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OR "THE CROWN OF A NATION"

By Darrell Figgis

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The Gaelic State

OR

"THE CROWN OF A NATION"

I

THE PURPOSE OF THE BOOK

A NATION is crowned when it exists in the world not only by virtue of a continuing national life, sustained by history and limited by natural frontiers, but also by reason of a State in which its intuitions and desires are expressed in a form as flexible as its containing life. The stubbornest national sense—and nowhere in the world has that sense proved more stubborn than in Ireland—can only be said to exist as a protest, rather than as a power, until it can take to itself that eventful crown. No other nation, or combination of nations, or empires or dominions, can give it that crown. It must beat it out of its own sense of wisdom and equity and beauty. It can only be responsible to its own soul and intellectual life for the manner of that crown, not only because in no other sense can the word responsibility be said to apply, but also because of a certain inevitable result. For when a Nation does so crown itself the whole body of the Nation takes on a new dignity and grace. It is inevitable;

the wearing of the crown compels a new comportment. But if a crown wrought in some other workshop and made according to some other nation's desires be pressed upon its brow the whole result must necessarily be ungainly and disfiguring. If there is no responsibility in the making there can be no responsibility in the wearing, and there is no morality at the beginning or in the end. Yet if a Nation can clothe itself in its own responsibility, and wear a crown of its own devising, that Nation is no more only a Nation; it is a Sovereign State.

Ireland is not a Sovereign State, but only a nation. Once she was a Sovereign State, and the result was so comely and so full of responsibility that when her sister states were ravaged by barbarian inroads from the north and east she went out among them and rebuilt their faith and culture. Nearly all modern European culture and learning rest on what Ireland wrought during the sixth seventh and eighth centuries, not on the earlier Roman and Greek cultures, for the link with these things was only maintained through Ireland. It was so maintained because Ireland was a Sovereign State, secure in its sovereignty. That sovereignty was suppressed, that statehood was broken, because of the lust of imperial conquest fashioned out of military strength and resting always on that strength. Piece by piece that state was taken and hammered into dust, with a malignancy and hatred very hard to understand, until the people, driven forth into the mountains and waste places of their own land, had no longer any part of their own

State in which to house themselves, had to rely on a continuing national sense, fed partly by faith, enriched by old memories, burnt by a suffering hardly to be paralleled in history, but in itself something quite peculiar and indefinable.

The result was inevitable. Housed, on their own historic land, in a State which was no State at all because it was not of their own devising, the Irish people have repudiated all responsibility for it, have misused and abused it, and have arisen in a continual series of revolts against it. They were morally bound to do so, or become no more a nation but a slave race. Continuing a Nation they were bound to assert their protest; and they have habitually done so very remarkably by the assertion of the laws, meanings and implications of their old State, destroyed centuries ago, as against the forms, meanings and implications of a system of government utterly alien to them. There are few things in history more remarkable or arresting than this challenge of an alien government with the laws and procedures of a State that centuries before had been hewn asunder, had been trampled under foot, but had continued in the instincts and intuitions of the Nation—the instincts and intuitions that in the first instance, at the dawn of history, had built that State.

Such a state of affairs, continued long enough, was bound to claim the attention of the world. It has succeeded in doing so; and the immediate result has been that all has become bustle and hurry to mend the calamitous condition of Ireland. Men

with anxious brows and careworn faces have begun to emit constitutions for Ireland at the pace of about one a week—with a facility hardly to be rivalled by the Abbé Siéyès of old in his most fecund hour. Dusty tomes are turned down from the top shelf, and every form of constitution and government is studied in order that it may contribute some new beauty to the destined scheme. Canada, Australia and South Africa have been laid under special contribution, because these are held to be adornments of the English Empire. The words Home Rule, Colonial Home Rule and Dominion Rule buzz about the air like flies of a summer's day, and nobody seems to be very clear as to what they exactly mean, except that there is a deep-seated suspicion that they are not being used very honestly. The air is racked with precedents from China to Peru; and amid it all, with a patience born of centuries, stands the Nation for whom all this pother is supposed to be raised.

The strange thing about it is that all this bustle and stir should so persistently neglect what is just the cause of the whole trouble. That cause is not economic; it is not, in the modern abuse of the word, political; it is historic. The economic and political troubles are incidental to the historical. The constitutions of English colonies such as Canada, Australia and South Africa may be good, bad or indifferent, wise or unwise, discreet or indiscreet; but they are as little applicable to the case of Ireland, and would eventually cause as much irritation, as Dublin Castle. They were created

(generally as the result of menace) by Englishmen who went abroad as colonists, singing sweet hymns about the White Man's Burden and the Lord's Anointed. Earlier colonists in those lands, however, such as the French in Canada and the Dutch in South Africa, give these constitutions no fealty because they do not answer their instincts. For the same reason Irishmen in these places, though less solid and unified from the nature of their case, generally become subversive and revolutionary units, introducing and desiring changes such as the constitutions never contemplated. When these changes are examined they are generally found to hark back to the laws and meanings of the old State of Ireland. But in Ireland itself the Nation, reduced though it be in population, and by oppression made unsure of itself, is entire and compact; racially more compact than any nation in Europe, with little of the colonial element remaining in it; and it draws almost wholly on its historic past. And from that past the answer must be found for its future, for the past has stored up instincts and intuitions, old memories of the blood and desires of the national mind, that are waiting to burst into the future. The answer therefore is not to be found in a study of the constitutions of other peoples, but in a wise study of Irish history.

There is, outside of books, no such thing as Utopia. There is no such thing as a State abstractly good or bad in itself. A State is only good or bad in the degree in which it answers, or fails to answer, the needs of the Nation for which it

is devised. All the rest is words. Similarly there is no such thing as ancient history—except in the case of nations, such as Assyria, that have ceased to exist. All history is new and living, because in it are to be discovered the urge and impulse of national minds. Particularly is this so with Ireland, where the right national development was suppressed by an alien military conquest. The nineteenth century, for instance, was full of unrest, of demands, of swift instinctive actions, that can only be understood by turning back three hundred years of history. It is true that these national intuitions have been frustrated so long that they are no longer sure of themselves. It is true that, the development having been hindered for so long, it is difficult to gauge what these intuitions would mean in the light of wholly changed conditions. Yet, in spite of all this, the principle remains sound, that it is only by searching into a nation's mind that its desires and impulses can be discovered, and it is only by watching those desires and impulses when they were free to exercise themselves creatively that a State can be guessed-at that shall be that Nation's crown.

It is this search that I purpose in this little Essay. I am aware of the adventurous nature of the task—an adventure rendered doubly difficult by the confined space of the Essay and by the fact that it breaks new ground—but it is necessary that someone should undertake it, however ill-equipped he be for the task. It has necessarily to be compounded of research, criticism and speculation, each

being based upon the other in the order stated. It is always desirable that history (especially Irish history, where the lying and depreciative tongue is not unknown) should be fully documented; but the slender limits of this Essay prohibit this. I make no statement, however, for which I have not chapter and verse before me. I have tried to make the criticism as direct and obvious as possible; but it is of course unavoidable, even if it be desirable, that a man's predilections should influence the nature of his criticism. And as the speculation is based upon the criticism it is equally unavoidable that the speculation should also express the personal desire—though it does so happen that this is not always the case. All constitution-building is speculation; but if that speculation is based on history, and a just and critical search into that history with a view to discovering what are its permanent and what its impermanent, what its fundamental and what its incidental, elements, then it will be a national uplifting and not an irritation, a national hope and not an embarrassment and frustration. It is the hope of this book to promote thought along these lines; and if it achieve this it will have succeeded, even if it be finally cast aside by both writer and reader. For certainly time so spent will be more profitably spent than in the study of constitutions of alien peoples across the seas, or by any sort of constitution-mongering that gives no heed to the impulses of an old and historic Nation.

II

THE MAKINGS OF A POLITY

THE myth of Invasions, elaborated from the seventh century onwards, shrouds the earliest Irish history from our view. Something authentic, aged and significant passes behind that screen, but we cannot clearly see what it is. Irish history only begins to emerge from that screen, and to pass into the clearer light of knowledge, with the opening centuries of our era. We then begin to get parts of information that can more and more be checked with one another and with other known facts, so building up a history that can be submitted to criticism; and it is interesting to notice that the emergence into greater certitude occurs at the very moment when the national life begins to be framed into a distinct and recognisable polity, ever tending towards a central authority.

The process begins with or about Tuathal Teachtmhair, Tuathal the Arriver, about the middle of the second century. With him there is still much twilight, but with him the daylight quickens. The main outlines of his life and work, even of his personality, can be checked with one another and take their place in a logical and reliable whole. With him the makings of the new State begin; and they continue, in spite of periods of disrepair, until at the end of the first millenium the State was knit

together by a fiscal system that was put to writing. The work has much of the simplicity due to the simpler conditions of the time, although in fact the result was highly complex and elaborate; but, almost alone among the nations or peoples of Europe, in Ireland the work of constructive State-building went forward. Strife abounded (and modern times have lost what little right they ever had to point an accusing finger at it); it abounded throughout Europe, and Ireland had its share; but in Ireland the State always held the national sense together, and it was always being revised to meet new needs. It is interesting briefly to survey the process.

Tuathal came at a strategic moment. The Ulster Cycle shows quite clearly a struggle between Connacht and Uladh for the hegemony of the five provinces of Ireland. The earlier parts of that cycle (though written to exploit Uladh) show that hegemony claimed and won by Connacht; the later parts show it passing to Uladh. Then there is a dark period, in which we have no literature to guide us and for which the records in the Annals of Tigernach give little help. During this time occurs the mysterious episode known as the Revolt of the Vassals. Whatever that episode meant, it appears that Tuathal's mother had to fly the country. He himself returned later to his province of Connacht to resume the dynastic struggle with the kings of Uladh for the rule of Ireland. Probably Tuathal was the Irish prince to whom Tacitus refers as being for

a time with the Roman legions in Britain. The dates are approximate; and Tuathal's first act on his return to Ireland suggests that he had not misspent his time. Fighting in Ireland prior to this time had mainly been that of contests between famous warriors, or from chariots. Henceforward it becomes that of trained legions existing as a standing militia. For Tuathal established the Fianna Eireann; and by means of this new weapon he restored the hegemony to Connacht.

It is right briefly to trace this dynastic struggle between Connacht and Uladh, because out of it, and out of the needs it created and the problems it raised, grew the national State. Tuathal, king of Connacht, with his palace at Cruachan Ai, came east to Uisneach, and from there exercised the hegemony of Ireland. It is said that he took the " necks " of the four provinces where they touched one another, and in each " neck " held a national festival for each quarter of the year. At Tara a special festival was held, at which the Brehons discussed and collated the laws, and at which the local rulers discussed and compared the local administration of the country. In other words, a general tendency towards uniformity was set up because of a direct central authority; and it was undoubtedly because of this tendency that Tuathal's son, Fedhlimidh, who succeeded him, received the title of Reachtmhar, the Law-giver.

Tuathal, however, did not come east to Tara, except to the festival. Tara was the seat of the kings of Leinster, with an elder glory and

significance attaching to it that it is not easy to explain in any critical use of the materials available. It was not for a century after Tuathal that the Connacian dynasty, in the person of Cormac, established itself at Tara and compelled the kings of Leinster to make their headquarters elsewhere at Naas. Then the central authority took a fresh accession of strength, and a definite and distinctive polity began to emerge, with the looser system that till then had prevailed tightened up and made uniform in all its parts.

