

What has got to be asserted in this country is not the mere term, the supremacy of parliament. It is the supremacy of the people's right to live their lives in peace, to possess whatever little they may have, to own a security that is the security of a free people, without any interruption by any armed despot with a revolver in his pocket or a bomb in his hand.[53]

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[50] T. Garvin, *1922;The Birth of Irish Democracy,* p.127.
[51] Deputy Sears, *Dail Debates*, 140, January 12, 1922.
[52] See footnote 83 below.
[53] W. Cosgrave, *Dail Debates,* vol 1 col 195 , September 12, 1922.

The actions that had been taken to restore order were not for 'the mere formula of the supremacy of parliament' but 'a formula for the security of the people, or the security of their lives, and the value of their money in the country'.[54] It was a formula in other words for the preservation of moral individualism, parliamentarianism, and with it of the capitalist system.

As Garvin remarks, the possibility that the forces of the Free State Army actually 'liberated' Southern Ireland from the despotism of the anti-Treatyite IRA has never been discussed in Irish schoolbooks, principally because the losers in the civil war eventually ended up as the dominant political party in the state.[55] The Free State Army often saw itself as a liberator. An army report from Cavan for February 1923 reported little of note, 'if exception be made of the sack of the little town of Ballyconnell, the facts of which are now known all over the world - the defenceless people of which were robbed and murdered by the liberty-loving Irregular forces'.[56] Where the army was unable to establish its authority, anarchic conditions soon set in. For example the evacuation of the military barracks in Tullow, Borris, and Bagnalstown, in County Carlow, was soon followed by 'the activities of armed robbers who looted on a large scale, destroyed bridges, and felled trees across the roads'.[57] The urgent task for the military and the civic guard was thus the establishment of posts throughout the country and the demonstration that crimes would be met with resolute action. The army were in no doubt that such policies would meet with public approval even in areas, such as Cork East, where Republican sympathies were strong:

> The situation may be summed up by saying that where the military and civic guard are in active occupation, matters are well and improve day by day - there follows first the passive attitude of the people, to be succeeded by the interested and helpful attitude. This is noticeable in small things - their obedience to the law as regards the Licensing Acts etc., and further by the assistance given the guards in their enquiries and prosecution in other cases.[58]

It follows, then, that the Free State authorities believed public support for the anti-Treaty cause was, to a considerable degree, the product of coercion. From the outset Collins had held that the military defeat of his opponents, in the areas in which they were strong, was less important than the 'establishing of our forces in certain principal parts of that area with a view to shaking the domination held over the ordinary people by the Irregulars'. The people would thus be freed from their present 'cowed' position.[59] This type of analysis was extended to the Irregular rank and file,

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[54] Ibid.
[55] T. Garvin, *1922; The Birth of Irish Democracy*, p.127.
[56] 'Monthly Report for February' 1923, March 20 1923, *Civil War Army Reports*, Department of An Taoiseach, S 3361, National Archives.
[57] 'Monthly Report for February', 1923, March 20 1923, ibid.
[58] Report on Cork East, Monthly Report for February, March 20 1923, ibid.
[59] Memo from Commander in Chief to Acting Chairman, G.H.Q., August 5 1922, ibid.

whom the Free State authorities believed had been 'duped' by their leaders. Speaking in the Dail, the Minister of Defence remarked that the Irregulars were composed of three elements, 'people who may be classed as politicians ; people who may be classed as honest soldiers, and people who may be classed as criminals'. In Mulcahy's view the 'honest soldiers' had been 'misled' and were 'waiting for a word from the politicians that they are travelling the wrong road'.[60] Even in those areas where hostility to the Free State was strongest such as in Kerry, the Free State authorities still believed that the rank and file had been duped by their leaders. One officer who visited Tralee Jail in late March 1923 remarked that the prisoners were 'mostly men who had been led astray and who really did not know what they were doing'.[61] Out in the field, the rank and file were generally 'sick of the business' and were 'held together only either by the personality and or intimidatory methods of their leaders.[62] Although public opinion in Kerry was reportedly hostile to the Army, this could be explained by the fact that the Irregulars had been able to shape perceptions of what was taking place outside Kerry. One Army Report described the malleability of public opinion in this way :

On coming into actual contact with them the impression of hostility immediately evaporates, in fact the first impression was one of general friendliness - people seemed glad to have troops in their locality and treated them in most cases without reserve or suspicion... The actual feeling everywhere seemed to be a sense of genuine relief. The people had been living in complete isolation for months - their connection with the outside world had been cut off and their feelings of isolation had accentuated their fear of the Irregulars, and when our troops began to appear they were genuinely relieved... Inside this area the people lived completely at the mercy of the Irregulars, unaware of outside happenings, and depended on the Irregulars for information of outside events.[63]

It is difficult to judge the validity of this interpretation of public opinion during the civil war. The best indicator of public support for the anti-Treatyites would be the support level for Republican candidates in the 1922 election, but this suffers from two obvious flaws. Firstly, many of the victorious Republican candidates in 1922 were returned in uncontested constituencies. Secondly, as argued by authors sympathetic to the Republican position, some of the support for the Pro-Treaty candidates can actually be interpreted as support for the Joint Panel, and not as an endorsement of the Treaty position at all. However when you compare the results of the 1922 and the 1923 elections the distribution of support for Republican candidates follows a clear pattern. Support for Republican candidates was high in 1923 in many of the same constituencies that

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[60] R. Mulchay, *Dail Debates*, vol 1 col 174 , September 12, 1922.
[61] 'Report on Operations carried out in the West Cork and South Kerry Area', April 1923 *Civil War 1922-23 Army Reports on Situation and Organisation.*, Department of an Taoiseach, S 3361, National Archives
[62] 'Report of the Military Situation, March 31 1923', ibid.
[63] Ibid.

returned unopposed Republican deputies in 1922. Moreover, support for Republican candidates reflects a clear regional pattern.

I have again adapted Garvin's fourfold regional divisions of Irish society in the presentation of the electoral statistics in table 5.7 The regional means for the anti-Treaty share of the vote show clearly that their support base was strongest furthest away from Dublin, in the peripheral areas of Ireland. In the *centre* of Ireland anti-Treaty support in 1922 averaged at around 12 per cent. In the *heartland* areas it just exceeded a quarter of all first preferences. In the *border periphery* anti-Treaty support averaged just under a third of all first preferences, while in the Western periphery's one contested seat the anti-Treaty vote was just under a third. In 1923 the regional picture is rather similar, with the difference that the anti-Treaty mean in the Western periphery rises to 40.26 per cent of the vote. Again this suggests that had the Western seats been contested in 1922 the anti-Treaty vote would have been higher than elsewhere.

Table 5.7. Mean Percentage Support for anti-Treaty candidates in contested constituencies by region 1922-23.

Region 1	1922 2	1923 3	+ -
Centre 4	12.17	17.43	+5.26
Heartland	25.39	24.00	-1.39
Border Periphery	32.81	28.06	-4.75
Western Periphery	32.3	40.26	+7.96

Notes :

1. Since some constituencies were changed in 1923 and since regional boundaries and constituency boundaries do not always overlap. I have adopted the following categorisation. Centre includes all Dublin Constituencies plus Dublin University for both elections. Heartland includes Carlow-Kilkenny, all Cork constituencies , Kildare-Wicklow, Lei-Offaly, Limerick City-Limerick East, Louth-Meath, Tipperary Mid, North and South, Waterford-Tipperary East and Wexford for 1921; Carlow-Kilkenny, all Cork constituencies, Kildare, Leix-Offaly, Limerick, Meath, Tipperary, Waterford, Wexford and Wicklow for 1923. Border Periphery includes Cavan, Donegal, Longford-Westmeath and Monaghan for both elections ; Leitrim-Roscommon North, and Sligo-Mayo East for 1922; Roscommon, Leitrim-Sligo and Louth for 1923. Western Periphery includes Clare and Galway for both elections; Kerry Limerick West, and Mayo North and West for 1922:, Kerry, Mayo South and Mayo North for 1923.
2. The following constituencies were uncontested in 1922; Dublin University, Limerick City Limerick East, Donegal, Leitrim Roscommon North, Clare, Kerry Limerick West, Mayo North and West.
3. Only the seats for Dublin University were uncontested in 1923.
4. I have not included figures for the National University.

Source : Gallagher 1993.

What about the figures for individual constituencies ? Firstly, in the centre of Dublin, support for anti-Treatyite candidates was relatively low in both elections, seldom exceeding twenty per cent of first preferences. Excluding the National University as a Dublin constituency, support for anti-Treaty candidates varied between 0 to 19.5 per cent in 1922, and between 13.6 to 21.2 per cent in 1923. In the heartland of Ireland support for anti-Treaty Republicans was higher, amounting to a quarter of the first preference vote in many constituencies, and reaching over forty per cent in areas of Cork and Tipperary in 1922. On the whole, support was higher in the Southern agricultural countries than in the midlands, but no clear pattern predominates. Support for anti-Treaty candidates varied from 0 to 49.5 per cent in 1922 and from 16.9 to 30.7 in 1923. In the border periphery there is quite an amount of variation, but support for Republican candidates seems to average off around the quarter mark. In 1922 it varied from 0 to 24.6 per cent and from 18.3 to 36.5 per cent in 1923. Lastly in the western periphery support for anti-Treaty candidates was high. Many of these constituencies were uncontested in 1922 but in 1923 it ranged from 33.5 to 45 per cent. It was uniformly higher than practically anywhere else in Ireland in 1923, and anti-Treatyites gained a third of the total first preference vote in practically all the Westerly constituencies in 1923. Only in this region did support for anti-Treaty candidates rival that for Government candidates.

A number of conclusions can be derived from this analysis. Firstly, support for anti-Treaty candidates was nowhere negligible. Its national average of 20 per cent was a respectable figure for an anti-system party, if not for a party claiming to be the legitimate government of the country. If an exclusionary threshold of 10 per cent had existed at the constituency level, as it often does for small parties at the national level, then Republican candidates in both elections would have exceeded this threshold in every single constituency that they contested. This suggests that their cause had a residue of hard-core support throughout the country. There was very little dramatic variation, at the constituency level, in the level of support for the anti-Treatyites between the two elections, even if their national first preference vote increased in 1923. Secondly, strong anti-Treaty support existed in two areas, in the West of Ireland, and in the Southern 'Golden Vale' areas of North and East Cork, Tipperary and Waterford. This distribution correlates very well with areas where military opposition to the Free State was strongest during the civil war, suggesting that the IRA had popular support in these areas. Lastly, the figures for 1923 do little to reinforce the Provisional Government's claim that the public in the South and West was 'cowed' into an anti-Treaty attitude by the authoritarian tactics of the IRA. Overall support for the anti-Treatyites was stronger in the 1923 election, a time when the IRA was disbanded, than in 1922. Furthermore the anti-Treaty vote had less of a regional profile in 1923 and had to some degree become standardised throughout the country. In all the regions outside Dublin it averaged more than 23 per cent, a remarkable figure considering that a great number of anti-Treaty candidates were in prison or on the run.

Table 5.8. Numbers per thousand employed in Agricultural Occupations in 1926 by County.

Centre		Border Periphery	
Dublin Co. Borough	533	Cavan	749
Dublin Co.	10	Donegal	709
Heartland		Monaghan	685
Carlow	334	Leitrim	812
Kilkenny	448	Longford	634
Cork Co. Borough	11	Sligo	705
Cork Co East.	433	**Western Periphery**	
Cork Co. West	672	Galway	747
Kildare	127	Kerry	656
Wicklow	557	Clare	683
Laois	578	Mayo	801
Offaly	599	Roscommon	796
Limerick Co Borough	20		
Limerick CO.	623		
Louth	733		
Meath	361		
Tipperary Co NR	613		
Tipperary Co S.R.	534		
Westmeath	613		
Waterford Co Borough	25		
Waterford Co	579		
Wexford	563		

Source : Irish Free State Official Census 1926 Table 3(a) 15

It is more likely that popular support for anti-Treaty candidates can be explained by social variables rather than by the intimidatory presence of the IRA. The agricultural gradient running from the North West to the South East of the country is obviously the most relevant. It was to the left of this line that opposition to the Free State was strong, while to the right of the line opposition to the Free State was weak. Garvin suggests that anti-Treaty support was strong in 'poorer and more remote areas' in 1923.[64] Table 4.5 below shows the number of people employed in agricultural occupations per thousand by county in 1926. Again a simple analysis of these figures suggests that Republican support was strongest in the Western periphery where the vast number of people were involved in agriculture. In contrast their support was weak where the economic structure was more diversified, as in most of the heartland of Ireland. Pyne notes that

[64] T. Garvin, *1922; The Birth of Irish Democracy*, p.135

in 1923, 41 per cent of the third Sinn Fein party's seats came from the Western area of the country, compared to 30 per cent of the Government's seats. Sinn Fein succeeded in getting a third or more of the poll in the five Connacht constituencies and in Kerry and Clare. In all these areas the percentage of people living in urban areas was well below the national average. The party's share of the vote in the four counties with cities of 20,000 or more was below its national average.[65] In contrast Cumann na nGaedheal did well in urban constituencies, especially in Dublin. There seems to be some connection between the rurality of the constituency and anti-Treaty support.

This analysis supports the hypothesis that support for the Free State was strongest in areas where the division of labour was highest, while support for the anti-Treaty sides was strongest in areas where the division of labour was lowest. In addition, we have seen that support for anti-Treaty candidates was stronger in areas where the level of political competitiveness was low, and weak where it was high. In short the Treaty split reflects differences in the division of labour throughout Irish society. In the East, South-East, and Midlands there was a high division of labour, combined with little pressure toward uniformity, whereas in the West and South West a low division of labour was combined with still strong pressures towards uniformity. Both Treaty positions then can be related to the type of social solidarity prevailing in different regions.

In summary there is evidence that the civil war reflected the tension inherent in a society with a high division of labour, in which there were also strong pressures towards uniformity. The elements of conformism and authoritarianism in Irish culture were at odds with the tendency towards social diversification inherent in the modernisation process. There has been a tendency to explain the civil war in terms of a conflict between two conceptions of independence, but in many ways the really significant electoral contest in 1922 was between the Republicans and the third parties. By and large the third parties came out the better in that conflict, at least in 1922, and may have inflicted further damage on the Republicans if they had contested more seats in 1922. Were it not for the existence of uncontested constituencies and the confusing circumstances of the time, the scale of the Republican defeat could have been greater. That may not have affected the overall outcome but it might have made that conflict more apparent to outsiders.

5.3. Solidarity, Democracy, and the State.

Although Garvin, like Prager, is essentially concerned with Irish political culture, the political orientations described by them clearly belong to wider traditions of thinking about the state in Europe. Berki outlines what he sees as the 'two opposed philosophies of man as a member of a

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[65] P. Pyne, 'The Third Sinn Fein party, 1923-1926', *Economic and Social Review*, vol 1 (1969-70), p.236.

human community'.[66] *Transcendentalism* rests on the belief that man belongs primarily to a moral community which is ontologically prior to its members. Individuals are united together in pursuit of common and moral goals. The association of individuals has a public character to it which 'expresses more than the aggregate of the interests of its members'.[67] The public interest delimits and defines the proper pursuits of individuals who form part of the community. Law is seen as the expression of the collective reason and moral purpose of the community. *Instrumentalism* in contrast assumes that man belongs primarily to an interest community. Association with a collectivity is accepted as a means of furthering individual interests and not primarily as an expression of moral feelings and aims. Membership of the community is conditional and based on consent. The association which results from the free association of members has no moral as opposed to legal personality : the collectivity is simply the sum of individual interests. 'Consequently the 'authority' of the association derives solely from the rights of its members'.[68] Law is not seen as an expression of collective will but as a means of maintaining rational agreement among the membership of the community.

Berki's distinction helps us to locate the Irish traditions in their proper European context. As an unheroic realistic philosophy of political behaviour instrumentalism tends to be limited in its aspirations about human beings. In Ireland acceptance of the Treaty was endorsed precisely in instrumental terms, even when acceptance meant a modification of previously held ambitions. Such a turnabout was justified in the name of the people's rights 'to regulate its development in accordance with hard military, economic, and political facts'.[69] Taken to extremes the transcendental approach to politics will involve attempts to radically alter society since it assumes individuals will be moulded by collective purposes. It will not recognise the binding nature of the facts O' Higgins refers to, but assumes that societies can be transformed by collective endeavour. This was reflected in the classic Republican belief that the deaths of Republicans in the civil war would reverse majority opinion on the Treaty and 'inspire the vast majority of our countrymen to fight until independence is achieved'.[70] In contrast, the instrumental approach will tend to reflect established social patterns and seek to protect the existing social fabric from disruption.

As each principle accepts that authority comes from the people, both can be considered democratic principles of statehood. The former sees democracy as a means of demonstrating the people's collective sovereignty, while the latter sees popular sovereignty not as the expression of a unified will, but as the result of a process of mutual readjustment between a collection of

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[66] R.N. Berki,'State and Society; An Antithesis of Modern Political Thought' in Jack Hayward & R.N. Berki (eds.), *State and Society in Contemporary Europe* (Oxford,1979), pp. 1-18.
[67] Ibid, 3.
[68] Ibid,
[69] K. O' Higgins, *Civil War and the Events which led to it* (Dublin, 1926), p.1.
[70] R. Barton, July 1 1922, 'Memorandum of Ambulance Work & efforts for Peace', Peace Proposal J.F. Homan-Clontarf, Department of An Taoiseach, S8138, National Archives.

morally self-sufficient individuals. 'Transcendentalism, in other words, places more emphasis on 'sovereignty', whereas instrumentalism accentuates the 'contractual' basis of government'.[71] Analogously in Ireland the Pro-Treaties defended the Treaty as the choice of the majority, or as Garvin puts it of 'the will of all', whereas for Republicans such acceptance meant denying the sovereignty of the people, the general will, which under less constrained conditions would have resulted in a vote for a Republic. The clash can be seen then as a conflict between two conceptions of democracy, one rooted in differing conceptions of popular sovereignty.

Berki suggests that the development of modern Europe has 'assumed an enduring pattern where variation can be usefully explained by the relative strength of state and society as institutions and as expressed through the relative position of predominance afforded to either of the two basic principles'.[72] Independent Ireland could be said to represent a case in which the predominance of society over state, to adopt Berki's terms, was not the product of social evolution per se, but of a civil war in 1922. On the other hand, the manner in which the civil war involved an assertion of central state power in Ireland raises some questions about the validity of such a judgement. From the very beginning of the civil war the assertion of centralised authority over society was seen as the chief priority of the Provisional Government. As the war progressed, attitudes hardened. Warning his colleagues of the tough times ahead Hugh Kennedy, a government legal adviser, pointed out the lesson of recent political history which was that practically every challenge against central authority 'has been overcome by prompt, effective, vigorous, and utterly ruthless action'. Specifically comparing the Irish situation with that of Russia in 1917 and Germany in 1918, he concluded that revolution succeeded where 'the hand that ruled was either unwilling or unable to strike at the challenge hard enough and effectively enough'. In what seems a curious choice, he believed the Provisional Government should model itself on the Red Government whose 'worldly power' he admired, and the German Social Democrats, who like the Provisional Government vis a vis the Dail Departments, had been forced to crack down on the Worker's Councils by an external power. In Russia Kerensky fell because he neglected the importance of propaganda, intelligence, and the army.[73]

Durkheim's conception of the role of the state in a democratic system was an ambiguous one. On the one hand he accepted that the power of the state tended to increase as it became 'a prime institution concerned with the implementation and furtherance of individual rights'.[74] However Durkheim thought that the power of the state could be curtailed by the existence of secondary groups in society which intervene between the individual and the state. 'Thus that which makes the central power more or less absolute is the more or less radical absence of any countervailing

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[71] Berki, op.cit.,p.4.
[72] Ibid, p.5.
[73] Memo, n.d., Richard Mulcahy Papers, U.C.D. Archives.
[74] A.Giddens, *Durkheim*, p.3.

force that is systematically organised with the intention of moderating that power'.[75] On the other hand when faced with serious challenge to the social order the state had to react in a vigorous way, 'it is impossible for offences against the most fundamental collective sentiments to be tolerated without the disintegration of society, and it is necessary to combat them with the aid of the particularly energetic reaction which attaches to moral rules'.[76] In less developed societies such crime is interpreted as a religious transgression. This enables the 'absolutist' state to appropriate the religious quality of the moral reaction to legitimate the use of coercive power: 'offences against the state are treated as sacrilegious and hence to be violently repressed'.[77] The possibility that this moral reaction could also be true of states in advanced societies was not discussed by Durkheim, or by Prager and Garvin.

Certainly the ability of intermediary groups to limit the power of the state in the Irish civil war was very limited. For the first months of the civil war the Irish parliament was suspended, later rigorous censorship was in operation, and mass internment was introduced. The abuses of state power were numerous:

> Too many stories are coming to us from too many places to discount utterly the truth about the brutal treatment of prisoners ; about the methods of terrorism and intimidation that are being carried out by the Government on the authority of the Government in the pursuit of their intention to vindicate the authority of parliament.[78]

This draconian reaction on the Government's part raised two questions. In the first place, it led to the suspicion, articulated by Labour, that the government was far more concerned with the protection of property rights than of rights *per se*,[79] and that a crucial aspect of any democracy, the rights of individuals to be protected from the state, did not in fact survive the civil war. Secondly, the Free State position was a statist one. The actions of the state may have been taken to defend a system of moral individualism but they involved an extension of state power. For Cosgrave the 'supreme duty' of the Government was to provide the conditions in which people could live in peace and in which social progress was possible. 'An ordered state existence, respect for the laws of God and all authority derived from Him, come first among these conditions'.[80] For Durkheim too, a strong state was not antithetical to individual freedom, 'our moral

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[75] E. Durkheim, *The Division of Labour in Society*, (London, 1982), p.166.
[76] Durkheim, ibid. p.397.
[77] A. Giddens, *Durkheim*, p.3.
[78] T. Johnson, *Dail Debates*, vol 1 col 184 , September 11, 1922.
[79] C. O' Shannon, *Dail Debates*, vol 1 col 8, September 11, 1922
[80] W. Cosgrave, *Dail Debates*, vol XL col 48, October 4, 1931.

individuality far from being antagonistic to the state, has on the contrary been the product of it' .[81]

The reaction of the Free State government to the anti-Treatyite campaign was distinctly one of moral outrage. When asked to reconsider a modified version of the electoral pact in April 1923 Cosgrave retorted

That means that you are asking that the people who want to burst up the present social fabric - the Communists - are to be allowed to get a constitutional position in the State. That the people who roast children, burst watermains, murder our men, will have to get a constitutional position in the state.[82]

In the Dail debate on the necessity of civil war in September, O' Higgins quoted a letter from a Republican prisoner that had been intercepted by the Free State authorities. In it the prisoner looked forward with relish to the abduction of bank officials and railway clerks. This drew the comment, 'in that single document you have embodied the disintegration that is at present proceeding apace in the country, the moral disintegration'.[83] Another deputy suggested that the anti-Treaty campaign had 'extinguished the very moral principles that should be the basis of civilised society'.[84] This analysis was shared by Cosgrave who saw a country beset with

a moral desolation nor merely in the ordinary acceptance of the term in which people think of dishonesty and disregard of individual rights, of reckless murder and general insecurity, but also the moral desolation in a blindly dishonest outlook and attitude towards the national position and the effect of the nation's Treaty of Peace.[85]

Clearly the government saw the civil war as a moral crisis and was itself not above impugning the motives of their opponents. An army report commented that the anti-Treatyites were supported by people who had in certain areas materially gained from the reign of the 'irregulars', and from those who were enabled to 'evade' their 'civic responsibilities' by the irregular campaign, such as railway employees, post-office officials, and teachers.[86]

This reaction suggests that the distinction in Durkheim's work, between a society based on mechanical solidarity where social conformity is the result of a pervasive *conscience collective* and a society based on organic solidarity were such a *conscience* is assumed to be lacking, is to

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[81] Quoted in A. Giddens, *Durkheim*, p.59.
[82] W. Cosgrave, 'Interview between the President and Donal Hannigan and M.J. Burke of Neutral I.R.A. February 27 1923', 'Peace Proposals of Old I.R.A', Department of An Taoiseach, S 8139, National Archives.
[83] Ibid.
[84] Kevin O' Higgins, *Dail Debates*, vol 1 col 98, September 11, 1922
January 11, 1922.
[85] W. Cosgrave, 'Oration at Grave of President Arthur Griffith', Department of An Taoiseach, S 5983/1, National Archives.
[86] Chief of Staff to Minister of Defence, September 20 1923 Civil War Army Reports On Situation and Organisation, Department of An Taoiseach, S 3361.

some extent a false one. The existence of organic solidarity and of restitutive law 'cannot become wholly detached from the influence of the conscience collective'.[87] When defending the government's decision to introduce repressive legislation in 1931, Cosgrave stated that 'the whole work of this state is held up by a crowd of people who posture as nationalists, who pose as patriots, and who act in contravention of the law of the state, the law of God, and every law which any democratic State would set up'.[88] The only bulwarks against chaos were the Church and State, and Republicanism in the late 1920s aimed at 'the destruction of both'.[89] In order to defend a system of moral individualism, or what Cosgrave later termed, 'freedom without licence', the government felt that: (a) a realisation by individuals of their responsibility to the state and ; (b) adherence to Christian teaching, were both necessary.

Clearly in Cosgrave's thinking 'a residuum of repressive law must continue to exist, regulating the moral codes necessary for the fulfilment of contracts, which is centred upon respect for the autonomy, dignity and freedom of the individual, i.e., moral individualism'.[90] An alliance between Church and state was thus necessary to counteract the moral decay in society. That need prompted Kevin O' Shiel a senior legal adviser to suggest

> that Cumann na nGaedheal link up therefore with some of the great class interests such as the Church or agriculture, that it should become in fact a Christian people's party to defend religion against the Atheist and the Freemason and property against the Bolshevik.[91]

This outlook formed the basis of the Cumann na Gaedheal 'law and order' position throughout the 1920's, and was the official reflection of the austere version of Catholicism that developed after the Famine.

The manner in which restitutive law comes to replace repressive law is not a unilinear process. Durkheim recognised that there were certain administrative and governmental functions 'where certain relationships are regulated by repressive law because of the special character marking the organ of the common consciousness and everything appertaining to it'.[92] When the authority of the state itself comes under attack, punishment takes on a symbolic aspect, and is intended to bolster the authority of the central institutions. Thompson, who argues that primitive societies were not characterised by repressive law in the first place, suggests that the relationship between social development and the preponderance of restitutive law is a curvilinear one. He sees

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[87] A. Giddens, *Durkheim,* p. 29.
[88] 'Enforcement of Article 2A'. D 29/36, Department of Justice, National Archives.
[89] W. Cosgrave, *Dail Debates* vol XL col 49, October 14, 1931.
[90] A. Giddens, *Durkheim,* p.29.
[91] K. O' Shiel to Cosgrave, February 2 1923, Mulchay Papers P7/8/100, U.C.D. Archives.
[92] E. Durkheim, *Division of Labour in Society,* (London, 1981), pp.82-83.

a move from restitutive law in the most simple societies to repressive law in the early stages of the establishment of the state as it attempts to get a monopoly of the legitimate use of coercion, followed by a return to restitutive law when the State has become established and secure. Civil and restitutive law can predominate when there is a high degree of social solidarity and value integration, and criminal law can predominate when the emerging State has still to establish ideological hegemony.[93]

The Irish case seems to confirm the truth of this hypothesis. Indeed after the civil war the small parties that had been so important in the spring of 1922 declined in importance. Local government was greatly weakened. Overall the society became even more reliant on strong central institutions, the state, the Catholic Church, and the Gaelic Athletic Association, for the supply of social and moral cohesion.[94] An individualist and plural social order would not emerge until well after the Second World War. The conflict which was at the heart of the 1922 election, that between nationalist conceptions of the state and the reality of pluralist politics was not resolved by the civil war, but merely postponed.

In short, the extent to which a transition from a society based on mechanical solidarity to one based on organic solidarity involved a change in the character of the moral codes regulating individual behaviour should not be overstated. In Ireland the philosophical basis for moral individualism lay in ultramontane Catholicism. The civil war gave expression to 'the two poles of *catholic* political culture' but it appears that both Garvin and Prager have made the Cumann na nGaedheal - Fine Gael tradition appear more liberal, more secular, and more enlightened than it was. Moreover, one has to question the proposition that Irish society in 1922 was suffering from a deep-seated *cultural* division. Certainly there was much more common ground among the Sinn Fein elite than Prager is willing to admit. It was, according to Cosgrave, the objective of his government, not just to reassert the authority of the Courts and confirm the supremacy of parliament, but to 'resuscitate the Gaelic spirit and the Gaelic civilisation for which we have been fighting through the ages and all but lost'.[95] Holy Ireland, the view of Ireland as a moral community, transcended the Treaty split. Because of this it is difficult to accept the view that the civil war rescued the Irish body politic from the influence of the pervasive authoritarianism that set in Post-Famine Ireland.

Conclusion.

In his discussion of recent transitions to democracy Fishkin has pointed out the difficulties involved in 'double transitions' where the transition to democracy and to a free market economy

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[93] K. Thompson, *Emile Durkheim*, (London,1982), p.91.

[94] T. Garvin, 'The Aftermath', lecture given on seminar on Irish Civil War 1922-23, Cathal Brugha Barracks, September 13, 1997.

[95] W. Cosgrave, *Dail Debates*, vol 1 col 77, September 11, 1923.

are attempted together.[96] This chapter highlights the fact that what was at stake in Ireland in 1922 was not merely the construction of a new democratic political order, but also the maintenance of a social system premised upon the principles of moral individualism. In that sense the Irish case has been a forerunner of many transitions in Europe this side of the Second World War. One of the merits of the Durkheimian interpretation is to bring into focus the social dimension of the civil war, one that has tended to be obscured in conventional historiography. To the participants, at least on the Government side, the conflict was about much more than the issue of Treaty versus Republic, but one that raised questions about the proper basis for an ordered society itself.

A second merit of the Durkheimian approach is to relate the conflict to the existence of rival and deep-seated conceptions of the state in Ireland which had developed in the century or so before independence. There are problems with the account of these conceptions, particularly that given by Prager, but they help dispel the illusion that Irish nationalism was somehow predicated on a monolithical set of philosophical assumptions about political life. If anything there were, behind all the rhetoric, strongly contrasting conceptions of the democratic state in Ireland which continued to affect political life long after 1922. This was not simply an opposition between proponents of a nation-state proper versus those of a civic order composed of free and autonomous individuals, it was also a conflict between those that saw the state principally in terms of political legitimacy and those that saw it as the basis for social order. Not enough has been written about this subject but the works cited here are steps in the right direction.

Thirdly, there is considerable empirical evidence to support the proposition that the civil war conflict 'expresses the incomplete realisation of organic solidarity in the newly developing industrial order'.[97] However, a society based on organic solidarity was not secured by the victory of the Pro-Treaty forces in 1922. As Durkheim himself would have supposed, the tensions between the two forms of solidarity would not be resolved until further advancement in the division of labour allowed them to be. Arguably such a society did not emerge until well after the Second World War. To some extent the civil war made that project more difficult. In so far as it gave expression for the first time to the two poles of Irish Catholic political culture, the conflict was a crucial moment in the democratic development of Ireland, but surely it was one that seriously impaired Irish elite political culture. The effect of the conflict may have been to accentuate the authoritarian tendencies on both sides.

The relationship between democracy, social solidarity and the state, was not adequately dealt with by Durkheim and is not sufficiently addressed by either Garvin or Prager. Both 'Staters' and

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[96] J. Fishkin, *Democracy and Deliberation: New Directions in Democratic Reform*' (New Haven and London, 1991).
[97] A. Giddens, *Durkheim*, p.31.

Republicans came to preside over the most centralised democratic state in Europe, but the phenomenon of the state has not been seriously addressed by Irish social science. As late as 1941 it was remarked that there was 'a different conception of civic duty and civic responsibility' on the two sides of the Irish political spectrum.[98] We have today no clear idea of what these differences were based upon and where they originated. Clearly the manner in which the state established its authority over Irish society forms a basic part in our understanding of the development of the Irish political system. It is also relevant to our understanding of the role of the Catholic Church in the Irish political system. Unless we have some answers to these question it is not likely that we will come to any real understanding of the nature of Irish democracy in the interwar era.

[98] W. Cosgrave, *Dail Debates,* vol 84 col 1320, July 9, 1941.