The hegemony, for instance, passed, and Cormac became Ard-Ri, or Monarch, of Ireland. The new province of Meath was created for the maintenance of the new monarchy. The festivals at Tara became more splendid and authoritative, deriving as they now did from the administrative authority of the monarch. This was especially the case as Cormac shines out quite clearly as a man of considerable force of character and a statesman of a very high order. Under his supervision the laws were reduced to writing. They might previously have existed in writing, for there are indications to show that writing existed from a very early time in Ireland; but they were now gathered in a single authoritative book. The immediate result of this would be that a stricter uniformity in their administration was created. To ensure this, and to make more easy the general administration of the country, he regrouped the administrative units of the nation. Until then the nation had consisted of a number of separate stateships. Some were quite small, some were of considerable size. Some had been bound

under heavy service, some had been comparatively free of service, to their respective provincial kings. We do not often hear after this time of these different obligations of service, nor do we find these great differences of size; and it is significant that this disappearance should occur at a time when we are told that Cormac created a new order over Ireland. He made a number of new units, uniform in size, grouped in the provinces, and leading up in ranks of authority through the provincial kingships to the monarchy.

The old stateships were known as Tuatha; the new were called Triocha Ced. The title Triocha Ced does not survive, while the older title of Tuatha does. Therefore it seems likely that the new Triocha Ced became known by the older and more familiar title of Tuatha; and, where an old Tuath of considerable size had a number of Triocha Ced created within it, that the new units became known as Tuatha, while the older stateship maintained its authority over the new units and became known by a new title that now comes into use, that of Mor-Thuath. That is conjecture; but it is a conjecture that conforms to the facts as we know them in the subsequent development of the system.

Such is the polity as it left Cormac's hands. He also established the Fianna Eireann as a standing militia in the provinces—except in Ulster, where the dynastic war had not ceased, and was not to cease till the burning of Emain Macha. The political system he created, with its central code of laws, was one that could continue itself without a central

power; and it did so continue; for with his passing the central power weakened, falling into less able hands.

With the coming of Christianity two centuries later the system received a new strength and unity. Loeghaire, the Monarch at the time, was himself a man of considerable strength and ability, and Patrick was an administrator of power and insight. The facts that the laws were revised in the general assembly at Tara, in order to bring them into conformity with the teaching of Christianity, was in itself an impetus sufficient to brace the system anew; and a further strength was given when Patrick based his church system on the political system, making the units of one identical with the units of the other.

Only two things remain to be mentioned in the making or unmaking of the polity. After the battle of Ocha, in the year 482, the dynastic family broke, the older line continuing as kings of Connacht, while the younger line held the monarchy at Tara. While it continued at Tara, with its central situation, it could hold its authority, though, as with all monarchies, its authority depended upon the personality of the monarch. But with the abandonment of Tara, after 1560, this authority was at once weakened, having to be exerted sometimes from the far north. The system, however, continued, because its device was such that it could continue itself. The State existed, complete in all its parts, at once simple and complex, sufficient for its own maintenance; but the strong central

directive was lacking; for the tendency towards centralisation was suspended with the abeyance of the dynastic struggle. It was supplied, however, when Brian Borumha sprang into the field, and snatched the monarchy from a weakened line.

Brian rallied the nation, and knit and perfected the system that Cormac had created. A simple, and indeed very modern, method existed to his hand that was partly turned to his purpose. It is customary to speak of the Leabhar na gCeart as the Book of Rights, or Tributes. The modern word, however, is Taxes; for taxes remain taxes whether they be paid in coin or in kind. Each of the seven great territories, into which the provincial authorities had devolved, had some time prior to Brian laid down a regular revenue to be contributed to them by the stateships under their authority. This had been done as a national system, and had been committed to writing in one book. Brian, having transferred the Kingship of Thomond to his own line, revised the contributions accordingly within his own particular territory. He also took contributions from each of the other six Kingships as Monarch of the Nation. It only therefore required the centralisation of what was really a fiscal system to complete the unity and central function of the State. For so statecraft has always been compelled to meet the same difficulty that confronted Brian in A.D. 1002.

Had Brian lived, or had he been able to establish his dynasty, the result would, without doubt, have been achieved. Unfortunately he fell in the hour of

his triumph, at the battle of Clontarf. He had broken the O'Neill succession; and the elder branch of that dynasty were the O'Conors of Connacht. Therefore for a century a triangular dynastic dispute arose between the O'Briens, the O'Neills, and the O'Conors.

III.

The Polity and The State.

The polity that thus emerged consisted of a number of stateships throughout the country, each of which was a smaller reproduction of the State in which it was comprised, and each of which was a unit in the organisation of that State. Because it was a system that was competent to continue itself independently of a central authority its natural tendency was to dispense with that central authority; yet the device was such that authority, once established, was distributed from the centre down to all the branches, and was gathered from the branches up towards the centre, in a well-concerted scheme. And this proved to be the case even when the monarch was weak, independently of his personal power.

A good deal of confusion has been introduced into the understanding of old history by the way in which its records were written. Europe at that time was full of wars; and Ireland was no exception. To chroniclers in a day when personal prowess counted for much it was more important to record a battle

in which some famous man fell than to record the continuous social life of a community. The result is that in the records the battles seem to obliterate the social life, and plunge it into chaos. To the modern mind particularly it seems so, for the modern man knows nothing of wars save as great continental cataclysms, in which whole nations are hurled against whole nations, and all life is brought to a standstill, while death claims its daily thousands, and chivalry is displaced by venom and hatred. The modern mind must not judge of ancient days by the world's decay. The "battles," that the belittlers of Ireland are so eager to emphasise, as little suspended the general life of the country, seldom employed a larger hosting of men on each side, and even used few weapons more destructive, than the faction fights of the eighteenth and nineteenth centuries. We know, for instance, that the eleventh century, when Ireland was involved in a triangular dynastic dispute and more full of wars than at any other time, is famous for its literary activity. Historians were busy, old tales were re-written, and great books were compiled. All this, we are told, came from a soil across which wars were surging; but the result clearly shows that these wars did not suspend, or even greatly impede, the artistic, social and economic life of the Nation. It is necessary to see this, and to get a right perspective, in perceiving the life of the nation in the polity it achieved.

Each separate stateship was at once two things. It was a political unit in the State and a social and

economic unit in itself. The people were the stateship, and the stateship was the people, for with them the power finally lay. They ruled their own affairs within the limits of their stateship, but were held within the single purpose of the State by the unified code of laws outside of which it was not within their power to trangress. However weak the monarch might be, these laws, and the trained and hereditary brehons who administered them, held the stateships in a uniformity of practice that was remarkable long after the invader's foot had brought disruption. But within that uniformity each stateship worked out its own destiny according to its own local needs.

Originally, it would seem, the land held within the limits of the stateship was divided out among all its people. But strangers entered, outlaws from other stateships and men upon the world, who became servitors to the original freemen. These held no land, and therefore held no political rights in the stateship, inasmuch as they did not belong to its staple life. These were, broadly, the two main divisions of the social life : *saor* and *daor,* words only approximately rendered by free and unfree. There were sub-divisions within each of these. The unfree could, with time and by steady conduct, enter the ranks of the landowners. A number of them could as tradesmen form a guild, and as a corporate body claim political rights. But the staple life of the stateship being the life on the land, in the main only those who held land could have a voice in the guidance of its political destiny. These

were the overwhelming majority; for the unfree classes being accidental to the life of the stateship they, for the most part, either passed on, or, remaining, in the course of time joined its political life in some capacity.

This was inevitable. For no man held the land he occupied in his own right. All the land occupied by the stateship was vested in it, and each occupier only held its usage by his right as a freeman of the stateship. The stateship had the power to take any man's holding from him, from the king down, if he defied the will of the whole or was outlawed. The Noble classes held somewhat more securely, though it is not easy to define in what their greater security consisted; and in later times, owing to the unsettlement introduced by an invader's presence, they claimed a prerogative right. But the plain meaning of the laws is that no man held any land from which the stateship could not dispossess him. That is quite clear and explicit. Therefore the land belonged not to its individual users, but to the stateship, though each freeman of the stateship could, as a freeman, claim, and was bound to receive, land for his use.

Nor could any man sell the usage of any land to anyone not in his own stateship without permission. Within his own stateship he could do so by obtaining permission from his own family. If he died his land was resumed by the family—a process that was known as *gabhal-cine*, "the seizure of the family," in English corrupted to gavelkind—whereupon a redistribution would occur. From which it would

seem that the grants were not made to individuals, but to the heads of families, the kindred being a unit within the stateship as the stateship was a unit within the State. But the right of the individual to the use of land none could withhold; it was his title as a freeman, and was implanted in the heritage of his thoughts and instincts.

Land, and its free possession by the people, were thus the foundation on which the whole structure of the State was built. Power always derived thence and always returned thither again, as surely as water must find its own level.

The divisions of rank among the freemen were mainly ranks of responsibility, with corresponding privileges attached to each rank. The Nobles, for instance, were clearly executive officers of the stateship. They held land from which they could not be dispossessed in any re-distribution that might be necessary. That is to say, they could not be dispossessed of land until they were first dispossessed of their rank, and that would first involve a legal action; but on the other hand they were responsible for the use of that land to the stateship, and could not sell or hire that use to any member of another stateship without permission.

The two chief executive officers were the King of the stateship and (to employ a word that is not so modern as it appears) the mayors of townships. The King was elected by all the freemen in assembly, but their choice was limited to selection from a kingly household, the *righ-damhna*. He had, sitting in court, the power of capital punishment,

with the approval of his brehons and the assent of the people. This, it seems, was a power seldom exercised, for the ordinary operation of the law went otherwise; but the Annals record instances of its use. He led the stateship in war when a hosting was demanded; and as, in the festivals at Tara, he met in assembly with the Kings of all the other stateships, it would seem that some code existed among them in order to bring the practice of their office into general uniformity.

The other executive officer held the alternative titles of *Bruighin-Fer* and *Baile Biatach*. He was primarily the Public Hospitaller. The *Bruighin*, or Hostel, had mensal lands attached to it by the stateship, and it was built with four doors to the four quarters in order to welcome all travellers, to whom hospitality was dispensed as a public dignity. Over this hospitality the *Bruighin-Fer* was placed in charge as host for the stateship; but another function attached to his office, and appeared in the second title he came to wear. For the houses of the craftsmen and tradesmen collected about the Hostel, and the whole became a township over which he ruled as mayor. Indeed, the modern Scottish word for mayor, baily, displays this origin quite clearly. The first intention of the Hostel was for the exercise of public hospitality; but inasmuch as the stateship, when it met in assembly to discuss and decide its internal affairs, or for that matter to debate national affairs, met in the same building, the office of the Hospitaller obviously became one of considerable importance in the general conduct

of the life of the stateship. He became, not only Hospitaller, but mayor of the central township; and therefore the first of his titles begins steadily to be displaced by the second.

Such men were strictly executive, and not legislative, officers, for the legislation and general conduct of the stateship lay with its two assemblies. The first was an assembly of its nobles, and the second the assembly of all the freemen. They met to decide all internal affairs, such as redistribution of land if a family died out, the admission to political rank of an unfree man, or a guild of craftsmen, and the outlawing of any man who defied the finding of the brehons. But they had other decisions in their hands which linked them in with the whole fabric of the National State. They decided who should be selected for hostings that were demanded of them; and when at a later date Hebridean mercenaries were scattered through the country as a kind of militia, and were quartered upon the stateships, the quarterings would naturally be decided in assembly. Yet the important decision that lay in their hands dealt with the matter of taxes, or tributes. As we have seen, such taxes were levied upon each stateship as a whole, not upon the individuals of the nation; and each stateship was thus left free to distribute such taxes upon its own individuals according to its local circumstances.