Chapter Six : Reshaping the Free State : De Valera and the Rise of Constitutional Republicanism

'Fianna Fail was perhaps slightly constitutional, but only in the way that a woman two or three months into a pregnancy is slightly pregnant'.

Declan Kiberd 1996.

It was once a standard observation of political science that democratic regimes require strong leaders for the solution of particularly intractable political problems. The Italian Marxist Antonio Gramsci analysed situations in which 'Caesarist' political strategies are employed by political leaders to transform conflict-ridden situations into situations where the basic authority of the central government is not contested. Caesarsim 'always expresses the particular solution in which a great personality is entrusted with the task of "arbitration" over a historico-political situation characterised by an equilibrium of forces headed toward catastrophe'.[1] Such a personality bases his claim to absolute authority on successful appeals for national salvation or unity . 'Caesarist' political strategies, and the patterns of authority associated with them, may not be confined to liberal democratic states, but they are employed to transform situations that fundamentally threaten regime stability, where civil conflict between the rival parties cannot result in the victory of one or the other antagonists, into situations where normal political competition within the rules of the game can take place.

The analysis put forward in this chapter is based on the premise that the consolidation of a democratic system in interwar Ireland was a classic case of democratic 're-equilibration'. Indeed since the protagonists in the Irish case had only recently been involved in a civil war, the Irish case may be the classic case of democratic re-equilibration in this century. Re-equilibration is defined by Linz 'as a political process that, after a crisis that has seriously threatened the continuity and stability of the basic democratic political mechanisms, results in their continued existence at the same or higher levels of democratic legitimacy, efficacy or effectiveness'.[2] The argument here is that de Valera's transformation of the Free State regime of the 1920s into the essentially Republican regime of the late 1930s resulted in a political system with a higher degree of legitimacy and effectiveness than that under Cosgrave, without ever departing from democratic rules and methods. Re-equilibration involves a profound transformation of the existing regime, but not of democratic institutions.[3]

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[1] A. Gramsci, *Selections from Prison Notebooks of Antonio Gramsci* (ed.) and translated by Q. Hoare and G.N. Smith (New York, 1971).

[2] J. Linz, *Breakdown of Democratic Regimes* , p.87.

[3] Ibid.

The factors allowing re-equilibration to take place, depend, according to Linz, on a 'unique constellation of factors'.[4] Inevitably since the process of re-equilibration involves a dynamic rearrangement of the patterns of elite competition it is necessary to concentrate on elite political strategies as the main variable in the re-equilibration process. Accordingly this chapter is divided into three sections. The first analyses the ideal-typical conditions under which re-equilibration takes place. The second section outlines the impact of de Valera's Fianna Fail party on the Free State. The third ends with a consideration of the political strategies de Valera employed to achieve a re-equilibration of the Free State.

6.1. The Re-equilibration Model.

Linz's account of the preconditions for democratic re-equilibration is based on his analysis of de Gaulle's role in the transition from the French Fourth to Fifth Republic. In his view re-equilibration originates in a leadership outside a regime but acceptable to many within the regime. At the same time this new leadership is capable of bringing into the regime many of its erstwhile challengers and isolating its most extreme opponents. For re-equilibration to occur, this new leadership must be committed to legitimising the regime by democratic means and to preserving democratic institutions once in power. Finally, re-equilibration occurs in the presence of an electorate that is willing to approve of and trust in the new leadership's capacity to solve the initial insoluble problem of the regime. Democratic change is approved of by the electorate, passively or actively.[5]

Linz identifies six basic conditions which enable a re-equilibration to take place. First, is the existence of a leadership uncompromised by the loss of legitimacy and efficacy of the existing regime in crisis and committed to the creation of a new regime with new institutions to be legitimated by democratic means. Second, that leadership must be able to gain the acceptance of those loyal to the existing regime as well as those who choose 'disloyalty in crisis' and were therefore potential supporters of a non-democratic regime. Thirdly, the leadership of the regime that has lost power, efficacy and legitimacy must be able to accept that fact 'and facilitate rather than oppose the transfer of power'.[6] Fourth, and closely related, is the willingness of the former leadership to subordinate the realisation of its policy goals in order to save the substance of democracy. This willingness and ability naturally presupposes some confidence in the democratic commitments of those to whom power is to be transferred. Fifth, Linz suggests that 'a certain level of indifference and passivity in the bulk of the population must exist in the final denouement of the crisis'.[7] Stated differently, large sectors of the population are unavailable for

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[4] Ibid, p.88.
[5] Ibid.
[6] Ibid.
[7] Ibid.

mobilisation by disloyal oppositions. Sixthly, Linz suggests that re-equilibration is only possible when the semi-loyal opposition is capable of controlling the disloyal opposition that is hostile not just to a particular regime, but to democracy itself. Re-equilibration, is a game in which the semi-loyal actors in the regime consciously deceive the disloyal political forces whose challenge may have precipitated the breakdown and brought them to power'.[8]

We shall see that all these conditions were present in large measure in the Irish experience of re-equilibration. Re-equilibration ought to be conceived of as a game involving strategic interactions between three types of political actor, those loyal to the regime, those semi-loyal to it, and those disloyal to the regime. For it to succeed those loyal to the regime have to be satisfied that an attitude of semi-loyalty to the regime is sufficient reason to tolerate the semi-loyal opposition, while those who are semi-loyal to the regime have be more powerful or more pivotal in the system than those that will remain disloyal. The 'responsible' opposition has to reposition itself. Its task is not that different from that of democratic opposition parties in authoritarian regimes : its task 'is to change the relations among all the component parts of the non-democratic regime in such a way as to weaken the regime while simultaneously improving the conditions not just for regime change but specifically for democratisation'.[9] Only then can a changeover take place. The role of the semiloyal opposition is thus the independent variable : the manner in which it consciously alters perceptions of what is feasible in a political system creates the possibility for re-equilibration and thus for a consolidation based on changeover. For this reason the bulk of this chapter is concerned with the repositioning of the Republican opposition to the Free State.

6.2. The Rise of Constitutional Republicanism

During the civil war opposition to the Free State had consisted of four overlapping elements. First, there was the rank and file of the IRA, who remained largely loyal both to the Second Dail and to their own Executive. Second, were the elected Anti-Treaty TDs who regarded the existence of the Free State parliament as a usurpation and supported the Republican government established in October 1922. After the war, a Republican Dail, *Comhairle na dTeachtai*, was formed to assist this government in its work. Third, were those elements of Irish civil society that were Republican in sympathy, but which refused to take sides in the civil war. The most important such group was the Neutral IRA Association which claimed a membership of over 25,000. As the war wore on, its leaders became alienated from the Cosgrave government and ultimately considered forming their own party in the Spring of 1923. Finally, there was that section of the electorate that supported the Anti-Treaty side. While effective military opposition

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[8] Ibid.

[9] A. Stepan, 'Democratic Opposition and Democratisation Theory' in *Government and Opposition*, vol 32, no 4, (Autumn 1997), p.662.

to the Free State was concentrated geographically, the Anti-Treatyites retained a hard core of electoral support throughout the country.

The fact that the Republicans lacked the support of the majority of the people was recognised by de Valera as their chief weakness:

If the Republicans stand aside and let the Treaty come into force, it means acquiescence in the abandonment of the national sovereignty and in the partition of the country - a surrender of the ideals for which the sacrifices of the past few years were deliberately made and the sufferings of these years consciously endured. It the Republicans do not stand aside, and they must resist, and resistance means just this civil war and armed opposition to what is, as I have said, the desire of the majority of the people. For Republicans the choice is therefore between a heartbreaking surrender of what they have repeatedly proved was dearer to them than life and the repudiation of what they recognise to be the basis of all order in government and the keystone of democracy - majority rule.[10]

The way out of this dilemma was to get majority support for the Republican position. From August 1922 onwards de Valera was keen to organise the civilian wing of the Anti-Treatyite movement. To this end the Republican government was established by the Army Executive in October 1922, 'to provide a rallying point and a centre of direction to co-ordinate the efforts in various fields'.[11] The marginalisation of the Republican position in 1922 was attributed to the fact that during the War of Independence Republicans had lost control of their political party Sinn Fein.

If members of the IRA, who were also members of Sinn Fein clubs had remained active members and kept the organisation imbued with the proper Republican spirit and outlook, the present struggle would probably never be taking place. It was because the rank and file of the organisation fell into weak hands, and so the way was prepared for the events which led to civil war.[12]

The reform of Sinn Fein into an effective electoral machine accordingly became de Valera's most pressing ambition once the Republican government was established. What practical steps would achieve the twin objective of harnassing militant opposition to the Free State behind a party that would be sufficiently broad to appeal to a wide strand of nationalist opinion ? In the first place the name Sinn Fein was retained. Attempts to have the party rename itself the Irish

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[10] de Valera to Joseph Mc Garrity, September 10 1922, McGarrity Papers, MS 17,440, National Library of Ireland.

[11] Memo, from Eamon de Valera to Chief of Staff and Members of Executive, October 12 1922, Ms. 31,528, Richard Mulcahy Papers, U.C.D. Archives.

[12] 'Reorganisation of Sinn Fein', Dept A/C to O/C All Divisions and Independent Bodies, January 18 1923, Sinn Fein; de Valera papers relating to the organisation of Sinn Fein 1922-23, Department of An Taoiseach S 1297, National Archives.

Republican Political Organisation were resisted by de Valera who insisted that 'we wish to organise not merely Republican opinion strictly so-called, but what might be called "Nationalist" or "Independence" opinion in general'.[13] Secondly, members would have to declare their allegiance to the constitution adopted at the Sinn Fein Ard Fheis of 1917, so as to exclude those who stood for something less than the original demand for complete independence, as well as those who were willing to take the oath of allegiance to the Crown.[14] Thirdly, IRA units were instructed to actively assist in the efforts at reorganising the party. Officers were to oversee the formation of Sinn Fein clubs in brigade areas and to encourage civilian supporters to join. It was stressed that the poor showing of the Anti-Treaty side in the civil war was due to the fact 'that our civilian supporters were not organised to assist us'.[15] Lastly, a particular stress was put on electoral organisation. In this the demobilised IRA was to play a central role. Company o/c's were instructed to furnish reports on the state of local electoral registers as a means of estimating the likely first preference support for Republican candidates in the next election, and as a means of ensuring that the registers were sufficiently up to date.[16]

The 1923 election presented the Free State with an opportunity to win public approval for its prosecution of the civil war and every effort was made to ensure that the election was contested. A highly militarised atmosphere continued to prevail and the authorities continued to harass Republican candidates. As many Sinn Fein candidates were imprisoned or on the run, 64 of the party's 85 candidates were unable to address their constituents during the campaign.[17] Sinn Fein's level of electoral organisation was rudimentary.

In Cork Maire Comerford was given the whole country to organise on her own with only a bicycle for transport. She had been released from prison a few weeks before, weakened by a 27-day hunger strike and a leg wound received when she was shot during a prison protest. Her election machine consisted of young boys and girls. The only Sinn Fein T.D. not in prison was so deep in hiding that she had difficulty contacting him. The story was similar elsewhere. Sinn Fein was a party of pensioners, children and fugitives.[18]

However the anti-Treatyites received approximately a quarter of all first preference votes in the general election. This was an indication that 'the sympathy of a strong minority of the population' remained with the anti-Treatyites.[19]

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[13] To the Organising Committee from E. de Valera, May 31 1923, Sinn Fein 1094/1/11, National Archives.
[14] Ibid.
[15] Dept A/G to O.C.s of Divisions and Independent Brigades, May 28 1923, Sinn Fein; de Valera papers relating to the organisation of Sinn Fein 1922-23, Department of An Taoiseach, S 1297, National Archives.
[16] To O/C Divisions and Independent Brigades, July 27 1923, Moss Twomey Papers, P 69, 74, 2, U.C.D. Archives.
[17] M. Manning, *Irish Political Parties; An Introduction* (Dublin, 1972), p.11.
[18] C. Foley, *Legions of the Rearguard : The I.R.A. and the Modern Irish State* (London, 1992), 35.
[19] E. Neeson, *The Civil War 1922-23* (Dublin, 1995), p.295.

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[16] To O/C Divisions and Independent Brigades, July 27 1923, Moss Twomey Papers, P 69, 74, 2, U.C.D. Archives.
[17] M. Manning, *Irish Political Parties; An Introduction* (Dublin, 1972), p.11.
[18] C. Foley, *Legions of the Rearguard : The I.R.A. and the Modern Irish State* (London, 1992), 35.
[19] E. Neeson, *The Civil War 1922-23* (Dublin, 1995), p.295.

Republican government in October, 1922, was again divided into a political and a military wing'.[23] At the first meeting of the new Army Council it was decided

That no Members of the Army Council or GHQ Staff shall hold himself free to enter the parliament of 'Northern' or 'Southern' Ireland, or advocate the entrance of these bodies with or without the Oath of allegiance. Individual volunteers, as citizens, are free to express their views on political questions, provided that no such issues shall arise at Parades or staff or Council Meetings.[24]

On the other hand there was increased debate about the wisdom of the abstentionist policy among the politicians. In a series of newspaper articles between September 1925 and January 1926 Sean Lemass, Minister of Defence within the Republican Government, argued the case for a fundamental reappraisal of Sinn Fein's policy. In particular he stressed the need to concentrate on a single achievable political objective, such as the abolition of the oath of allegiance. The articles caused considerable debate within the movement.[25] An Intelligence Report on an 'Irregular' Convention held in June 1925 suggested that the majority of the Republican TDs favoured entering the Dail and would mount a publicity campaign against the oath to that end.[26]This internal debate was intensified by the furore caused by the Free State's acceptance of the findings of the British Government's Boundary Commission, signed on December 3rd 1925. It had initially been hoped that the Commission would redraw the boundaries of the state to the advantage of Irish nationalists. However the Report actually recommended that the Free State cede some of its territory in Donegal to the Northern parliament. The Boundary crisis led to Clann Eireann, a splinter group, emerging from within the government's ranks. Labour tried to persuade Sinn Fein to take their seats in the Dail for the vote on the Commission but was unsuccessful. A combined opposition including Sinn Fein would have been able to outvote the governing party, but with Sinn Fein outside the Dail, there was little hope of that happening. In the long run however, the boundary crisis 'impressed upon de Valera and his associates the urgency of arriving at a decision, one way or the other, on the subject of a new policy'.[27]

On January 6th 1926 de Valera publicly announced his willingness to enter the Free State parliament if the oath of allegiance were removed. The previous ambitions of the party had been 'too high and too sweeping'. He hoped to renew the fortunes of Sinn Fein by forcing a confrontation with the government on the question of the oath. The oath was ' a definite objective within reasonable striking distance' and if he could move the people to smash it, 'I shall have them on the march again, and once moving, and having tasted victory, further advances will be

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[23] Pyne, op. cit., p.43.
[24] 'Evolution of Fianna Fail and new Sinn Fein Party', S F 880 Department of An Taoiseach, National Archives.
[25] Pyne, op.cit., p.44.
[26] Civil War ; Army Report 1925' S 4527, Department of An Taoiseach, National Archives.
[27] Ibid, p.45.

possible'.[28] A resolution was circulated to all the branches of Sinn Fein proposing that if the admission oaths to the Southern and Northern parliaments were removed, 'it becomes a question not of principle but of policy whether or not Republican representatives should attend these assemblies'.[29] The resolution was debated by an Ard Fheis of the Sinn Fein party held in Dublin on March 9th 1926. A rival resolution, declaring that to attend any 'usurping legislature' would be inconsistent with 'the fundamental principles of Sinn Fein', was carried by a vote of 223 to 218. On March 11th de Valera resigned as President of Sinn Fein. His policy also divided the Republican Dail which met on March 28th to discuss de Valera's policy. The body split into two halves of equal sides. Defeated by a majority of one, de Valera tendered his resignation 'as President of the Republic'.[30] After a joint Committee failed to resolve the differences between the two sides over the abstentionist issue, the two wings of Sinn Fein agreed to split. Those delegates that supported de Valera's motion, a large minority, became part of Fianna Fail, the Republican Party.

Fianna Fail was founded on May 16 1926 at La Scala Theatre Dublin. Its programme was:

1. Securing the political independence of a united Ireland as a republic.
2. The restoration of the Irish language and the development of a native Irish culture.
3. The development of a social system in which, as far as possible, equal opportunity will be afforded to every Irish citizen to live a noble and useful Christian life.
4. The distribution of the land of Ireland so as to get the greatest number possible of Irish families rooted in the soil of Ireland.
5. The making of Ireland an economic unit, as self-contained and self-sufficient as possible - with a proper balance between agriculture and the other essential industries.[31]

There was nothing exceptionable about this programme, but the more immediate question was whether Fianna Fail would take their seats in the Dail. De Valera hoped that by concentrating his attack on the oath he would expose 'England's ultimate control' of the situation and smash the Treaty at the next election.[32] These words were picked up upon by the Press to suggest that de Valera wished 'to obtain power to smash the Treaty and plunge the country into war with

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[28] De Valera to McGarrity, March 13 1926, Joseph McGarrity Papers, MS 174 41, National Library of Ireland.

[29] Quoted in Pyne, op. cit, p. 45.

[30] Comhairle na d Teachtai was a Repubican assembly of anti-Treaty candidates elected since 1922 which met to decide practical issues of Governmental policy *in lieu* of the Second Dail. In this and in subsequent discussions, de Valera farcically denied that he had been President of the Republic since 1922 which meant that his successor Art O' Connor could not succeed him as President of the Republic rather than of Comhairle na dTeachtai. See 'Two Documents 'A' and 'B' found by the Police on the 10th of April 1928, during the course of a search of the premises, 27 Dawson Street, Dublin, Department of an Taoiseach, S 5880, National Archives.

[31] Quoted in J. Lee and G O' Tuathaigh, *The Age of de Valera* (Dublin, 1982), pp. 62-63.

[32] Ibid, p.63.

England', but de Valera restated that Fianna Fail was out to use 'none but constitutional means to reassert the sovereign independence of Ireland'. He substituted the word 'rescind' for 'smash' and argued that his policy of 'rescinding' the Treaty, 'complete or in its vital objectionable clauses', was in keeping with either a true Republican or an 'honest' Free State outlook.[33] Fianna Fail's actual intention was spelt out by Frank Aiken, former Chief of Staff of the IRA. Their policy was 'to use the powers possessed by the Free State so-called Parliament' to build up the Irish nation 'without in any way recognising the British King's authority in Ireland or recognising the right of any county or counties to secede from the nation'. For Aiken this clearly meant experimenting with purely constitutional methods.

> For myself, I would much rather, if I had the choice, win our freedom in this way, peacefully and with the great majority of the people enthusiastically partaking in the struggle, than to obtain a victory by a minority with arms, even though the latter were comparatively short and easy.[34]

In the run up to the June 1927 election, representations were made by the Army Council of the IRA proposing co-operation between 'all Republican bodies' for the purpose of defeating Cosgrave.[35] They were based on the assumption that Sinn Fein would not 'insist on the immediate proclamation of the Republic should a majority be secured' and Fianna Fail would agree 'not to enter the Free State legislature as a minority party'. The IRA proposed that a National Board be established to approve candidates and election addresses. In the event of a Fianna Fail victory the Free State army would be disbanded and disarmed while the Army Council of the IRA would become the Army Council of the Minister of Defence.[36] In the discussions which took place on April 26th 1927 Fianna Fail were 'unwilling to agree that its candidates would guarantee not to enter if returned in a minority, even it the oath were removed'.[37] After being unanimously rejected by the National Executive of Fianna Fail, de Valera was approached personally, but replied that he was in complete agreement with the views of his Executive.[38] Fianna Fail would fight the election alone and were committed to ending their absentionist policy.

In the election Fianna Fail came close to equalling the government's share of seats, gaining 44 as opposed to Cumann na nGaedheal's 47 seats. On June 23 Fianna Fail arrived at the Dail to take their seats, but were prevented from doing so as long as they refused to take the oath. De Valera then turned to article 48 of the 1922 constitution which allowed for referenda on

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[33] Letter to Press, February 24 1927, P 69/48 (201) Moss Twomey Papers, U.C.D. Archives.

[34] 'A Call to Unity', June 19 1926, FF 22, Fianna Fail Archives.,

[35] Secretary, Army Council to Eamon de Valera May 11 1927, P69/48/30 Moss Twomey Papers.

[36] 'Memorandum of suggested basis for co-operation between Republican bodies for General Election and after if a majority of Republicans are elected', ibid, P69/48/35.

[37] 'Meeting of Representative Individuals of Republican Bodies to Consider Army Council Proposals for Co-ordination for General Election 26 April 1927' ibid.

[38] To Secretary, Army Council, from Eamon de Valera, 13 May 1927, p69/48/29 Moss Twomey Papers.

constitutional amendments if a petition signed by not fewer than 75,000 signatures were presented to the government. 'There was very little likelihood of the Irish public voting to retain a vote of allegiance to the British Crown', as Coogan remarks.[39] However the assassination of a government Minister, Kevin O' Higgins, on July 10, led to a dramatic change in government policy. The government introduced a bill requiring electoral candidates to promise in advance to comply with the oath. At a stroke the whole basis of the abstentionist policy was destroyed. De Valera had not believed that the oath would be removed from within the Free State parliament unless the Irish people gave 'an unequivocal mandate for its abolition'. Only then would the other parties refuse to take it.[40] Moreover he had rejected the idea that he would pledge himself 'in terms that appear to me to have no meaning'.[41] Nevertheless Fianna Fail decided to enter the Dail, take the oath, (albeit as an 'empty formula'), and became the largest opposition party in the House.

The impact of Fianna Fail's entry into the Dail on Sinn Fein proved to be devastating. Those who had left to form Fianna Fail initially continued to attend the Republican Dail, although de Valera had resigned as President of the Republic. After entering the Free State parliament, their continued attendance became impossible. Sinn Fein had only been able to put forward 15 candidates for the June 1927 election as opposed to Fianna Fail's 87.[42] Only five were elected. Sinn Fein were unable to put any candidates forward for the election that took place in September 1927. When the Republican Dail met on December 11 1927, only half of those who had attended the previous year were invited to attend, as the other half had attended the Free State parliament. Indeed the Republican Dail was reduced from its original strength of 128 in 1922 to a mere twenty. There seemed little future for the organisation. According to its new President Art O' Connor,

> we are in a very difficult position since the Army decided to withdraw its allegiance in November 1925 - so that as a Government we were left without the physical force to carry out any orders or decrees we might be seeking to enforce with a strong hand, and with the departure of Fianna Fail from the Dail as a moral force we are greatly weakened, and the fact that a great many people who call themselves Republicans do not give us any allegiance or support of any description is undoubtedly a great source of moral weakness to us.[43]

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[39] T. P. Coogan, *De Valera; Long Fellow, Long Shadow* (London, 1993), p.400.
[40] Press Statement, 18 April 1926, FF22, Fianna Fail Archives.
[41] Interview with special correspondent of the *Irish World*, 21 August 1926, ibid.
[42] Ibid, p.398.
[43] 'Report of Meeting of Dail Eireann', December 10, 1927, Department of Justice, S 1/23 'Sinn Fein Ard Fheis' etc, National Archives.

The number of affiliated Sinn Fein Cumainn in 1927 was 87 compared to a figure of 232 for the year 1926.[44] The attitude towards the Fianna Fail organisation was one of considerable bitterness. One speaker demanded that Fianna Fail candidates return the Sinn Fein election deposits that helped get them elected.[45] However it was difficult to stop members participating in elections on behalf of the Fianna Fail organisation. Sinn Feiners still invited Fianna Failers to speak on the same platforms. Many Sinn Fein members and supporters who initially remained loyal to the party later joined Fianna Fail, 'attracted by its dynamism and the political acumen of its leaders'.[46] So great was this tendency to drift, that it was proposed at the party's Ard Fheis in December 1930 that Sinn Fein members be forbidden to have contact 'for any purposes whatsoever' with those who had taken an oath of allegiance.[47]

Fianna Fail were more than ever caught up in the logic of electoral politics. The results of the general election of June 1927 had left the balance of power in the hands of the smaller parties. Cosgrave formed a minority administration. A coalition of Labour, the National League, and the Farmer's Party, with Fianna Fail support, was proposed during the summer. De Valera indicated that if the recent Public Safety Bill were overturned, and the oath removed, Fianna Fail would not make an issue of constitutional questions during the life of the next Dail.[48] With Labour and the National League sharing a policy of appeasement towards the Republican opposition, an alternative to the Cosgrave administration existed. However on August 10th 1927 Cosgrave survived a narrow no-confidence vote in the Dail. Nevertheless Fianna Fail's performance at the resulting snap election of September 1927 when it lost not a single seat, and increased its share from 44 to 57 proved a vindication of 'the new departure'.[49]

While Fianna Fail's commitment to the political process was strong, its attitude to the Free State was not free of ambiguity. From Republicans it drew the criticism that their entry into the Free State parliament 'would stabilise British rule in Ireland'.[50] From their opponents they drew the criticism that they secretly wanted to destroy the Free State. De Valera told his opponents on the Government benches :

I still hold that your right to be regarded as the legitimate government of this country is faulty, that this House itself is faulty. You have secured a de facto position. Very well, there must be somebody in charge to

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[44] Cunnta an Runaidhe Onoraigh, Department of Justice, S 1/23 'Sinn Fein Ard Fheis' etc, National Archives.

[45] Garda Report on Sinn Fein Ard Fheis held at the Rotunda House December 11 1927, December 15 1927,Department of Justice, S 1/23 'Sinn Fein Ard Fheis' etc, National Archives.

[46] Pyne, op. cit., p. 47.

[47] *Irish Independent*, December 1 1930.

[48] Speech by E. de Valera, Burgh Quay, July 27 1927, Thomas Johnson Papers, Ms 17169, National Library.

[49] R. Fanning, *Independent Ireland* (Dublin, 1983), p.99.

[50] M, MacSwiney to J. McGarrity, 12/4/26.

keep order in the community and by virtue of your de facto position you are the only people who are in a position to do it. But as to whether you have come by that position legitimately or not, I say you have not come to that position legitimately. You brought off a *coup d'etat* in the summer of 1922.[51]

However de Valera said he hoped to 'broaden and widen' the parliament so that it would become 'the sovereign national assembly of the Irish nation'. In addition, a Fianna Fail government would not stand for a policy of removing Free State officials from positions of authority, but would assume that 'those who took service in the Free State did it believing they were right'.[52] Such steps as Fianna Fail would take to undermine the Treaty settlement would only be taken in consultation with Irish public opinion. On that line on May 1928 de Valera again attempted to force the government to hold a referendum on the oath, but was prevented from doing so when the Cosgrave government removed the provision for referenda from the constitution.[53] The government's use of their right to amend the constitution by ordinary legislation over a prescribed period emphasised again the necessity of undermining the Treaty settlement with the machinery of the state at their disposal rather than from the opposition benches.

On the other hand the years in opposition allowed the party to develop a detailed range of policies they could offer as an alternative to the Cosgrave government. Where the Cosgrave governments were sparing in their attitude to public expenditure, Fianna Fail were early Keynsians in their attitude to state intervention in the economy. Where Cumann na nGaedheal were in favour of free trade, Fianna Fail believed in economic protectionism. Where Cumann na nGaedheal were exponents of tough law and order policies, Fianna Fail were critical of attempts to force Republicans into allegiance to the Free State. Indeed Fianna Fail saw themselves as spokesmen for the whole Republican opposition, including the IRA.[54] In power they would set aside forever the government's proposed Public Safety Bill, which if passed, 'would one day deluge Ireland with the blood of some of its noblest men' according to one Fianna Fail spokesman.[55] Fianna Fail then, remained critical of attempts to force Republicans into a position of allegiance to the Free State, which they argued only led to an increase in violent opposition. As de Valera said,

If you deny people who are animated with honest motives, peaceful ways of doing it, you are throwing them back upon violent ways of doing it. Once they are denied the peaceful way they will get support for the

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[51] Quoted in The Earl of Longford and T.P. O' Neill, *Eamon de Valera* (Dublin, 1970), p.263.
[52] Ibid, pp.260-261.
[53] Ibid, p.266.
[54] Ibid, p.263.
[55] 'Report of Meeting at Findlater Place' Fianna Fail; Meetings, Speeches, 1929, Department of An Taoiseach, S 5962, National Archives.

violent way that they would never get otherwise. There is no use in my preaching that doctrine to the Executive Council. The Executive Council only know one way -the way of the big stick.[56]

What added to the normal process of political polarisation these divergences gave rise to, was the government's perception that the Fianna Fail programme was part of 'a widely organised conspiracy to over throw by force the government of the state'.[57] Two politically motivated murders took place in 1929, three in 1931. A new left wing organisation Saor Eire was established in 1931, which, government sources anticipated, would supersede that of Sinn Fein in winning the allegiance of the IRA.[58] This led the government to introduce amendment seventeen to the constitution on October 17 1931. This amendment allowed for the establishment of a five-man military tribunal with sweeping powers including the death penalty. The Executive Council or cabinet was also empowered to declare organisations unlawful. On October 20 1931 the IRA and ten other organisations were declared unlawful. Of the radical organisations in the State, only Sinn Fein remained legal.[59] Five 'seditious' publications were declared illegal by the Military Tribunal.[60]

As part of its electoral strategy for the 1932 election the Cosgrave government choose to associate the Fianna Fail party with this conspiracy by suggesting that a Fianna Fail government would not be able to control the gunmen. It emphasised the 'crypto-socialist' and 'slightly constitutional' character of Fianna Fail.[61] Some believed that by acting as the constitutional spokesman for radical movements Fianna Fail was undermining the loyalty of the average voter to the government:

The plain man in the street is unable to see wherein those who have elected to continue the war are less justified than those who elected after a time to abandon it and are now not unlikely to secure no less unquestionable a tribute of public approval than that of being entrusted with the government of the country.[62]

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[56] *Dail Debates* , Vol XL, Col 56, October 14, 1931.

[57] *Dail Debates*, Vol XL, Col 32, October 14, 1931.

[58] Garda Report on Sinn Fein Ard Fheis 1931, October 10 1931, Department of Justice, S 1/23 'Sinn Fein Ard Fheis' etc, National Archives.

[59] R. Fanning, *Independent Ireland,* 104. The proscribed organisations were Saor Eire, the Irish Republican Army, Fianna Eireann, Cumman na mBan, Friends of Soviet Russia, The Irish Labour Defence League, The Worker's Defence Corps, The Women's Prisoners Defence League, The Worker's Revolutionary Party, The Irish Tribute League, The Irish Working Farmer's Association, and the Worker's Research Bureau.

[60] These were Irish World, An Phoblacht, Worker's Voice, Irish Worker, and Republican File.

[61] D. Keogh, 'De Valera, the Catholic Church, and the 'Red Scare', 1931-1932' in J.P. O' Carroll and J.A. Murphy (eds.) *de Valera and his Times* (Cork, 1983), p. 144.

[62] General O' Duffy, 'Memo Implenting the proposed Treasonable Offences Act' October 7 1931, Department of Justice, B.22/35, National Archives.

While denying the allegations, Fianna Fail opposed the government's introduction of the Public Safety Act in 1931 and demanded that Republican prisoners be released from Irish jails. They also sought a majority mandate from the people to remove the oath. In both these policies Fianna Fail undoubtedly received the support of local brigades of the IRA as well as the grudging approval of other Republican associations. An IRA directive, taken just before the 1932 election, allowed IRA members to work and vote in elections and many did so in support of Fianna Fail. The Army Council denied that this was part of a deliberate change of policy but arose from the fact 'that hatred against the Coercionist regime was so intense the Volunteers could not be restrained from working against their candidates'.[63] The results of the 1932 election did little to vindicate the government's scare tactics. As Fanning remarks, the 'red scare' was far less effective in 1932, after Fianna Fail had spent a full term in the Dail as the main opposition party, than it would have been in 1927.[64] In the election Fianna Fail emerged as the largest party, securing 44.5 per cent of the first preference support, higher than Cumann na nGaedheal ever achieved, even in 1923.[65] All the other parties lost support. Fianna Fail was enabled to form a minority government with the support of the Labour Party, which was promised that some of its own policies would be introduced by Fianna Fail. Since 1927 Labour and Fianna Fail had been competing for much of the same support, especially in Dublin working class areas, where the government had 'shirked the responsibility of providing them with work or a living wage'.[66] From 1927 on the socio-economic policies of both parties were rather similar.