In addition, however, to its executive officers the stateship also provided for its professional men. It had its own poets, historians, musicians and lawyers,

all of whom were maintained out of the public lands, and church lands were also apportioned for its bishop and clergy. All of these, or at least the highest ranks of these, met together in the national festivals, and debated their own affairs in separate national assemblies with the purpose of bringing about a uniform practice throughout the nation, and fixing rules and regulations to that end. And even at a very late date, when the presence of an invader frustrated the possibility of a central authority, the closest uniformity can be seen throughout the country, whether in poetry, music or law, so well did the system maintain itself when the pivot on which it had swung was gone.

Naturally the brehons were the most important of these professional classes, for in the body of law which they administered the whole practice of the State was to be discovered. They were less judges than civil arbitrators. They had no power of life and death, for that belonged only to the King sitting in assembly. They could only affix the compensations that were due for every offence that neighbour committed against neighbour; and these were determined with the most minute details with regard to every kind of offence in the general body of the law. Some of the compensations can be seen to be such as would ruin the offender; and they were apportioned to every man's wealth according to the rank of society in which he was found, the same offence bringing a heavier penalty on a rich man than on a poor; but the brehon had no means of compelling obedience to his judgment. He could only

give his judgment; the rest lay with the stateship.

An old text reads: "The feast of Tara . . . the body of law which all Ireland enacted then, during the interval between that and their next convention at a year's end, none dared to trangress; and he that perchance did so was outlawed from the men of Ireland." If any man, therefore, resisted a judgment made against him, the stateship outlawed him, and withdrew all association with him. Thrust out from all rights, he could only become a wanderer on the earth. Little wonder that the Chief Baron, Lord Finglas, could say, even so late as 1520, when the central authority was gone, "Irishmen doth keep and observe such laws which they make upon hills in their country firm and stable, without breaking them for any favour or reward." And even Attorney-General Davies, of ill-fame, declared in 1607: "There is no nation of people under the sun that doth equal and indifferent justice better than the Irish, or will rest better satisfied with the execution thereof, although it be against themselves, as they may have the protection and benefit of the law when upon just cause they do desire it." The reason is not far to seek. Law in the old Irish State was not a mere technical contrivance to be argued from black-letter, as now happens, by a few men whom the people universally distrust; it was founded on a whole nation's sense of justice. Nor was it lawyers who put it into execution; but a stateship of freemen, acting in community, who enforced its obedience or expelled the offender by withdrawing all dealings with him.

Such was the internal economy of the stateship. Within itself it was a social and economic unit. But in the State it was a political unit, for it was fitted in as part of an elaborate national economy. If the stateship in question were part of a Mor-Thuath, then its ruler would only have the title of under-king, *ur-ri*. In that case the stateship (*tuath*) would only come under the provincial king through the territory (*mor-thuath*.) Otherwise it would come under the immediate jurisdiction of the province. And the provinces came under the jurisdiction of the Monarch. In the later stages, the territories displaced the provinces and came immediately under the Monarch. But always the result was the same. The purpose of the State was to spread out the administration in a number of diminishing authorities, resting finally on a free people in possession of the land on which the whole system was based; and to gather up that authority in tier after tier of exactly similiar organisations to the headpiece of the monarchy. Each authority was exactly the same as the one beneath it, with its elected king, bishop, brehons, poets, historians and full court, and with its *Bruighin* and *Baile Biatach* in capital townships of increasing importance. The Monarch's court was comprised exactly the same as the court of the king of a stateship, except that naturally his officers had necessarily to win higher degrees in the schools. It would seem that the schools themselves, of which the country was full and which won such fame throughout Europe that scholars from far afield came to them, were based

upon the same organisation even as the Church organisation had been.

How closely the system was interwoven appears from slight hints cast through the body of the laws. There is, for instance, a law tract dealing with the question of blood-guiltiness which throws an interesting light on this point. It was a simple matter when a man had an action against another of his own stateship : a brehon of their own stateship could deal with the suit. But what happened when a man of one stateship had an action against a man of a different stateship? By what arrangement was the case heard, and in what court was it held? From this tract it appears that an appeal was made up the line to a king, whether of territory, province or the monarch, who had equal jurisdiction over both stateships; and he either judged the case himself, if it called for a death penalty, or appointed a brehon from his own court to adjudicate in the matter. Clearly, then, the elaborate pattern of the State was not merely an abstract perfection, but one that was submitted to frequent service. And further, a hint such as this also shows that, whatever wars may have troubled the State, its ordinary administration was maintained, while the life it contained raised problems that required to be answered.

Such was the Sovereign State of Ireland. Seen in the Europe of its time the elaborate statesmanship with which it was created seems twice remarkable. Yet the fact that Ireland was able to send the light of learning over a blighted Europe, and the fact

that the schools of Ireland became so famous that scholars and students came from overseas to learn in them, would require a national excellence in statecraft commensurate with the national care of scholarship. Rare roses do not usually grow on waste heaps : a truth that it is sometimes useful to remember. Not the least excellence of the State was the equal dignity it gave to women. Whether women exercised political rights or not it is impossible to say; but in the social and economic spheres they took their place as the equal of men. In marriage, for instance, whatever a woman brought to the union remained hers. If the pair were divorced each took his and her own share; whereas if either could prove that by his or her labour the common estate had prospered more than by the labour of the other, that proportion, as fixed by the brehon, was added to the share. The same was true if either of them brought nothing to the union. Never once do we find the law of the Irish State recognising any inequality between the sexes; and that again was remarkable in the Europe of the time. The whole conception of the Irish State—in the ideals which it upheld, in the care with which it was wrought, in the balance of its parts and its simple scheme yet intricate texture—both in what it sought and in what it achieved, may well challenge comparison with the labours of statecraft in any place and at any time.

IV.

The Working of the State.

There never yet was a State, however perfectly devised, whose performance did not fall many leagues away from its intention. The dusty tomes on the top shelf only record the perfect, or imperfect, intention, for it is only by virtue of that intention that States exist at all. They do not record the follies and fatuities, the intrigues and trickeries, by which the best intentioned States are brought to grief. In all vocabularies the word Polity signifies something noble, and in all vocabularies the word Politics means something ignoble. It is perhaps necessary to remember this, for a certain type of historian (primed to depreciate everything Irish) has been very eager to discover the motes in the eye of the early Irish State while carefully neglecting the beams in the eye of its own modern wisdom.

Yet the intention of a State remains worthy for its own sake; and that the Irish performance during the first millenium did not fall very far away from the intention is clear, not only by what it achieved in Ireland, but also by what it achieved in Europe. As we have said, roses are not produced from waste heaps. The Irish State was actually in the process of solving its gravest fault when the invasion of a militarist system made that solution impossible. When Brian died in 1014 without establishing his

dynasty—when his son died in battle with him without being able to claim the reversion of his father's work—Ireland was thrown into a dynastic war. Had Ireland remained without invasion the Nation must have solved that difficulty by eventually winning some system in which the executive stability would have been secured. Unhappily the country was invaded by a militarist system, which, being a militarist system, lived on no economic labour of its own but preyed on the economic labour of the country and played off one part of the dynastic dispute against another in order to secure the fruits of its robbery. It so happened that the Nation had no means of resistance. The Fianna Eireann had been disbanded because it had threatened the State. The stateships could not be called upon for more than six weeks' military service at a time, and then not during Spring or Harvest, for the Nation had to continue its economic life or endure famine; while the feudal Normans preying on the economic labour of others could make war at all times and without cessation. And every year saw them making good their hold, while the stateships weakened, until finally when Hebridean mercenaries were introduced and quartered on the stateships it was too late to eject the invader.*

* A parallel instance may serve to show how the working of the State, taken at a moment of indecision, was turned against itself. In the fifteenth century England was plunged into a dynastic war. Those who have read the documents of the time will know with what perfidy that war was marked. The English barons openly sold their swords to the highest bidder as a natural thing. Treachery and insecurity were rife on every hand. Now, if an enemy had invaded England at that moment,

It has sometimes been suggested that these dynastic wars arose because the kingships, from the monarchy downwards, were elective. This is not so. The trouble was that they were neither one thing nor the other. Had they been frankly hereditary a certain kind of security would have been won for the executive. On the other hand, had they been frankly elective, basing the election on the necessary qualifications for kingship demanded in the laws, a different kind of stability would have been secured. The straightforward dependence on the people's choice would have compelled some protection for their choice when made, especially as the defeated candidates would still have preserved intact their chances for a subsequent election; and the monarchy would have been drawn into closer relation with the stateships. The system that actually prevailed, however, gave neither sort of advantage, and was plainly a compromise from some earlier dispute. The monarch was elected, it is true, but he could only be elected from the *righ-damhna*. That *righ-damhna* consisted of all within three generations from a king. That is to say, if a king's sons were not chosen in the succession after him, and the grandsons were missed, and the great-grandsons after them, then the whole line passed out from the *righ-damhna*. Now, if Irish history be closely

and had been willing to pay the extra prices that would have been demanded of a foreigner, and, where this was not possible, had turned passion and party strength against passion and party strength, taking care to balance the contending forces evenly, such an enemy could have entrenched himself in the country, and in the course of time have defied ejectment. England was spared this misfortune; Ireland was not.

examined it will be found that most of the disputes arose at this critical point. Men were usually not willing to carry their failure to secure election to the point of war unless they happened to be at the critical fourth generation when that failure meant the extinction of their whole line from royal rights. And when it so fell out that three separate dynasties claimed those rights, it is fairly clear that the critical moment would always be arising, or always be threatened.

It is speculation to suggest how this would have been remedied had the State been left free to work out its own destiny. Clearly the executive would either have become frankly hereditary or frankly elective. Probably at that time it would have become hereditary, especially as the son generally claimed to succeed from his father unless there were special reasons why he should not or could not. But then, what of the kings of stateships and territories? Had these also become hereditary the State from top to bottom would have become impossibly rigid; but there are reasons to suggest why this would not have been so. For one thing, the kings of stateships were elected by the voice of the freemen, whereas the kings of the higher executives were elected by their own courts. Moreover, the stateships served immediate and local needs that required the consent of the freemen for their continual adjustment. The two operating together would undoubtedly have compelled, without any of the complications of a *righ-damhna*, the perfectly free election of the executive head and

leader of a stateship. Therefore had the monarchy become hereditary there would have been two contradictory principles in the State; there would always be a tendency to bring one into line with the other; and it is not very difficult to see which principle would finally have prevailed.

Any arrogation of power by the monarch (and it is the first principle of monarchs to arrogate power) would have struck athwart the rule of the people in their most familiar and immediate life. A moment always arises in history (always has arisen and always will arise) when a monarch and a people front one another with the claim to real power. In such issues the people always win in the end, even when their rights in the State are most degraded. How much simpler would the issue be when the people, as in the Irish State, held the land, the final source of all wealth, in their own possession in corporate stateships? In the crisis that later befell all States no nation could have faced the future with greater assurance than Ireland, had Fate not thrown a sterner destiny before it.

In the same dispute another fault of the State was involved—in fact, was one of the causes that led to the invasion of the foreigner. For the dynastic war was really the struggle of the provinces for the hegemony. The O'Neills of Meath and Ulster, the O'Conors of Connacht and the O'Briens of Munster contended together in the names of their provinces; and the Mac Murchadhas of Leinster, having no part in the war, were driven into a false isolation. This was only possible because the provinces had

interposed an authority between the executive of the State and the stateships that had no real function. They could materially hinder, and could not materially help, the smooth working of the State. Had the provincial or territorial courts not existed the result would have been as deft a balance between a centralised and decentralised State as can well be imagined. The interposition of the provincial courts reduced the central authority almost to a futility except when a masterful personality held the monarchy. They broke the balance between the centre and parts of the whole, and in the result snapped the connection that existed between them. The only real link they needed they possessed in the Councils that met under the presidency of the Monarch in national assembly to adjust and continue the government of the country : the Council of Brehons, the Council of Rulers, the Council of Historians, and so forth. Each Council decided its own affairs, and the Monarch and his higher officals held the whole in co-ordination. That was a real and a vital connection. No other was needed. The provincial courts could only—possessing as they did, for the most part, powers almost equal to the monarchy—break that connection, and so disturb the balance of the whole. They did so in the outcome of things, occupying the place that they did ; and they did so deliberately, creating local loyalties in order to increase their power. They were, and could not help but be, a disruptive element in the State.

Undoubtedly the dynastic war of the eleventh

century, pressed to its logical consummation, would have ended this false value. The dynastic war of the first centuries between Connacht and Ulster had ended in the elimination of Ulster as a rival; and, however the later war would have ended, a strong central authority must eventually have emerged and the provincial kingships have been reduced to a merely nominal position in the economy of the State, without possessing the power to dispute the monarchy or its executive hold on the Nation. This in its turn would have required a national army; and would have answered another defect. For when in the fifth century Ireland disbanded her national militia, the Fianna Eireann, she lay a prey to any invader at a time when armies had become national necessities.

Such criticisms are, it is true, speculative. Even as such, however, an attempt has been made to keep them close to the development that the events themselves suggest—to the development that, as history proves, all nations must finally obey. In the eleventh century, it must be remembered, Ireland was almost the only country in Europe with a national State. Other nations were not to achieve their States for centuries; and even then many of them now famous did not create States so careful in its parts and so concerted as a whole. It is not at all likely that Ireland, had she been left alone to work out her own destiny, would have continued with a broken State without correcting the causes of its disruption. She would have proved a startling exception to the course of history had she done so.

Yet the main value of such criticisms is that they permit an examination of the Irish State at a moment when its inherent weaknesses had worked themselves out to the surface. At the height of Brian's power those weaknesses existed, but they were held in submission by his personal strength. After his death they at once rose to the surface, just because of the strength with which he had held them in submission and the manner by which he had risen to power. They then demanded a remedy contained in the State itself, and not dependent on the strength of a master mind. And in looking to the old Irish State for instruction it is important to note its weaknesses once they revealed themselves, and to perceive the development by which they would have been corrected.

Yet, while criticism is good, it is proper to look on the other side of the coin. In the light of its own day the Irish State was a remarkable achievement, but in the light of any other day it would be hard to find a statecraft so complete, so wise and so soundly based on a people's will while compact in itself. It was at once both aristocratic and democratic : in fact, it makes these modern expressions to seem, what they are, false entities, for it shows them to be parts of one whole, obverse and reverse of the same thing. The Normans when they came commented on the familiarity that existed between the members of a stateship and its king. The king, in fact, was generally required to foster his children with some freeman's family. Yet to be a king a man had to be pure of birth,

perfect of body, without physical blemish, and if considerable training in the laws and arts; while the oath he took, even though it were not always kept, is sufficient to show the moral qualities expected of his office. The arts did not exist at the whim of a lordly patron, but were maintained at the people's charges. Each stateship conceived it an honour that Poetry, Music and History should be accorded the highest rank in its economy. Their professors were furnished land for their maintenance, and sat as equals at the king's table. The same was true of the Doctors of Medicine. These were all public servants, serving the public and maintained at the public charge. Those that came overseas to learn in the schools were, apparently, not charged for their tuition, but had only to conform to the legal responsibility laid on such schools, for they came in such numbers that the Council of Brehons had to make special regulations for them. And the *Baile Biatach,* as we have seen, had land apportioned him for the maintenance of public hospitality. These things were not then, any more than they are now, precisely familiar virtues among the nations.

So for the State itself, as an organisation. Its faults we have seen; but, even so, it found as wise a balance as any nation has yet found between a centralised and a decentralised system. Authority, to be sure, depended a good deal from the personality of whoever exercised it; but then history has shewn that this was not an attribute exclusively monopolised by the Irish State. In the last resort,

not only in the theory but in the practice and working of the State, that authority was based on a free people. The State's only property, and the final source of all its wealth, the land, was owned by the people in corporate stateships; and those corporate stateships had its assemblies of freemen which discussed and adjudicated its affairs. The national life was one of high ideals—of Art; of physical and mental aristocracy; it held in high esteem its intellectual leaders; it prized its scholarship—but these ideals were rooted in the possession and husbandry of the soil. The student will need to search well before he betters the Irish State; and the more truly he search the more deeply he will wonder at the strange tragedy that it should have been hindered at a critical hour of its development.

V.

The Broken State.

Henry of Anjou and England when he came to Ireland, with a somewhat munificent gesture made grants of large tracts of territory to his underlings. It was nobly done; to make gifts of other people's property to one's own friends requires a noble mind. Therefore the lordly underlings settled along the waterways of the territory allotted to them, built castles, and from these castles raided the economic life of the country around them. At first the stateships received the newcomers as strangers coming

into the country, who would in time become part of its life. They did not conceive of such a thing as an attempted national conquest. Then when they rose to resist, they were handicapped. They had no national army; and, though the freemen could be called upon for military service, they could not be called for more than six weeks at a time, and then not during Spring or Harvest, whereas the Normans lived only by the sword in the close militarist organisation known as feudalism. The eleventh century in Ireland had seen a long dynastic war, but it had also seen a full scholarly and artistic activity. With the coming of the Normans all this activity was stilled and hushed for two centuries. And that was the sign-manual of the new era that had dawned.

After a while, preoccupied as they necessarily were with their economic life, the people invited their Hebridean cousins to come over as a paid militia. They came, at first into the north, and were quartered on the stateships; and from the time of their coming the Normans began to be pressed back toward Dublin, and the annals record the taking one by one of the Norman castles. That was the first attempt to throw off the national danger that was now appreciated. The second was to restore the executive authority. O'Neill, O'Brien and O'Conor had contended in rivalry, but the Ui Niall dynasty held the more ancient claim; therefore in 1258 Aodh O'Conor and Tadhg O'Brien made a hosting together to Brian O'Neill to offer their submission to him if he would lead

them against the foreigner. He did so, but was overthrown and slain. Therefore an offer of the monarchy was sent to Hakon of Norway five years later. He was on his way over when he died at sea. Finally an invitation was sent to Edward Bruce by Domhnaill O'Neill in the name of Ireland. Bruce came in 1315, was crowned Monarch of Ireland, and carried a war throughout the country that wasted the land. When he fell three years later at the battle of Faughert, the country was in a desperate condition; but the invader was thrown back to a small tract of country around Dublin that became known as the Pale.

Such were the attempts, made too late, to restore the State and eject the invader. One was dependent on the other. It was clearly impossible to restore the State until the invader had first been cast out. His presence in the country necessarily acted like an obstruction in the blood, and made it impossible for the body of the State to resume its health and perfect its functions until the poison had been expelled. This was so in the natural law of things; but, in addition to this natural and inevitable result, the invaders, in order to maintain their position in the country, set to work to create division between the scattered portions of the broken State. That was easy to do. The leaders in the different parts of the country have been blamed (by none more than by their nation) for serving their own sectional interests instead of the national unity. But how were they to discover the national unity, and how were they to distinguish, as we now can distinguish,

between sectional and national interests? The history of mankind proves that in a broken State it is a simple task to create discord, and a giant's task to create unity. The invaders acted at first from a common centre; and the nature of the case robbed the Irish Nation of any common centre from which to act. That was the first difficulty. Secondly, there are always men in every Nation who are willing to sell their honour. So long as Nations can repel invasion that fact does not become an active danger within the security of its State; but directly an invader enters a country, with gold and honours in his gift, it becomes almost impossible to overtake the poison that runs in every direction. Men grow suspicious of the most honest purpose if that purpose is not at once apparent; and if it is at once apparent it is thereby at once revealed to the enemy. Finally, most men are near-sighted; they judge of large issues by their immediate effects, and so mistake those immediate effects for the large issues, making it easy for an enemy to drive divisions in between sectional interests. These things are so, not necessarily because men are corrupt, but by the nature of things; and their combined result was the broken State of Ireland.

A further difficulty was the fact that the Nation had new elements cast into it that it had to digest; and in some places it had those new elements cast into it in large numbers. The Normans were mostly driven out of the north; but others had settled and made their positions secure in other

parts, the De Burgos in the west, for instance, and the FitzGeralds and Butlers in the south. The old State was broken by their forcible seizure of land; but then we find it automatically setting to work to mend the broken fabric, to restore the stateships, and to include the stranger within its ancient constitution. In that it was successful. The De Burgos and FitzGeralds became, as the English declared, more Irish than the Irish themselves. The former publicly repudiated their very names, and took Irish names, as Mac William Uachtar and Mac William Iachtar. They simply displaced, or depressed, the kingly households of earlier territories. The same was true of the FitzGeralds, though with them, as far as we can judge, there were certain changes introduced, not into the stateships, but into the larger territories in which these were comprised. The chief of these changes seems to have been that the FitzGeralds held their kingships by right of primogeniture and not by election. Yet in the main the changes were not many or fundamental. Irish was spoken as the native language; Irish courts were kept, of brehons, poets and historians, exactly as the older Irish kingships had maintained them; and by force of marriage in a few generations the intermixture of the new blood was hardly to be discovered beside the permanence of the old. Only the Butlers in the south-east kept their connection with England. The others broke away from the common centre of the invader, and became included in the elder national continuity.

Nevertheless the State was scattered. The state-

ships continued their life; the parts, that is to say, were complete, except for a portion of country around Dublin and another about Waterford; but they were only parts, for the whole was in disrepair. And now a definite war between State and State was declared, the end of which has not yet been seen. By the Statutes of Kilkenny in 1367 every sign of national life in Ireland was penalised by English law. It was forbidden to hear an Irish poet, to take judgment from a brehon, to foster children in the Irish way, to speak the Irish language, and even to wear a beard as the Irish did, or ride a horse barebacked. It is true these things were only forbidden within the Pale, because only within the Pale had the invader any authority; but they were in fact, and afterwards became, a declaration in Ireland of a war between an English State and an Irish State. They were an intimation that the old Irish culture and State were marked for extinction. It is interesting to remember that at the moment this declaration was made England had little culture, no literature, only the beginnings of law, and a very rudimentary State. The Statutes of Kilkenny were very like a young vulgarian raging against an elder's manners that made his own lack of courtesy apparent.