For some Republicans it was an article of faith that nationalist objectives could not be achieved by constitutional means. Accordingly, they had a vested interest in downplaying the significance of de Valera's achievements. According to one critic,

There are few, if any, Republicans who do not sincerely rejoice that the gaols are empty of political prisoners for the first time in ten years (there are still Republican prisoners in the Six County Area); that the Irish people have not merited lasting disgrace by putting back into power the authors of the most infamous Coercion Act Ireland has ever known; that the men who accounted it a bond of honour to fasten England's yoke more tightly on Ireland, have at last, been driven out of office - never again, it is to be hoped, to get control- but while recognising that these things are good, it is necessary to emphasise that the Irish Free State is still a British Institution - not Irish- not Free- not a state in any real sense - and that until the whole Treaty is repudiated, every line and word of it, that British institution is usurping the place of the lawful Government of the Republic.[67]

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[63] Army Council Dispatch no 189, May 7 1932, Moss Twomey Papers, P 69/185/ 269.
[64] R. Fanning, op. cit., p.107.
[65] Ibid.
[66] T. Derrig, Report of Meeting at Findlater Place' Fianna Fail; Meetings, Speeches, 1929, Department of An Taoiseach, S 5962, National Archives.
[67] M. MacSwiney, *The Irish Republic* (Cork, n.d.), p.36.

However overt hostility to the de Valera government from the IRA was initially abated by the fact that de Valera precipitated an 'economic war' with Britain by his refusal to pay land annuities to Britain. Land annuities were paid by tenant farmers who had borrowed money to purchase their farms under the land reform schemes of the late nineteenth and early twentieth centuries. Under the Government of Ireland Act of 1920 these annuities were to form part of the income of the two governments, North and South. Nevertheless, since the Treaty, Irish governments had been handing over an annual sum of almost 3,000,000 to the British Exchequer. This arrangement was formalised by a meeting between Irish and British officials in March 1926. According to de Valera's official biographers 'the total annual payment being made to Britain was over £ 5,000 ,000, or about one fifth of the total revenue of the Irish government'.[68] Now de Valera was refusing to pay the annuities to the British, who in turn imposed tariff duties on Irish imports. A tariff war ensued which badly affected Irish exports.

The IRA were quick to see in the 'economic war' a chance to cement their alliance with Fianna Fail. Immediately after the election however Fianna Fail refused an offer of IRA co-operation. Instead they proposed that the IRA accept de Valera's 'Dump Arms' order of April 1923 which required that both the Free State Army and the IRA decommission their arms. Fianna Fail asked:

(1) Whether the Irish Republican Army of today will on its part accept these proposals (Cease Fire Proposals) if a Fianna Fail government does so ?

(2) May I take it that on a removal of the oath and the acceptance publicly of the "Cease Fire" proposals by a Fianna Fail government, the IRA will place their arms at the disposal of the elected representative of the people ?

Each battalion of the IRA was offered these terms for discussion by the Army Council and all turned them down. The IRA committed itself to its continued existence as a distinct organisation with all arms and equipment under its control. The government refused to go into conference with the Army Council to discuss their alternative interpretation of de Valera's 'Dump Arms order'. No meetings between the two sides took place from February onwards. Later in the summer however, with the tariff war in full swing, Fianna Fail were again anxious for IRA support. However on July 18 1932 further attempts, instigated by the IRA Army Council, to draw Fianna Fail into an alliance came to nothing. Fianna Fail again rejected proposals for a joint policy on the grounds 'that the situation which had arisen had been created solely by Fianna Fail, with no aid from us (i.e. the IRA), and that the direction and control must continue absolutely to be vested in the Fianna Fail government'.[69] Moreover Fianna Fail were keen to avoid giving the

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[68] Lord Longford and T.P. O' Neill, *Eamon de Valera*, p.262.
[69] P 69/185/269 Moss Twomey Papers.

impression of 'a government inside a government' and suggested instead that the IRA confine themselves to organising shows of public support for the policies of the government. Indeed the possibility of bringing the existence of the IRA to an end was again raised by the government. This did not unduly disturb the IRA but some of its more perceptive members realised that the writing was on the wall. One senior figure said he believed that 'practically all the Republican and anti-Free State feeling is pro-DeV and that Fianna Fail are going to hold the fort for a long time to come'.[70]

The temporary alliance of two organisations united in a desire to oust the Cosgrave government was coming to a close. The IRA had decided to support Fianna Fail at the polls in 1932 without having had a discussion with them. After the election their overtures to the government were rejected. The government did not suspend Article 2A from the constitution although military trials were halted. The hated Criminal Intelligence Department, responsible for counter-insurgency, remained in existence. Moreover a former Cumann na nGaedhealer had been chosen as Minister of Justice, one who attended an inspection of Civic Guards accompanied by the head of the C.I.D. David Neligan, who in the opinion of Republicans was 'directly responsible for the murder of many Republicans, while indirectly responsible for the murder of many others'[71] Frank Aiken, former Chief of Staff of the IRA attended functions at the Curragh Army Barracks in his capacity of Minister of Defence accompanied by the Chief of Staff of the Irish Army. The Government invited their former foes such as Ernest Blythe and Desmond Fitzgerald to the annual Republican commemoration ceremony at Arbour Hill. A cynic remarked that it was difficult to tell which side would have been more uncomfortable! Other aspects of Fianna Fail policy rankled with extreme Republicans too. De Valera attended the Imperial Commonwealth Conference at Ottawa and declared that he was willing to see the annuities issue decided by arbitration, an indefensible position for Republicans. On a more humorous note, 'the order issued by the Fianna Fail party prohibiting its members from associating with Cosgrave's friends at the bar of Leinster House has been completely disregarded and the inevitable fraternal spirit has already been established'.[72]

However with the tariff war in full swing and strong domestic opposition to Fianna Fail emerging, the IRA leadership were reluctant to withdraw their support fully from the Fianna Fail organisation. Again they assured de Valera of their informal support during the snap election of January 1933 on the grounds that 'such an outcome would least jeopardise the National position and the economic development of the country'.[73] Afterwards the position of the IRA was one of critical, tactical, and temporary support :

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[70] Gilmore to Twomey, n.d. P 69/53/368, Moss Twomey Papers.
[71] Clann na Gael Circular, June 10, 1932, P69/185/288, Moss Twomey Papers.
[72] Ibid.
[73] Moss Twomey, unpublished notes, n.d., P69/186/1.

What everybody both in the U.S. and here too is reluctant to admit is that the advent to power of the Fianna Fail party has made a difference, not fundamentally, but in regard to the tactics which must be followed. While they stand in the same relation to the Republic so far, as the Cosgrave regime, they have not taken any positive action detrimental to the Republican cause ; theirs are sins of omission. We all realise that they are trying, through propagandist statements, to represent themselves as standing for far more than they are taking any active measures to accomplish, in time, if they will shirk action, they too will be exposed. But against the traitorous Imperialist parties, there should be little doubt as to where we should stand. A time may come when it may be immaterial to us which Treaty party is in office but that time is not yet. Our policy ought to be to take advantages of the very atmosphere they are keen on creating, namely that they are not antagonistic to Republican ideals or Republican organisations. If we avail of this opportunity we will be in a position later on to fight off any attack when directly made against us.[74]

On the other side of the political spectrum the hardship caused by the 'economic war' to powerful Irish agricultural interests helps explain how a small 'Army Comrades Organisation', founded in 1931 to protect the interests of Irish ex-servicemen, became, under a variety of different names, the vehicle for a widespread protest movement against the policies of Fianna Fail.[75] The movement became particularly strong after de Valera had been returned with an absolute majority in the general election of 1933. 'The Blueshirts' as they were known, became a partner in the new Fine Gael organisation in 1933 and were accordingly impossible to suppress fully. Under the leadership of Eoin O' Duffy they committed themselves to a revitalisation of an opposition demoralised by successive defeats at the polls, to the protection of free speech for Fine Gael politicians, and ultimately to the prevention of annuity payments to the government. Their actions were represented by the government as constituting collusion with an outside power against the national interest, but the Blueshirts were largely the product of domestic misgivings about the Fianna Fail government.[76]

Various failed attempts by the government to suppress the Blueshirts led to the re-introduction of trial by military tribunal. As is shown below in table 7.1. the mid-thirties saw the re-emergence of seriously disordered conditions in the country with a systematic attempt being made to prevent the collection of rates and land annuities. Paradoxically for an organisation that was considered Fascist by their opponents, in their opposition to Fianna Fail policy the Blueshirts were resorting to tactics more reminiscent of the agrarian agitations of the nineteenth century. In this vein they were referred to as 'our left wingers' by James Dillon, a member of the Fine Gael party.[77] However because their tactics placed them outside the law, the Cumann na nGaedheal element

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[74] To Secretary Clan na Gael from Moss Twomey, February 13 1933, P69/185/95.

[75] See M. Cronin, *The Blueshirts and Irish Politics* (Dublin, 1997), pp 135.-167.

[76] For a full account see Cronin, ibid.

[77] J. Dillon to F. MacDermott September 15 1934, Frank MacDermott Papers, 1056/2/2, National Archives.

within the Fine Gael party precipitated O' Duffy's resignation as President of Fine Gael in September 1934. From then on the radical element within Fine Gael was marginalised. As can be seen from table 6.1., which divides the politically motivated offences committed between August 1 1934 and August 16 1935 into two periods, the signing of an Anglo-Irish coal-cattle Pact in December 1935 was a turning point in the decline of right-wing political violence. Certainly the high point of serious disorder had been reached by the end of 1934. With the end of the econmomic war the Blueshirt's agitation quickly died down.

Table 6.1. Politically Motivated Outrages Committed between 1/7/1934 and 31/5/1935 divided into two periods.

	1/7/34 - 31/5/35	1/7/34-16/1/35	16/1/35 - 31/5/35
No. of outrages reported	718	604	114
Detection made	205	184	21
Persons arrested	570	536	34
Persons convicted	469	453	16

Source : 'Malicious Damage to Property ; Cutting of Telegraph and Telephone Wires, Blocking of Roads, Felling of Trees -period from August 1st 1934 to 16th July 1935'. Department of Justice D. 28/34 National Archives, Dublin.

It may be, as Fanning speculates, that the long-term significance of the Blueshirts was merely to delay the confrontation between de Valera and the IRA.[78] Certainly in 1933 and 1934, confrontation with an IRA operating under the slogan "No Free Speech for Traitors', was the preserve of the Blueshirt organisation. Shortly before his resignation O' Duffy told a group of his supporters in Tipperary that 'they must break the skull of anyone who said they were traitors'.[79] Yet after 1934, with the Blueshirts in rapid decline, confrontation with the IRA became the preserve of the official law enforcement agencies of the state. That there would be a confrontation was apparent from a radical change in IRA policy introduced by the General Army Convention held on 17th and 18th March 1933. Among the new charges being brought against the Fianna Fail government was that they represented 'the struggle of Irish capitalism for increased freedom from British Imperialism'.[80] The IRA were no longer behind Fianna Fail's economic war and rescinded its resolution, carried at the Army Convention of 1932, to adopt a supportive attitude towards the government. It would now 'pursue its policy irrespective of its reactions on the policy

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[78] R. Fanning, 'The Rule of Order': Eamon de Valera and the I.R.A., 1934-1940', n J.P. O' Carroll and J.A. Murphy (eds.) *de Valera and his Times* (Cork, 1983), p.163.

[79] J. Dillon to F. MacDermott, September 25 1934, Frank MacDermott Papers, 1065/2/4, p.6.

[80] Peadar O' Donnell, General Army Convention, March 17 1933, P 69/186(1), Moss Twomey Papers.

of the Free State Government and other political parties'.[81] A new hardline attitude reasserted itself. One speaker, Sean Mac Bride, soon to replace Twomey as Chief of Staff, declared that 'until the Republic for the 32 counties is established, my attitude remains unchanged'.[82]

De Valera's main political opponent however remained the British government. If he was to vindicate his strategy of achieving Republican objectives by constitutional means, tangible gains in Anglo-Irish relations must be made. The Removal of the Oath Bill, which became law on May 3 1933 went some way towards fulfilling the government's ambition of establishing a government based on democratic principles 'and the complete absence of political barriers or tests of conscience of any kind'.[83] On the other hand, the reintroduction of military tribunals represented a failure of de Valera's ambition to achieve 'internal peace without coercive legislation'.[84] The Fianna Fail party was unhappy with its position as a Republican government which repressed militant Republicanism. It was composed of people 'who have given sufficient proof of their attachment to the Republican ideal who are now held up to obloquy as the 'instruments of British oppression'.[85] This quandary pressed upon de Valera the need to accelerate the more positive part of his campaign. Government pensions were introduced for members of the anti-Treaty IRA. Former IRA men were recruited into the new ancillary Police Force, the Broy Harriers. The government had also shown a certain amount of leniency towards the organisation in its conflicts with the Blueshirts, to the dismay of Fine Gael politicians.[86] By the second half of 1935 the Gardai believed the IRA to be in decline. Aside from the effects of coercive legislation, government measures were forcing the IRA into a constitutional position. To further this process a Garda document suggested de Valera look to 'legislative acts directed towards the political and economic emancipation of our country. In particular a new constitution 'will, I feel certain succeed in demilitarising the IRA, and remove the organisation as a serious menace to democratic government'.[87] In 1932 the IRA Army Council had stated that 'only a constitution in which are enshrined the Rights and Principles the (1916) Proclamation so fearlessly set forth can claim the allegiance of the Irish people'.[88]

The creation of a new constitution was only one of a broad range of changes in Anglo-Irish relations that were introduced by de Valera between 1933 and 1938. These changes are summarised in table 7.3. Taken together they undermined those aspects of Anglo-Irish relations

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[81] Resolution No. 25 carried at General Army Convention, March 17 1933, P 69/186(1), Moss Twomey Papers .
[82] Ibid.
[83] S 2445, Department of An Taoiseach, National Archives.
[84] R. Fanning, 'The Rule of Order': Eamon de Valera and the I.R.A., 1934-1940', in J.P. O' Carroll and J.A. Murphy (eds.) *de Valera and his Times* (Cork, 1983), p.163.
[85] N.d.,S 2445, Department of An Taoiseach, National Archives.
[86] See the remark in J. Dillon to F. MacDermott, September 15 1934, Frank MacDermott Papers 1065/2/2
[87] Garda Document, Detective Branch H.Q., October 23 1935, S 2454 Department of An Taoiseach, National Archives.
[88] Statement from the Army Council, Easter Sunday 1932, P 69/54/262, Moss Twomey Papers.

that were considered incompatible with Irish sovereignty over the twenty six counties. Amendment 27 of the constitution completed the emasculation of the office of Governor General. The amendment also removed the King from the constitution, thus overturning the chief Republican criticism of the 1922 constitution. The passing of the External Relations Bill in 1936 provided for the continuance of all existing relations, but the Act was a simple statute repealable by ordinary legislation and not part of the constitution. Thus de Valera believed that 'we have in this state, internally a Republic, and so long as we have an act of parliament associating us in certain respects with the states of the British commonwealth we will have that association, and no longer'.[89] Thus de Valera's Document No. 2, which formulated the idea of External Association in 1922, bore fruit after all. De Valera's constitution, unlike that of 1922, was passed by a referendum, with 685,105 voters approving, and 526,945 opposing. It was an unequivocal assertion of Irish sovereignty over the twenty six counties, article 5 stating that 'Ireland' was 'a sovereign, independent, democratic state'. Finally, according to de Valera, the return of the ports to the Irish authorities in 1938 'recognises and establishes Irish sovereignty over the twenty-six counties and the territorial seas'.[90]

Table 6.2. Changes in the Treaty 1933-1938.

Date	Title	Content
3rd May 1933	Constitutional Act	Removal of Oath of Allegiance from Constitution.
11 December 1936	Act 57.	All Mention of King and Crown's Representative deleted from constitution.
12 December 1936	External Relations Bill	Provision made for the exercise by the King of certain functions in external matters as and when so advised by the Executive Council.
1 July 1937	Constitution Bill.	Introduction of new constitution to replace that of 1937.
1938	Anglo-Irish Agreement.	Control of Irish ports handed over to Irish authorities.

By 1938 then, de Valera had clearly established Irish sovereignty over the twenty-six counties. The state was a Republic in all but name. The Treaty settlement no longer dictated the terms of Anglo-Irish relations as it had done between 1922 and 1932. Over the previous sixteen years de Valera had succeeded in making mainstream Republicanism a purely constitutional form of politics as well as vindicating Collin's 'stepping stone' approach to the Treaty. Significantly the Republican Dail met for the last time in 1938. Although de Valera's achievements proved to be of immense practical significance in the coming war, their main importance resided in the fact that they proved to doubters that Republican aspirations and the employment of democratic methods

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[89] Quoted in R. Fanning, *Independent Ireland*, p.119.
[90] Ibid, p.120.

were not incompatible. Although this achievement has tended to be taken for granted by a later generation, it occurred against a backdrop of conservative as well as radical scepticism with regard to the prospects of Fianna Fail in power.

6.3 De Valera's Political Strategy.

Between 1922 and 1932 the political life of the Free State was polarised over the question of the Treaty. It was opposition to the Treaty, more specifically the oath, that led the Sinn Fein party to abstain from the Dail, and to deny the legitimacy of the Free State. The insufficiently nationalist policy of Cumann na nGaedheal twice led to splinter parties emerging from within its ranks, and left the Fianna Fail party in the position of being a semi-loyal party that seemed to share more with the disloyal IRA than with those parties that supported the political regime. Cumann na nGaedheal's policy over the Treaty seemed to be to ignore the issue altogether, and hope that improvements in Commonwealth relations would compensate for their lack of unilateral action over the Treaty. The Treaty was what Linz calls 'an insoluble problem', since the instability associated with it could not be alleviated by any coalition of forces for whom loyalty to the Free State took precedence over their preferred solutions to the problem. Moreover the Treaty issue was a regime-threatening one : since the parties supporting the regime could not compromise on a solution, the possibility existed that one of them would attempt a solution with the support of the forces that were perceived as disloyal by the other parties, thus leading to a polarisation of the overall political situation. Again the essence of an insoluble political problem is that a solution acceptable to a majority of the regime-supporting parties cannot be found.[91]

However, in the Irish case a very different scenario unfolded once Fianna Fail split from Sinn Fein and committed themselves to ending their abstentionist policy. Instead of attempting to mobilise opposition to the Free State by relying on the promise of direct action by the IRA Fianna Fail almost managed to form a reformist alliance with the other small parties that were hostile to the government's coercive policies. In the summer of 1927 a potential majority of the parties was committed to an alternative solution to the Treaty issue without relying on the support of the disloyal opposition. The insoluble problem had suddenly become soluble. This was an indication that the middle ground in the Irish political system was surprisingly malleable. As it was the coalition government failed to materialise: if it had, it would surely have altered the subsequent pattern of Irish political development. A realigning coalition where 'one or more segments on one side of the political divide become convinced that a different set of alliances, with groups on the other side, would be a more efficacious route to their distinctive objectives' is one of four ways

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[91] J. Linz, *Breakdown of Democratic Regimes*, p.50.

identified by Lustick which allow insoluble issues to be overcome.[92] As it was, pure chance determined that it would not be tried in the Irish case.

A second way is what Lustick calls 'decomposing' the problem by breaking the regime - threatening issue down into its component parts and thus minimising the possibility of the full weight of the combined opposition being mobilised. Rather than declaring that once in power they would dissolve all existing relationships with the United Kingdom, Fianna Fail limited their ambitions to the removal of the oath, and then to the oath issue, combined with the non-payment of annuities. The word Republic did not feature in their 1932 election campaign. As Huntington remarks, 'the problem of the reformer is not to overwhelm a single opponent with an exhaustive set of demands, but to minimise his opposition by an apparently limited set of demands'.[93] To do this Fianna Fail performed what Lustick calls a 'decomposition' of a regime-threatening problem into its constituent parts by focusing on those aspects of the Cumann na nGaedheal regime that the other parties were not supportive of, such as their reliance on coercive legislation and their insistence on the oath of allegiance.[94] This had the advantage of attracting the smaller parties to them in the summer of 1927 and breaking-up any would be coalition of interests against them. It also ensured the support of the Labour Party, which proved crucial in 1932 when Labour offered their support provided Fianna Fail did not go beyond their manifesto commitments when in office. It also helped reassure their opponents that the changeover would not have drastic consequences.

Fianna Fail also consciously distanced themselves from the disloyal opposition. After the split such co-operation that took place did so on an *ad hoc* and informal basis and Fianna Fail rejected proposals from the IRA for a common policy. Fianna Fail were also careful to make sure the party's public pronouncements left the opposition in no doubt that they were committed to a reformist path. In their 1932 election manifesto Fianna Fail felt it was necessary to allay certain suspicions that had been raised with regard to their prospects in power. Under a new government, the electorate was assured,

All citizens shall be treated as equal before the law, and the individual will be protected in his person and his property with all the resources at the government's command. Ordinarily such promises would not be necessary. Apprehensions, however, have been aroused and it is necessary to allay them. We may add that we have no leanings towards Communism and no belief in Communist doctrines.[95]

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[92] I. Lustick, *Unsettled States, Disputed Lands* (Ithaca and London,1993), pp.305-308.
[93] S. Huntington, *Political Order in Changing Societies* (New Haven and London, 1968), p. 347.
[94] I. Lustick, *Unsettled States, Disputed Lands* (Ithaca and London, 1993), p. 305.
[95] C. Foley, *Legion of the Rearguard : The I.R.A. and the Modern Irish State* (London, 1992,101).

On top of this Fianna Fail T.D.s were encouraged to adopt a constructive attitude towards the Free State parliament. Fianna Fail T.D.s were encouraged not to oppose the government merely for opposition's sake, but to do so only when the party had constructive criticism to make. The obstructionist policies of the past were not to be repeated. De Valera told the delegates at the party's Third Ard Fheis to

Please remember that we are not in the same position as Parnell and his Party were. Over there in England, to disrupt the whole machinery was the obvious tactics; but in our case there would be reactions by the people which we could not face.[96]

As it was the changeover still occurred in an atmosphere of considerable conflict and instability. The Irish experience between 1927 and 1932 does little to reinforce conservative democratic theory's argument that a successful transition can only take place in the absence of popular mobilisation. Rather it supports the alternative view, put forward by Bermeo, that

pivotal elites opt for democratisation because they have been unable to control extremism themselves and are no longer willing to pay the high price of failing to provide political order. They forecast that democratic elections will be won by nonextremists and that ceding control to moderate actors in an electoral democracy is less risky than continuing with the status quo.[97]

In the Irish case Cosgrave had entertained the idea that his government might lose power through the ballot box as early as 1926.[98] Resuming power in 1927 he told the Dail that he had 'no intention of accepting office in the mere capacity of a super-policeman to maintain law and order while allowing the country to drift along, economically, nationally and internationally'.[99] A series of bye-election losses in the run-up to the 1932 general election must have convinced him that he had little prospect of regaining power. Even before the election he had informed the Irish High Commissioner in London that it was his opinion 'that from all points of view it would be most unwise for the British government to adopt too aggressive an attitude or iron hand methods towards a government made up of the Fianna Fail party'.[100] For the time being at least Fianna Fail had gained the confidence of the leader of the government party.

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[96] FF 22, Fianna Fail Archives. On the party's concern with internal discipline see E. O' Halpin, 'Parliamentary party discipline and tactics : the Fianna Fail archives, 1926-32' *Irish Historical Studies*, xxx, no.120 (Nov 1997).

[97] N. Bermeo, 'Myths of Moderation : Confrontation and Conflict during Democratic Transitions' in *Comparative Politics*, vol 29, no.3, April 1997, p.316.

[98] See his comments in 'Amendment to the Constitution Committee', S 4650, Department of An Taoiseach, National Archives.

[99] Quoted in R. Fanning, *Independent Ireland* (Dublin, 1983), p.100.

[100] Ibid, 109.

The attitude was reinforced by de Valera's refusal to allow the expulsion of public officials formally loyal to the Cosgrave regime. De Valera was satisfied with the existing system of government and told the heads of the various departments he had no intention of replacing them.[101] Not everyone was satisfied with this approach. One of the immediate acts of the new government was to suspend the operations of the military tribunal and to free seventeen IRA prisoners from jail. This was not enough for doctrinaire Republicans. As early as March 1931, *An Phoblacht* had warned that the Treaty could not be overthrown by 'mere votes' and that the leaders of Fianna Fail must be prepared to shoot 'not the IRA but those who stand for English rule in Ireland'.[102] In power de Valera came under pressure to use his position to oust former enemies in the Free State administration and replace them with Republicans suffering from straitenened economic circumstances. In particular, the continuance of Eoin O' Duffy Chief of Police, and David Neligan, head of C.I.D., in public service, caused unease both among the IRA and among Fianna Fail. The Kerry contingent of the parliamentary party were reportedly 'up in arms' at the continuance of Neligan in the Police Force, since he had been allegedly involved in the 'murders at Kerry' in the latter stages of the civil war.[103] The advantages of an alliance with the IRA were spelt out by a confidante. The IRA 'paying no heed to public clamour' could do things the government could not accept responsibility for publicly, and an alliance would cement support for de Valera in the U.S.[104] De Valera rejected the alliance saying it would lead to 'disaster' and contradict the whole direction of his political strategy since 1923.[105] He was later content merely to transfer Neligan and O' Duffy to uncontroversial posts and there is no recorded case of victimisation. De Valera's policy made perfect sense. As it was, in the troubled thirties the Government could not fully rely on the Gardai to enforce order, particularly against the Blueshirts, who were led by a former Chief of Police. A policy of retribution, even a small-scale one, would have seriously compromised the party's ability to maintain law and order in the years following their ascent to power.

If 'decomposing the problem' served Fianna Fail well in opposition, in power, Fianna Fail's strategy, particularly after 1933, was a combination of what Huntington calls a Fabian strategy, where issues are isolated from one another in order to minimise the opposition which the reformer confronts at any one time, and what he calls a Blitzkrieg strategy, where any number of reforms are put through before the opposition has time to mount sustained opposition.[106] Fianna Fail's lumping together of the Oath and the Annuities issues certainly had the effect of mobilising a combined opposition against them in 1933. Over the next two years a return to civil war conditions did not seem too far-fetched.

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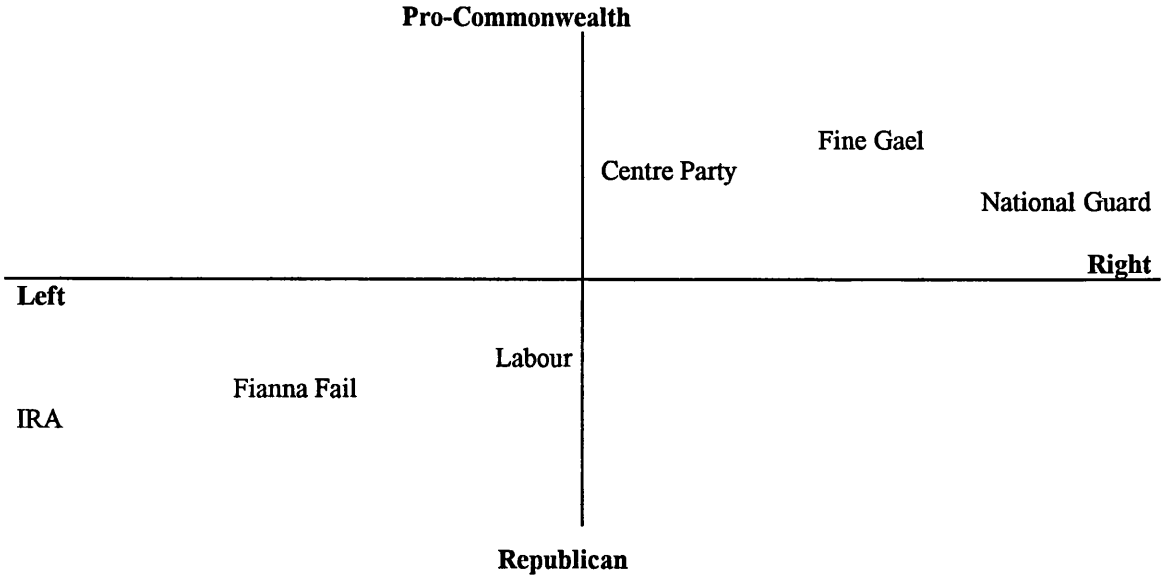
[101] R. Fanning, op. cit. p.109.
[102] Cited in Cosgrave *Dail Debates* , Vol XL, Col 35, October 14, 1931.
[103] P 69/185 (21), Moss Twomey Papers, U.C.D. Archives.
[104] J. McGarrity to E. de Valera, October 2 1933. MS 174 41 Joseph McGarrity Papers, National Library
[105] De Valera to McGarrity, January 31 1934, ibid.
[106] S. Huntington, *Political Order in Changing Societies* (New Haven and London, 1968), p.346.

Table 6.3. Party Political Spectrum 1933.



As is shown above in table 6.3. Fianna Fail was cast in the role of governmental arbiter between left and right-wing paramilitary groups. In this period the two cleavages that divided the Irish parties, the constitutional and the economic issues, reinforced each other, and left a political system divided into two camps, with an extra-parliamentary organisation on each side. In such a context asserting the authority of the centre and not seeming to be reliant on the disloyal opposition to the left became the main concern of the government. Between 1933 and 1934 opposition spokesmen claimed that the government spent more time curtailing the activities of the Blueshirts than the IRA but after 1934, the police force, including the Broy Harriers who had been recruited mainly from the ranks of the anti-Treaty IRA, turned their attentions more to the IRA. The signs were that by the middle of 1935 Republican organisations were beginning to disintegrate.

An analysis of the Department of Justice figures on convictions by military tribunal between 1933 and 1936, reproduced in table 6.4., suggests that government policy became impartial as the Blueshirt agitation died down. It shows that after 1934 trial by military tribunals led to more convictions of IRA men than Blueshirts. Whereas in 1934, 347 Blueshirts were convicted as opposed to 102 IRA men, in 1935 the proportions had changed. In 1935 116 IRA men were convicted by Tribunal as opposed to only 76 Blueshirts. These figures reflect two factors. Firstly, violent Blueshirt activity reached a peak in the second half of 1934, a time when O' Duffy was, according to Dillon, 'on the rampage', but died down dramatically in the first half of 1935.[107]

[107] J. Dillon to F. MacDermott, October 17 1934, Frank MacDermott Papers, National Archives.

Secondly, the number of IRA offences actually increased in the first half of 1935, although the number declined thereafter.

Table 6.4. Number of Convictions by Military Tribunal 1933-1936.

Year	Blueshirts	IRA	Others
1933	11	34	
1934	347	102	4
1935	76	116	9
1936 (to 31/7/36)		109	1
31/7 to 3/11		14	3
Total	434	361	14

Source : 'Military Tribunal Statistics', Department of Justice, D 29/36, National Archives Dublin.

The demise of the Blueshirts had allowed de Valera to identify the IRA as the main danger to the good order of the Irish state, and he showed himself no less ruthless in their suppression than his predecessors had been. This, undoubtedly helped repair relations with his political opponents, who had hoped that the departure of O' Duffy would enable the 'saner elements within Fianna Fail' to persuade de Valera to be more reasonable.[108] It also helped ensure a greater degree of middle class support for the Fianna Fail party who seemed the only ones capable of restoring order.

The shift was only the prelude to the employment of the third mechanism which Lustick suggests allows regime-threatening issues to be handled within the rules of the game, which he calls 'regime-recomposition'. This occurs when the balance of power between forces in opposition to each other is 'intractable' and when trust must be placed in a particularly strong leader 'to achieve a crisis ending solution to the previously "unsolvable problem".[109] The crises raised by the economic war allowed de Valera to assert the authority of the centre in 1935. Then from the mid-thirties on, particularly after the Abdication Crisis in 1936, Fianna Fail made demands of the British government on a wide variety of fronts, a resumption of Blitzkrieg tactics, but could do so knowing that the British government would not meet its demands with punitive sanctions. Since 1935 British policy towards 'the restless dominion' was strictly one of appeasement, as was revealed in a letter from Sir Haldane Porter, a British civil servant, to Cosgrave,

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[108] J. Dillon to F. MacDermott, September 25 1934, Frank MacDermott Papers, 1065/2/4, p.7.
[109] I. Lustick, *Unsettled States Disputed Lands* (Ithaca and London, 1993), p.306.