Fortunately at this time England herself was plunged into a bitter dynastic war. The immediate result on Ireland was that, relieved from the pressure of her neighbour, a great period of prosperity began. The beginnings were slow, for the land was wasted after the Bruce campaign; but

the progress quickened with each decade. It began with the integration of the Normans in the middle of the fourteenth century; and it continued till the end of the English Wars of the Roses. The poet took up his song again; the historian his pen; and the scholar his books. Great convocations of learned men were held; and new law tracts were written, drafted for changed conditions. The stateships became the centres of new activity. Corn was exported in considerable quantities. The guilds of artisans became busy again, to judge from the exports of woollen, linen, leather and metal wares. The literary activity—or at least such of it as escaped the soldiers' burning—has remained to us. The other activity can only be discovered by the trade books of other countries; for Ireland, having no organised State of her own, could keep no record of her commerce. But these books reveal the considerable trade Ireland conducted with the continent of Europe. The Irish ports, chiefly on the western and southern coasts, with their own corporate stateships, became the avenue through which the industry of the internal stateships supplied the demand of Europe. And since there was no Irish State to create a medium of exchange, at least one of the territories, that of the O'Reillys, had to mint its own coinage for the conduct of its trade.

It seemed as though once again the Irish State was about to complete itself. But once again an invading soldiery brought ruin. This time it was the final ruin. England had settled her dynastic

war, and turned her attention to Ireland. The old methods were renewed with a new perfection of craft. The Statutes of Kilkenny became an active weapon of offence; and with each new monarch of the Tudor dynasty the war between State and State was carried to a closer issue. The Irish language was interdicted; the Irish manner of dress was forbidden; and finally every attempt was made to blot out every memory of the Irish stateships and to create English counties in their stead. Kings of territories were offered pompous English titles if they pledged to abtsain from the use of their simple Irish titles. To help them to a decision they were offered the land over which they ruled, to be held by feudal knight's service and to descend by feudal right of primogeniture. Those who accepted this offer at once found the stateships in rebellion against them, for that land did not lie in the gift of any man but belonged only to the freemen. They rose in protection of their rights since time immemorial; and they rose to repudiate their elected officer; with the result that a soldiery was sent against them that burned their crops and left their land a waste.

Such was the last phase of the war by which the State was to be broken, not only as a whole, but in its several parts. The country far and wide became acquainted with a soldiery whose business it was to tear out all memory of the National State. At the end of that war there arose a figure who saw clearly all that was involved. That was Hugh, the descendant by Irish election of the O'Neill

monarchy. He had worked long to link all parts of the country together under his leadership; and, knowing the power against which he was opposed, he had entered into treaty with the Spanish Crown to assist him. Feeling that these Spanish promises were not sincerely given, so often had they been made and as often broken, he thought to save what he could from the wreckage.

When in 1598 the Earl of Essex was sent against him he met him in parley and made him an offer to bear to Elizabeth. Whether that offer was sincerely made, or only put out to save time, does not matter here; but it contained one article that is very significant. It runs thus: "That all nations in Ireland shall enjoy their living as they did two hundred years ago." Now it is clear that he uses the word "nations" in some special sense—that he is, in fact, rendering some word from Irish. Nor is it difficult to discover what that word is. He can only be referring to the *tuatha,* or stateships, on which the State was based that was now threatened with extinction; and his demand was that they should remain intact and unmolested as they had been "two hundred years ago," when England was busy with civil war. The demand was rejected. He could hardly have expected anything else. And when he was finally defeated five years afterwards, those "nations," or stateships, were doomed to a final and terrible ruin.

VI.

The Resurrection from the Dead.

The horror of the Plantations and Confiscations was not due simply to the land-avarice of a conqueror. In some measure they sprang from that simple and immediate lust, but really they arose from a much remoter necessity. They were logically inevitable from the invader's point of view. The war of State against State, from that point of view, was always finally helpless because the Irish State, dismembered though it was, took strangers coming into the country and enveloped them in its own polity. And it was indestructible so long as it was based on the free ownership of land. Therefore to destroy the State it was necessary to root it out of the land; and as the State was composed of the people, and could not be composed otherwise, it was necessary to root them out of the land. What happened to them afterwards was but an incident in the campaign. They were to be replaced by a new set of proprietors who would come with the intuitions and desires of the foreign State, and who would be provided with very good reasons to see that the new shire-land with themselves as lords thereof did not revert to stateships in the possession of the people.

Cromwell's gentle watchword "To Hell or to Connacht," therefore, was the logical consummation of that policy. It was the full peal of bells of which the Statutes of Kilkenny were the first brazen

intimation. And when he had finished his righteous labours for the Lord God of Hosts the wildest dreamer in the world in his wildest of dreams would not have thought that his work could be undone. But a strange thing happened. Official documents indicate that his work was completely done. The Nation was first decimated—" nits will be lice " was the playful phrase of his soldiers as they caught babes on their pike-heads. Then it was swept west of the Shannon; and thoroughly swept, to judge by the procedure adopted. But within thirty years it is found back upon the land—O'Neills where O'Neill stateships had been, Maguires where Maguire stateships had been, and so forth. The Roll of the Parliament of 1689 as clearly indicates the countries from which the members came from the names they wore as those names would have indicated two centuries before. Historians have therefore thought that, in spite of the effectiveness of Cromwell's procedure, his work had not been very completely done. But what is more likely is that, with hopes raised by the Restoration, the people began steadily to stream back across the country to the places they knew, where their fathers had lived in free stateships, in order to be ready for any change that might come. There is no record of their journey. There is no place where such a journey could have been recorded. All that is sure is that, whereas Cromwell intended to sweep the Nation west of the Shannon, and adopted a procedure well-drafted to achieve his end, at the end of the century the Nation is found back upon its

lands in the very groupings in which it had held them in old times in free possession.

The change was that the freemen were a rent-paying tenantry. In other words, there were, as it were, two layers through the country, and each layer represented its own State-idea. The topmost layer was the landlordry, which, being in power, had enforced its own State-idea. When it became, as it finally did, an absentee landlordry, that State-idea did not voice any of the desires, expectations or intuitions of the resident population. In fact, it outraged them at every point. The more truly was this the case when, under the Penal code, the submerged layer of the rent-paying tenantry was denied every right in the existent State. In the words of the Lord Chancellor of that State, "The law" (that is to say, the law of the imported State) "did not suppose any such person to exist as an Irish Catholic." The two State-ideas were not only mutually contradictory, but they were deliberately kept apart; and there is no indication to show that those who carried in their instincts or memories the old State-idea took any interest in the foreign State except the interest of sufferers.

Such was the position during the eighteenth century. The Nation seemed dead and buried, with a stone rolled across its sepulchre. Any thought of its resurrection would have been treated by its jailers as a proper subject for comedy. Certainly its Polity seemed to have passed into history—indeed, to have passed beyond history, for those jailers did not intend to let intellectual curiosity, their's or

others', stray into that neglected field. But at this moment, when the Nation lived on sorrel boiled up with blood let from cattle while the tillage of their land went to rents, a strange parenthesis in the history of Ireland occurred. The jailers themselves arose and demanded the liberty for which the ancient Nation had fought over whom they had been placed in guard. They demanded it with cannon, musket and pike; and with these persuasive arguments they won a great measure of that liberty. They established a Sovereign Parliament under a Dual Monarchy, but with an utterly unworkable constitution. It was unworkable because they remembered the source from which they sprang; and would not, and indeed could not, carry victory to its logical conclusion. If they severed themselves from the source of their power, they were thrown into the arms of the Nation over whom they were in guard, and who formed the overwhelming majority of the population of the country. It was also unworkable in itself. In the Regency debate they asserted their right to appoint their own Regent; and that logically meant the right to appoint their own king; but, as FitzGibbon pointed out, the Seal was in the care of the English Chancellor, and that gave England the final word in all matters. It was an independence that needed force at every moment to make it of any avail; but it was independence, nevertheless, and therefore by the Act of Union England struck down her own jailers and abolished their little hour of liberty.

The parenthesis was concluded, and history was

able to take its course again. The liberty that Grattan had won had been the liberty of the English State in Ireland; the liberty, that is to say, of the State-idea of the uppermost layer. The overwhelming mass of the population was comprised of the old Nation with its own and separate State-idea. It had no part in, and no interest in, the liberty their jailers had won for themselves; and the State in which that liberty had been held (if State it may be called that represented nothing of the population) voiced none of its instincts or desires. But when the watcher at the gate had been struck down the Nation arose, feebly at first, and marched into the nineteenth century to claim satisfaction for those desires and instincts.

The course of the nineteenth century in Ireland is like a resurrection from the dead. It is full of memories—memories prior to 1603 and the destruction of the Irish State. The very order is significant. The Nation had lost certain things in a certain order; in its resurrection it set about to regain them in the inverse order. It had lost, first, its State; then its language and culture, the flowers of that State, had been penalised; then its land, on which the State had been based, was taken; and finally its liberty of faith. It won back, first, its liberty to faith; then its land; then its separate culture; and now it seeks its State.

Literally and precisely the nineteenth century in Ireland is one of the most remarkable movements in history. It is like a great hall full of ghostly memories, but ghosts that bewilderingly become

flesh and blood before our very eyes. It is a haunted hall where memories become realities again, instead of realities passing into memories. The struggle for Catholic Emancipation, it is true, was not of this order. It was part of a larger world movement into which the Nation was compelled by the leadership of one man. It may or may not have been the best beginning to have made; its fruits were unreal; and the victory was soon lost sight of by the Nation. But the land-war arose spontaneously from the people in a form that suggested an ancient memory. Before it found expression the compiler of the Devon Commission Digest remarked "that the tenant claims what he calls a tenant-right in the land, irrespective of any legal claim vested in him, or of any improvement effected by him." He mentions it as a curious thing; and to him, with his foreign State-idea, it was indeed a curious thing; yet it was only the first re-assertion of a very old memory. For the Nation was not asserting a tenant's right, but re-asserting a freeman's right. And inasmuch as the landlordry was now mainly absentee it was making that re-assertion in a solid national formation.

It was for this moment it had clung to the land with such fidelity. During the first forty years of the century rents were increased by thirty, forty, and in some cases fifty per cent. On an average it took a man 250 days of the year to clear his rent; and this meant that the people could only live on the dregs of the land and on sorrel and cattle-blood. Yet still they clung. When Pestilence and

Starvation stalked through the land, and the young men and girls had to fly over-seas, the families still clung to their holdings. Those young men and girls lived in penury in America in order that their earnings should be sent home to maintain the grip on the land. The Nation was holding its old property, and meant to win it back. They arose in war and shot the usurpers on their ancient property. And then at the height of that war they suddenly, in a new awakening of memory, put their old law into operation—the very law by which the land had been ensured to them as a freeman's possession. "The body of the law which all Ireland enacted none dared to transgress; and he that perchance did so was outlawed from the men of Ireland." The landlord transgressed that law, so the people outlawed him. Boycotting according to the foreign State-idea was lawlessness, yet it was truly the assertion of the law of one State against the usurpation of another State. Not being the enactment of its own central authority it was naturally subject to local abuse; yet it was not lawlessness but the revival of a legal procedure. And finally the land was won back, though the people were compelled to pay for the property that had been robbed from them. So potent a thing was the old expectation.

So deep a national stirring was not without its effects far and wide, especially as it was less an event in itself than part of a greater whole. The century was continually shaken by a series of revolutions, the pulsations of its re-awakening life, each of which struck its roots down deeper into the past, and

brought forth memories like blossoms that became completer and more perfect with the years. After the broken attempt for freedom in 1848 a new impetus was given to the cultural movement that had begun with the Young Irelanders, but this now took the form of a search into the forgotten manuscripts in the Irish language, in which the elder culture was stored. After 1867 the active publication of these records began by a number of societies, and the Society for the Preservation of the Irish Language was started. Irishmen's minds turned to the annals of their own elder history, and viewed with alarm the perishing, under tense economic strain, of their national speech, the only adequate vehicle of their distinctive thought and intuitions. After the Land War the Gaelic League was started as an organised attempt, not only to save the national language and to compel its study and use, but to revive all that was distinctively national by means of that language. It became a shame among Irishmen not to speak their own language, not to delight in their own music, not to dance their own dances, and not to make their national past, especially the past of the days of glory, their intellectual possession. For, as was inevitable, the awakening had passed out of spontaneity into an organised intellectual effort, as the spontaneous hours of youth pass into the discipline of intellectual manhood. Yet neither is artificial, for both partake of the growth that is part of life.

Both instinct and intellect were present, and each was part of the other. When an Irishman threw

the co-operative idea among farmers as a means by which they could combat the great organised farming of the Americas, the people took slowly to the idea as a foreign economic theory. Then they seized it, and turned their co-operative societies into rural communities that were a re-birth in modern conditions of their old stateships. Most of them, as the fruit of the Land War, were now beginning to own their farms, and that gave them the foundation of which the stateships had been built. In the central hall of the co-operative society the economic business of the community was discussed, and around it its artisans and artificers collected. That was done naturally, as the result of instinct, but then intellect saw the natural drift, and (not too bravely perhaps, through fear of " political " consequences) sought to guide it definitely in the direction indicated by history.

If there were greater courage and clearer thought, together with the freedom within which thought and courage could act, such communities, instead of being, as they now are, only economic and social units of the national life, could also become the recognised political units of that life. In other words, they could become stateships awaiting their final integration into a State that would equally be a translation into modern conditions of the old Irish State. Though they are social units their social life is stagnant, because (again for what are called " political " reasons) those who control their guidance are afraid to guide it into the only cultural life any nation can know and within which can find

liberty: its own. Were the enthusiasm of the Gaelic League—that is to say, the national enthusiasm—linked to the economic life of such communities, were Irish music, Irish dance, Irish history and Irish tale-telling provided in its halls of a winter's evening, the flowing together of both streams would make these communities, not only stateships, but centres of national life as they were in the days of old. They would maintain their own musicians and their own historians and professors, would vie with one another in their excellence and exchange them with one another. They would maintain their own physicians as the older stateships did. They would elect their own administrative heads, and, under their presidency, would meet in their own assemblies to order and control, not only their business transactions, but all the life contained within them. In their own arbitration courts they could control all their internal litigation, and compel recognition of the findings of such courts by the force of the whole community as the old stateships did.

To such a point has the national resurrection come in the awakening of its distinctive State, that these things could be brought to pass by the smallest manipulation and arrangement. Yet in the early centuries their completion and organisation required the function of a State with its central authority. Not only did the parts make the State but the State also made the parts. Each acted together, and flowed together. So it will be again; and the Nation has come to a point when it only awaits its State.

VII.

At the Gates of the Future.

If there is one thing sure for the future of an Ireland free to develop its own State it is this, that one by one the moulds shaped by England for its governance will be thrown back into the cauldron and new moulds made to accord with the Nation's own sense of wisdom and economy. Urban Councils, District Councils, Poor Law Guardians, and County Councils, all that they are and all that they represent are destined for the cauldron in the forms in which they at present are known. The whole English political configuration of Ireland is destined to rejection (it never really existed otherwise than in a partial state of rejection) simply because it expresses little that is real in the life of the people. No organisation is good or bad in itself as a scheme; it is only good or bad in the degree in which it does, or does not, effectively and economically organise a flexible life for some definite end which it has to serve. In fact, the better it is the less will it be in evidence as a thing in itself, apart from the elements comprising it. The old Irish State was a good organisation, because it is almost impossible to think of it apart from the life which it contained and conveyed, so nearly identical were the two things. The stateships were the people and the people were the stateships; and that is why the conqueror found plantations necessary; for it was impossible to break

one without removing the other. The modern state of Ireland is not, in that sense, an organisation at all; it is simply a configuration imposed upon its life, not fitting that life at all, neither expressing, containing nor conveying that life, and therefore used or abused by it according as occasion offers.

Even the very counties, those results of the breaking up of the stateships and the making of English shire-lands, are unreal things that express little of the life of the people. Their long continuance has made them familiar, and so has given them a fictitious reality; but they again are a configuration and not an organisation. They may persist for awhile with that fictitious life, chiefly because they have become themes of local partisanship; but in the degree in which the Nation sets about to displace its configuration by a real organisation, they must inevitably pass into a historical memory, and not a very pleasing historical memory at that.

Everything that has been introduced by England into Ireland is destined to rejection, and not as a matter of prejudice, but as an inevitable fact in statesmanship. Suits cut for other people, or demanded by other people's necessities, are the proper wear for clowns. At best these things were wrung as concessions given with poor grace after long and bitter war; at worst they were anticipations of further war and the spontaneous creation of an alien thought. The first was better than the second because it did spring from the initiative of the people, and partially and ineffectually answered that

demand, while the second sprang from the same alien intention that has created three centuries of almost unremitting warfare. And whether that intention stalk as an undisguised foe, or prank about with the antics of a philanthropist, the result in statesmanship is the same. Instead of effecting an organisation it creates a configuration; instead of producing human contentment, comfort and ease it produces irritation, exasperation and enmity; instead of being as flexible as the life it contains it is as rigid as the thought that made it; instead of being capable of development it is only capable of being broken or abused; instead of being a National State it is a national despair and futility. Therefore statesmanship must neglect its achievements (though continuity of government may compel their continuance for awhile) and must make a direct approach to the national life, and its needs and necessities, human and economic, in order to build again, however slowly to build, from the foundations the structure that those foundations decree and suggest.

It is in the discovery of those foundations that history becomes a matter of first importance. Not a portion of that history; not the history of the eighteenth century, which did not express the life of the people but the life of a small colony the proportion of which to the whole is even smaller now than it was then, besides being under the influence of the awakening of the nineteenth century; but the whole of that history, from the beginnings to the present, for in Irish history probably more than in

any other the end is in the beginning and the beginning in the end. That we have already seen. We have seen, first, the National State as it existed, and we saw that it was indeed a National State although it was not finally centralised before it was assaulted. We have seen the assault that suspended its completion, and we saw that that assault meant for some centuries the war of a State against a State, a Polity against a Polity, a foreign and alien polity seeking to break and displace the polity of the Nation. We have seen that polity broken and displaced, and we saw the ideas that went to the building of that polity lying resident in the people and creating a continual warfare with the alien polity that had been imposed upon the country from without. We have seen that those ideas maintained the warfare unceasingly, it being the first principle of life to find an outlet for the ideas of the mind and the impulses of the blood, and to war for them when they are thwarted; and we saw that warfare successful in winning back much of what had been lost, and especially winning back the land on which the old polity had been based. We have seen those ideas breaking out in some remarkable acts reminiscent of the old process of law; and we saw that when some scheme was advocated to the people that could be worked independently of the alien polity it was taken and bent into the form of the stateships in which the old polity had been expressed. In a word, we have seen the end in the beginning, and the beginning in the end, with a persistent continuity throughout. The question is, how may

that continuity be carried forward, and some State be devised that shall express the National intuition and desire, and be the old State re-born into modern conditions while perfectly fitting and conveying the requirements of a new and intricate life?

Manifestly in the first place the incompleted work of the nineteenth century, where the nation clearly asserted its desire, must be brought as speedily as possible to an end. That is to say, Land Purchase must be completed. This is necessary for several reasons, all of which vitally affect each part of the country, since nations are not tissues of separate interests, nor even an entanglement of separate interests, but co-ordinated wholes. It is economically necessary. Industrial centres, such as Belfast, depend for their enterprise on capital accumulated, not primarily from their own reserves, but from other sources. In Ireland those other sources are mainly derived from farmers' deposits. The sooner, therefore, farmers can be relieved from the uneconomical drain on their industry known as rent the sooner will they be able to accumulate balances that will be available for industrial enterprise. Sound economy suggests that the main source of a nation's wealth, its land, should be freed from the burden of rents, especially as these rents are usually spent to the advantage of other countries. It is also politically necessary. It is not at all likely that an agitation that convulsed the nineteenth century will die away with its work incompleted; and no nation can afford to lets its path be encumbered by a continual agitation the justice of which has been

admitted. The necessity in statesmanship follows closely upon this. The nation has clearly indicated that, just as the old State was built on the free possession of the land, so must the new State be built. It being the task of statesmanship to give expression to the desires of a nation while preserving the unity and balance of the whole, this particular desire must be satisfied, and built into the Polity, if the work of statesmanship is not to fall into ruin in its hands.

Yet in order that Land Purchase should be completed the Nation must be financially free, without burdens placed upon it by any considerations outside its shores. Needless to say, Land Purchase under an Irish State will be a different matter from the same purchase as devised by foreign governments. The Nation will pay a single-minded attention to its own interests. Its good faith will be an essential part of those interests; but it will not be easily embarrassed by fictitious prices and delaying methods to inflate values. Nevertheless, much of the world's wealth having somehow escaped in gas and shell-splinters, and Ireland being as the result of long oppression a poor nation, the completion of Land Purchase will require a nation absolutely unencumbered by any other demands on its wealth than the demand of its own problems.

That is to say, before any building can proceed its foundation must be assured, the foundation being the same as preceded the building in the old State. That building, it will be remembered, was not possible, and the State could not be said to have

begun, till there was a central authority strong enough to make the parts out of earlier, more independent units, and frame them into a national whole. That central authority will again be necessary; and in asking the question, of what sort shall it be, it will be well to suppose nothing but to begin from the beginnings.

Never in the history of the Irish Nation (if we except the Parliament of 1689, which was framed on earlier models drawn from other than Irish sources) has any body ever sat at all similar to a modern Parliament. In the old Irish State the elected monarch convened great councils charged with special functions and duties. There was a council of brehons, a council of administrative rulers, a council of historians, or public recorders, and a council of poets—all of them public officials, with their parts to play in their various stateships Each council decided in its own affairs, and where necessary, for instance as between rulers and brehons, or brehons and recorders, the monarch wrought harmony between their decisions for the smooth working of the State. But that is not to say that, if the Nation had been left free to develop and augment its own polity, something in the nature of an assembly drawn from popular sources would not have been found necessary to assist or displace the monarch and his personal council. Had it been possible to create such an assembly early a central stability would have existed, drawn from all the parts of the State and therefore holding all the parts together, that would have provided the State with

just that central authority that it needed. However that be, parliaments, or assemblies of popular representatives, have become an essential part of the modern mind, as providers and correctives of a central government. They have proved to be corrupt servers of special interests; but that is because they have been too much trusted without supplementing them with councils each representing its own interest, as the monarch in the Irish State supplemented his executive authority with councils each having power, subject to the national unity of administration, over its special concerns.

No student of the recent action of parliaments is at all likely to be weighed to the earth by his overpowering admiration for them as effective instruments for the will of peoples. They are, it is true, the displacement of one kind of arbitrary power by another kind of arbitrary power. They are, in the form in which we best know them, the substitution of a king and his chosen advisers by a government and an assembly of popular representatives to which it is responsible. Accepting that substitution as the central authority by which a State may be created, is it possible to carry into the change the spirit of the old State? The answer to that question is that the spirit of the old State not only may be so conveyed, but that it actually corrects, in great measure, the modern weakness of parliaments, by bringing them into closer relation with the differing and special interests of the Nation. The translation of the old State, that now lives in the intuitions and expectations of the Nation, into

the modern conditions that are now part of the Nation's surface-thinking, corrects the weakness of modern ideas while providing just the kind of centralisation that the old State lacked.