As to what the attitude of the British Government is or will be towards the new Constitution, I cannot say ; but they will probable take the line of least resistance, because I cannot suppose that in the present conditions of Europe they will do anything to precipitate a controversy with the Irish Free State : but one thing I do know and deplore is that, so far as my knowledge of the British public goes, they no longer take any interest in Irish affairs.[110]

As a result of British appeasement, the domestic consequences of Fianna Fail radicalism were no longer as threatening as they had been, and opposition to the changes they introduced, was conducted on parliamentary lines. De Valera's abolition of the Senate in 1936, his introduction of the External Relations Bill which removed the Crown from the Irish Constitution in the same year, and his introduction of a new constitution, in which the authority of his own office was increased, signalled a decomposition of the Irish regime. As Lustick writes of such a strategy,

The theoretical basis of such a strategy is the reconstitution of authority relations. By centralising authority to make crucial choices and substantially restricting access to the decision process, such a reconstitution can broader the range of policies capable of being endorsed by state institutions. Whether officially acknowledged as a change of regime or not, the stalemate produced by the domination of negative majorities can thereby be overcome. Meanwhile, risks of extra-legal challenges may be more easily managed due to whatever enhanced loyalty and expectation of success the Caesarist leader can elicit, and to the mobilisation of residual support among those whose fear of regime collapse or destabilisation exceeds their displeasure over decisions.[111]

By 1937 the popularity of the Fianna Fail programme was forcing a rethink on the opposition benches. Fine Gael, who were initially a pro-Commonwealth Party, were beginning to show signs of a change of attitude. In 1937 they actually abstained from the Dail debate on retaining a link with the Commonwealth in the new constitution. The wheel had come full circle and the progress towards the Republic had become a normal issue of party political competition. This was a sign that the political system had become stabilised or re-equilibrated.

All the features of Linz's model were present in the Irish case. First, was the availability of a committed and talented political elite which offered a clear alternative to the Cosgrave regime. Secondly, through a process of internal reform the Fianna Fail party proved able to gain the allegiance of some of those who were loyal to the Free State as well as to maintain, for a time, the allegiance of those who were hostile to the Free State. This strategy certainly involved the party in some verbal gymnastics but it was crucial for the future stability of the system that the party

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[110] *Irish Independent*, June 28 1937.
[111] I. Lustick, op. cit.

move an alienated section of the electorate from a position of total hostility to one of grudging acceptance of Free State institutions. As one of its leaders Sean Lemass afterwards recalled.

Our political problem of that time was to take a group of people who had fought in the civil war and were still bitter in their defeat and to make them feel that political action would help them achieve what they had not achieved during the civil war. So all the time we had to appear not to be reactionary - to constantly move these people away from the idea that their political objectives could be achieved only by physical force.[112]

Thirdly, was the ability, indeed willingness, of the Cosgrave government to accept the changeover and trust in the democratic credentials of their opponents. While insufficient evidence exists to suggest that the policy of the Cosgrave government was one of co-opting their opponents, there is evidence that Cosgrave hoped that Fianna Fail would develop into a fully - fledged constitutional party.[113] Fourthly, the Cosgrave government were willing to allow their own policy commitments to be overturned in order to preserve the substance of Free State democracy. It may be, as I suggest elsewhere, that this was because of the existence of some common ground between the two, but the formation of Fianna Fail governments in 1932 and more particularly in 1933 did result in great discontinuity in terms of economic and Anglo-Irish policy. Nevertheless the constitutional section of the Fine Gael party quickly became alienated from the Blueshirts. Fifthly, the Irish case also vindicates the view that re-equilibration can only work when the electorate cannot easily be mobilised by extremist appeals since Irish electorates did not reward anti-system parties or parties with close links with anti-system parties. However, the conservative assumption that this requires that the electorate be passive or indifferent is disproved by the Irish experience. Part of Fianna Fail's success in re-equilibrating Irish democracy lay in the fact that they were able to legitimate the changes they introduced by gaining a higher percentage of first preference votes practically each time they contested an election. Indeed from 1932 onwards the public seemed to be rewarding their strategy and the party was able to mobilise a much higher level of electoral support than their predecessors. Mass mobilisation was not inconsistent with re-equilibration. Finally, once in power the Fianna Fail governments showed themselves capable of controlling and neutralising those who were most hostile to the regime. By a mixture of straightforward coercion and Republican reformism the IRA was isolated within the political system to a greater degree than was the case in the 1920s when 'the police thuggery and ecclesiastical fire and brimstone of the Cosgrave regime' forced all

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[112] Quoted in J. Horgan, 'Arms Dumps and the I.R.A. 1923-32' *History Today,* vol 48. (2), February 1998, p16.

[113] The playwright Ulick O' Connor remembers a conversation he had with Padraig O' Caoimh who was the clerk in the Dail on the day when Fianna Fail first took the oath. When asked why the party was allowed to enter after clearly violating the spirit of the oath, he replied that 'the Boss' i.e. Cosgrave told his to let them in ,' he wanted them in at any cost'.

Republican organisations into a de facto alliance.[114] The changed attitude of Sean MacBride, a leading member of the IRA, is illustrative of the impact of Fianna Fail on the organisation. In the early thirties he predicted that if Fianna Fail succeeded in removing the oath and the office of Governor General the IRA would be in a serious position.[115] By 1937 he had become convinced that the IRA had no real role to play in Southern politics and ceased to be active in the organisation soon after. Whether de Valera and his colleagues had actually 'deceived' the IRA into thinking that the aims of the two organisations were identical is debatable. It seems more likely that at times circumstances determined a common outlook but that once these temporary circumstances were removed, it became clear that the initial split had signalled a fundamental difference in outlook in the Republican ranks.

Conclusion.

The model of the re-equilibration process put forward by Linz provides a useful model for analysing the manner in which Irish democracy became consolidated after the civil war. What is less clear is the causal weight that should be attributed to various factors in the re-equilibration process. At first glance, the emphasis put here on elite strategies and elite relationships suggest that a high politics approach is the most convenient one for the analysis of this case. On the other hand de Valera's policies were ratified by popular assent, so the Irish case represents a perhaps unusual case of an elitist process being accompanied by waves of popular mobilisation. Another interesting question is raised by the role of the British government's appeasement policy in enabling de Valera to transform the constitutional basis of Free State politics. Historical analysis suggests that Collins was unable to bridge the gap between the two sides in 1922 precisely because of British obstructionism. De Valera's difficulties in the 1930's would surely have been compounded if the British government had been decidedly interventionist. As it was the Blueshirt movement, which was considered a potential 'White Army' by some British elites, enjoyed few known links with the external power.[116]

A basic pre-condition for the re-equilibration process nevertheless lies in the commitment of the new leadership to finding democratic methods for the resolution of particularly intractable political problems. This desire no doubt goes right back to the experience of civil war which was a personal catastrophe for de Valera. As Fanning suggests de Valera's commitment to the majority rule principle was more or less constant from this date onwards.[117] In this sense the Irish case can be said to vindicate the 'dynamic' model of democratic stabilisation put forward by Rustow. The first pre-requisite of a democratic transition, according to Rustow, is the

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[114] George Gilmore, quoted in C. Foley, *Legion of the Rearguard: the I.R.A. and the Modern Irish State* (London, 1992), p.106.

[115] General Army Convention, March 17-18 1933, P 69/187 (92), Moss Twomey Papers, U.C.D. Archives.

[116] See M. Cronin, *The Blueshirts and Irish Politics* (Dublin, 1997).

[117] R. Fanning, 'The Rule of Order': Eamon de Valera and the I.R.A., 1934-1940', n J.P. O' Carroll and J.A. Murphy (eds.) *de Valera and his Times* (Cork, 1983).

achievement of a sense of national unity. Only when there is agreement on the boundaries of the state and the composition of the citizen body can democratic change take place. After that the new political system goes through a 'transitional period' which is marked by a deep political struggle by well-entrenched social forces. The types of conflict which mark this phase may vary, but all will lead to the emergence of serious divisions within the political elite. What begins the third 'decision phase' of the transition is 'a deliberate decision on the part of political leaders to accept the existence of diversity in unity and to institutionalise some crucial aspect of democratic procedures'.[118] This decision will not be shared by all sections of opinion, but the acceptance of democratic methods by key elites is decisive. In the fourth 'habituation phase' these elites experience the competitive aspect of democracy which 'helps rationalise their commitment to it'. In this period the ability of previously recalcitrant elites to solve problems by democratic methods leads them to place greater trust in those rules.

Paradoxically, the civil war may have been the wellspring for the democratic strategies employed by the anti-Treatyites afterwards. While a clear commitment to the constitutional path did not emerge until the Sinn Fein split of 1926 there is considerable evidence to suggest that de Valera saw in the defeat of the anti-Treatyites in the civil war an opportunity to reassert his control over the forces of militant Republicanism.[119] Had he been successful, the reform of Sinn Fein into a primarily electoral party would have been the analogue to a similar process on the other side which took place after Collin's death. The relationship between Republicanism and democracy will long be a subject of controversy in Irish political science, but de Valera and the Fianna Fail party proved that many Republican aspirations could be achieved by constitutional methods which was a considerable achievement at the time. Whether he could have done so had British policy been less generous is more questionable. Had the Free State gone into the Second World War with the ports under British control Irish democracy might have undergone another major crisis in the 1940s.

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[118]Dankwart Rustow, 'Transitions to Democracy', *Comparative Politics* 2 (April 1970); pp.337-63.

[119] See below chapter eight.

Chapter Seven : 'Majority Rule' and the Stabilisation of Irish Democracy 1922-1937.

The problem of democracy in Ireland was that most Irish people, whether Protestant or Catholic, were majoritarian rather than pluralist democrats.

Tom Garvin 1996.

On May 23 1954 Sean MacBride, leader of the small opposition party, Clann na Poblachta, wrote to the then Taoiseach, Eamon de Valera, proposing the formation of 'a nationally representative government'. Such a government would help 'minimise the embittered play of party politics' and lead the political elite to co-operate in the serving of the common good. In MacBride's view, the Irish state had not known 'normal political development' since 1922 and Irish Government had suffered from the want of 'constructive' and 'consecutive' policies as a consequence. The British 'party system of government' was unsuited to Irish needs, because 'the factors which made the system a relative success in England had no application here'. The Free State would have been better advised 'to follow the political pattern of a smaller and more successful democracy such as Switzerland'.[1]

Although the state had begun its life with elements of such a 'consensual' political system, - a written constitution, a P.R. electoral system, a second house with some powers, and provisions for direct democracy on fundamental matters, - by 1937 the situation had changed. The 1922 constitution, amended by ordinary legislation over the previous fifteen years, was now as flexible as the unwritten British constitution. The Senate had been abolished the previous year, and the new state had grown used to constant single-party government despite the use of S.T.V. for elections. MacBride's view contrasts with the orthodox view of constitutional development in the interwar era, which is that such changes were not only a 'relative success' but an absolute necessity. Indeed it has been argued that the various crises which beset the state between 1922 and 1937 would not have arisen at all had Irish institutions been modelled more closely on the British model in the first place.[2]

In the wider debate on the relationship between political stability and institutional design in the interwar era, the Irish case has been cited in support of the thesis that a combination of single-party government and a two-party system are conducive to political stability.[3] The Irish case

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[1] Sean MacBride to Eamon de Valera, May 23, 1954, Department of An Taoiseach, S 15655, National Archives.

[2] J. Hogan, *Election and Representation* (Cork, 1945).

[3] F. Hermens, *Democracy or Anarchy ; A Study of Proportional Representation* (New York, London, 1972); L. Karvonen, *Political Organisation and the Interwar Crisis in Europe* (Boulder, 1993).

vindicates the Westminster model of democratic stability in other words, and is one of a number of cases whose achievement of political stability can be explained by its British institutional legacy. This assumption, alongside the view that the Westminsterisation of the Irish political system after 1922 was a necessary accompaniment of the stabilisation process, has never been critically assessed. In this chapter I suggest in contrast that stable coalition governments could have been formed in the period and that multi-party competition was a source of political stability in the context of post-civil war politics. Irish democracy could have been stabilised under majoritarian or consensual institutions. 'Majority rule', which requires that single-party governments are formed by the largest parliamentary party, emerged as an operative principle of the Irish system because the dominant Sinn Fein elite were majoritarians, at least with regard to the process of government formation.[4]

7.1 The Emergence of Majority Rule.

Events themselves suggested that the relationship between majority rule and the stabilisation of democracy was a close one. The results of the 1922 general election had enabled the Provisional Government to claim that the majority of the people had supported the Treaty. The anti-Treatyites claimed in converse that the rights of the majority did not extend to the surrender of Irish national independence. From the outset the fundamental issue at stake in the Free State was the right of the elected majority to have its decisions taken as authoritative. When the anti-Treatyites offered to negotiate peace terms after ten months of civil war, the government replied that in future, 'all political issues... shall be decided by the majority vote of the elected representatives of the people'.[5] In 1927, after the assassination of the Minister for Home Affairs, Kevin O' Higgins, the government passed legislation forcing candidates to declare their willingness to take their seats if elected. As a result Fianna Fail were forced to abandon their abstentionist policy, a move that had been on the cards for at least two years. Later the provisions for referenda were removed from the constitution. At the Sinn Fein Ard Fheis in 1926, when de Valera and a large minority of the delegates left to form Fianna Fail, de Valera had declared that 'the majority of the people were going to shape the future'.[6] Although it had been predicted that if Fianna Fail got a majority of the seats in the Dail an attempt would be made to precipitate a coup d'etat, Cosgrave's government stood down after the 1932 general election, when Fianna Fail emerged as the largest party. After gaining a majority of seats in 1933 de Valera gradually

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[4] Naturally the retention of S.T.V. meant that in some regards Irish politicians were not strict majoritarians. Here article I am referring to majority rule both as a decision rule structuring executive-legislative relations, sometimes more accurately called plurality rule, and to the majoritarian system of government outlined by Lijphart, of which the Westminster system is the best-known example. This model consists of a number of elements all of which had become pronounced features of the Irish system by 1937, bar the electoral system.

[5] M. Valiulis, *General Richard Mulcahy and the Founding of the Irish Free State* (Dublin, 1992), p.189.

[6] R. Fanning, *Independent Ireland* (Dublin, 1983),p.10.

revised the Treaty on the basis of his parliamentary majority. His enactment of a Republican constitution in 1937 'completed the reconciliation of majority rule with popular sovereignty'.[7]

Table 7.1. Irish Governments 1922-1938

Date of Appointment	Government	Prime Minister	Single Party Majority	Single Party Minority
1922	Provisional Government	Michael Collins	9 Months	
1922	Provisional Government	William Cosgrave	11 months	
1923	Cumann na nGaedheal	William Cosgrave	3 years, 10 months	
1927	Cumann na nGaedheal	William Cosgrave		2 months
1927	Cumann na nGaedheal	William Cosgrave		4 years, 3 months
1932	Fianna Fail	Eamon de Valera		10 months
1933	Fianna Fail	Eamon de Valera	4 years, 4 months	
1937	Fianna Fail	Eamon de Valera		10 months
1938	Fianna Fail	Eamon de Valera	4 years	

Source : Chubb 1970, table 6.5., 163.

Nevertheless a majoritarian system was not a foregone conclusion. Under S.T.V. it had not been envisaged that single-party government would be possible, and for the most part Irish elections did not return clear parliamentary majorities. Between 1922 and 1938 there were nine Irish governments. These are shown in table 7.1. The first was a Provisional Government and did not have full legislative powers. The second lasted for less than a year. The third (1923-27), like the second, would not have had a majority of its own supporters in the Dail, if Sinn Fein, the largest opposition party, had taken their seats. The fourth, a minority government, lasted only a few months. The last Cumann na nGaedheal Government (1927-1932) was also a minority government. Between 1932 and 1933 the first Fianna Fail government was dependent on Labour support. There was only one proper majority government before 1938, Fianna Fail, between 1933-1937, and its share of the vote was still less than half, at 49.7%. Again in 1937 it became a minority government, but this situation lasted only one year, until the 1938 general election returned a majority Fianna Fail government to power.

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[7] B. Farrell, 'From first Dail through Free State' in B. Farrell (ed.) *de Valera's Constitution and Ours* (Dublin,1988), pp.117-119.

If Irish elections did not return majority winners how then did single-party government become the norm ? One answer is that the continued dominance of the Treaty issue in political life reinforced the bipolar logic of political competition. The relationship between voting preference and party choice has been neatly captured by the 'directional model' of party choice.[8] This model suggests that once a basic line of division is established in a political system, voters tend to vote in terms of what side of the divide they are on, not in terms of how closely their opinions match those of the parties themselves. In this respect voting is not rational but directional, and the parties that situate themselves most clearly on either side of the middle ground tend to attract most votes. In the Irish case, despite strong support for 'neutral' candidates in 1922, once two parties emerged representing the two sides of the civil war split, Cumann na nGaedheal and Sinn Fein in Spring 1923, the nature of voting was bound to be directional rather than rational. As a result the smaller parties' share of the vote dropped over time, falling from over 35 per cent in 1922 to 11.6 per cent in 1938.

However even with 'directional voting' the largest parties did not achieve enough support to form single-party governments. To do that they also had to take advantage of a basic flaw in the 1922 constitution which did not outline the conditions under which a Dail could be dissolved, except to say that 'Dail Eireann may not at any time be dissolved except on the advice of the Executive Council'. The first extraordinary dissolution occurred in 1927 when the Attorney General John A. Costello advised Cosgrave's minority government which had done badly in the June election that the Constitution did not prevent the Executive Council from dissolving the Dail without its consent.[9] This ruling was to prove of great benefit to the largest two parties. After each regular election held once a four year period had elapsed, the Executive Council called another snap election in order to convert their initial plurality of seats in the Dail into a majority. Table two shows the effects of these 'snap elections' on the smaller parties. Each time the governing party dissolved the Dail, they gained an increase in seats which enabled them to form a single-party government. Except once, in 1933, each time they did this, the smaller parties' share of the seats declined. The civil war parties' share of the seats, which was less than 65 per cent in 1922, reached over 88 per cent by 1938.

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[8] P. Dunleavy, 'The Political Parties' in P. Dunleavy (ed.) *Developments in British Politics Four* (London, 1995), pp.150-152.

[9] C. O' Leary, *Irish Elections 1918-1977, Parties, Voters, and Proportional Representation* (Dublin, 1979), p.24.

Table 7.2. Results of each pair of General Elections 1922-1938

Year	Cumann na nGaedheal	Sinn Fein - Fianna Fail	Total No. of Dail Seats.	No. required for majority	Civil War Parties % share of the vote	Others % share of the vote.
1922	58	35	128	65	59.74	40.26
1923	63	44	153	77	66.37	33.63
1927	46	44	153	77	53.67	46.33
1927	61	57	153	77	73.86	26.14
1932	56	72	153	77	79.75	20.25
1933	48	76	153	77	80.17	19.83
1937	48	68	138	70	80.05	19.95
1938	45	76	138	70	85.25	14.75

Sources: C. O'Leary 1979 , Gallagher 1993.

Political practice would not have been reflected in constitutional law, were it not for the extraordinary ability of Irish governments to amend the constitution by ordinary legislation. This meant that the constitutional basis of the state itself also became strongly majoritarian. In 1934 Mansergh wrote that 'it is becoming increasingly evident that in certain aspects the government of the Irish Free State stands in sharp distinction to its constitution'.[10] This disparity increased up to 1937. The relationship between this process and the bipolar thrust of party competition was systemic.

with two large parties competing for majority support, that parliament moved even closer to its Westminster origins. Many of the experimental and continental features of the Irish Free State were abandoned virtually without trial. Few of the 'extern' Ministers were ever appointed; all were staunch party men. Neither the referendum nor the initiative were ever used to ascertain the people's opinion; both were abolished when de Valera tried to invoke these constitutional provisions to jettison the Oath. The elaborate schemes to give the Senate some power and purpose were gradually modified. The constitution itself, although it was the fundamental law for fifteen years, remained throughout its life, like the British constitution, wholly flexible and subject to amendment simply by act of parliament.[11]

In total there were twenty-seven constitutional amendments, roughly shared between the two parties. By 1936 forty-eight out of a total of eighty-three articles had been amended. All the amendments pointed in one direction: to the emergence of a political system based on what Farrell calls the three key elements of British constitutional arrangements; 'parliamentary sovereignty untrammelled by reference to any higher law, a cabinet sustained by its

[10] N. Mansergh, *The Irish Free State ; its Government and Politics* (London, 1934, p.331.

[11] B. Farrell, 'From first Dail through Free State' in B. Farrell (ed.) *De Valera's Constitution and Ours* (Dublin, 1988), p.219.

parliamentary support, and a constitution as flexible as ordinary statute law'.[12] Between them, both Cosgrave and de Valera had succeeded in whittling down the 1922 constitution to the essence of the British system, the 'fusion of the executive and the legislature in a single parliamentary chamber'.[13]

7.2 Majority Rule and Political Stability.

By 1937 then the majoritarian stamp of Irish political life was clearly established. The Westminsterisation of the political system reflected the increasingly bipolar pattern of party competition in Ireland. The question remains how the evolution of this system affected the stabilisation process? On the one hand one it has been argued that the Irish experience supports the hypothesis that a non-proportional electoral system will lead to a two-party system which in turn will lead to cabinet stability.[14] Although S.T.V. was in theory a proportional system, in practise the relationship between votes and seats was not proportional. This has been attributed to the fact that Irish constituencies often had less than five seats, the minimum size at which proportionality is guaranteed.[15] Up to 1937 around forty per cent of Irish constituencies were less than this size.[16] Moreover one might add that the effect of dissolutions was to penalise the smaller parties further, since they left choice of government the key issue in the second election. In this sense the Irish electoral system was rather like the French system for Presidential elections which forces the electorate to choose between the best two candidates the second time round.

From a comparative perspective the Irish system seems to conform fully to the model of political stability outlined by Hermens. Firstly, the electoral system was not proportional but 'more in the nature of a compromise between the majority system and P.R. than of a clear P.R. system'.[17] Secondly, by 1939 the Irish state 'had one of the most concentrated party systems of all European democracies'.[18] Thirdly, Irish cabinet stability was unparalleled in the rest of interwar Europe. According to Karvonen, 'one may say that there were only two different cabinets in the period until the second world war'.[19] Such a system hinged on the fact that S.T.V. did not produce

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[12] Ibid, p.219.

[13] A. Ward, *The Irish Constitutional Tradition ; Responsible Government and Modern Ireland* (Dublin, 1993), p. 238.

[14] F. Hermens, *Democracy or Anarchy : A Study in Proportional Representation* (New York, London, 1972).

[15] J. Hogan, *Election and Representation* (Cork, 1945).

[16] An alternative view of the relationship between vote size and proportionality is found in Taagepera and Shugart (1989). Unfortunately it seems that Hermen's view that five was the minimum constituency size at which proportionality could be guaranteed was shared by Irish politicians at the time.

[17] F. Hermens, *Democracy or Anarchy: A Study in Proportional Representation* (New York, London, 1972). p.315.

[18] L. Karvonen, *Political Organisation and the Interwar Crisis in Europe* (Boulder, 1993), p.88.

[19] Ibid,

proportional outcomes. If it had, Hermens suggests that there would probably have been no majority since 1927, and as a result 'no stable government leadership'.[20]

Some Irish authors also suggest that single-party government and two-party competition were necessary pre-conditions of political stability. According to Hogan the Treaty split made the need for clear parliamentary majorities paramount. 'Under full P.R., parliamentary democracy would have been unable to weather the storm between 1927-1932, and again between the 1932 and 1933 election, parliamentary institutions would have been in grave danger of floundering'.[21] Lyons suggests that the fact that in 1927 'two deeply-divided parties faced each other across the Dail 'could only serve to reduce the margin of constitutional experimentation'.[22] The abolition of referenda from the constitution logically followed:

> What mattered most was not that some delicately balanced lever should be pulled to elicit a free vote in the country on the Oireachtas on this issue or that, but that a government should either rule on the basis of a well organised majority in the Dail or get out and make way for another that could.[23]

Since single party government was the *sine qua non* of political stability, those provisions of the constitution that blocked the emergence of a political system based on a majority government and a responsible opposition were expendable.

The assumption made is that coalition government could not have provided a basis for political stability. Yet since the smaller parties were at times willing to support minority governments, durable coalition governments were also feasible. If the Farmer's Party were willing to support Cumann na nGaedheal between 1927 and 1932, and, in the form of the Centre Party, amalgamate with them in 1933, a coalition of the two was possible. Likewise Labour were willing to discuss entering into a coalition with Fianna Fail in 1927, supported Fianna Fail in office between 1932 and 1933, and Fianna Fail reportedly remained dependent on Labour support between 1933 and 1937.[24] Table 7.3. below provides an ideological map of the political spectrum in 1927. Two lines of cleavage separated the parties, one over the Treaty, the other over economic policy. The fact that Fianna Fail were the only party in the Dail to oppose the Treaty initially ruled them out of any coalition. According to the Labour leader, Fianna Fail's desire to remove the oath of allegiance from the Constitution was not 'to enable them to work the Treaty and Constitution with a clear conscience but to enable them to use their position as law-makers and makers of the Government to break the Treaty and make an entirely new

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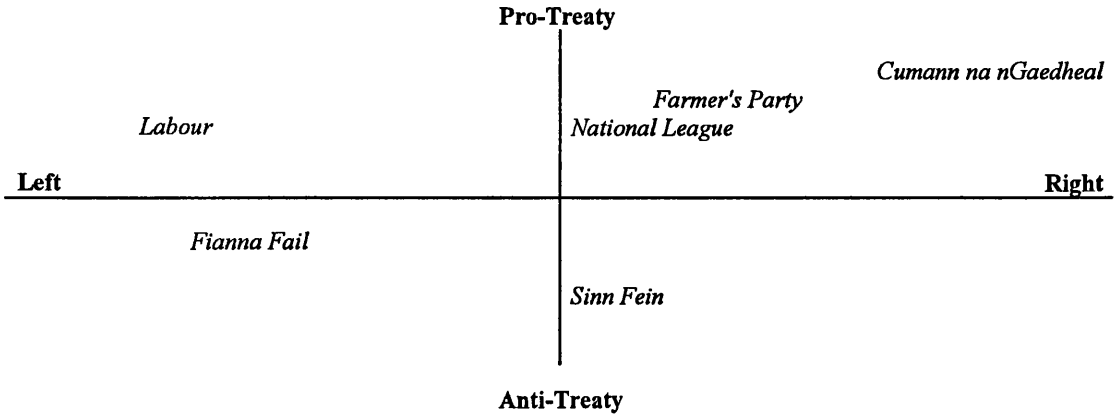
[20] Hermens, op. cit, p.326.
[21] J. Hogan, *Election and Representation* (Cork, 1945), pp.23-25.
[22] F.S.L. Lyons, *Ireland Since the Famine* (Glasgow, 1983), p.479.
[23] Ibid.
[24] F. Hermens, *Democracy or Anarchy*, p.315.

constitution'.[25] As a result Labour were unwilling to join a Fianna Fail coalition early in the summer of 1927.[26] The two parties, however, both stood to the left on the economic cleavage. Johnson declared that 'Fianna Fail has published an economic programme the greater part of which is similar to the programme of the Labour Party. If the Fianna Fail Deputies enter the Dail, Labour will join with them in getting their programme translated into actual force'. However Johnson believed that Fianna Fail's attitude to the oath had to change.[27]

Table 7.3. Party Political Spectrum in 1927.



Naturally, a coalition of the other parties on an economically conservative Pro-Treaty position was possible, but because of Fianna Fail's absence from the Dail, such a government was unnecessary before 1927. By then however the smaller parties had begun to oppose what they considered the repressive politics of the Cosgrave government and favoured a policy of appeasement towards the Republican opposition. Between June and September 1922 discussions were based on the possibility of a minority coalition being formed between the Labour Party, the National League and the Farmers Party, with the support of Fianna Fail backbenchers. However Labour objected to the National League's desire for extra-representation. Conversely, the National League defended their demands on the grounds that financial and business interests were apprehensive at the idea of a Labour-controlled government. Moreover they required guarantees that the new government was not be 'Labour in the saddle or Fianna Fail in effective control or pulling the strings'.[28] Despite their differences, the party leaders agreed to support a motion of no-confidence in the Cosgrave government introduced on August 10th. De Valera had promised that if Cosgrave's Public Safety Bill was overturned and if the oath issue was overcome, Fianna

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[25] Thomas Johnson, 'Irish Labour Party's Views on the Oath of Allegiance' MS 17 159, Thomas Johnson Papers, National Library of Ireland.

[26] 'Statement by Thomas Johnson re coalition between Fianna Fail and Labour Parties', 22 August, 1927, MS 17 166, ibid.

[27] 'Two Speeches by Thomas Johnson 1926,1927', MS 17 164, ibid.

[28] 'Correspondence between T. Johnson and Wm. Redmond of National Party August 1927', MS 17 165, ibid.

Fail 'would not force the issue on constitutional questions during the normal life of the present Dail'.[29] Only the freak abstention of a National League deputy from Sligo prevented the government from being toppled.

Coalition government was a distinct possibility as early as 1927 and remained so until 1933. Would such a multi-party government have been stable ? If Labour had insisted on radical economic measures the Farmers Party and the National League would been in an uncomfortable position. On the other hand Fianna Fail had promised its support, providing the oath issue was overcome. Johnson had committed himself to revising the oath but not to abolishing it,[30] while Labour were split on the question of annuity payments.[31] Significant ideological differences still divided the would-be partners. However between 1927 and 1932, Labour moved downwards into the anti-Treaty camp on the constitutional question, while Fianna Fail continued to move leftwards on economic issues. Leadership changes : Johnson was replaced by William Norton, as well as the deepening economic recession, led the Labour party to change its position on the Treaty. By 1932 the outlook of the two parties was not so different. In 1932 all of Labour's parliamentary deputies supported de Valera's Removal of the Oath Bill, which the Labour leader Norton termed, like de Valera, 'a relic of feudalism'.[32]

The figures on voting transfers support the view that by 1933 two distinct 'blocs' had emerged within the system, one left-wing and Republican in outlook, the other conservative and pro-Commonwealth. Whereas in 1927 only 17.6 per cent of Labour transfers went to Fianna Fail candidates in situations where there was no Labour candidate available to receive them, in 1933 this figure had risen to 72.7. per cent. Conversely in 1927 only 14.9 per cent of Fianna Fail transfers went to Labour candidates when there was no Fianna Fail candidate available to receive them. In 1933 this figure had risen to 47.1 per cent. On the other side in 1927, in situations where there was no Cumann na nGaedheal candidate available to receive them, 25.1 per cent of the party's transfers went to Farmer's Party candidates and only 4.9 per cent to the National League. In 1933 the Centre Party received 37.3 per cent of the party's transfers in similar situations. In 1927 Cumann na nGaedheal received 29.3 per cent of the Farmer's Party transfers in situations where there was no Farmer's candidate to receive them. In the same election the party received 25.5 per cent of the National Leagues transfers where there was no National League candidate available to receive them. In 1933, in similar situations, Cumann na nGaedheal received 53.6 per cent of the Centre Party's transfers.[33] According to Gallagher the pattern of transfers 'demonstrated emphatically that the party system consisted of two blocs, one composed

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[29] De Valera Speech at Burgh Quay, July 27th, 1927, MS 17 169, ibid.

[30] Speech by Johnson, July-September 1927, Ms 17 167, ibid.

[31] E. McKay, 'Changing with the tide : the Irish Labour Party, 1927-1933', *Saothar*, 11, 1986, pp.27-39.

[32] Ibid, p.28.

[33] All figures from M.Gallagher, *Irish Elections 1922-1944: Results and Analysis, Sources for the Study of Irish Politics 1*, (Limerick,1993).

of Fianna Fail and Labour and the other of Cumann na nGaedheal and the National Centre Party'[34].

That Irish single-party governments were durable does not prove that coalition governments would have been unstable. In the interwar period coalition governments were formed in interwar Belgium, Czechoslovakia, France, the Netherlands the five Nordic countries, and in the U.K. without disastrous consequences. The number of parties and the number of issues dividing the parties were far greater in these systems, with the obvious exception of the U.K. Certainly, on the basis of policy issues and voting transfers, stable coalition governments could have been formed between 1932 and 1933. Before that they were more feasible to the right of the political spectrum. A crucial question - whether a stable 'rainbow' coalition could have emerged from the vote of no confidence in August 1922? - can never be definitively answered.

Nor does the fact that single-party governments proved to be durable prove that cabinet stability was the decisive factor in ensuring the stability of the Irish system. An alternative approach is to argue that cabinet stability was one source of stability, but that a bi-polar pattern of political competition was a source of instability. The two-party system that emerged took shape in conditions of repeated political polarisation. According to MacDonagh there were three distinct periods of political crisis in the interwar period: the civil war period 1922-1923, the depression period 1927-1932, and lastly 1933-1937, Fianna Fail's first period in office.[35] Put bluntly, these crises were caused first by the anti-Treatyites rejection of the majority verdict on the Treaty, then by their acceptance of majority rule as a means of revising it, and lastly by their use of majority rule, which drove some of the Pro-Treaty side temporarily into the arms of the Blueshirts. A majoritarian political system is compatible with political stability when the main line of division is not a zero sum issue; otherwise it could exacerbate divisions and encourage the opposition to be disloyal. This happened over the Treaty in 1922 and again in 1933, when the emergence of the Blueshirts was partially caused by fears of what Fianna Fail would do when it came to office.[36] Majority rule, combined with a British type electoral system, could have enabled Fianna Fail form a single party government in 1927, only four years after the end of the civil war.[37] The Labour leader outlined one possible consequence:

Suppose the impossible were to happen and the whole 101 candidates of Fianna Fail and Sinn Fein were elected. The remaining 51 members of other parties, though lacking moral authority, would still have the legal right and power to elect a government and the Government so elected, and no other, would have the legal authority to govern the country. An attempt to set up a rival authority would probably cause division in

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[34] Ibid, p.157.
[35] O. MacDonagh, *Ireland Since the Union* (London, 1977), pp. 105-113.
[36] M. Manning, *The Blueshirts* 2nd. ed., (Dublin, 1987), p.245.
[37] D. Gwynn, *The Irish Free State 1922-1927* (London, 1928), p.147.

the ranks of the Executive forces between those who would only obey the constitutional government and those who would follow the party elected as a majority by the votes of the people. Irrespective of the rights and wrongs of the question such a position must inevitably cause a constitutional crisis.[38]

Those that endorsed a majoritarian system when in office naturally became wary of it in opposition and vice versa. When de Valera re-established military tribunals to try political crimes a former Cumann na nGaedheal Minister asked, 'Will the President say that there is any movement of violence in this country that can equal the Fianna Fail party in practically wiping out the courts and wiping out the Seanad, and imposing against the widespread opinion of the country, burdens that they are not able to bear'.[39] In his comparative analysis of constitutional choices in the interwar period Karvonen suggests that 'the strengthening of executive power as an ongoing process of polarisation is a risky manoeuvre in a parliamentary system'.[40]In 1929 an observer sympathetic to the Cosgrave government wrote that if de Valera assumed office 'he could plunge the country into chaos without being unconstitutional or doing anything unprecedented'. This situation would never have arisen 'had the spirit and the letter of the constitution been adhered to rigidly'.[41] By 1937 the constitutional amendments had given de Valera the power to make whatever changes he wanted to: in Farrell's words 'it was a classic opportunity to establish a dictatorship'.[42] The opposition remained unsure of his intentions, alleging that the 1937 constitution which created the office of the President, would allow him to establish a dictatorship.[43]

On the surface at least the relationship between majority rule and political stability was actually negative. After all, why should a system in which the civil war parties predominate become a source of stability? None of the smaller parties were involved in the civil war and the two threats to elected government, the IRA, and the Blueshirts, were actually led by members of the civil war political elite. From an elitist perspective stable democracy requires only the consent of those groups without whose consent the system would be unable to function. In Ireland after 1922 the stability of the system was dependent first on its ability to gain the support of the Republican opposition, and then on its ability to maintain the loyalty of the Pro-Treatyites. The normative paradoxes of this process are revealed in Mac Donagh's account of the 1932 changeover. After first telling us that in 1932 'Fianna Fail secured the support of the militarists both at the polls and, more important perhaps, to intimidate their opponents and election meetings' he concludes:

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[38] Thomas Johnson, 'Two Speeches by Thomas Johnson 1926,1927', MS 17164 ,Thomas Johnson Papers, National Library of Ireland).

[39] Richard Mulcahy, *Dail Debates,* September 27-29, 1935.

[40] L. Karvonen, *Political Organisation and the interwar Crisis in Europe* (Boulder,1993),p.164.

[41] A.E. Malone, 'Party Government in the Irish Free State' *Political Science Quarterly*, 44, 1929, no.3, p.378.

[42] B. Farrell, 'From first Dail through Free State', p.31.

[43] M. Smith, 'The title *An Taoiseach* in the 1937 Constitution', *Irish Political Studies*, vol. 10, 1995, pp.179-185.

De Valera's attainment of office, confirmed in the following year when he sought and achieved an overall parliamentary majority ended the second crisis of Irish democracy. The principle of responsible opposition had been vindicated and the forces of potential violence had been marshalled behind the parliamentary victors.[44]

Clearly those whose consent was most important in the stabilisation of the system were also those who seemed to jeopardise democratic freedoms.

Linz argues that states which find themselves polarised into two camps can avoid further polarisation by adopting a multi-party system which might create sources of cross-cutting cleavages. In contrast a two-party system would aggravate differences and maximise the ideological distance between the parties. Multi-party systems will only have a disintegrating effect where smaller parties act as disloyal oppositions and when the major parties follow them.[45] The smaller parties in Ireland could not be accused of disloyalty.[46] In contrast Cumann na nGaedheal suspended the Dail in the first two months of the civil war, abolished hundreds of local councils in the years following the civil war, denied the public an opportunity to adjudicate on the oath in 1928 by removing the referendum from the constitution, and between 1933 and 1934 encouraged the growth of an extra-parliamentary opposition to the elected government. Sinn Fein and Fianna Fail had close links with the IRA, and when in power proved willing to restrict constitutional liberties through a variety of constitutional revisions, including the abolition of the Senate, the gerrymandering of electoral constituencies, and the abolition of local government councils. Adversarial competition between these parties was not conducive to political stability.

It is often argued that in multi-party systems parties tend to stick to rigid principles and compete for an ideologically fixed section of the electorate while in two-party systems pressures of political competition mean that parties' policy preferences tend to move towards the centre as they compete for the available middle ground of the electorate. This is known as the median voter theory of party competition. It contrasts with the 'radical elitist' model of party competition which argues that internal divisions within the larger parties in a bipolar political system will move these parties' policy positions closer to those of the party activists than to the centre ground.[47]

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[44] O. MacDonagh, *Ireland Since the Union*, (London, 1977), p.111.

[45] J. Linz, 'Crisis, Breakdown and Reequilibration' in J. Linz and A. Stepan (eds.) *The Breakdown of Democratic Regimes* (Baltimore and London, 1978), pp.24-27.

[46] The term loyalty refers to attitudes towards the existing constitutional arrangements not to liberal democracy per se. As I suggest in the next section the smaller parties were far more loyal to the 1922 constitution than the larger parties which imposed their own majoritarian preferences on the working of the system.

[47] P. Dunleavy, *Democracy, Bureaucracy and Public Choice : Economic Explanations in Political Science* (Hemel Hampstead,1991), p.117.

Clearly in a situation where the two larger parties emerge out of a civil war and where they are divided between hard-line and conciliatory elements, two-party competition would not automatically lead to any convergence on the centre ground. In the Irish case such convergence emerged only when the two opposing blocs split. Fianna Fail split from the fundamentalist Republican party, Sinn Fein, in 1926 and Fine Gael distanced themselves from the right wing Blueshirt movement in late 1934, whose leader had actually been the first President of Fine Gael. If there was a source of moderation it lay in the fact that the larger opposition parties needed some coalition potential under S.T.V..[48] Notably in 1927 Fianna Fail took its economic policies from Labour and agreed to limit its demands for constitutional change in return for concessions on the 1927 Public Safety Act by the would-be coalition. A similar agreement was made in 1932 in return for Labour support. On the other side Cumann na nGaedheal had to amalgamate with the Centre Party in 1933 once Fianna Fail had shown that it could sustain single-party government. After the demise of the Blueshirts, Fine Gael was 'Cumann na nGaedheal all over again, without being very much inclined to extremism'.[49]

In summary there is no reason to believe that multi-party competition was a source of political instability in the Irish case. Garvin describes the stabilisation of Irish democracy as a process of political 'deradicalisation'.[50] The real question for Irish democratic theory is whether deradicalisation was achieved (a) primarily through processes of internal reform within two ideologically opposed camps; (b) primarily through processes of electoral competition in which the civil war parties competed for the votes of a newly-enfranchised electorate or (c) through a combination of (a) and (b). I have already demonstrated the weakness of the first of these theories. From the other two perspectives, the existence of multi-party politics and of S.T.V. were key variables.

7.3 Majority Rule and the Values of the Sinn Fein elite.

Neither the development of a two-party system or the existence of single- party government ought to be considered necessary pre-conditions of democratic stabilisation in independent Ireland. Multi-party competition was compatible with democratic stabilisation, while stable coalition governments could also have been formed given the requisite commitment on the part of political elites. If Irish democracy could have been stabilised under 'consensual' as well as 'majoritarian' institutions the state's institutional design cannot be the decisive factor in explaining the state's democratic stability.

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[48] I am indebted to Professor Brendan O' Leary for this observation.

[49] M. Tierney to F. MacDermot, September 27 1934, 1065/4/4, Frank MacDermott Papers, National Archives.

[50] T. Garvin, 'Nationalist Elites, Irish Voters, and Irish Political Development : A Comparative Perspective' *Economic and Social Review*, vol 8, , no. 3, April 1977, p.165.

Much the same general conclusion has been reached by Karvonen in his analysis of the relationship between institutional design and democratic stability in interwar Europe.[51] He found that both consensual and majoritarian systems proved compatible with democratic stability, but that attitudes to constitutions were decisive in explaining the fate of democracies in interwar Europe. In countries where the initial constitution-making was participated in by all sides, the political system enjoyed a sufficient amount of loyalty on the part of political elites to overcome later periods of instability. In states like Austria, Germany, Estonia, and Latvia on the other hand, those that eventually came to office had been excluded from this process and subsequently rejected the constitution *in toto*. In the process of reshaping the constitutions non-socialist parties invariably strengthened the degree of executive power, ultimately facilitating the emergence of authoritarian regimes. In states such as France, overall loyalty to the institutions of the Republic helped the state overcome its political crises. In this regard the long established democracies had a definite advantage over the newly-established ones, as is evidenced from the fact that few new states retained parliamentary institutions in the period.

If attitudes to constitutions were the decisive factor in each case, at first glance, the relevance of the Irish case to Karvonen's theory seems clear. The anti-Treatyites did not participate in the process of constitution-making and subsequently rejected the 1922 constitution. They thus contributed to the emergence of an executive-dominated system of government and to the political instability that came with those changes. However in Ireland the constitution was amended in equal proportion by both sides, which suggests that the Irish case was different to the successor states. According to Sean Lemass,

> Neither the Cumann na nGaedheal Party nor we are prepared to regard that Constitution apparently as anything but so much paper. It is only the Labour Party whose one desire is to be respectable in all things that attaches any importance to it.[52]

As is suggested by Ward, the nature of the constitutional changes suggests that both sides had an alternative model of how democracy worked in mind.[53] The Sinn Fein elite were convinced majoritarians. Majority rule had formed a central plank in the propaganda campaign of Sinn Fein between 1918-1921 which sought to convince public opinion in the U.S. of the overwhelming majority mandate for a thirty-two county Republic. In 1919 Sinn Fein declared that once independence was achieved the public had a right to decide what form it should take. The Pro-Treatyites then legitimised the disestablishment of the Republic declared in 1919 by a parliamentary and then by an electoral majority. According to Collins the Treaty would stand

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[51] L. Karvonen, *Political Organisation and the Interwar Crisis in Europe* (Boulder, 1993).
[52] *Dail Debates*, vol 34 col 313-14, April 2 1930.
[53] A. Ward, *The Irish Constitutional Tradition : Responsible Government and Modern Ireland* (Dublin, 1994), p. 238.

'unless in the whirl of politics', the anti-Treatyites 'became a majority in the country'.[54] This possibility formed the basis of the opposition position from 1926 onwards.

A purely majoritarian system also proved acceptable to the larger parties because both were hostile to 'sectional' interests. The signatories to the electoral pact in 1922 had stated that the national position necessitated the entrusting of government 'to those who had been the strength of the national situation during the last few years'.[55] Collins feared that 'the big businessmen and the politicians will come forward when peace was established and perhaps after some years gain control. Their interests will never demand a renewal of war'.[56] On the other hand de Valera's reorganisation of the Sinn Fein organisation in 1923 was prompted by his fear that 'the national interest as a whole will be submerged in the clashing of rival economic groups'.[57] De Valera also had a shrewd appreciation of the strategic benefits of a single-party government, predicting in 1932 that the British would never negotiate with a government they expected to fall.[58] Cosgrave also fought the June 1927 election on the issue of coalition government, a newspaper advertisement warning voters that by voting for Independents, Farmers or Labour they were voting for 'a weak government with no stated policy'.[59] Kevin O' Higgins was characteristically dismissive of smaller parties too, remarking that 'all these wretched little parties vigorously sawing the bough they are sitting on is a sight to make angels weep and devils grin'.[60]

Majority rule was also attractive for a mundane reason. According to Dahl 'the stronger the expectation among the members of a political minority that they will be tomorrow's majority, the more acceptable majority rule will be to them, the less they will feel the need for such special guarantees as a minority veto and the more likely they are to see themselves as impediments to their own future prospects as participants in a majority government'.[61] In 1923 many anti-Treaty candidates were on the run or in prison but their vote was still impressive considering they had just lost a civil war. Fianna Fail came very close to defeating Cosgrave in 1927. De Valera had always anticipated that his side would mobilise a majority against the Free State. This may help explain why he was happy to accept in 1926 that in future all decisions will be made according to the wishes of the majority of the Irish people. De Valera may also have been aware that the constitutional amendments being introduced by Cosgrave were laying the grounds for his assault on the Treaty. In 1928 Cosgrave went against the spirit of the constitution by preventing the

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[54] 'Memorandum of Ambulance Work & Efforts for Peace', Civil War 1922-24, 'Peace Proposal - J.F. Homan/Clontarf, S 8138, Department of An Taoiseach, National Archives.
[55] M. Gallagher, 'The Pact General Election of 1922' *Irish Historical Studies*, 1977, vol. 21, pp. 405-406.
[56] R. Fanning, *Independent Ireland* (Dublin, 1983), p.13.
[57] De Valera Memo, 16 May 1923, Sinn Fein 1094/8/1, National Archives.
[58] R. Fanning, op. cit., p.114.
[59] C. O' Leary, *Irish Elections 1918-1977, Parties Voters and Proportional Representation* (Dublin, 1970), p.24.
[60] 0' Higgins to MacDermot, May 18 1927, 1065/1/1 Frank MacDermott Papers, National Archives.
[61] R. Dahl, *Democracy and its Critics* (New Haven, 1989), p.161.

referendum of the oath. Several years later de Valera would do the same, when rejecting the Senate's proposal that he refer the Abolition of the Oath Bill to a referendum.

Dahl argues that majority rule ' is more likely to be accepted by a minority if they are confident that collective decisions will never fundamentally endanger the basic elements of their way of life'.[62] In the Irish case there was a great deal of ideological common ground between the two Treaty sides. In terms of their view of society as 'a moral community', a wider consensus existed between the two sides. As Whyte put it 'Mr. Cosgrave refused to legalise divorce; Mr. de Valera made it unconstitutional. Mr Cosgrave's government forbade propaganda for the use of contraceptives ; Mr de Valera's banned their sale or import'.[63] Both sides were committed to Gaelicisation, land reform, and to improving upon the Treaty settlement. A winner-take-all system could be accepted because the basic values of the larger parties would not be threatened by a change of office. Experience of office narrowed the gap further. In 1935 a Fianna Fail cabinet paper lamented 'the lack of a civic spirit' in Ireland and denounces the Blueshirt's anarchical spirit. Quite ironically in view of previous attitudes, this was defined as the 'right of a minority to impose its will on the Irish people by force'.[64]

Another reason for the efficacy of majority rule in the Free State lay in the number of political issues that were at stake. Table 7.4. adopts Lijphart's schema for classifying partisan issues and shows the issue-dimensions separating the parties in the Irish Free State. At first glance

Table 7.4. Issue Dimensions of the Irish Party System 1922-1937.

	Socio-Economic	Religious	Cultural -Ethnic	Urban-rural	Regime Support	Foreign Policy	Post-Materialist	Number.
Irish Free State	**H**				**H**	**H**		**3**

Note : H signifies a dimension of High salience.

Source: Lijphart, 1984, Table 8.1., 130.

only two dimensions, those of regime support, and foreign policy can be considered of high intensity. However Dunphy suggests that economic issues formed a distinct cleavage in the

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[62] Ibid.
[63] Quoted in Fanning, *Independent Ireland* (Dublin, 1983), p.161.
[64] S 2454 Department of An Taoiseach, National Archives.

political system.[65] Arguments have also been made to the effect that there was also a significant core-periphery divide behind the Treaty division. However, the empirical basis of such arguments has been shown to be weak. The Fianna Fail party became a national rather than a peripheral party quite early on. [66] In essence there were two lines of political cleavage in the Irish case. The foreign policy and the regime support issue can be considered the same issue, while the division over economic policy though part of the overall division on Anglo-Irish relations, was sufficiently great, particularly between 1933 and 1935, for it to be considered an issue of high intensity.[67] One contention of 'the competitive elitist model' of democracy is that a highly adversarial system can only be stable when elites compete over a narrow range of issues.[68] The Irish experience between the wars confirms the validity of this judgement. The efficacy of majority rule derived from the fact that it allowed one overarching issue, that of the Treaty to be resolved in a democratic way after 1923. The main issues were put to the electorate who decided by plurality or majority vote who was to govern and therefore what the direction of government policy would be. Arguably majority rule encouraged the institutionalisation of the Treaty-split into party politics. Differences over the Treaty were recognised as legitimate, communities of interest emerged, and over time the protagonists became capable of compromise.

A final reason for the legitimacy and efficacy of majority rule lay in the ethnic makeup of the society. Asking why a government that defeated de Valera in the field later allowed him to triumph through the ballot box, Munger points out that the two sides originated within the same party. He asks us to imagine an opposite possibility, where 'one of the parties had been a Sinn Fein party of the Republican tradition and the other a Unionist party with a past record of opposition to Irish nationalism. Northern Ireland comes inevitably to mind. It is difficult to believe that the transition should have been so smooth'.[69] Dahl suggests that the more homogeneous a country 'the less likely it is that the majority will support policies that are harmful to a minority and the more likely it is that a broad consensus on the desirability of majority rule will exist'.[70] The Protestant minority, amounted to much less than 10 per cent of the population and separated from the large Unionist population in the North, were not large enough to challenge the consensus on the desirability of majority rule by themselves. Majority rule could only have been challenged by an alliance between this privileged minority and Labour, but there was no obvious sympathy between the two.

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[65] R. Dunphy, *The Making of Fianna Fail Power in Ireland 1922-1948* (Oxford, 1995).

[66] See R. Sinnott, *Irish Voters Decide ; Voting Behaviour in elections and referendums since 1918* (Manchester,1995).

[67] See M. Cronin, *The Blueshirts and Irish Politics* (Dublin, 1997), pp.135-168.

[68] D. Held, *Models of Democracy* (Cambridge, 1987), pp. 143-184.

[69] F. Munger, *The Legitimacy of Opposition* (Beverly Hills, 1976), p.25.

[70] R. Dahl, *Democracy and its Critics* (New Haven, 1989), p.161.

As in the longer established cases the Irish benefited from the fact that political practice could be based on a well-established constitutional tradition. Despite the innovations of the 1922 constitution majority rule formed the basis of an unspoken constitutional consensus between the two sides. This is implied by Hogan who argues that Cumann na nGaedheal's loss of a majority in 1927 threatened to overturn 'the entire *constitutional* edifice' on which the state was built. The crisis was then averted 'in a *constitutional* way' when the second election 'returned the Treaty party in sufficient strength to guarantee the continuance of stable constitutional government'.[71] In this context majoritarian norms are equated with constitutional norms.

Farrell argues similarly that respect for parliamentary majorities provided a secure base for democracy, because it was a reflection of the 'British style liberal-conservatism of the Irish rebel'. He explains the divergent fates of the Westminster system in Ireland in terms of two Westminster traditions, one prevalent in the North, the other in the South. The Conservative variant, or 'the Whitehall model' stems from experience of government, whereas the liberal model reflects 'the experience of men who have spent more time in opposition than in government'.[72] Table 7.5. contrasts their core values. Farrell's contention is that 'the Unionist Party's bland assurance that its 'natural' majority gave it a right to rule in perpetuity;... its entrenched resistance to any attempt to attenuate the powers of its own executive... is intelligible within the conservative version of the British parliamentary model'.[73] This may be so but between 1922 and 1937 the former Sinn Fein elite also progressively stripped their constitution of anything that limited executive power. Civil liberties were encroached upon by Public Safety Acts which suspended haebus corpus, introduced internment without trial, and trial by military tribunal. Under the terms of the seventeenth amendment to the constitution in 1931, a military tribunal was empowered to give the death penalty for political crimes, the only right of appeal being to the executive council ! The need for governments to ratify constitutional amendments by referenda was circumvented by legislation extending the period in which it could amend the constitution by ordinary legislation. The Governor General, having expressed doubts as to whether he could legally sign a bill deleting article 47, which gave both houses the right to refer bills to the people, was told he could only act on the advice of the executive council!

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[71] J. Hogan, *Election and Representation* (Cork, 1945), pp.23-25.

[72] B. Farrell, 'From first Dail through Free State' in B. Farrell De Valera's Constitution and Ours (Dublin,1988), p.213.

[73] Ibid, p.214.

Table 7.5. Two Variants of the Westminster Model.

Core Values of the Whitehall Model	Core Values of the Liberal Model
Executive-decision making	Control of government
the binding force of law	the need for consent
preservation of order	a stress on answerability
strong government	representative government

Source : Farrell, 1972, ch 16.

It would be more true to say that the Sinn Fein elite were 'Peelite' in their attitudes to the workings of the British system. 'Peelites' traditionally see parliamentary control as an unstable basis for government and believe that the executive not the parliament, or through it, the people, are responsible for public policy. A necessary condition for good government is that liberal or 'Whig' mechanisms for enforcing governmental responsiveness are curtailed or simply ineffective.[74] The whole of Irish constitutional development up to 1937 can be summed up by saying that the mechanisms for ensuring responsible government on the liberal model were undermined in order that strong government could exist. This is not to say that Irish governments lacked legitimacy : Irish politicians could and did successfully claim to be representing the interests of the nation above those of sectional or subversive elements within the state. However their actions are consistent with the view that the British legacy was essentially a conservative one.

The fact that the evolution of the system caused considerable controversy suggests that the smaller parties did not share this view of government and were more committed to the existing constitution. For example in 1926 a committee proposed wholesale changes to the constitution. The reforms, involving as they did the abolition of the referendum, did not just repair some fault in the existing constitution, as was claimed, but instead 'radically altered the constitution by abandoning one of the principle accepted in 1922 by the entire Constituent Assembly'.[75] It was objected by the leader of the National League that the abolition 'violated the spirit of the Constitution under which any eligible candidate could appeal to the electors on any programme whatsoever'.[76] Fianna Fail's use of parliamentary majorities was not free of controversy either. The constitution prescribed 'the principles of proportional representation' but did not define what

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[74] A. Beattie, 'Ministerial Responsibility and the Theory of the British State' in R.A.W. Rhodes and P. Dunleavy, *Prime Minister, Cabinet and Core Executive* (London, 1995),p. 172.

[75] P. Fay, 'The Amendments to the Constitution Committee 1926' *Administration,* vol 26, 1978,p.348.

[76] Quoted in D. Gwynn, *The Irish Free State 1922-1927* (London, 1928), p.142.

those principles were. This proved significant when the government altered the electoral boundaries in 1935, resulting in changes to twenty of the thirty existing constituencies. The guiding principle of the reform was supposedly demographic, to alter the boundaries in line with recent population changes. However if one of the principles of proportional representation is to achieve proportionality between seats and votes, then the size of constituency becomes an important factor since the larger the constituency the more proportional the relationship between votes and seats. If a five-seater is the minimum size at which proportionality is guaranteed, then in 1933 eighteen out of thirty, or sixty-six per cent of constituencies did not disadvantage small parties, whereas in 1937 only a third, or ten constituencies were large enough to ensure a proportional relationship between the number of votes gained and the number of seats won. In the Senate it was objected that these changes were inconsistent with earlier pledges guaranteeing minority representation that had been made to the Southern Unionists.[77] An alternative reform, which would have reduced the number of T.Ds to 138, but made the number elected from constituencies of less than five seats 36 rather than the planned 77, was proposed. The scheme was not debated.[78]

Certainly during the process of stabilisation the smaller parties and the Independents were marginalised. However P.R. was retained in 1937. 'Civil war politics' would only continue if the old guard remained electorally competitive. The role of S.T.V. in countering the authoritarian tendencies of the period is an aspect of Irish political development curiously obscured by historical judgement.[79] The adoption of P.R. across Europe has been explained as a rational bargain struck between smaller parties whose future existence seems threatened by universal suffrage and a potentially dominant party which is anxious to gain a foothold in the system.[80] This perspective is relevant to Ireland in the 1920s and 1930s since although single-party government led to a centralisation of power, the retention of S.T.V. meant that the basic existence of other parties was assured. A characteristic of S.T.V. is that while it limits tendencies towards fragmentation it also limits the potential for single-party dominance.[81] In terms of their freedom to introduce legislation and their length of time in office, both Cumann na nGaedheal and Fianna Fail were dominant parties, but their electoral position was always vulnerable.

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[77] D. O' Sullivan, *The Irish Free State and its Senate : A study in contemporary politics* (London, 1940), p.364.

[78] Ibid, pp.414-417.

[79] Although see D. Gwynn, *The Irish Free State 1922-1927* (London,1928), pp.143-149 ; N. Mansergh, *The Irish Free State : its Government and Politics* (London,1934), pp 58-73 ; T. Garvin, 'Democratic Politics in Independent Ireland in J. Coakley and M. Gallagher (eds.) *Politics in the Republic of Ireland* 2nd. ed. (Limerick,1993), p. 254.

[80] S. Rokkan, *Citizens, Elections, Parties : Approaches to the Comparative Study of the Processes of Development* (Oslo,1970), p.157.

[81] B. O' Duffy and B. O' Leary, 'Tales from elsewhere and a Hibernian Sermon', in H. Margetts and G. Smith (eds.) *Turning Japanese ; Britain with a Dominant Party of Government* (London, 1995), pp.193-210.

The fact that the Irish constitutional development up to 1937 led to an extreme concentration of power meant that the 1937 constitution was an important part in the process of stabilisation. At first glance it merely copperfastened the majoritarian thrust of Irish constitutional development, but in other respects it was a reassertion of the constitutional liberalism of 1922, albeit with a greater cognisance of party interests. Firstly, in the 1937 debates de Valera argued that fundamental rights couldn't 'be changed by the Dail except by a specified majority or an approval by the people by way of referendum' and ensured that the constitution could no longer be amended by ordinary statute law.[82] Secondly, the 1937 constitution prescribed not just the principles of P.R. but the S.T.V. system. When asked why the clause did not allow for a more flexible choice de Valera replied that electoral arrangements were too fundamental to be left to the mercies of party politics. Thirdly, the power to dissolve the Dail no longer rested with the Cabinet but with the President who was to take into account the wishes of Dail Eireann. The 1937 constitution in short achieved some harmony between majoritarian and liberal principles of government

Conclusion.

Garvin has described Irish political culture as a rather distinctive blend of liberal and authoritarian elements.[83] The institutional basis of that culture was rather distinctive too. By and large the comparative literature on the relationship between institutional design and political stability stresses the merits of one model versus another, but the Irish case was really an intermediary case where a mixture of majority rule and S.T.V. provided an effective institutional arena in which democracy could be stabilised. Indentifying the ingredients of that mixture has been the task of this chapter.

Ultimately any decision rule will be judged by the decisions taken under it. In Lee's review of the performances of Irish governments since independence he singles out the first Cosgrave and de Valera governments for praise.[84] The civil war elite succeeded in demilitarising politics, enhancing the legitimacy of the state, and creating new rules of the game in which political conflicts could be resolved. However even enthusiasts for majority rule, such as Locke or Rousseau, felt that though the decisions of the majority should be binding once a state was established, the original contract which established a state should require something closer to unanimity.[85] In Ireland the initiatives which attempted to preserve Sinn Fein's unity after the Treaty split failed to lead to a national cabinet commanding the allegiance of both sides. This introduced a source of weakness that was common to contemporaneous cases of democratic

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[82] Quoted in D. O' Sullivan, *The Irish Free State and its Senate* (London, 1940), p.365.
[83] T. Garvin, *1922;The Birth of Irish Democracy* (Dublin, 1996), pp.123-156.
[84] J. Lee, *Ireland: 1912-1985* (Cambridge, 1989).
[85] R. Dahl, *Democracy and its Critics* (New Haven, 1989), p.135.

breakdown. The initial decisions on the Treaty and constitution were made without the participation of the anti-Treatyites and were legitimised by majority rule. On the other hand the Free State did not suffer from Karvonen's 'double discontinuity' whereby 'the constitutions had next to no roots in earlier political structures and the governing coalitions were not those that had introduced the constitution'.[86] Majority rule, which was the unwritten constitution in the Irish case, harked back to the Dail constitution of 1919 and beyond. In this sense the conventional emphasis on the advantage of constitutional continuity in Ireland is correct.

Whether majority rule, and with it single-party government, was a necessary or sufficient condition for democratic stabilisation is doubtful. My conclusion is that the Irish case confirms the standard hypothesis that majority rule may work in societies that are not deeply-divided on ethnic lines. Needless to say the experience of Northern Ireland confirms the converse. The threat posed by coalition government to political stability in the Free State lay more in the possibility that it could expose the latent conflict between nationalist conceptions of the state and the realities of pluralist politics than in the possibility that small parties could be extremist. On the other hand any stable socio-economic order must establish a balance between specific interests and wider collective solidarities.[87] Such conflicts affect states with a legacy of strong centralised authority, but the Irish case overcame them rather quickly, partly because it didn't have to accommodate the preferences of a million Unionists, partly because of the willingness of the smaller parties to allow the national question to take precedence, and partly because the institutional design of the state allowed a balance between the two pressures to be preserved.

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[86] L. Karvonen, *Political Organisation and the Interwar Crisis* (Boulder,1993), p.173.

[87] E. Allardt, 'Types of Protest and Alienation' in E. Allardt and S. Rokkan (eds.) *Mass Politics: Studies in Political Sociology* (New York,1970), pp.45-64.

Chapter Eight : Unenthusiastic Democrats ? ; Collins, de Valera, and the Civil War.

'It's for the freedom of Ireland' says Diarmuid. 'That same freedom has me deafened and I don't know what it means,' says Seamaisin. 'We have to have our own King here and the connection with England to be broken," Diarmaid answers. 'I understand now,' says Seamaisin. 'One crowned King of England and another crowned King of Ireland- that's something you'll never see, Diarmaid, so long as the sun is in the sky. If there is a crown on a King in Ireland it will be England's crown he will have to wear.' 'I hope you're proved wrong!' says Diarmaid Ban.

Thomas O' Crohan, 1986.

This final chapter is concerned with reputations, more particularly, with democratic reputations. Since the Irish national revolution was inspired by what is often considered an unpopular rising in 1916, the democratic credentials of Irish nationalists have perhaps been more suspect than later generations have cared to admit. The majority of the future elite of the Free State entered politics through organisations such as the Volunteers or the Gaelic League, that had little to do with the workings of parliamentary democracy. They became politicians 'by accident' in other words.[1] Moreover some had a conditional attitude to the workings of electoral democracy. Prior ideological commitments to the goal of a Republic; to the creation of a socialist state, or to some other vision of a free Ireland, overrode their commitment to democratic procedures. They were 'unenthusiastic democrats' according to Tom Garvin.[2]

The democratic reputations of the two most prominent leaders at the time, of Michael Collins and of Eamon de Valera, have not survived the descent of Ireland into civil war in 1922. De Valera has been blamed for causing the civil war, and worse: Sir Hamar Greenwood once remarked that he 'belongs to a race of treacherous murderers and he has inculcated Ireland into the murderous treachery of his race'.[3] Collin's actions between January and August 1922 have been seen as evidence of a conspiratorial and authoritarian personality at the head of the Provisional Government. Coogan's recent portrait of him occupying a 'dual role' as 'head of a democratically elected Government, and as head of a secret society regarding itself as a Government within a government', has done little to reverse this view.[4] More recently still, Collins has been omitted

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[1] L. Skinner, *Politicians by Accident* (Dublin,1946).

[2] T. Garvin, 'Unenthusiastic Democrats : the Emergence of Irish Democracy' in R. Hill and M. Marsh (eds.) *Modern Irish Democracy* (Dublin, 1993), pp.9-24.