The essential part of the working of the old State was clearly the convocation of its great councils. While these met at regular periods the State continued its central function, and existed as a whole. When they were discontinued, as they sometimes were, the State fell into disarray, and existed only in its parts. Now in modern times, as it so happens, Irishmen meeting in their own concerns and acting at their own initiative created just such another council. The work of the Recess Committee resulted in the formation of the Department of Agriculture, the working of which was intended to lie at the instance and in the power of a Council of Farmers elected through the country to manage their own concerns. Perhaps no better instance could be given of the tragic futility of trying to work the conceptions of one Polity through the conditions of its alien rival. For the President of the Council became Minister of an alien bureaucratic government. He took his orders from that government, even though every farmer in Ireland was outraged by the effect of those orders. He took his salary from that government, and existed at the will of that government, with the result that the Council that was supposed to express and control the interest of farming in Ireland was itself controlled by the interests of farmers in somebody else's country, and so was brought to a

nullity. Moreover, while the farmers met in council to study their exclusive interests their President openly expressed his intention to study the interests of traders, even when the two interests were opposed to one another; and as the Council of Farmers had no means of enforcing its will, and no court to which to appeal, it fell into decay, and by neglect came in the end to be largely an echo of its President's will.

Yet, though the Department of Agriculture is an eloquent example of how things ought not to be done, it does in fact contain a striking idea, evolved by consultation of Irishmen on Irish soil, that carries the conception of the old Irish State. If an Irish Assembly, or Parliament, were surrounded by a number of such councils, representing each of the special interests or concerns of the Nation, the elder State would be translated into modern conditions and transfigure those conditions by drawing the arbitrary and purely theoretical business of parliaments into a definite relation to the life of a nation. Instead of the monarch and his court would appear a government and the representative assembly from which it is drawn and to which it is responsible. Instead of three or four special councils representing the comparatively simple texture of the life in the first millenium would appear a number of such special councils representing the proportionately greater complexity of the life of to-day. And just as in the old State each council held authority in its own concerns leaving to the monarch the co-ordination of the whole, so the

modern councils would each rule their own affairs subject to the control of the assembly of the Nation.

There would thus be two different kinds of representation gathered together. There would be the direct representation of the Nation, and there would be the representation of the special interests the union and pattern of which create the national life. Both would meet in the Government.

The councils would include every sort of interest, but they would not be of equal size or of the same formation. Both size and formation would correspond to the internal requirements of each interest, or concern. Those representing Farming and Labour, for instance, would necessarily be large, not only because of the size of the interests they would represent, but also because the nature of those interests would demand a wide expression of opinion. Those representing Law, Capital and Education would be smaller, because of the narrower and more special nature of their interests. Those representing the Army and Naval Defence would not only be smaller yet, but would necessarily be formed in other ways. Each council would be formed by the direct vote of all those in the country engaged in that branch of work. The Council of Local Administration would naturally consist of the elected heads of stateships, and would thus exactly correspond to the Council of Rulers in the old State. But the Council of the Army, Naval Defence and the Police would either consist of heads of departments, by promotion or appointment, or partly of such heads and partly of men chosen by the direct

vote of officers and rank and file. The details, for the moment, are immaterial. They would require closer attention at the moment of creation. The main matter is that each council would control its own affairs by the direct representation of all the people in the country engaged in its practical conduct. And these special interests would meet the direct representation of the Nation by Assembly in the Government of the day.

The Government would, by necessity, depending as it would on the will of the Assembly, be found from and always be responsible to that Assembly. That is to say, the largest party, or combination of parties, just as in the present clumsy theory of government, would create the Government of the day. But the Ministers of Government would be presidents of various councils, and would reflect their desire. Instead of evolving theories from consultation with the permanent officials of departments, as happens in England and most other countries, they would be directly in touch with the interests over whose destinies they preside, and their attention would be occupied with the immediate practical questions raised from time to time. If some scheme suggested itself to them as desirable they would first have to win the consent and approval of their respective councils before coming to the Assembly with them; and when they came, they would come not only as Ministers of the Government but as spokesmen of their councils. Thus the clumsiness and constant injustice of majority government would continually be refined by contact

with living issues. Within the body of the existing law each special interest would be the arbiter of its own affairs. When fresh legislation became necessary by changed conditions, or through other causes, its council would discuss it, formulate it, and be responsible through its president for the initiative of bringing it before the Assembly of the Nation.

A system such as this, as has been said, would bring into joint operation two kinds of representation : the representation of special interests and the representation of the whole people. Clearly they would require a solvent and a corrective. New legislation might be initiated by a council and be considerably altered by the Assembly. This would naturally only be the case in extreme cases, for the will of such councils would naturally have a far higher authority than the sole will of one man in consultation with permanent officials. Yet the contingency would have to be provided for. For the council might reject the amended form of its wish, as it would have the right to do. Or the Assembly might reject the suggestion altogether, or compel its withdrawal, with the result that the initiative might be repeated. Very properly the final decision would rest with the Assembly, for it would be responsible not to special interests, but to the whole Nation. Yet the councils would equally require some further court to which to appeal on the argument that no Assembly at all times and in all cases represents a nation's will, however frequently it be elected. They

would therefore demand some court in which they themselves had a direct voice.

This could be created by a Senate half as large as the Assembly. A third of the Senate could be created by large electoral areas, say the provinces, voting by proportional representation. By that method men would be chosen who commanded general respect but did not wear a party colour or control a local following pronounced enough to win favour at the hustings, and who, on the other hand, could not be said to represent any special interest. But two-thirds of the Senate would be chosen in equal proportions by the various councils acting as electoral colleges. Electoral colleges, that act simply and only as electoral colleges, as in America, have generally proved to be failures. They dilute the popular will to no particular purpose, and lend themselves to intrigue. But the councils would not be primarily elected as electoral colleges. They would be elected to control and direct their own special interests. Only in a secondary capacity would they act as electoral colleges. Nor would their appointments to the Senate have the right to sit both in the Councils and in the Senate. Men or women chosen for the Senate by the various councils would sit and act only in the Senate.

Legislation initiated in the Assembly would proceed automatically to the Senate, before which body, if a council felt aggrieved, its case would be argued by its representatives. If Assembly and Senate agreed no further could be said in the matter. If they disagreed, after a given length of time (during

which time the subject of dispute would be laid aside) both Assembly and Senate would sit, debate and vote on the matter as one body, and the decision so taken would be final during the life of that Assembly.

It is claimed that a system such as this reflects the spirit of the old Irish State as translated into modern conditions, answering at one time the instincts that have persisted in the Nation and the surface-thinking it has since acquired. It gives no undue obeisance to the modern invention of parliaments, but draws the Government created by an Assembly of Representatives into definite relation with the interests it is supposed to study while making those interests the deciders of their own affairs within the limits of national agreement. It could not help but reflect the instincts and thoughts of the Nation. Being brought so closely into touch with its life it would at once react to the changes of that life. Yet the stability and central function of government would be assured. The utmost liberty would be given to the parts while ensuring the central action of the whole, as the limbs of the body have an independent liberty while obeying the rhythm created and disciplined by the mind.

Certain parts of government belong so essentially to the business of the whole that they would not come under the review of any special council. The Minister, or Ministers, in charge of these would be responsible to none but the Nation, for they would directly concern the Nation as a whole and not in any one of its parts. The chief of these of course is

finance. The only council which the Minister of Finance could consult or advise would be the Assembly of Representatives, as drawn directly, well or ill, from the people's choice. All direct money arrangements, such as taxes, the creation of debt or credit, the purchase of properties or monoplies, and so forth, would lie in his care, would arise at his initiative and would be solved by the Assembly. The Senate could claim the right to debate any such measure, and to suggest alterations, but whether the Assembly accepted or rejected these alterations would lie at its own discretion.

There would be other matters of the same nature. The creation of new forms or units of government, for example, or changes in the constitution, where rendered necessary by changing conditions, or any matter outside the range of the councils, or transcending their capacity, or any new legislation at the initiative of one council that would demand some independent measure to bring it into co-ordination with the working of some other council, would all be of this kind, and would lie at the initiative of the Chief Minister of State, who would be responsible for the State to its elected President and would be chosen by him to create the Ministry.

Such business would naturally be more frequent at the beginning of the working of the State than when it was in complete movement. For example, the first work of the State would inevitably be the re-creation of its local government in order to bring it into conformity with practical necessities on the lines of the stateships of the old State. Nothing

more unwieldy and uneconomical than the present system, or lack of system, could very well have been devised. It is a patchwork quilt of foreign ideas, that express no realities in Ireland, that are alternately the theme of the mirth and the tears, but always the derision, of Irishmen, and that even in the country of their invention have not proved to be a conspicuous success. Urban Councils, District Councils, Poor Law Guardians, Town Commissioners and County Councils all have their independent lives without being fitted in as parts of a co-related whole. Seen in contrast with the compactness and completeness of the old stateships nothing could seem more haphazard and accidental. So long as they exist, as they now do, it will be impossible to speak of an Irish State, for a State does not exist only by reason of the larger, more central forms of government, but in the degree in which those larger forms are drawn into relation with smaller and local units of government. They neither correspond to any efficiency in the State nor to any efficiency in relation to their own needs. They divide up a given area into a number of separate and even opposed units, whereas the life of that area is generally itself a unit, however variously its activities may be expressed. A small township and the country lying about it, for example, can only artificially be broken up into two units, one the town and the other the country, for their life is woven of one piece. Even the industries of the towns depend on the country lying round about. Any weakening of the whole weakens each one of its

parts, and the whole is weakened by being broken into irresponsible parts. For the life of the whole exists as a community not as a patchwork.

Moreover, the present councils are neither large enough nor small enough for efficiency. A very small council would create great rivalry in its election and would cause a fierce light to beat on all its actions. Under such circumstances corruption would be difficult. But a council of this sort would not be representative of the life it governed. A large council, on the other hand, would have its own kind of efficiency, and would be representative of all the life it expressed. It would naturally have to create its officers of government, from whom it could withdraw the power it gave when they ceased to express its will. Expressing itself by way of debate it would create an interest in local government, and a feeling of general responsibility, that cannot now be said to exist. The subjects debated in the local Assembly would be discussed by the hearthside; the life of the people would be quickened; and they would not reserve all their thought for the larger national questions, but would expend it also on their immediate local interests. Thus again corruption would be made difficult. A field would be offered for the discussion of new ideas of local government, local improvement or trade economy and efficiency, whereas at the present moment local councils are sealed chambers that by their construction can never admit fresh air and are the natural breeding places for corruption. It is easy, and just, to censure corruption in these local bodies, but it is yet more

necessary to see that their constitution simply invites corruption, just as it invites their capture by one or two interests that rule them to the exclusion of all other interests. Not only because they purport to represent unreal and arbitrarily distinguished parts of a life that is a fellowship (without even doing that much well), but also because of their very form and constitution, such bodies have reduced the local life of Ireland to a tangle of conflicting and corrupt interests.

These two criticisms suggest an obvious remedy. The first need is to restore the life of the community, in a fellowship of town and country, urban and rural, within a given area. The second need is to let that community express its life, and assume control of all its local affairs, in a legislative assembly of not less than fifty and not more than a hundred. The satisfaction of these two needs suggests difficulties that are incidental to each of them in turn as new enterprises in statesmanship. Fortunately, as we are following a historical continuity in the life of a Nation, answers are suggested to both of these difficulties out of the old State, and only require adaptation and re-framing to make them suit modern conditions.

The first difficulty is to find the natural area within which the life of a community would be comprised. Here, manifestly, the past would supply a very helpful answer, if it could be found. The area comprised by the old stateships would naturally finally be decreed by their internal needs and their external play and interplay upon one another—that

is to say, partly by certain obvious geographical necessities and partly by economic conditions. Rivers, lakes, mountain ranges and the sea would impose natural boundaries; and equal accessibility to both mountain pasture and tillage, or alternatively different stateships taking up different kinds of life, would suggest other boundaries. These things can in many cases be traced in the boundaries of the old stateships where they are discoverable—as in many cases they are. Clearly since then the life of the people has changed in many ways, and the statesman thinking of modern conditions would find other boundaries naturally suggested to him. The transition from the modern artificial limits of local life to the proper communities, or fellowships, of the future would not be easy. Yet if certain boundaries, drawn from a comparison of the old stateships with the new requirements, were decreed, subsequent experience would soon suggest a revision of working areas where these were found necessary. At the present time these areas in many cases have already been found in great measure by the co-operative societies that have created petty stateships of their own. Such societies have been grouped round an economic idea that, embodying as it does the sense of unity and fellowship about which the new communities would be grouped, would probably be adopted in some form by the stateships of the future; but that would be for themselves to decide by debate in assembly. And when it is remembered that some of these societies have already undertaken from the power used for their factories to supply

light to neighbouring townships it is obvious that a larger relation for the life of a stateship is at once indicated.

Clearly the past is equally full of suggestion in answering the second difficulty. To ask, what officers would the assemblies of the new stateships create for the conduct of its government, is at once to think of the past. In the degree in which the life of these stateships became more various its officers, or ministers, would become more numerous, while if it remained simple they would be few. The first would be the President of the Assembly, who would take his place in the Council of Local Administration. The stateship would take control of its own internal litigation under its own law officer, and the lawyers beneath him would not merely be advocates in criminal actions, but would serve as arbitrators in actions for tort. It would have its own Finance Minister, its own Minister of Public Health, and if necessary its own ministers of trade and agriculture, for local life in these questions will not remain as stagnant as it is now, especially in the wider areas that the stateships would include. Such ministers would hold their power from the Assembly, and could work with committees appointed by the Assembly. Offices, such as that of the recorder, the surveyor, the doctors and the nurses would be filled by public examination, but the actions of those who filled them would come under the departments of government under the constant review of the Assembly, which could terminate appointments at its will.

Stateships such as these would be the recognised units of the State. That is to say, they would be political units, and would thus be the constituencies for the return of one or more members, according to population, to the Assembly of the Nation. From them that Assembly would be constituted, just as the Councils would each be constituted by the vote of all those in the Nation engaged in its own branch of the national life. They would also be economic units, both for raising and expending its own local taxation and for meeting the levies of the State. Some of those levies would be for moneys now chargeable at the discretion of local bodies. Any wise State will at once take within its own control all the main arteries of communication through the country, such as railways, canals and roads. It could re-imburse itself for the maintenance of some or all of these by levies on the stateships through which they pass; and the amount of these levies could come under the review of the Council of Local Administration before being passed to the decision of the Assembly of the Nation.

City Corporations are already such stateships, though with a more compact life. As such they would remain; and the different nature of their life would require corresponding changes in their constitution. They would necessarily have to keep the same control that they now possess. For instance, they now bear the responsibility for their own streets and roadways; and so it would remain; for their roads are not arteries of the country, intersecting many stateships, but only arteries of

themselves intersecting themselves. So, in most matters corporations, having already become stateships, would remain as they now are. The only change they would require to bring them into line with their fellow stateships would be that their councils would need to be enlarged. In most cases this enlargement would not need to be considerable, for it is extremely probable that in the course of time the country stateships would outrival the city stateships in wealth, responsibility and the size of their respective corporate undertakings. Thus alone can the life of the country maintain its own against the life of the cities.

This corporate wealth and responsibility of the country stateships would be the greater, and they would better preserve their social and economic unity, if they decided to use the wealth of the whole for the equal advantage of each of their members, regarding themselves, as the old stateships apparently did in the fifteenth century, as great trading units for export. That is to say, their members would not, if they constituted themselves in this form, trade upon one another in an uneconomical and wasteful warfare; they would create great communal stores under the control of their assemblies, they would purchase all their materials, domestic, farming and industrial, at the lowest possible cost by the purchasing power of the whole stateship, and they would bend all their efforts, together with the other stateships under the Council of Trade, to capturing the markets of the world for their produce. Competition, instead of being a

destructive element within the State, would become a fighting quality of the State itself in its rivalry with other States, every man's effort within the Nation being bent to this end. The technical education of the schools, in the application of the highest science to the Nation's business, would be drafted to this end under the control of the State and the administration of the stateships.

Nor would the life of culture be neglected. The stateship so constituted would employ, for example, its own chemist, not only for its technical work, but for lectures. So would it also employ its own historian and its own body of musicians. For when men are relieved from the necessity of competition among themselves, and realise the dignity of a life fellowship, they realise also the other dignities and beauties of life. The finer flowers of life cannot bloom over a soil choked by mutual rapacity, but when the soil is cleared by a cleaner and more economical order those flowers, being a purer output of the spirit of man, would find their natural life possible again. The old stateships are the best indication of this. Men were neither more nor less naturally corrupt then than they are now. Yet they were proud of their poets; they esteemed the possession of a poet whose fame was wide to be a high honour; poets coming from other stateships were received with distinction and hospitality; and when in the Contention of the Bards in the seventeenth century poets all over the country conducted a controversy, it was not only they who rivalled one another, but the stateships whom they

represented who were pitted against one another. That was when the stranger was warring through the land, and if such a condition did not still the Nation's culture, how much purer would be the opportunity if a State order created a condition of life in which the human desire for rivalry became the asset of a community instead of the destruction of a community? It is the first function of a State to create such an order; but in the case of Ireland that order lies ready to her hand in her past Statehood that only requires to be adapted to the needs and necessities of her new life.

VIII.

Approaching Problems.

The purpose of this little book has been to examine the working of the old Irish State, to show how that State was affected by the attempt at military conquest, to see how, when that conquest succeeded in overthrowing the form of the State and uprooting it out of the soil, its memory persisted in the instincts and expectations of the Nation, and made all the uprisings of the Nation malleable to its ancient will, and finally to see how far those instincts could be translated into the new conditions and experiences of the national life in a re-birth of the old State. It is no part of its business to examine the problems that will beset the future State of Ireland. It has a sufficiently hardy task to carry

out, however inefficiently, its declared purpose without undertaking expeditions not proper to that purpose. Yet certain problems lie within the automatic function of such a State, and some of these may be briefly indicated.

There is, for example, the question of taxation. In most countries of late movements have arisen demanding that taxation should be charged upon wealth and not upon the heads of the population. This has, necessarily perhaps, taken the form of a class-war in these other countries; but it is at bottom not a class question at all, but a question of a sound and a fairly obvious economic principle. A State can only levy taxation in proportion to its wealth, and therefore can only levy taxation upon that wealth, wherever that wealth be held. To attempt to discover that wealth by a mere counting of heads is a procedure the falsity of which could be exposed by a class of school-children. That means that any taxation by heads of population, direct or indirect, however it be scaled, graded or disguised, is bad national economy, and therefore bad national finance. How otherwise, then, can taxation be levied? Here again the old State comes with a suggestion. We have seen that, though there is no direct proof that the system was completed, its taxation was levied on the stateships, presumably with some regard to their capacities. That taxation was redistributed by them in their own assemblies according to their local circumstances. If that method were adopted again the State would derive its revenues from its stateships, and would levy it

in proportion to their abilities. That proportion would at least be more easy to estimate in their case than in the case of individuals; whereas if the state-ships became not merely economic units but trading units their balance-sheets would at once reveal the proportion of their capacities, and the State would thus be enabled to charge its taxation directly upon its wealth in an equitable ratio.

At first the incidence of this system would be light, but it would gather importance with time. It is agreed that Ireland will need to protect, and in some cases heavily protect, her young industries. But in the degree in which such protection succeeded in its intention it would cease to be profitable from the point of view of taxation. Then the Nation would need to claim a levy on the wealth it had created for itself, for the purposes of government and security.

Such a system would in great measure answer the question of the unused mineral resources of the country. These are, as is well-known, very considerable, and one of the first tasks of an Irish State would be to see that they were used—though it would be an equally important task to see that they were not mined so that they rendered whole tracts of countryside foul and filthy as in other countries. Such mineral deposits in the soil of a country are part of the national wealth. Its State cannot grant monopolies of them to individuals or companies, especially in a country where the soil of old was held and of late was won back by its people. They would naturally, in such a State as has been outlined,

be held and worked by the stateships in whose territories they lay, under the direction of the State. But then the question arises, what royalties would the State charge for the working of what truly is the wealth of the whole Nation and not the sole possession of any of its stateships? And the answer is that if taxation were levied on stateships according to their capacities this would automatically adjust itself without the necessity of adopting any direct device.

Then there is the question of the promotion of industry. No State can leave this to hazard. It must be made part of a disciplined effort. Nations must be made as far as is possible self-subsistent. No government can stand idly by and say that its people are either naturally industrial or agricultural, or declare piously that the whims and hazards of private enterprise are the workings of wisdom. Attitudes of this kind are the abrogation of all government. Governments, in the degree in which they are governments, must set out to create what, after careful thought, they conceive to be a living and liveable balance of the activities of the national life, and to create it by and in an order that ensures dignity, decency and subsistence to all its people. The task may not be easy, but any neglect of it is treason to the State. In an Ireland organised by responsible stateships the task would be simplified. Ireland possesses, possibly in as great a measure as any nation, what is known as White-Power. By harnessing the manifold rivers that intersect her soil electricity can be directed to each

of these stateships for their use in order that they might as communities create industries within their territories. It would be to their interest to do so, if only to keep their population within their fellowships, and to the general wealth of the fellowships, instead of letting them drift to the stateships of the cities. But the general direction of such efforts would lie with the State, which would seek so to order things that there be in the national life a balance of all the parts that are necessary to a self-subsistent and thriving nation. Ireland would remain mainly agricultural, because of the richness of the soil and because the neglect of agriculture is national suicide; but she will cease to repeat the words of her enemies that her destiny is agricultural only. Her destiny is what she will make it by an organised and disciplined endeavour.

Finally there is the question of the language. This does not truly lie within the scope of the book, but only because without it the book would not be possible. Firstly, because it was in the language of the Irish Nation that the Irish State was created; secondly, because it was only when the language was recovered as an intellectual possession and passion that the outlines of that State could be seen clearly, the memories of which at that time were struggling in the acts and deeds of a resurgent people. We have been tracing a historical continuity, but the key of that continuity is the language. The State of the future might be built on the foundations of the past, but the Nation inhabiting it would not be the same Nation if it spoke by the tongue of a

foreigner; and then it is probable that the State would not fully answer its expectations, because the change of a nation's speech implies a weakening of its surety of intuition. The recovery of the language in daily use is not a sentimentalism but a national necessity if the Nation is to act with the full certainty of its hereditary mind. It is also necessary to its dignity among the nations—which also is not merely an honourable emotion but actually an estimable quality in commerce. Ireland will utter her State aright when she utters her own speech aright, and when she does both other nations will look at her, think separately of her and deal directly with her. Her dignity will be a national beauty, and will aid her prosperity. For it is not when a Nation is crowned that its dignity is completed, but when it speaks; and not when it lisps with a stranger's tongue but when it speaks with its own.

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