[3] 'Weekly Summary' February 4 1921, Gavan Duffy Papers 1125/29/4, National Archives.

[4] T.P. Coogan, *Michael Collins* (London, 1990), p.426.

from the small but talented Pro-Treaty elite that are credited with the establishment of Free State democracy by Tom Garvin.[5]

While the democratic reputation of the nationalist elite as a whole may have survived the regime-change, history has been less kind to Collins and to de Valera. To what extent are these accusations true and to what extent did the civil war crisis reveal the undemocratic propensities of two of the most popular and able figures in Irish nationalist politics ? What follows is an attempt to answer these questions. This involves a comparison of the manner in which they responded to the civil war crisis. The chapter is divided into three sections. The first discusses the strategy of the Sinn Fein movement after the 1918 general election. The second compares Collin's and de Valera's views on the Treaty split. The third describes their reaction to the civil war conflict.

The 1918 General Election and after.

In order to understand the positions taken by Collins and de Valera in the Treaty debates and their aftermath it is first necessary to recount the background to the Treaty split. Since 1918 the Sinn Fein party had been seeking recognition of Ireland as an independent sovereign Republic. They argued that on the basis of the 1918 general election results Ireland was entitled to full national-self-determination and its case should be heard at Versailles. They moved forward on two fronts. On the external front Sinn Fein propaganda stressed the 'almost complete political unanimity' behind the demand for a Republic as allegedly evidenced by the voting patterns of 1918.[6] On the internal front Sinn Fein put forward a more practical argument. Having established an actually functioning government in Ireland which was gradually replacing that of the British, Sinn Fein argued that not to recognise that government would be to infringe the principles of government by the consent of the people.

The 1918 election was a watershed in Irish political development. It saw the victory of the Sinn Fein party at the polls for the first time in Irish politics. It crystallised the already-existing division between two opposing electoral 'blocs' in Ireland, one separatist and one Unionist, which presaged the partition of the country two years later. In party political terms, the most obvious effect of the election was to make the Sinn Fein party the dominant party in Irish nationalist politics. That place had been held by the constitutional-nationalist Home Rule Party which traditionally campaigned behind a policy of Home Rule for Ireland and which customarily

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[5] T. Garvin, *The Birth of Irish Democracy* (Dublin, 1996),p.194.

[6] *Ireland's Request to the Government of the United States of America for Recognition as a Sovereign Independent State* (Dublin, 1919), pp. 12-13.

won between 80 and 85 of Ireland's 103 seats at Westminster. After the landslide victory of Sinn Fein in 1918 the party's representation was reduced to six seats as opposed to 73 for Sinn Fein.[7]

A number of factors have been cited to explain the Sinn Fein party's extraordinary performance. The fact that the majority of voters were voting for the first time undoubtedly meant that their loyalty to the traditionally dominant Home Rule party was weaker than it might have been. As the election was held under the British 'first-past-the-post system', the electoral victory for Sinn Fein was also exaggerated. 'Under the existing 'first-past-the -post' system, Sinn Fein was able to win 94 per cent of the contested seats in the 26 counties with only 65 per cent of the vote'.[8] Thirdly, the fact that the Home Rule party was associated with a policy that had manifestly failed to gain legislative autonomy for Ireland, dampened public enthusiasm for the nationalist party. On top of that Britain's recent attempt to impose conscription on Ireland and Sinn Fein's ability to place itself at the head of the anti-conscription campaign meant that the party benefited from the widespread hostility towards conscription which existed throughout the island. Added to that hostility was the alienation felt by the public after the execution of the leaders of the 1916 Rising

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Sinn Fein had won an overall majority of the Irish seats and their tendency was to emphasise the absolute nature of their victory and the majority mandate they had achieved. Mansergh has noted how the triangular logic of decolonising situations often leads the majority party which favours rapid decolonisation to ignore the reality of minority opposition in its desire to convince the departing power of the homogenous nature of public opinion in the colonial territory.[9] This stance certainly characterised the Sinn Fein movement between 1918 and 1920 which remained publicly opposed to any suggestions that Ireland was composed of two nations. Rather than 'the Irish Question' being essentially a religious one, it was represented by Sinn Fein as the struggle of Irish nationality against British Imperialism. Moreover the political efforts of the nationalists were very much focused on pressurising the departing power to leave, rather than coming to terms with internal opposition. Conversely, the loyal minority and the departing power had a vested interest in delaying the process of decolonisation and were more likely to deal with each other before coming to terms with the secessionist movement. Such a situation was typical of Ireland between 1918 and 1920, just as much as it was of India after the Second World War.

The policy the Sinn Fein party sought a mandate for was a radical one and consisted of four points. Firstly, its elected representatives would refuse to take their seats in the British parliament. Secondly, the party would use 'any and every means available' to counteract British

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[7] See J. Coakley, 'The Election that made the first Dail' in B. Farrell (ed.) *The Creation of the Dail* (Dublin, 1994).

[8] Ibid, p.36.

[9] N. Mansergh, 'The Prelude to Partition : Concepts and Aims in Ireland and India' in D. Mansergh (ed.), *Nationalism and Independence: Selected Essays and Papers* (Cork,1997), pp. 32-63.

rule. Thirdly, Sinn Fein would convene the Irish M.P.s as a constituent assembly with supreme decision- making power. Fourthly, it would appeal to the Peace Conference that was soon to assemble at Versailles for 'the establishment of Ireland as an Independent nation'. The policy of the party was thus a revolutionary one. It would end the decades old Nationalist Party tradition of attending the Westminster parliament and would resort to civil disobedience instead in order to pressurise London into conceding nationalist demands. It would establish its own sovereign assembly in Ireland and seek international recognition as an independent sovereign nation.

This programme was certainly the product of the revolutionary exuberance which affected nationalist Ireland in the aftermath of the 1916 Rising. There were however points on which the Sinn Fein leadership was equivocal. In the first place, the decision to adopt a 32-county Republic as the goal of the Sinn Fein movement had come rather late in the party's evolution. It was only in October 1917, when de Valera replaced Griffith as head of the party, that the latter's preference for a dual monarchy linking Ireland with Britain was discarded. For Griffith legislative autonomy, not the *de jure* status of the state, had always been synonymous with independence and this remained at the heart of his political vision. As Laffan remarks, some other Sinn Feiners understood the goal of a Republic in the literal sense, their mission was to make real the Republic declared in 1916. For others however 'Republican' status was 'no more than a synonym for independence'.[10] Indeed despite the party's rejection of Griffith's programme, the programme of the party was still ambiguous. Its election manifesto in 1918 had spoken of seeking recognition as a sovereign independent Republic. It went on to add however that, having achieved that status, the Irish people could via referendum freely chose their own form of government.

Hancock suggests that the ambiguity of the Sinn Fein programme was due to the existence of two rival conceptions of independence which had existed within Irish nationalist politics for decades :

> On the one side was the dogma of the undying republic, won by the blood of the martyrs, living in its own right, needing no ratification by popular vote, but needing only resolution and arms. For this living Republic Sinn Fein was trustee, claiming full loyalty and obedience. Here in germ was the party state. But on the other side was nationalistic democracy, equally resolute for Irish independence, but admitting the right of the Irish people to choose the symbolism and forms of government in which that independence would express itself. This theory subjected Sinn Fein itself to the suffrage of the people.[11]

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[10] M. Laffan, 'Sinn Fein from Dual Monarchy to the First Dail' in B. Farrell (ed.) *The Creation of the Dail* (Dublin, 1994), p.25.

[11] K. Hancock, 'Problems of Nationality 1918-1936' in *Survey of Commonwealth Affairs*, vol 1, (London, New York, and Toronto, 1937),p.104.

Thus there were two long-standing conceptions of independence in Ireland. The oldest was what was known as 'the sister Kingdom Theory' which asserted the rights of the Irish people to be bound only by the laws enacted by his Majesty and the Parliament of that Kingdom. Eighteenth century in origin, 'it conceived of a state free to legislate for its own internal affairs and owing subjection and allegiance only to the King's sacred majesty'.[12] This claim to independence did not derive from any *a priori* theory of political rights but was based on a traditional claim and a traditional model of government. From this model derived Arthur Griffith's policy of withdrawing from Westminster and re-establishing an Irish parliament in Dublin which would continue to recognise the Crown under a Dual Monarchy. The Dual Monarchy idea 'represented not so much a constitutional dogma as a working method of achieving national freedom: it was the product of a practical temper aware of the limitations inherent in changing circumstances and unwilling to fix any abstract label on the national struggle and turn that label into a test for patriots'.[13] Since it aimed at independence by restoring the legislative rights of the Irish parliament under an ancient constitution, it did not involve the break-up of the existing state and could not be considered secessionist. On the other hand there was a radical Jacobin conception of independence which foresaw 'a separate Irish government which could claim immediate authority; and the immediate form and symbolism could be none other than Republican'.[14] This form and this symbolism would however be provisional, since once established, the people would be free to 'clothe the established national state in whatever form and symbolism it might deem expedient'.[15] Such a conception, based as it was on the doctrine of popular sovereignty asserted the exclusive rights of the people to decide their own form of government free from outside interference. It proposed independence by secession, the creation of a new and separate state which would be called a Republic, to emphasise both its complete independence and its severance from the older state.

One could add that this divide reflected a difference over the meaning given to the term national self-determination by the Sinn Fein leadership, since one tradition stressed the importance of achieving true independence as a Republic while the other was more concerned with establishing a government with the consent of the people. Put another way, the split in the Sinn Fein movement revealed a universal tension between the proponents of 'external' and 'internal' self determination. A basic division often surfaces in nationalist movements between those who insist on 'grand' self-determination 'whose object is true internationally recognised sovereignty' and 'small' self-determination, which is concerned with the internal structure and politics of the state.[16] Such a division lay behind the Treaty split of 1922.

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[12] Ibid, p.101.
[13] Ibid, p.104.
[14] Ibid.
[15] Ibid.
[16] B. Neuberger, 'National Self-Determination : Dilemmas of a Concept' *Nations and Nationalism*, vol 1. no 3, 1995, p.299.

The particular mixture of nationalism and democracy that characterised the Sinn Fein movement after 1918 had explosive potential. Did the public give a mandate for the establishment of an externally recognised Republic in 1918 or merely to a government reflecting the will of the people ? This was one issue and it had not been resolved before 1921. Another dilemma facing the movement referred to the 'self' implied in the concept of 'self-determination'. Did it extend *a priori* to the whole of the Irish people or merely to those areas where a majority voted for the Sinn Fein movement in 1918? For Republicans national self-determination meant the self-determination of the whole Irish people, which voted by a majority on the island for secession. For more pragmatic nationalists it was only in those areas where nationalist candidates received a majority that Sinn Fein could demand self-determination. Although Sinn Fein was loath in its public statements to admit that Unionists had, on the basis of the 1918 election results, a right to opt out of the independent state, privately many had conceded before 1921 that the Unionists could not be coerced into an independent Ireland.

Sinn Fein's political programme was carried forward from early 1919 onwards. Its diplomatic efforts were aimed at securing a hearing for Ireland at the soon-to-be convened Peace Conference at Versailles. The concept of self-determination had already played a large part in its propaganda efforts. Candidates for the 1918 election such as Gavan Duffy, Minister for Foreign Affairs in the revolutionary Dail government between 1919-1921, told his electorate that 'the fundamental question in this General Election is whether this ancient and honourable people, alone of the white race, is to forgo its claims to self-determination'.[17] Sinn Fein demanded that the victors of the World War hear Ireland's claim to the right of national-self-determination at the Paris Peace Conference. America in particular should insist that Britain be bound by 'the general moral law' of self-determination.[18] They were supplied with electoral data showing how extensive the demand was for a 32-county Irish Republic in the recent election.[19] If the Peace Congress ignored Ireland's case, and removed its hope of redress through the Peace Conference, violent conflict could ensue.[20]

On the other hand the aim of the Sinn Fein organisation was to establish a working government in Ireland to make real Ireland's claim to self-determination. This government would gradually usurp the powers of Dublin Castle in Ireland. To this end a Cabinet and a number of government departments were established. They included Departments of Foreign Affairs, Finance, Local

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[17] 'To the Electors of South County Dublin', December 6 1918, Gavan Duffy Papers, 1125/29/1 National Archives.

[18] G. Duffy, 'An Urgent Preliminary Note for the Information of the President of the United States of America with regard to Ireland and the Peace Conference, December 28 1918, Gavan Duffy Papers, 1125/15/2, National Archives.

[19] Sinn Fein, *Ireland's Request to the Government of the United States of America for recognition as a sovereign independent state* (Dublin, 1919).

[20] Gavan Duffy, 'An Urgent Preliminary Note' op. cit.

Government, and of Education as well as Directorates for more prosaic areas such as Trade and Commerce. Throughout the country the party assumed responsibility for the administration of justice and for a variety of tasks, including the arbitration of land disputes. Meanwhile, the official agencies of the British state in Ireland were either ignored or subverted. The Sinn Fein government would become the sole legitimate authority in the country and this would demonstrate the nation's capacity for self-rule. While some of the Dail government's departments were never to function effectively, in other areas, such as Justice for example, the claim that they were establishing a rival governmental structure in Ireland was matched by practical activity. This enabled the party to claim that the government of the Republic was functioning and claimed recognition 'not only because it is the legitimate and rightful government of the Irish people - the only government with the democratic sanction of the consent of the governed, but also because it is also the actual government in Ireland'.[21]

The Sinn Fein movement thus possessed two separate but interlocked elements. On the one hand, on the basis of democratic and nationalist principles it was putting forward a normative case for recognition as a sovereign independent Republic. On the other hand, it was making good its claim for recognition in the practical sphere. It was significant even at this early stage in the movement that the organisation of the Department of Finance was entrusted to Michael Collins, while the main work of de Valera lay in the field of propaganda, more specifically in persuading American public opinion of the justice of Ireland's claim. The different emphases involved in these activities, the one concerned with practical realities, and the other with normative arguments, were to influence how both responded to the Treaty signed in December 1921.

What is important to recognise was that the tension between the two emphases in the Sinn Fein movement, the one concerned with achieving external recognition as a sovereign independent state, and the other with establishing an actually existing government in Ireland, did not emerge while the movement was struggling to achieve both against the force of British resistance. By 1921 it was clear that the effort to gain recognition for the Republic had failed, but in other respects the Sinn Fein movement had succeeded in establishing a functioning government in many areas of Ireland. It remained to be seen what would happen if negotiations with the British would result in the nationalist elite being offered the substance of practical freedom, but denied what I have termed external recognition as a sovereign state, which to many was synonymous with Republican status.

8.2. The Treaty Split.

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[21] Sinn Fein, *Ireland's Request to the Government of the United States of America for recognition as a sovereign independent state* (Dublin, 1919), p.15.

The Treaty was signed on December 6th 1921 after months of negotiation and diplomatic wrangling. The Anglo-Irish war had reached its most intense phase during 1921 and both sides were anxious for a negotiated peace. With a divided delegation however, and unclear lines of authority to the Dail cabinet, some of whom remained at home, the decision of the plenipotentiaries to sign the Treaty was bound to be controversial. The delegates did not report back to Dublin before signing the final document although they were aware that the Treaty would be met with hostility in certain quarters. De Valera, despite pleas to the contrary, was not part of the delegation and remained in Dublin awaiting news of the negotiations. He was well aware that the British would not concede the Irish demand for a 32-county Republic but had not instructed the delegates to accept less. When news of the Treaty returned to Dublin he was furious.

The delegates to the negotiations had accepted a document that left the Irish state within the Empire but on terms that gave it equality of status with the other White Dominions.[22] The precise constitutional relationship between the new Irish Free State and the Imperial Parliament would be analogous to that existing between Westminster and the Dominion of Canada. A Governor General, to be the Crown's representative within Ireland, would be appointed after the manner existing in Canada. The members of the Irish parliament would take the following oath.

I... do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established and that I will be faithful to H.M. King George V., his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.

The Irish would assume responsibility for the payment of a proportion of Britain's public debt and of the war pensions of the United Kingdom. The British would assume responsibility for the coastal defence of the Irish Free State until such time as an arrangement has been made between the British and Irish Governments whereby the Irish undertook their own defence. The Irish would allow, in time of peace, the use of a specified number of Irish ports, and in time of international crisis, 'such harbour and other facilities as the British Government may require for the purpose of such defence as aforesaid'. The Free State army would not exceed in size the proportion of the military establishments maintained in Great Britain 'as that which the population of Ireland bears to the population of Great Britain'. Northern Ireland would be given the option of opting out of the Free State but should it do so, a Commission of three, one to be appointed by the Irish government, one by the government of Northern Ireland, and one, to be Chairman, by the British Government, would be entrusted with determining the boundaries between Northern Ireland and the rest of Ireland 'in accordance with the wishes of the inhabitants, so far as may be compatible with economic and geographic conditions'.

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[22] See Appendix A.

Met with immediate hostility on his arrival back to Dublin, Collins was quick to refute charges that he had acted in an indefensible way in signing the Treaty. He argued that it was the acceptance of the invitation to negotiate, not the Treaty itself, that had formed the compromise with Britain. The delegates had accepted an invitation 'to ascertain how the association of Ireland with the community of nations known as the British Empire may best be reconciled with Irish national aspirations'. Those who accepted their role as negotiators 'all knew that we could never bring back all that Ireland wanted and deserved to have and we therefore knew that more or less opprobrium would be the best reward we could hope to win'.[23] He believed that the British move to negotiate was made because further British repression would not be countenanced by world opinion, but a rejection of a generous settlement by the Republicans would allow Britain to represent them as irreconcilables' and thereby renew their mandate to restore "law and order' in a country that would not accept responsibility for doing so itself.[24] Collins had believed that military and economic resistance to British rule had reached its high water mark the previous July. As such the realisation that the IRA could not drive the British forces out of Ireland was the premise for the acceptance of the Truce. In short, even before they went to London the plenipotentiaries had 'abandoned for the time being, the hope of achieving the ideal of independence under a Republican form'.[25]

Moreover, according to Collins, at no stage in the negotiations had the delegates demanded the Republic as their ultimate demand. Precisely because a settlement outside the Empire was not envisaged, de Valera had instructed the delegates on their first visit back to Dublin to put the case for his Document No. 2 instead. This proposed that Ireland would be a Republic in so far as internal matters were concerned but would recognise the Crown for external purposes only.[26] Unfortunately Document No.2. was rejected, even with amendments, three times by the British. The acceptance of Dominion status followed from the rejection of Document No. 2. The alternative was the failure of talks. As Collins had put it 'if our national aspirations could only have been expressed by the full Republican ideal, then they were not and never could be, reconciled with what was understood by "association with the group of nations known as the British Empire" '.[27]

Lastly, Collins accepted that there was an element of 'duress' in the decision to accept the Treaty. It was said that Robert Barton, who later opposed the Treaty, had signed the Treaty because of Lloyd George's threat of 'terrible and immediate war'. Collins denied that the threat was ever

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[23] M. Collins, 'Article on Treaty Negotiations' (Lifford, 1931), p. 31.
[24] Ibid,p. 31.
[25] Ibid, p.87
[26] See Appendix B.
[27] M. Collins, *The Path to Freedom* (Dublin,1996), p.94.

made, as did the British, but he believed that 'duress' had existed from the outset and was independent of the course of negotiations: 'Our acceptance of the truce, our consenting to negotiate, yes and in the same sense the signing of the Treaty - all these proved that there existed an element of duress'.[28] He did not actually sign the Treaty under duress 'except in the sense that the position as between Ireland and England, historically, and because of superior forces on the part of England, has always been one of duress'.[29]

In 1937 Frank O' Connor wrote that it was 'as a realist that Collins will be remembered' and his acceptance of the Treaty is usually seen as an example of 'his natural bent for realism'.[30] Lyons argues that 'it is probably true to say that the majority of those who ultimately came down on the Treaty side did so on less than idealistic grounds' and Collins, whose endorsement of the Treaty is inevitably associated with the phrase that it gave 'not the ultimate freedom that all nations aspire and develop to but the freedom to achieve it', seems to personify that position perfectly.[31] Collin's endorsement of the Treaty agreement was not only pragmatic, he believed that the final steps in the march towards full independence would be achieved within his lifetime.

The Treaty does not put a bar to the onward march of the Irish nation. It is unthinkable that this generation will not carry Irish aspirations further forward. And this onward march will unquestionably be continued by Irishmen until the Gaelic Irish nation is fully restored again.[32]

Although head of the I.R.B., Collins publicly declared that the Irish nationalist tradition had always been a pragmatic one which struggled for freedom from English domination, not for freedom with any particular label attached to it:

What we fought for at any particular time was the greatest measure of freedom attainable at that time, and it depended upon our strength whether the claim was greater than at another time or lesser than at another time.[33]

At the very least, the Treaty ensured that after a lapse of seven hundred and fifty years, the Free State would be left 'with a parliament to make laws for the Peace order and good government of Ireland and with it an Executive responsible for that parliament'.[34] Regardless of the question of

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[28] M. Collins, 'Article on Treaty Negotiations' (Lifford, 1931), p.87.
[29] Collins,*The Path to Freedom* (Dublin,1996), p.26.
[30] F. O' Connor, *The Big Fellow* (Dublin, 1996), p.10.
[31] F.S.L. Lyons, 'from Treaty to Civil War in Ireland. Three essays on the Treaty Debate' in B. Farrell (ed.) *The Irish Parliamentary Tradition* (Dublin,1973), p.247.
[32] New York Herald, May 5 1922, 'Michael Collins: Statements and Speeches', Department of An Taoiseach, S 10961, National Archives.
[33] M. Collins, *The Path to Freedom'* (Dublin,1996), p.28.
[34] M. Collins, 'Article on treaty Negotiations' *People's Press*, 1 November 1931.

status, the Treaty had achieved the practical essence of freedom. This was more important than the question of status:

If the impossible had happened, and the Rising had succeeded and the English had surrendered and evacuated the country, we would then have been free, and we could then have adopted the Republican form of government, or any other form we wished. But the Rising did not succeed as a military venture. And if it had succeeded it would have been the surrender and the evacuation which would have been the proof of our success, not the name for, nor the form of, the government we would have chosen. If we had still a descendant of our Irish Kings left, we would be as free, under a limited monarchy, with the British gone, as under a Republic.[35]

Collins denied that de Valera's Document No.2, which would have allowed for a Republic within the Commonwealth, represented a superior alternative to the Treaty. He was quick to see in Document No. 2 the hand of an Englishman, Erskine Childers: 'dominionism tinged every line' of the Document, according to Collins, to the extent that it belittled Ireland's true status as 'a Mother Country' with 'the duties and responsibilities and feelings and devotions' of a mother country.[36] This fact signified more to Collins 'than all the arguments about Dominion status, or all the arguments basing the claim of out historic nation on any new-found idea'. To him Irish nationhood sprang from the Irish people 'and not from any equality -inherent or acquired-with any other people'.[37]This was a definite rejection of the idea of external self-determination as a sort of litmus test of true independence.

The difference between Collins and de Valera reflected the long standing tension in the nationalist movement between proponents of external and internal self-determination. De Valera, however much Document No 2. deviated from the ideal of 'the isolated Republic', believed that any close association with Britain put a limit on Irish national aspirations. For example, Collins welcomed the constitutional status of Canada as a guarantee of future freedom for the Irish state.

Our immunity can never be challenged without challenging the immunity of Canada. having the same constitutional status as Canada, a violation of our freedom would be a challenge to the freedom of Canada. It gives us a security which we ought not lightly to despise. No such security would have been reached by the external association aimed at in Document No 2.[38]

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[35] M. Collins, *The Path to Freedom,* (Dublin,1996), p.54.
[36] Ibid, p.37.
[37] Ibid.
[38] Ibid p.92.

De Valera however saw no such guarantee in the Canadian analogy. He informed a Professor of Law at Trinity College Dublin that the main problem he and Childers had with the Treaty lay in the King's right to veto domestic legislation. Once economic legislation passed by an Irish parliament affects English commercial interests 'you will see that British Ministers will advise the King and he will veto the bill'. He added significantly however, that if the constitutional practice of the Free State did follow that of Canada, as prescribed in the Treaty, then de Valera would alter his attitude toward the Treaty.[39] This was in line with de Valera's view that the Treaty was not a stepping stone but a barrier to the full realisation of Irish national aspirations.

> It is not a stepping stone, but a barrier in the way to complete independence. If this Treaty be completed and the British Act resulting from it accepted by Ireland, it will certainly be maintained by a solemn binding contract has been voluntarily entered into by the Irish people, and Britain will seek to hold us to that contract. It will be cited against the claim for independence of every future Irish leader.[40]

De Valera's immediate response to his loss of the Cabinet vote on the Treaty was to attempt to have Document No 2. replace the Treaty as the basis for public discussion. He failed but continued to argue for its merits thereafter. De Valera's motives in opposing the Treaty have been interpreted in different ways. Fanning suggests he opposed the Treaty 'not because it was a compromise, but because it was not his compromise'.[41] De Valera, in a fit of pique at being left out of the final decision on the Treaty, may have rejected the Treaty for egotistical reasons. The charge was also made by Michael Collins, who suggested de Valera thought he had only so say 'I won't have it' and all Ireland would re-echo 'we will not have it'. That 'miscalculation' according to Collins 'was the cause of all the trouble'.[42] As Hopkinson says, this interpretation ignores the sincerity and consistency of de Valera's views on the Treaty,[43] and the validity of Document No. 2 as an alternative. The most obvious difference between the two lay in the absence of an oath and a Governor General in the latter. Article one of Document No. 2, declared that 'the legislative, executive, and judicial authority of Ireland shall be derived solely from the people of Ireland'. Ireland would be associated with the States of the British Commonwealth only 'for purposes of common concern' and would recognise the British King as head of the association as part of its membership of the Commonwealth. This formula, known as 'external association' would have left Ireland free in internal affairs while in external matters its policy would be jointly determined with the other states of the Commonwealth. In short Document No. 2 rectified the democratic deficit de Valera feared was present in the Treaty settlement. The other articles were rather similar to the Treaty, save for article 16 on the transfer of powers, which required

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[39] See 'Peace Proposals: E. Culverwell', Department of An Taoiseach, S 8141, National Archives.
[40] Quoted in T.P. Coogan, *De Valera : Long Fellow, Long Shadow* (London,1993),p.304.
[41] R Fanning, *Independent Ireland* (Dublin,1983), p.3.
[42] *Sunday Express* April 23 1922.
[43] M Hopkinson, *Green Against Green* (Dublin,1988), p.39.

that a transitional government be elected by the Dail elected in 1920, and not by the parliament of Southern Ireland. This was also a democratic improvement on the Treaty, since the Sinn Fein elite as a whole had boycotted the parliament for Southern Ireland and continued to attend Dail Eireann, which had been the legitimate parliament in Southern Ireland since 1919.

De Valera's actions in opposing the Treaty have been interpreted as those of an autocrat denying the right of the majority of the Irish people to decide on the Treaty settlement. Aside from creating publicity for Document No. 2, de Valera also started a new political party, Cumann na Poblachta, composed of the fifty seven deputies who had voted against the Treaty on January 5th. This group was behind an attempt to have de Valera re-elected as President of the Dail, which narrowly failed, by 60 votes to 58. De Valera had already rejected a suggestion by Michael Collins that a Committee of Public Safety be formed consisting of both supporters and opponents of the Treaty, as he had earlier rejected, before the Dail vote on the Treaty, the proposal that he remain President, but agree to allow the Provisional Government to function. Instead he wished to have a cabinet that was 'composed, for the time being, of those who stood definitely by the Republic'. His actions in then seeking to have himself re-elected as President were criticised by Cosgrave as a perversion of constitutional practice, requiring 'that the minority in an assembly... form the government'.[44]

This was the first in a long list of allegations concerning de Valera's behaviour in the period between the signing of the Treaty and the outbreak of civil war. We have already seen how de Valera rejected the proposal for a plebiscite on the acceptance or rejection of the Treaty, thus convincing the Provisional Government that it was up to them to safeguard the democratic rights of the Irish people.[45] However de Valera's reaction to the Mansion House Conference was somewhat more complicated than Provisional Government propaganda would allow. There was nothing in the Treaty that demanded that an election take place before the following December. The Labour Party had proposed that, rather than holding an immediate election, a stable executive be set up, its membership drawn from both the Treaty sides. The Army would be united under this government, and the election would be delayed for six months. In that time a constitution would be introduced. De Valera promised that he would, if Griffith agreed, use whatever influence he possessed with the anti-Treaty party and with the army 'to win acceptance for the proposal, not indeed as a principle of right or of justice, but as a principle of peace and order'. However the proposal was opposed by Griffith and came to nothing. An immediate election, which was demanded by the British Parliament's Irish Free State Act, was the policy of the Provisional Government.

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[44] R. Fanning, *Independent Ireland* (Dublin,1983), p.7.
[45] See Chapter 5.

De Valera has also been accused of courting extremist support after the Dail vote on the Treaty,[46] and more damagingly still, of inciting civil war in a series of speeches which he maintains were intended as warnings of the possibility of civil war.[47] The most infamous of those speeches is worth quoting at length:

If they accepted the Treaty, and if the Volunteers of the future tried to complete the work the Volunteers of the last four years had been attempting, they would have to complete it, not over the bodies of foreign soldiers, but over the dead bodies of their own countrymen. They would have to wade through, perhaps, the blood of some of the members of the Government in order to get Irish freedom.

In self-defence, de Valera claimed that the newspaper reports of these speeches were misrepresentations which had on their readers precisely the same effect 'as if the inciting words were really mine'. De Valera's self justification, which appeared in the Irish Independent on March 23, is worth quoting in full:

My argument was an answer to those who said that the London Agreement gave us 'Freedom to achieve freedom'. I showed that instead of opening the way, it erected in the nation's path two almost impassable barriers; (1) the nation's own pledged word, and (2), a native government bound to act in accordance with and to secure, even by force, respect for that pledged word. The constitutional way was barred and the way of force barred - the latter by the horror of civil war. The Irish Volunteers of the future, if they persevered in the cause of Independence, would have to fight not an alien English government merely but a native Irish government, not English troops but Irish troops, the forces of their own government - their own fellow countrymen. That was the barrier of Irish flesh and blood which those who advocated the acceptance of the so-called Treaty would erect, even whilst they shouted that they were securing 'freedom to achieve freedom'.[48]

Whether the letter dispelled suspicions that de Valera was inciting civil war is debatable, but his choice of words was certainly unfortunate. What is remarkable were the two assumptions that de Valera made in his letter. The first was that the IRA would continue to have a political role. The second was that further independence could not be achieved by a native government set up under the Treaty. This may not have been incitement to civil war, but it was a statement that some kind of conflict was inevitable, and in the highly-charged atmosphere of the time, represented at least a reckless streak in de Valera.

Assessing the validity of the anti-de Valera critique, one has to be careful not to confuse opposition to the Treaty with opposition to liberal democracy itself. De Valera was free, and in

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[46] T.P. Coogan, *de Valera, Long Fellow, Long Shadow* (London, 1993), pp.300-321.
[47] Ibid, pp.310-312.
[48] *Irish Independent*, March 23 1923.

the light of his convictions, honour-bound, to oppose the Treaty if he felt that Irish democracy could not develop under its confines. Whether he opposed a democratic resolution to the Treaty conflict is another question. On the strength of the available evidence there seems no doubt that de Valera was 'an unenthusiastic democrat' in the first half of 1922. Coogan quotes an interview with an American correspondent where de Valera refers to a 'well-known weakness of democracy', its lack of effective checks and balances against sudden changes of opinion and poorly thought-out actions. In the Irish context there were no such brakes so 'the Army sees in itself the only brake at the present time and is using its strength as such'.[49] De Valera was not slow to provide a justification for the army's position:

Republicans maintain that the proposed 'Treaty' which involved the abandonment of the Republic and the acceptance of the British Crown and the British Empire, should not be put to the people whilst England's threat of war prevents the free will of the people from being truly expressed. They maintain further, that there are rights which a minority may justly uphold, even by arms, against a majority, and that such a right is that of defending and preserving for themselves and for all those who come after them, the precious heritage of belonging to a nation that can never be said to have voluntarily surrendered its territory or its independence.[50]

After the majority of the Dail had accepted the Treaty de Valera could only mobilise opinion in the Army against the Treaty. It was only when Collins offered him an alternative through the Pact that de Valera returned to a purely political way of finding a brake on the disestablishment of the Republic.

Collins' willingness to sign the Pact when the majority of his cabinet were against it, can also be taken as evidence of the undemocratic propensities of a man who was willing to go further to appease his opponents than his colleagues would contemplate. The Pact was denounced by Churchill as a deal 'whereby a handful of men who possess lethal weapons deliberately disposed of the political rights of the electors by a deal across the table'.[51] However, even if the Pact effectively denied the right of the electorate to decide on the Treaty settlement, such elite pacts are often devised by elites in deeply-divided societies as ways of stabilising the political situation. By definition, pacts remove certain areas of public policy from the realms of majority rule, but are justified by the fact that the choice is not between majoritarian and non-majoritarian democracy, but non-majoritarian democracy or no democracy at all.[52] In the Irish context, the alternative to the Pact was not a fully competitive election but probably no election at all. It was

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[49] Coogan op. cit.,p.316.
[50] FF 22, Fianna Fail Archives.
[51] Coogan, op. cit., p.317.
[52] See A. Lijphart, *Democracy in Plural Societies : A Comparative Exploration* (New Haven and London, 1977).

in this spirit that Collins defended the agreement: 'It must be remembered that the country is still in a transition stage and that to act as if a stable condition had been reached is impossible and in the national interest unsound'.[53]

Moreover the Pact did not prevent other parties going forward to contest the election and there is some evidence that Collins was keen to protect their right which was spelt out in clause four of the agreement. On May 29th he telegraphed his legal adviser Kevin O' Shiel to say that he could not agree to any joint appeal made with the Anti-Treatyites that he had not seen 'and that does not fairly protect the principle contained in clause four'.[54]Although it is impossible to prove, the Anti-Treatyites' publication of an appeal to the electorate not in keeping with clause four, in the Dublin papers on June 12, may have been one reason why Collins issued the statement he did on June 14, which has been taken to be a renunciation of the Pact. On 13 June, the day after the advertisement appeared in the press, Collins published a press statement stating that the Anti-Treatyite statement 'was not in keeping with the spirit of the Pact, and to suggest that no non-Pact candidates by contesting the elections, branded themselves a national enemy was obviously contrary to the agreement signed by him and by Mr de Valera'.[55]

Collin's behaviour during the run-up to the election nevertheless exposes him to the charge that this political outlook was a mixture of inconsistency and insincerity. The joint press statement made with de Valera on June 9, which expresses the view that electoral contests between pact candidates and third parties should be kept to a minimum, was signed after Collin's telegram to O' Shiel, which expressed a completely different outlook. Likewise, in the days before the election, Collins could be heard to be recommending the pact *and* recommending to the voters that they vote for whomsoever they wish. Later, after the pact had collapsed, and the civil war begun, Collins wrote that 'Labour will be free to take its rightful place as an element in the life of the nation'.[56] At the same time he was recommending to his cabinet colleagues that the Dail should not be allowed to meet until the decisive battles in the civil war had been won. This was to avoid the possibility that Labour, the largest of the third parties, would prove critical of the government's civil war policy:

I consider that if parliament did not meet until the 24th - our military position would be very favourable. We would have occupied sufficient additional posts in the South to dominate entirely the position there and would be able to indicate so definitely our ability to deal with the military problem there that no parliamentary criticism of any kind could seriously interfere with that ability.[57]

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[53] Provisional Government Minute June 6 1922.
[54] Collins to O' Shiel, May 29 1922, Department of An Taoiseach, S 2939 A.
[55] Statement to Press, June 13 1922, ibid.
[56] 'Notes by General Michael Collins' August 1922, *Path to Freedom*, p.19
[57] To Acting Chairman from Chief of Staff, August 5 1922, 'Civil War 1922-23-Army Reports on situation and organisation', Department of an Taoiseach, S 3361, National Archives.

Not only was Collin's attitude to the Labour Party inconsistent: once the civil war had begun, he insisted that the terms under which he had agreed the Pact with de Valera had changed. Earlier he had been asked by a journalist whether it might be possible 'to have something in the nature of a coalition government, as to let some of the leaders of the opposition to act as unofficial advisers to the Cabinet'?[58] Collins replied in the affirmative. Once the civil war had started however his attitude changed.

Q. Will Mr. de Valera be excluded from the Cabinet if he persists in his refusal to adhere to the conditions that a Cabinet position involves ?
A. I have only to suppose that acceptance of the Treaty by members of the Provisional Government is a clause of the Treaty.[59]

Such acceptance was not part of the agreement Collins personally made with de Valera on May 20th.

In short it is difficult to rescue Collins from the charge that his instincts were not 'essentially democratic', as has been claimed by Garvin.[60] Rather his instincts seem essentially manipulative and his attitude to political questions a mixture of inconsistency and insincerity. An even more damaging charge concerns the Northern policy Collins carried out in the months before the civil war. While his cabinet colleagues were aware of the fact that Collins was orchestrating schemes of non-co-operation with the Northern Ireland government, and were asked to support them, they were kept in the dark about the involvement of the IRA in Collins' schemes and the fact that this involvement led to killings, kidnappings and raids of various descriptions.[61] The phase is well documented by Coogan under the title 'Setting up the Six', and reveals again the difficulty in coming to a definitive assessment of Collin's political ideas and his vision of the future. Under the Treaty the Northern Ireland parliament had been given the option of opting out of the Free State. If it were to do so, the Boundary Commission would be charged with redrawing the boundaries of North and South, probably to the advantage of nationalists. If Collins and his colleagues were to stick by the Treaty there seems no doubt that Irish unity could only have come about with the consent of Northern Unionists. This implied a peaceful and co-operative policy on the North, precisely what Collins was not pursuing. Yet publicly Collins seemed to indicate that his policy was essentially in line with the Treaty. He initiated a series of agreements for the protection of Northern Catholics with Sir James Craig which would have suggested that his

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[58] Interview with New York Herald n.d., 'Michael Collins : Statements and Speeches' Department of An Taoiseach' S 10961, National Archives.
[59] Interview with Sunday Express, n.d., ibid.
[60] T. Garvin, *1922, The Birth of Irish Democracy* (Dublin,1996),p.129.
[61] This area is fully documented in T.P. Coogan *Michael Collins* (London,1990), pp.334-385.

policy was one of co-operation. In early February he told a confidant that 'the accepted policy for the moment is peace and we must give peace a chance'. [62]At the same time, however, officers under his own command were, with his knowledge, conspiring to kidnap one hundred Orangemen in the North in order to force the release of some prominent IRA men from jail in Derry.[63] According to Hopkinson the peace policy was 'a mere public front'.[64]

Collins told a correspondent that regular 'intercourse' between Northern and Southern leaders would have the effect of dissolving differences between the two.

> This intercourse will inevitably bring our views before the supporters of the others. Agreement will be reached or even disagreements, and again people will wonder why they cannot agree on bigger things, and if they disagree they will note how small the differences will often be. It is understood that the process will take a little time, but after all, if we have the common end clearly in view this extension of time is not a point of substance.[65]

At the same time he let it be known that he placed little faith in the Boundary Commission and therefore in the possibility of attracting a truncated Northern Ireland by 'intercourse' rather than force. Indeed Coogan's view is that had he lived, and obtained ordered conditions in the South, he fully intended to achieve the goal of a 32-county United Ireland by military means, if necessary.[66] In the pursuit of that policy, Collins seemed perfectly happy to ignore the views of his colleagues in the Provisional Government. Indeed the Collins-sponsored military campaign to destabilise Northern Ireland, which took place in May and June 1922, continued after the date the Provisional Government decided to adopt a policy of 'peaceful obstruction' towards the Belfast Government.[67]

Collins Janus-faced Northern policy did not survive his death, much to the disappointment of the Northern IRA, some of whom subsequently lamented the absence of a 'definite' policy on the part of the Provisional Government under Cosgrave.[68] What the policy does reveal however, is that Collins, as is claimed of de Valera in the same period, had a tendency to keep his intellect private and his rhetoric public. In public he appeared as the defender of the Treatyite position, in private he was impatient with the confines of the Treaty settlement. To those whose opinions were

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[62] Collins to Louis Walsh, February 1 1922, Correspondance with L.J. Walsh Derry, Department of An Taoiseach, S 9241, National Archives..

[63] See Coogan, *Michael Collins*, (London,1990), pp.343-344.

[64] M. Hopkinson, 'The Craig-Collins pacts of 1922 : two attempted reforms of the Northern Ireland government', *Irish Historical Studies*, xxvii, no 106 (NOvember 1990),p.149.

[65] Collins to Walsh, February 2 1922, op. cit.

[66] T.P. Coogan, *De Valera: Long Fellow Long Shadow* (London,1993), p.317.

[67] Provisional Government Minute, June 3 1922.

[68] See the quote from Seamus Woods, O/C of the Third Northern Division, in R. Fanning, *Independent Ireland* (Dublin,1983), p.37.

conservative, the conservative Collins appeared, to those who were Republican, the radical Collins appeared. To some he indicated that he was content with the Treaty settlement and 'would do it all over again, in exactly the same way, in the same circumstances'.[69] To others he said that 'we should have refused to negotiate a Peace until that Act of Usurpation (i.e. The Government of Ireland Act) had been written off. But it is easy to be wise after the event'.[70] This inconsistency in Collins outlook had important practical consequences. In the private sessions of the Dail, Collins, alongside several senior IRA figures, made much of the argument that the alternative to the Treaty was a probably unsuccessful renewal of war with the British. This argument may have swayed a decisive number of waverers to accept the Treaty on pragmatic grounds.[71] Publicly however, Collins was quick to refute the Republican claim that the Treaty had been accepted under the threat of 'terrible and immediate war'. Collins claimed that the British had three alternatives: (1) To dissolve Parliament and put their proposals before the people ; (2) to resume the war by courting breakages of the truce, (3) to blockade Ireland and to encourage internal conflict. In his view, Britain would have preferred the first course of action, which would be more damaging if electoral support for the British, in Britain or in Ireland, were strong.[72] War would ensue sooner or later, but one wonders what the outcome might have been in the Dail debate on the Treaty if Collins, and his IRA colleagues, had expressed the same opinion in the Dail debate on the Treaty ?

Collin's relationship with the military wing of the Sinn Fein movement was not free of ambiguity. He was more interested in keeping the military side of the nationalist movement united and tended to blame the Anti-Treaty politicians for politicising the army. How far was Collins willing to go in his efforts to secure army unity? When Collins was initially approached with the idea of a Pact election he poured scorn on the idea that the military would be independent of civilian control.

The difficulty that I see in your proposal is that no Government in the world could exist unless its Executive controlled the Army. It does not matter what the form of Government is. This is a rule which applies to all countries where ordered conditions prevail.[73]

However a few months later, as part of the army negotiations going on behind the scenes, Collins, with Mulcahy, was to offer the Four Courts Executive a set of proposals which would have completely undermined the possibility of civilian control of the army. They stipulated that a

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[69] Collins to J.J. Walsh February 1st 1922, op. cit.

[70] T.P. Coogan, *Michael Collins* (London,1990), p.341.

[71] See J. Regan, 'The Politics of Reaction : the dynamics of treatyite government and policy, 1922-23', *Irish Historical Studies*, vol xxx, no. 120, (November 1997).

[72] Collins,*The Path to Freedom* (Dublin,1996), p.26.

[73] Collins to P. Daly, April 13 1922, 'Peace Proposal 1922; Suggestion by Fr. McCarthy and P. Daly Cork', Department of An Taoiseach S 2978, National Archives.

periodic Convention of the IRA would elect an Army Council of seven, and that the Minister of Defence and the Chief of Staff in the joint government 'shall require the approval by majority vote of the army council'.[74] Whether such an arrangement, with de Valera as Minister of Defence and a pro-Treatyite officer as Chief of Staff, could have worked is impossible to know, but it clearly contravened democratic conventions.

From another point of view, Collin's co-operation with the men in the Four Courts in carrying out his Northern policy did little to legitimise the position he took after June 28. Rory O' Connor, the officer in charge of the Four Courts, claimed that after the Pact was signed Collins and Mulcahy consented to the Republicans remaining in the Four Courts, while the latter made a secret alliance with O' Connor against the Northern government. Apparently Mulcahy's reason for allowing the Republicans remain was that while they remained there, the actions in the North of Ireland would be attributed to the Anti-Treatyites alone. As O' Connor was later to recall,

The lies and hypocrisy of the Free State leaders are astounding, especially by those who took part in the army negotiations for Unity and know the whole inner history of these negotiations. We were never requested to evacuate the Four Courts, on the contrary, at one meeting of the Coalition army council, at which Mulcahy, O' Duffy, Mellowes, Lynch, and myself were present, we were only asked to evacuate the Ballast Office, Kildare Street Club, the Masonic Hall, and Lever Bros. At that stage we actually discussed co-ordinated military action against N.E. Ulster and had agreed on an Officer who would command both Republican and Free State troops in that area. We were also to send from the South some hundreds of our rifles for use in that area. The reason given was that it would never do if rifles which had been handed to the 'Government' for use against the Republic, and which, of course, could be identified- were found in use against Craig. It should be remembered that at this time the 'Government' was publicly declaring that it was the 'mutineer' section of the army which was fighting the Ulster people.[75]

Again the public image the Provisional Government was putting forward belied a much more complex strategy behind the scenes. It was for this reason that the Republicans were able to maintain that theirs was a defensive position in the civil war.

In short, Collins' machinations suggest that he too was an 'unenthusiastic democrat', particularly when it came to the conventions of cabinet government. For this reason Lee has suggested, that, had he survived, it is not too fanciful to imagine him as a plebiscitary president, at the very least.[76] Yet under the conventions of the Westminster system, a Presidential Prime Minister is not as outlandish as one might think, and there is no reason to believe that Collins would have

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[74] G.H. Q. Staff Memo, Richard Mulcahy Papers P7/B/192, U.C.D. Archives.
[75] Rory O' Connor, quoted in 'Who caused the civil war' ? n.d., FF /22, Fianna Fail Archives.
[76] J.J. Lee, *Ireland 1912-1985* (Cambridge, 1989), p.68.

wholly dispensed with the trappings of parliamentary democracy. Moreover Collins was operating in a field where true democrats were in short supply, and where the conventional channels of diplomacy led to inaction as much as anything else. Collin's political legacy from this period seems tainted with failure: the constitution, the Craig-Collins Pact, and the Collins-de Valera Pact, were all failed initiatives, but at least Collins had initiated something, whereas others may have been tempted towards inaction. Ireland in this phase was in transition mode, and its political leadership had yet, I suspect, to find their true vocations.

8.3 The Civil War.

The civil war began on June 28th 1922. Neither Collins nor de Valera could have welcomed the war but it elicited very different responses from the two of them. Collins ceased to act as Chairman of the Provisional Government and became instead Commander in Chief of the new Irish Army. In that role he had definite ideas about the military and political strategy of the Provisional Government and remained a dominant figure on the Pro-treaty side until his death. De Valera had played an insignificant role in the events leading to the outbreak of war, and decided to enrol in the Irregular forces as a private after the fighting had begun. Whereas Collins remained at the centre of events while he lived, de Valera was rather a marginal figure in the Republican leadership. It was not until the Anti-Treatyite leadership allowed him to establish a Republican Government in the autumn that he regained some of his former stature, but even then he had little influence on the course of events.

Collins had long been aware that civil war was a possibility and had given some indication of his intentions in a series of press interviews he gave in the Spring of 1922. He likened the new Irish state to other countries which had gone through a violent revolution, and saw the problems of the new Irish state as symptomatic of the period of transition that all countries went through after a violent revolution. Collins himself had no doubts that the Irish state would be more than able to surmount these difficulties:

Even under the happiest circumstances a period of transition in every country is invariably accompanied by eruption of disorder and spasmodic turbulence. There are many recent examples of this truism. In Poland, Germany, Estonia, Finland, and in practically all the European countries that underwent change as the result of the European war, there were many months of fierce civil war which was only put down after vigorous fighting and appalling loss of life. Our transitional period is not being attended by scenes anything like as bad as that, nor is it at all likely to be. We may be depended upon to deal with the disorder in our midst just as effectively, and just as thoroughly, as those several Governments dealt with it in their sphere. Our methods may be different but the results will be equally satisfactory.[77]

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[77] Interview given April 28 1922, 'Michael Collins: Statements and Speeches', Department of An Taoiseach S 10961, National Archives.

Inevitably, once the war began, the Provisional Government was quick to place the blame for the starting of the war on the Anti-Treatyites, particularly those in the Four Courts. Collins, somewhat disengenuously, shared this attitude, following the Provisional Government's policy of referring to their opponents as 'armed bands':

Having given them one last opportunity to accept the situation, to obey the people's will, when the offer was rejected the Government took the necessary measures to protect the rights and property of the people and to disperse the armed bands which had outlawed themselves and were preying upon the nation.[78]

Collins was quick to dismiss any hope that he would prove soft on the Anti-Treatyites he had recently been so keen to appease. In an interview with J.F. Homan, an ambulance man who had taken on the role of peace intermediary during the battle for Dublin, Collins demanded that the Anti-Treatyites surrender their arms before any cease-fire could be contemplated. This would be the Provisional Government's policy right throughout the war. He agreed to deliver a conciliatory message to his former comrades but only one that included his main demand. On Saturday August 1st he told Homan:

Tell these men that neither I, nor any member of the Government, nor any officer in the army ... not one of us wished to hurt a single one of them, or even to humiliate them in any way that can be avoided. They are at liberty to march out and go to their homes unmolested if only they will ... I do not use the word surrender... if only they will deposit their arms in the national armoury, there to remain until and unless in the whirl of politics these men become a majority in the country, in which case they will themselves have control of them.[79]

Once the fighting had begun in earnest, Collins outlook was not so different from his colleagues in the Provisional Government. The government had decided to prorogue the meeting of the Free State parliament until July 15th and found it necessary to do so again. Collins was fully behind this policy, fearing that if the parliament would meet it would be highly critical of his government. His policy was to wait until the military situation, particularly in the South, had been cleared up, and then allow the Dail to meet. Again Collins was not much concerned with the democratic propriety of this policy and concentrated instead on winning the military and propaganda battle against the Anti-Treatyites. Effective propaganda was an essential weapon in this task. He advised that the government be unsparing in their expenditure on propaganda and seemed to be sceptical about the direction of public opinion. Like his colleagues, when faced with the immense task of Irish statebuilding, his reaction was one of considerable insecurity:

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[78] 'Notes by General Michael Collins' August 1922, *The Path to Freedom* (Dublin 1996), p.11.

[79] J.F. Homan, *Memorandum of Ambulance work & Efforts for Peace*, 'Peace Proposal- J.F. Homan/Clontarf',Department of An Taoiseach S8138, National Archives.

I think that it is not disputed that we are in for as hot a time as any young government could possibly be in for. The Dail chamber will resound with much verbal thunder against us, and everything will be done by opponents there to undermine our influence in the country and endeavour to make us look despicable. No doubt there will be much sympathy from the bold heroes in Mountjoy and Kilmainham from those who are happy in their heart of hearts that they would not be successful.[80]

Collin's recommendations for propaganda were plentiful, and included pictures of dead national soldiers 'who were shot in maintaining the people's supremacy', stressing General Sean Mac Eoin's 'common' background as a blacksmith, and showing the public the economic cost of the Anti-Treatyite campaign .[81]

The Provisional Government's decision not to convene the Dail drew the complaint from the National Executive of the Irish Labour Party and trade Union Congress that

In every country which pretended to rely upon Constitutional sanctions, when a national crisis arose the practice has been to call the people's Deputies together immediately. In Ireland it appears that we are to follow the opposite course, namely, in times of crisis to prevent a meeting of the National Assembly, even though it has been newly-elected and the Government has not received any authority from the Parliament.[82]

The 'Executive Coup d 'Etat' thesis was de Valera's ultimate self-justification faced with the charge that he had helped cause the civil war. Immediately after the Treaty had been accepted by the Dail cabinet in December he declared that 'the great test of our people has come' and urged that that there was 'a definite constitutional way of solving our political differences'.[83] Although the Treaty may be accepted by the Dail it was not within the competence of the Dail to disestablish the Republic which could only be done by the votes of the people. In this vein Griffith had promised that Republican institutions would be preserved intact until the people in an election had pronounced upon the Treaty. According to de Valera 'our presence in the Dail during the whole of the period up to June is evidence that we accepted the principle of majority rule and the right of the people to decide finally on the question at issue'.[84] At the Sinn Fein Ard Fheis in February it was agreed to delay the election for three months so that when the electors went to the polls to decide between the Free State and the Republic they would have the constitution before them. In the meantime the electoral register should be reformed to include

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[80] Collins to Desmond FitzGerald, July 12 1922, 'Propaganda : Suggestions by Michael Collins', Department of An Taoiseach, S 595, National Archives.
[81] Ibid.
[82] Ibid.
[83] 'Civil War 1922-24 : Historical Summary by President de Valera', Department of an Taoiseach, S 9282, National Archives.
[84] Ibid.

large numbers of young people who were excluded. At the Mansion House Conference it was suggested that the army be united, a strong stable executive be set up, and that there be six months delay before the election took place. De Valera promised to use his influence 'to win acceptance of the proposal, not indeed as a principle of right or justice, but as a principle of peace and order'[85] Then on May 20th the Pact with Collins was signed which remained effective until polling day and which ensured that 'the Treaty as such was not an issue in the election'. Without warning the constitution was not published until the morning of the election. Apparently, after the election had taken place De Valera still expected the coalition government to be set up. Instead the Provisional Government, under British pressure, attacked the Four Courts, postponed the meeting of the Second Dail, and failed to convene the Third Dail. In effect 'by what can only be called an Executive coup d'etat they proceeded to change the established state and substitute another'.[86]

The Free State parliament did not meet until September 12th, after the decisive battles of the civil war had been won, and after Collins had been replaced by Cosgrave as head of the Provisional Government. Collin's early death absolves him of guilt for the excesses that were to follow once the war descended into guerrilla war. To what extent was Collins guilty, with his colleagues, of carrying out 'an executive coup d'etat between June and September, as de Valera claimed ?.[87] Certainly there is clear evidence that Collins wanted to avoid a meeting of the parliament before the military task in the South was completed. Firstly, he wanted to avoid the public criticism this would entail. Secondly, he felt that the political effect of another postponement in early August would be positive.

> It would confirm to the general public our determination to clear up this matter definitely and it will have the important effect of preventing the Irregulars in the South feeling that as soon as we came definitely up against them, we hesitated to face them boldly and turned aside from the job, and called parliament. To risk any such idea arising in the minds of the Southern Irregulars with the resultant rise in morale on their part would be a serious matter.[88]

It is clear however that Collins intended that the parliament would meet : the question was - when was it opportune ? In the 'Notes' he prepared in August, which were only published posthumously in *The Path to Freedom,* and which were possibly intended to be delivered to the Dail, he wrote that 'this parliament is now the controlling body' which suggests that he envisaged it meeting quite soon.[89] His untimely death prevents us making a definite prognosis on his

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[85] Ibid.
[86] Ibid.
[87] Ibid.
[88] To Acting Chairman from Commander in Chief, August 5 1922, 'Civil War 1922-23; Army Reports on Situation and Organisation, Department of an Taoiseach, S 3361, National Archives.
[89] M. Collins, *The Path to Freedom* (Dublin,1996), p.18.

potential as a parliamentarian. What the charges do reveal however is that the Provisional Government, and Collins among them, were more intent on shaping public opinion rather than reflecting it. If Collins intended delivering his 'Notes' to the Dail, then it is clear that he was concealing his real sense of Irish public opinion, just as he had earlier concealed his true feelings about the Treaty. He wrote,

That being so, the Government believes it will have the whole force of public opinion behind it in dealing sternly with all unlawful acts of every kind, no matter under what name of political or patriotic, or any other policy that may be carried out.[90]

His private fears of Irish public opinion were altogether different. Moreover Collins was guilty of considerable sharp practice in allowing the constitution to be published only at a time when a minority of the electorate would have had time to examine it. The delay made a mockery of the whole thrust of his political strategy since February. Again his actions during the Irish civil war do little to refute the charge that he was an unenthusiastic democrat.

De Valera's role during the civil war is more difficult to assess, particularly as he was not in a position of power on the Anti-Treaty side. Certainly as President of the Republican Government, he was in an important symbolic role, but he was still unable to influence the course of events. There is evidence that de Valera was acutely sensitive to the criticism that the stance of the Anti-Treatyites during the civil war was an essentially undemocratic one. As early as February 1923 de Valera was attempting to formulate a democratic Anti-Treaty position, and establish a set of principles according to which the civil war might be peacefully concluded. In essence these principles were those which were later offered Cosgrave in May as a basis of 'a peace by understanding' between the two sides. De Valera's 'fundamental principles' included an acceptance that 'the supreme court of appeal for deciding all disputed questions of national policy is the people of Ireland - the judgement being by majority vote'. They also included a recognition that 'the 'military forces of the nation' must be 'under the control of the National Assembly elected by the people'. This seems an unequivocal shift from the position he adopted in the Spring of 1922. However de Valera claimed that the Anti-Treaty Republicans were not opposing these principles by force in the civil war. Instead he argued that

political opponents have striven to make it appear that Republicans are trying to defeat these principles by force and are the aggressors in the present civil war. That is not the truth. For me, forms of government, as compared with these principles, are but mere lifeless machinery, and I am convinced, as I am that I have written out the above, that were it possible for any representative Republican assembly, civil or military, to

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[90] Ibid, p.18.

meet freely tomorrow, these principles would be subscribed to, if not unanimously, certainly by an overwhelming majority.[91]

Either way the principles were to form the basis of de Valera's unsuccessful attempt to conclude the civil war by negotiation some months later.

There is no doubt that de Valera was preparing for the period of post-civil war politics when the Anti-Treaty position would be articulated in a democratic way. This can best be shown if we concentrate on his attempt to reform the political side of the Anti-Treaty movement in the latter stages of the civil war. De Valera saw in the Pro-Treatyite's decision, in December 1922, to form their own political party, Cumann na nGaedheal, an opportunity to relaunch Sinn Fein as a party which would fulfil the need for 'a broadly national organisation which will embrace all who put the cause of national independence and general national interests above all sectional or party interests'.[92] 'Purely Republican' needs were already catered for by the existence of such organisations as the IRA, Cumann na mBan, and Cumann na Poblachta. As such, Republicans would have a guarantee that their views would be represented which they did not have after 1916, when Sinn Fein was transformed into what was essentially a coalition of people with disparate views. De Valera saw in the concentration of Anti-Treatyite prisoners in jails and camps 'a wonderful opportunity for political discussion and reorganisation'.[93] However, he wanted to exclude those who were closely involved with the military movement from his reorganising committee. This might serve as a pretext for harassment, but it 'might also frighten off those we wish to attract into the organisation'[94] Cumann na Poblachta would remain in existence for those who would think that a revamped Sinn Fein party would be 'too broad' for them, and who would 'prefer accordingly to stick to the word Republic'.[95]De Valera's own vision for the future of the party however was quite clear. Sinn Fein was attractive because

it gave an opportunity for coming back to many who may now wish to do so. We must not close the door on these. Our aim is not to make a close preserve for ourselves, but to win the majority of the people again. I understand the difficulties but we must teach our people to be broad in this matter.[96]

Inevitably, the question arose as to whether the new party would regard the Free State parliament as a legitimate institution. De Valera appeared ambiguous about this, but signalled a clear preference for a policy of recognition:

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[91] 'To the People of Ireland', February 8 1923, Moss Twomey Papers P69/92 (120), U.C.D. Archives.
[92] To the Organising Committee from Eamon de Valera, May 31 1923, Sinn Fein 1094/1/11, National Archives.
[93] To Eamon Donnelly from Eamon De Valera, May 22 1923, Sinn Fein, 1094/4/22, National Archives.
[94] Ibid.
[95] To A.L. from Eamon de Valera, May 29 1923, Sinn Fein 1094/8/4, National Archives.
[96] De Valera to Minister for Home Affairs, January 15 1923, Sinn Fein 1904/2 National Archives.

It may be advisable to regard the Second Dail as still the legitimate Government of the country, though we have to face the fact that our opponents are now functioning as a de facto government. A definite decision on the question can not be taken until the Second Dail has an opportunity of meeting... My own opinion is that more rapid progress will be made by constituting ourselves as free as possible from anything in the past that would entangle us and prevent us from facing the situation exactly as it is.[97]

The outlines of what was to become the Fianna Fail party are apparent from de Valera's attempted reorganisation of the Sinn Party at the end of the civil war. Ideological pragmatism combined with Republican rhetoric, a concentration on socio-economic issues, and electoral efficiency - an internal memo stated that there should be no duds in this regard but appointment by ability -could all be said to date from this period.[98] They indicate that de Valera was intent on moving the military struggle onto the constitutional plane and that the fundamentalist Republicanism of the IRA Executive of the time was to be discarded for something more pragmatic.

It was after the civil war that de Valera would come into his own as a democrat but this brief account of his attitude during the latter stages of the war is sufficient to indicate that his desire was for a constitutional path for the Anti-Treatyites. De Valera may have behaved as an unenthusiastic democrat in the run-up to the civil war but his reputation after that is without major blemishes. Unfortunately Collin's early death deprived him of the opportunity to demonstrate what Garvin calls his 'essentially democratic instincts' and the image remains that of someone who was impatient with the confines of democratic conventions.[99] Had he lived to see victory in the civil war his personal prestige would have been greatly increased and the question of his democratic pedigree would have become far more crucial to the politics of the new state than it was during the civil war.

Conclusion

The manner in which any violent revolution ends and is contained within a peaceful competitive political system is bound to be a complex one. As Garvin has suggested, the manner in which the Irish nationalist elite came to embrace purely democratic politics involved 'a painful confusing metamorphosis' for many people.[100] Nowhere was the confusion greater than in the cases of de Valera and Collins. Both of them were alike in that they stood at the faultline between the two

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[97] Ibid.

[98] 'Organisation of Election Staff' June 17 1923, Sinn Fein 1094/9/4, National Archives.

[99] T. Garvin, *1922: The Birth of Irish Democracy* (Dublin,1996), p.129.

[100] T. Garvin, 'Revolutionaries turned politicians: a painful, confusing metamorphosis' *Irish Times*, 6 December, 1997.

tendencies in the Irish nationalist movement to independence : on the one hand that of revolutionary Republicanism, on the other, that of peaceful pragmatic nationalism. Inevitably, this meant that at times the positions they adopted seemed undemocratic. At the very least their enthusiasm for democratic procedures was inconstant.

However this applies only to their conduct during the civil war crisis. In peacetime de Valera at least was an enthusiastic democrat. Collins did not live to be tested in the light of more mundane experience. Indeed the democratic credentials of either man can only be assessed in the light of the fact that during the civil war period democrats were not necessarily in the ascendant. Although Garvin left Collins out of the small elite that he credits with the establishment of Free State democracy, surely it is the case that the Free State, and with it the Treaty, had no chance of success were it not for Collins ? On the other side, de Valera was outflanked by men who were definitely unenthusiastic democrats, men whose political outlook may well have passed into infamy were it not for the retrospective respectability passed on to them by the success of Fianna Fail decades later. The charge that de Valera actually caused the civil war has never been convincing. As one contemporary said 'you may as well blame a rainy day on the weather forecaster as blame de Valera for the civil war'.[101]

It is just as likely, had Collins lived, that he would have thrived in post-civil war politics, surrounded by men whose democratic instincts were unquestionable. The question would not have been whether Collins was a democratic or not, but whether the progressive brand of Pro-Treatyite politics he espoused would have outweighed the reactionary tendencies that were present in the Cumann na nGaedheal party.[102] Undoubtedly Collin's personal prestige would have been unequalled had he survived the civil war, and the temptation may have been for him to convert himself into an Irish Ben Gurion, with the border areas of Northern Ireland his chief concern. Like many other questions concerning Collins the answer can only be speculative.

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[101] Peader O' Donnell quoted in J. Lee and G. O' Tuathaigh, *The Age of de Valera* (Dublin, 1982), p.203.

[102] For a discussion of these tendencies see J. Regan, 'The politics of reaction: the dynamics of treatyite government and policy, 1922-33', *Irish Historical Studies* , vol xxx, no. 120, November 1997.

Chapter 9:Conclusion.

Independent Ireland has been a democracy for over seventy five years. While the early years of independence proved a testing time for the new democracy, the degree of stability subsequently enjoyed by the Irish state has been exceptional. Not even the existence of civil conflict in Northern Ireland over the past decades has seriously rocked the highly stable state of affairs south of the border. Neither is there any evidence that this state of almost complete political stability is about to be overturned in the near future. Irish institutions are recognised as being legitimate by the vast majority of the population, and Irish political elites conduct their political lives within a set of rules that have changed little since 1937. De Valera's constitution, while it has proven to be controversial in many respects, has provided a remarkably stable framework for the conduct of peaceful political competition. It would have been difficult to believe that this was possible in 1937 : certainly those who saw in the constitution the possibility of a personalised dictatorship have proved very wide of the mark !

It may be, as Dr. Garrett FitzGerald suggests, that the achievement of stable democracy is proof that the Irish 'have not been as unfortunate in the quality of the political leadership provided by all parties as these same citizens have been prone to assert'.[1] Certainly the story of Irish democracy in the interwar years does little to prove that a capable national political elite cannot emerge from the type of electoral political competition encouraged by S.T.V. But to credit the political elite alone with the creation of a robust democratic system is to resort to the sort of theoretical simplification that social science is designed to avoid. A systematic answer to the question of why democracy has fared so well in independent Ireland involves much more than the automatic conclusion that democracy has thrived because Irish elites have enabled it to thrive. The level of economic development, class-preconditions, and the nature of Irish political culture, are also important sources of democratic stability.

Naturally, if Irish society was backward and underdeveloped in 1921, if the political elite were confronted with a 'still semi-feudal and pre-political populace', then the consolidation of a stable democratic system can be attributed to the skills and values of an exceptional political elite.[2] However my analysis of Lipset's theory in chapter two did not lead to such a conclusion. Rather it suggested that Irish democracy emerged out of a society that was relatively modern and developed, and it was this which distinguished it from many of the states where democracy collapsed in the interwar period. As such the Irish case can not be considered an exception to the rule that democracy emerges only in modern well-developed societies. What cannot be concluded from the analysis of Lipset's theory however, is that Irish democracy was stabilised because of the

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[1] G. FitzGerald, 'Days of doubt long gone as State reaches 75th birthday', *Irish Times*, 6 December, 1977.
[2] T. Garvin, 'The enigma of Dev - the man from God knows where', *The Irish Times*, April 10 1998.

state's successful economic performance after independence. The genesis of Irish democracy was no surprise : it's survival cannot be explained by economic variables.

Moreover, my analysis of Barrington Moore's theory in chapter three led me to conclude that the class pre-conditions for the emergence of a democratic system were very much in place by 1920. Irish society had benefited from half a century of land reform, it's agrarian class structure was relatively egalitarian, and it had much in common with other Northern European cases where independent farmers remained a pivotal political actor into the modern world. The fact that the Irish political revolution was preceded by a social revolution explains, more than any other factor, I suggest, why the polity and society that emerged from that revolution were essentially conservative. Independent Ireland's experience of a civil war in 1922-23, in which the element of social class conflict was relatively minor, again suggests that the class-pre-conditions for the emergence of a democratic system were very much in place in 1921.

From the perspective of either Lipset's or Barrington Moore's theory, then, the genesis of Irish democracy was no surprise. Moreover the manner in which the new state disintegrated into civil war, approximately seven months after independence, does little to support the voluntarist view that elites can prove decisive in every situation. I have traced the process that led to civil war and shown that Irish elites were unable to prevent the slide towards civil war despite their efforts to the contrary. The nature of elite political culture, a critical variable in any transitional stage, takes part of the blame for this. Garvin has placed the blame for the war solely on the nature of Irish republican culture but I have suggested the elite political culture as a whole was adversarial and majoritarian. For this reason it was difficult to improvise solutions which were non-majoritarian in character. Of course the actual starting of the civil war, came down, in the end, to British pressure, which left the Provisional Government with no choice in the matter. Some elite decisions may have made the outcome more rather than less likely, but on the whole the drift towards civil war has been represented as inexorable. Irish democracy could not be stabilised by elite pacts because the objective conditions which allow such pacts to be successful did not exist.

What role then did Irish elites play in the creation of a stable democratic system? Garvin has suggested that the establishment of a democratic system was due to the actions of the small pro-Treatyite elite during the civil war.[3] In chapter five I agreed that the war reflected a tension in the division of labour throughout Irish society, but disagreed with the suggestion that the modern state was characterised by restitutive rather than repressive violence. Rather, the reaction of the Provisional Government to the civil war suggested that the distinction in Durkheim's work between different types of social solidarity, one pre-modern and collectivist, the other modern and individualistic, was to some extent a false one, since the modern state cannot, when it comes

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[3] T. Garvin, *1922: The Birth of Irish Democracy* (Dublin, 1996).

under pressure, dispense with the type of repressive sanctions that are present in traditional political culture. Indeed the modern state must appropriate these sanctions if it is to survive challenges to its legitimacy. In short the latent authoritarianism of Irish political culture was accentuated, not diminished by, the experience of civil war, and the pro-Treatyite political elite was also responsible for this.

In contrast to Garvin, I credit de Valera and the Fianna Fail party with the consolidation of Irish democracy. The Irish case was considered to be a positive example of Linz's model of democratic re-equilibration. All of the many pre-conditions of the model were present in the Irish case. However I disagreed with the elitist implications of Linz's view on the grounds that in Ireland the stabilisation process was endorsed, at each step, by the electorate. Nevertheless the combination of theory and historical analysis I put forward, does suggest that de Valera succeeded in consolidating Free State democracy much in the same way that de Gaulle stabilised French democracy during the Algerian crisis. In the Irish case, this did not lead to regime-change in the literal sense, but to a 'reshaping' of the Free State whereby all those features of the Free State constitution that were not compatible with Irish sovereignty were removed and replaced. In that process de Valera showed a great deal of political skill, but benefited from an international environment that was favourable to reformers.

The possibility that the constitutional choices of the political elite, the state's institutional design, explains the survival of democracy after 1922, was examined in chapter seven, which took its cue from Hermen's well-known diatribe against the effects of P.R. in the interwar period. I dismissed the view that the institutional design of the state was in itself a decisive factor, and suggested instead that the fact that the Free State had an 'unspoken' majoritarian constitution was more important. The Irish political elite, or more specifically, the civil war political elite, were strongly attached to majoritarian forms of government and adversarial forms of politics which were not in themselves conducive to democratic politics, but which could work in a society with relatively few political cleavages. The fact that the Free State had 'a constitutional tradition' was in itself a definite advantage , however much that tradition was traduced by the manner in which it took shape in post-civil war conditions.[4]

The final chapter was concerned with democratic reputations, more particularly with the democratic reputations of de Valera and Collins. Both were judged to have been 'unenthusiastic democrats' at some phase in the civil war period, but the doubts about Collins democratic credentials were certainly stronger than those about de Valera. Collins, brilliant expositor of the Pro-Treaty position though he was, was something of a one-man band who overcentralised power in himself. De Valera was increasingly marginalised throughout the civil war crisis but

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[4] A.J. Ward, *The Irish Constitutional Tradition; Responsible Government in Modern Ireland* (Dublin, 1993).

paradoxically emerged from the conflict more enthusiastic about democracy than he had entered it. The extent to which this characterised the anti-Treatyites as a whole can only be guessed at.

In summary there is little reason to believe that the stability of Irish democracy after 1921 was primarily due to the nature of Irish elite political culture. The Irish entered their period of democratic state-building with many advantages over their Eastern and Central European counterparts. Democratisation in independent Ireland can be likened to the progress of a train, that travelling over an ostensibly straight line after 1918, finds itself derailed in 1922 as the line turns sharply to the left, but finds itself back on the train as the railway track completes a full semi-circle and then straightens out. The political elite proved unable to prevent their particular train going off the tracks in 1922 but were able to find their way back again. Fundamental changes in British policy towards Ireland were an important reason why the re-equilibration of Irish democracy proved to be so successful in the 1930s, just as it was British policy which led to the civil war in 1922.

If the Irish case does not vindicate the reputation of Irish elite political culture, it does suggest that a process of state centralisation is probably an inevitable concomitant of a violent transition. The type of democracy that emerges as part of such a process need not be the most suitable one for the society, but is more likely to be the one that reflects the interests of the dominant elites. In the Irish case the Sinn Fein political elite succeeded in imposing their preferences on the political system but left behind them a controversial constitutional legacy. Strictly speaking, many of the choices they made could be considered unconstitutional. Indeed in three ways they can be accused of majority tyranny.[5] Constitutionally, all three commitments made by Arthur Griffith to the Southern Unionists were reneged upon by 1937 : the use of P.R. for Dail elections no longer ensured minority representation after the 1935 Electoral Reform; the Second Chamber was abolished, and finally university representation, which meant that the Protestant Trinity College constituency returned three Dail deputies, was also abolished. Electorally, majority rule was imposed against the majority principle, which dictates that if an election failed to produce a clear winner, then coalition government should be accepted rather than have recourse to a second election, which meant that all those who didn't vote for the eventual winner in the first election, had wasted their vote. Socially, in terms of the relationship of the individual to society it can be argued that a spiritual tyranny emerged, dominated by the norms of the Catholic Church and the Gaelgoir movement. Majoritarian rules were responsible for the ease with which legislation reflecting these values could be brought in and for the marginalisation of alternative ideological perspectives.[6]

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[5] See G. Sartori, *Democratic Theory* (London, 1958), pp98-99.

[6] B. O' Leary and J. McGarry, *The Politics of Antagonism* (London, 1994), p.149.

Majority tyranny has been defined as 'the choice of a policy that imposes severe deprivation when an alternative policy could have been chosen that would have imposed no severe restrictions on anyone'.[7] Along these lines de Valera argued that there was no alternative to the abolition of the Senate. Prior to its abolition it had blocked de Valera's Bill abolishing the oath, a stance which de Valera claimed 'stood in the way of national unity and willing obedience to the law, and that government by coercion had been the result of the preceding government in imposing the obligation'.[8] However the full range of possibilities had not been exhausted by de Valera before the decision to abolish the Senate. In particular de Valera had refused to submit the oath to the referendum, a stance which contrasts oddly with his declaration in 1926 that

For my part I am convinced that the oath will not be removed by any group or party acting within the Free State assembly. It will be removed only when the Irish people give an unequivocal mandate for its abolition, and when those who are elected will consequently refuse to take it. Then it will go and very soon afterwards in its train the other contrivances by which the English government make good their claim to interfere in our affairs.[9]

By 1933 however, in possession of a parliamentary majority, de Valera's attitude to plebiscites had changed. As with other aspects of Irish constitutional development in the interwar era, majority rule served as an expedient decision-making rule for decisions that were in themselves highly controversial. For this reason I have emphasised how important it was that de Valera's constitution later reached some balance between majoritarian and liberal principles of government. De Valera 'the maker of the modern Irish polity in its mature form',[10] left behind him a constitution that has proven remarkably adept at protecting the public from the despotism of elected majorities. The current 'liberal' critique of his constitution has missed out on this aspect of the constitution entirely, but it is one of its main achievements.

It was also important, if the Sinn Fein elite stand accused of majority tyranny, that the minority in question was a materially privileged one, and its views were increasingly identified with Fine Gael. The decline in minority representation which occurred between 1927 and 1933 was also due to the larger parties absorbing smaller organisations and their policies. Fianna Fail absorbed existing Sinn Fein Cumainn, IRA personnel, Labour Party policies and from 1932 onwards, members of the Sinn Fein party came back with their tails between their legs. Fine Gael was an amalgamation of Cumann na nGaedheal, the Centre Party, and the Blueshirts. Its leaders were at pains to stress that it was much more than a revamped version of Cumann na nGaedheal and had

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[7] J. Fishkin, *Democracy and Deliberation* New Haven and London,, 1991),p.35.

[8] D. O' Sullivan, *Irish Free State*, p.474.

[9] Press Statement April 18, 1926. FF/ 22, Fianna Fail Archives.

[10] T. Garvin, 'The enigma of Dev - the man from God knows where', *The Irish Times*, April 10 1998.

absorbed a variety of distinct ideological influences from the other parties.[11] Catch-all parties are not necessarily incompatible with minority representation. Arguably the political system became more democratic as the civil war parties ceased to be single-issue rump parties of Sinn Fein, absorbed other influences, and competed over more policy dimensions. Some have suggested that the system took on a left-right cleavage, others that the split reflected deep cultural divisions within society.[12] These divisions made the party system more responsive, even if they reinforced the Treaty cleavage.

The Irish case, I suggest, represents a form of 'democratic elitism' whereby a dominant political elite proves able to absorb a variety of influences while at the same time maintaining their pivotal position within the system. For this reason future work on the Irish case might concentrate on the role of S.T.V. in shaping the political behaviour of the dominant political elite. Certainly from the 1922 election onwards S.T.V. has had a fundamental effect on political competition in Ireland and it is as a combination of the Westminster system with S.T.V. that the Irish system is best understood in this period. Future work might also study the role of Irish sub-elites in the stabilisation process. The role of the civil war political elite and their commitment to constitutional forms of government can be overestimated. There was a great deal of insecurity at the top and democracy was stabilised in a society where the sub-elites - the media, the judiciary, and the army for example - were themselves generally supportive of democratic practices. The relationship between these sub-elites and the dominant political elite ought to be a subject for further research. More generally there has been little or no work on Irish civil society and its relationship to the democratic process. What role had organisations like the Gaelic Athletic Association in Irish political development, or did they survive the civil war only as depoliticised remnants of their former selves ? Was Irish civil society fundamentally retarded by the experience of civil war or did it survive to shape the manner in which Irish politics subsequently developed ?

Whatever the answers to these questions, the experience of Irish democracy after 1922 which I have traced in chapter seven suggests that the model of democracy operating in the Irish Free State was what Held describes as 'the competitive elitist model' of democracy, a model that was capable of solving questions of political leadership and authority but not necessarily of social progress and political freedom.[13] In this respect the Sinn Fein legacy was highly ambiguous. It

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[11] See the report on the Fine Gael Ard Fheis in *Irish Independent*, March 22 1935.

[12] On the economic divide see R. Dunphy, *The Making of Fianna Fail Power in Ireland 1923-1948* (Oxford,1995); P. Mair, *The Changing Irish Party System: Organisation, Ideology and Electoral Competition* (London,1987); E. Rumpf and A.C. Hepburn, *Nationalism and Socialism in Twentieth Century Ireland* (Liverpool, 1977). On culture see T. Garvin, 'Political Cleavages, Party Politics and Urbanisation in Ireland - the case of the Periphery-Dominated Centre, *European Journal of Political Research*, vol 11, no.4 (1974); J. Prager, *Building Democracy in Ireland :Political Order and Cultural Integration in a Newly Independent Nation* (Cambridge, 1986).

[13] D. Held, 'Models of Democracy' (Cambridge, 1987), pp.143-184.

provided leadership on issues of national freedom but Sinn Fein had not developed a powerful critique of the state or of the market economy. This was due, I suggest, to the state's provenance as 'a national mobilisation democracy' whereby democracy was seized upon as a means of mobilising for national freedom but not necessarily for individual or class freedom.

As an example of a successful democratic transition, the Irish case holds some, perhaps unusual, lessons for the comparative literature on democratic transitions. In the first place, it shows that a democracy can be stabilised without reaching explicit agreement on the rules of the game between the major political actors. Certainly, there was an implicit consensus of sorts between the civil war parties, but such a consensus was never made explicit. Neither the 1922 constitution nor the 1937 constitution, for all their merits, were supported by both sides of the civil war divide. The moral is that the efficacy of a constitution depends as much on its merits as on the process by which it came into being. Secondly, the Irish case proves that democracy can survive the experience of bitter adversarial conflict. The two leaders of the civil war sides, and the two men most likely to be credited with the establishment of a democratic system, Cosgrave and de Valera, did not meet socially until after the Second World War. Bitter attitudes did not mean that either were uncommitted to the democratic system. The current emphasis on democratic theory is on forming pro-democratic coalitions and elite pacts, but there are situations in which such tactics are impossible to employ. Rather the Irish experience suggests that democracy can be stabilised by a successful changeover, if elites are willing to take the risks that such a process involves. Thirdly, the Irish case suggests that the employment of the correct democratic strategies is a necessary feature of the democratic process. Some of the strategies employed by de Valera have been identified by Lustick, but on the whole de Valera's very deliberate reshaping of the Free State finds few parallels in comparative politics.[14] Finally, the Irish case suggests that elite commitment is a crucial variable in the stabilisation process. It was de Valera's determination to reform the Free State in a democratic way that led to the stabilisation of Irish democracy in the 1930s. Such an outcome could not have happened if de Valera had not employed a consciously democratic strategy from the outset.

Overall, the experience of civil war in Ireland and the longevity of 'civil war politics' suggests that the point of departure in each transition is crucial. The Irish case is unlike most of the cases that are analysed in recent comparative politics which have been peaceful transitions from authoritarian regimes. The Irish attempt to form a democratic system was accompanied by a violent revolution in a country which did not have developed indigenous central political institutions. For that reason it was necessary to go through a period of institutionalisation first, whereby central state institutions become effective and authoritative. After that the hurdles of consolidation and legitimacy can be tackled. Particular problems are posed for democrats when

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[14] I. Lustick, *Unsettled States Disputed Lands ; Britain and Ireland, France and Algeria, Israel and the West Bank-Gaza* (Ithaca and London, 1993), pp.305-308.

the establishment of central state institutions and the establishment of democracy go hand in hand. There are few parallels in history for this and most of the comparable colonial cases have ended in failure. The best comparable cases are probably Finland and Israel, but detailed comparisons have yet to be made.

To conclude, the fortunes of Irish democracy after 1921 were inseparable from the manner in which the civil war conflict worked itself out in peaceful party politics. The Cumann na nGaedheal elite managed to create a stable institutional base for the fledgling democracy, but their regime had all the hallmarks of an unconsolidated regime : it was based, rather like Italian democracy after 1945, on the exclusion of the largest opposition party. De Valera's ability to counteract the exclusionary attitude of his opponents and reform the Free State in a Republican direction has been identified as the chief source of democratic stability in independent Ireland. On the other hand I have been at pains to point out that the social pre-conditions for the establishment of a stable democracy in Ireland were already in place by 1921. The survival of Irish democracy, however much it depended on the appropriate elite decisions, was no surprise.

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APPENDIX A

THE ANGLO-IRISH TREATY 1921

1. Ireland shall have the same constitutional status in the Community of Nations known as the British Empire as the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa, with a parliament having powers to make laws for the peace, order and good government of Ireland and an Executive responsible to that Parliament, and shall be styled and known as the Irish Free State.

2. Subject to the provisions hereinafter set out the position of the Irish Free State in relation to the Imperial Parliament and Government and otherwise shall be that of the Dominion of Canada, and the law, practice and constitutional usage governing the relationship of the Crown or the representative of the Crown and of the Imperial Parliament to the Dominion of Canada shall govern their relationship to the Irish Free State.

3. The representative of the Crown in Ireland shall be appointed in like manner as the Governor-General of Canada and in accordance with the practice observed in the making of such appointments.

4. The oath to be taken by Members of the Parliament of the Irish Free State shall be in the following form:

I ... do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established and that I will be faithful to H.M. King George V, his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.

5. The Irish Free State shall assume liability for the service of the Public Debt of the United Kingdom as existing at the date hereof and towards the payment of war pensions as existing at that date in such proportion as may be fair and equitable, having regard to any just claims on the part of Ireland by way of set-off or counter-claim, the amount of such sums being determined in default of agreement by the arbitration of one or more independent persons being citizens of the British Empire.

6. Until an arrangement has been made between the British and Irish Governments whereby the Irish Free State undertakes her own coastal defence, the defence by sea of Great Britain and Ireland shall be undertaken by his Majesty's Imperial Forces. But this shall not prevent the construction or maintenance by the Government of the Irish Free State of such vessels as are necessary for the protection of the Revenue or the Fisheries.

The foregoing provisions of the Article shall be reviewed at a Conference of Representatives of the British and Irish Government to be held at the expiration of five years from the date hereof with a view to the undertaking by Ireland of a share in her own coastal defence.

7. The Government of the Irish Free State shall afford to his Majesty's Imperial Forces: (a) In time of peace such harbour and other facilities as are indicated in the Annex hereto, or such other facilities as may from time to time be agreed between the British Government and the Government of the Irish Free State; and (b) In time of war or of strained relations with a Foreign Power such harbour and other facilities as the British Government may require for the purposes of such defence as aforesaid.

8. With a view of securing the observance of the principle of international limitation of armaments, if the Government of the Irish Free State establishes and maintains a military defence force, the establishments thereof shall not exceed in size such proportion of the military establishments maintained in Great Britain as that which the population of Ireland bears to the population of Great Britain.

9. The ports of Great Britain and the Irish Free State shall be freely open to the ships of the other country on payment of the customary port and other dues.

10. The Government of the Irish Free State agrees to pay fair compensation on terms no less favourable than those accorded by the Act of 1920 to judges, officials, members of Police Forces and other Public Servants who are discharged by it or who retire in consequence of the change of Government effected in pursuance hereof.

Provided that this agreement shall not apply to members of the Auxiliary Police Force or to persons recruited in Great Britain for the Royal Irish Constabulary during the two years next preceding the date hereof. The British Government will assume responsibility for such compensation or pensions as may be payable to any of these excepted persons.

11. Until the expiration of one month from the passing of the Act of Parliament for the ratification of this instrument, the powers of the Parliament and the Government of the Irish Free State shall not be excercisable as respects Northern Ireland and the provisions of the Government of Ireland Act, 1920, shall so far as they relate to Northern Ireland remain of full force and effect, and no election shall be held for the return of members to serve in the Parliament of the Irish Free State for constituencies in Northern Ireland, unless a resolution is passed by both Houses of the Parliament of Northern Ireland in favour of the holding of such election before the end of the said month.

12. If before the expiration of the said month, an address is presented to His Majesty by both Houses of the Parliament of Northern Ireland to that effect, the powers of the Parliament and Government of the Irish Free State shall no longer extend to Northern Ireland, and the Provisions of the Government of Ireland Act, 1920 (including those relating to the Council of Ireland) shall, so far as they relate to Northern Ireland, continue to be of full force and effect, and this instrument shall have effect subject to the necessary modifications.

Provided that if such an address is so presented a Commission consisting of three persons, one to be appointed by the Government of the Irish Free State, one to be appointed by the Government of Northern Ireland and one who shall be Chairman to be appointed by the British Government shall determine in accordance with the wishes of the inhabitants, so far as may be compatible with economic and geographic conditions, the boundaries between Northern Ireland and the rest of Ireland, and for the purposes of the Government of Ireland Act, 1920, and of this instrument, the boundary of Northern Ireland shall be such as may be determined by such Commission.

13. For the purpose of the last foregoing article, the powers of the Parliament of Southern Ireland under the Government of Ireland Act, 1920, to elect members of the Council of Ireland shall after the Parliament of the Irish Free State is constituted be exercised by that Parliament.

14. After the expiration of the said month, if no such address as is mentioned in Article 12 hereof is presented, the Parliament and Government of Northern Ireland shall continue to exercise as respects Northern Ireland the powers conferred on them by the Government of Ireland Act, 1920, but the Parliament and Government of the Irish Free State shall in Northern Ireland have in relation to matters in respect of which the Parliament of Northern Ireland had not power to make laws under that Act (including matters which under the said Act are within the jurisdiction of the Council of Ireland) the same powers as in the rest of Ireland, subject to such other provisions as may be agreed in manner hereinafter appearing.

15. At any time after the date hereof the Government of Northern Ireland and the provisional Government of Southern Ireland hereinafter constituted may meet for the purpose of discussing the provisions subject to which the last foregoing article is to operate in the event of no such address as is therein mentioned being presented and those provisions may include :

(a) Safeguards with regard to patronage in Northern Ireland.

(b) Safeguards with regard to the collection of revenue in Northern Ireland.

(c) Safeguards with regard to import and export duties affecting the trade or industry of Northern Ireland ;

(d) Safeguards for minorities in Northern Ireland.

(e) The settlement of the financial relations between Northern Ireland and the Irish Free State.

(f) The establishment and powers of a local militia in Northern Ireland and the relation of the Defence Forces of the Irish Free State and of Northern Ireland respectively ;

and if at any such meeting provisions are agreed to, the same shall have effect as if they were included amongst the provisions subject to which the Powers of the Parliament and Government of the Irish Free State are to be excercisable in Northern Ireland under Article 14 hereof.

16. Neither the Parliament of the Irish Free State nor the Parliament of Northern Ireland shall make any law so as either directly or indirectly to endow any religion or prohibit or restrict the free exercise thereof or give any preference or impose any disability on account of religious belief or religious status or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at the school or make any discrimination as respects state aid between schools under the management of different religious denomination or any educational institution any of its property except for public utility purposes and on payment of compensation.

17. By way of provisional arrangement for the administration of Southern Ireland during the interval which must elapse between the date hereof and the constitution of a parliament and Government of the Irish Free State in accordance therewith, steps shall be taken forthwith for summoning a meeting of members of Parliament elected for constituencies in Southern Ireland since the passing of the Government of Ireland Act, 1920, and for constituting a Provisional Government, and the British Government shall take the steps necessary to transfer to such Provisional Government the powers and machinery requisite for the discharge of its duties, provided that every member of such Provisional Government shall have signified in writing his or her acceptance of this instrument. But this arrangement shall not continue in force beyond the expiration of twelve months from the date hereof.

18. This instrument shall be submitted forthwith by His Majesty's Government for the approval of Parliament and by the Irish signatories to a meeting summoned for the purpose of the members elected to sit in the House of Commons of Southern Ireland, and if approved shall be ratified by the necessary legislation.

APPENDIX B

DOCUMENT NUMBER TWO

1. That the legislative, executive, and judicial authority of Ireland shall be derived solely from the people of Ireland.

2. That, for purposes of common concern, Ireland shall be associated with the States of the British Commonwealth, viz. The Kingdom of Great Britain, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa.

3. That when acting as an associate the rights, status, and privileges of Ireland shall be in no respect less than those enjoyed by any of the component States of the British Commonwealth.

4. That the matters of 'common concern' shall include Defence, Peace and War, Political Treaties, and all matters now treated as of common concern, amongst the States of the British Commonwealth, and in these matters there shall be between Ireland and the States of the British Commonwealth 'such concerted action founded on consultation as the several Governments may determine'.

5. That in virtue of this association of Ireland with the States of the British Commonwealth, citizens of Ireland in any of these States shall not be subject to any disabilities which a citizen of one of the component States of the British Commonwealth would not be subject to, and reciprocally for citizens of these States in Ireland.

6. That, for purposes of the Association, Ireland shall recognise His Britannic Majesty as head of the Association.

7. That, so far as her resources permit, Ireland shall provide for her own defence by sea, land and air, and shall repel by force any attempt of a foreign power to violate the integrity of her soil and territorial waters, or to use them for any purpose hostile to Great Britain and the other associated States.

8. That for five years, pending the establishment of Irish coastal defence forces, or for such other period as the Governments of the two countries may later agree upon, facilities for the coastal defence of Ireland shall be given to the British Government as follows :

(a) In time of peace such harbour and other facilities as are indicated in the Annex hereto, or such other facilities as may from time to time be agreed upon between the British Government and the Government of Ireland ;

(b) In time of war such harbour and other naval facilities as the British Government may reasonably require for the purposes of such defence as aforesaid.

9. That within five years from the date of exchange of ratifications of this Treaty a Conference between the British and Irish Governments shall be held in order to hand over the coastal defence of Ireland to the Irish Government, unless some other arrangement for naval defence be agreed by both Governments to be desirable in the common interest of Ireland, Great Britain, and the other Association States.

10. That, in order to co-operate in furthering the principle of international limitation of armaments, the Government of Ireland shall not
(a) Build submarines unless by agreement with Great Britain and other States of the Commonwealth;
(b) Maintain a military defence force, the establishment whereof exceed in size such proportion of the military establishments maintained in Great Britain as that which the population of Ireland bears to the population of Great Britain.

11. That the Governments of great Britain and of Ireland shall make a convention for the regulation of civil communication by air.

12. That the ports of Great Britain and of Ireland shall be freely open to the ships of each county on payment of the customary port and other dues.

13. That Ireland shall assume liability for such share of the present public debt of Great Britain and Ireland, and of payment of war pensions as existing at this date as may be fair and equitable, having regard to any claims on the part of Ireland by way of set-off or counter-claims, the amount of such sums being determined in default of agreement, by the arbitration of one or more independent persons, being citizens of Ireland or of the British Commonwealth.

14. That the Government of Ireland agrees to pay compensation on terms not less favourable than those proposed by the British Government of Ireland Act of 1920 to that Government's judges, officials, members of Police Forces and other Public Servants who are discharged by the Government of Ireland, or who retire in consequence of the change of government elected in pursuance hereof ; Provided that this agreement shall not apply to members of the Auxiliary Police Force, or to persons recruited in Great Britain for the Royal Irish Constabulary during the two years next preceding the date hereof. The British Government will assume responsibility for such compensation or pensions as may be payable to any of these excepted persons.

15. That neither the Parliament of Ireland nor any subordinate Legislature in Ireland shall make any law so as either directly or indirectly to endow any religion or prohibit or restrict the free exercise thereof, or give any preference or impose any disability on account of religious belief or religious status, or affect

prejudicially the right of any child to attend a school receiving public money without attending a religious instruction at the school, or make any discrimination as respects State aid between schools under the management of different religious denominations or any educational institution or any of its property except for public utility purposes on payment of compensation.

16. That by way of transitional arrangement for the Administration of Ireland during the interval which must elapse between the date hereof and the setting up of a Parliament and Government of Ireland in accordance herewith, the members elected for constituencies in Ireland since the passing of the British Government of Ireland Act in 1920 shall, at a meeting summoned for the purpose, elect a transitional government to which the British Government and Dail Eireann shall transfer the authority, powers, and machinery requisite for the discharge of its duties, provided that every member of such transition Government shall have signified in writing his or her acceptance of this instrument. But this arrangement shall not continue in force beyond the expiration of twelve months from the hereof.

17. That this instrument shall be submitted for ratification forthwith by his Britannic Majesty's Government to the Parliament at Westminster, and by the Cabinet of Dail Eireann to a meeting of the members elected for the constituencies in Ireland set forth in the British Government of Ireland Act, 1920, and when ratifications have been exchanged shall take immediate effect

ADDENDUM NORTH-EAST ULSTER

Resolved:

That, whilst refusing to admit the right of any part of Ireland to be excluded from the supreme authority of the Parliament of Ireland, or that the relations between the Parliament of Ireland and any subordinate Legislature in Ireland can be a matter for treaty with a government outside Ireland, nevertheless, in sincere regard for internal peace, and in order to make manifest our desire not to bring force or coercion to bear upon any substantial part of the Province of Ulster, whose inhabitants may now be unwilling to accept the national authority, we are prepared to grant to that portion of Ulster which is defined as Northern Ireland in the British Government of Ireland Act of 1920, privileges and safeguards not less substantial than those provided for in the Articles of Agreement for a Treaty between Great Britain and Ireland signed in London on December 6th, 1921.

APPENDIX C

COLLIN'S DRAFT CONSTITUTION

1. Subject to ratification by the Parliament hereinafter provided for, from and after the _ day of _ 1922 Ireland shall be styled and known as the "Irish Free State," and the executive, legislative, and judicial authority of the Irish Free State shall be derived from the people of Ireland alone, and for effectuating the said purposes the following provisions shall have effect.

2. The legislative power of the Irish Free State shall be vested in a Parliament herein called "The Parliament" which shall consist of the representative of the British Crown in Ireland to be called "The Irish President", a Senate, and a House of Deputies, and shall have power to make laws for the peace, order, and good government of Ireland.

3. The President of Ireland shall be appointed in like manner as the Governor General of Canada, and in accordance with the practice observed in the making of such appointments, and the law, practice, and constitutional usage governing the relation of the British Crown, or the representative of the British Crown, and of the British Parliament to the Dominion of Canada shall govern their relationship to the Irish Free State.

4. The Senate shall be composed as follows ....

5. The House of Deputies shall be composed as follows .....

6. The oath to be taken by members of the Parliament shall be in the following form

I ... do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established and that I will be faithful to H.M. King George V, his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.

7. Each House of Parliament may make rules and orders in respect to the mode in which its powers may be exercised and upheld and with respect to the order and conduct of its business.

8. The Parliament may establish Departments of State, the heads of which shall be the Executive Government of the Irish Free State, and shall be responsible to the Parliament, and shall hold office on the nomination of the Irish President.

9. The judicial power of the Irish Free State shall be vested in a Supreme Judicature to be called the High Court of Ireland, and in such other courts as the Parliament creates and invests with jurisdiction. The High Court shall consist of .....

10. The Parliament shall appoint a permanent Public Service Commission, with such powers and duties, relating to the appointment, discipline, retirement, and superannuation of public officers as the Parliament shall determine.