The attached, refer 6 DARRELL. F1991S. and may be worful: His File No 9/1938/c; 6/04/2, contain a

Copy of Report by District Inspector A. W. ADDERLEY, District Inspector, Royal Irish Constabulary, at Newport, County Mayo, on 5th June, 1916,

DARRELL FIGGIS, of Pullagh, near Keel, Achill Island, County Maye.

On merning of 11th May '16 Mr. DARRELL FIGGIS was arrested by me at his house near Keel, Achill Island, under the Defence of the Realm Act, and on same day was ledged in Castlebar Gael. From his house I took a considerable number of ducuments which I have since examined, and I have defected those which I have deemed relevant and classified them as attached. In this covering report I shall refer to them by the pencil numbers I have

placed thereen.

Mr. DARRELL FIGGIS is son of Mr. A. W. FIGGIS of Calcutta, a business man apparently, and his mother, brothers, and sisters live in England. All his relatives are loyal British subjects (his brother BRYAN is a Lieutenant in Army Service Corps), and from letters I have seen, they all thoroughly disapprove of the disloyal course being pursued by him. He is about 45 years of age, and lived with his wife on Achill Island. He is an Author by profession, and for some short time before he settled down in Achill was literary advisor to Messrs. DENT & SONS, Publishers, of London. He has written several books both of prose and poetry, but his writings are not popular, and it is only with assistance from his relatives that he is able to eke out a struggling existence. He has a rather considerable connection of a particular class in the literary world and his life at Achill seems to be fully occupied with literary work. He first came prominently before the public in

the forcible landing of arms, etc., at Howth, Co. Dublin. Document No. 1 attached seems to be the receipt of the Hamburg Firm which supplied the arms, etc. Nos. 2, 3, and 4 signed by "Alice S. Green". Nos. 5 to 9, which were contained in envelope No. 10 addressed to THE O'RAHILLY seem to be dated Jany. 1915, and refer to another proposed deal in arms. Nos. 11 to 21 concern the purchase of a rifle from THE O'RAHILLY in Oct. 1914. Nos. 22 to 44 refer to the Irish Volunteers between 20th August 1914, and 6th Feb. 1915. It will be noticed that the Sinn Fein section issued their Manifesto (No. 37) on 24-9-14, severing themselves from the Redmondites. On 21-8-14 FIGGIS was appointed Inspecting Officer of Irish Volunteers in Co. Mayo (No. 24), but as there were no funds to meet his expenditure (see 31 & 39) he performed practically no duty in that capacity. From the date of the split in the Volunteers the sympsthy of FIGGIS went with the Sinn Fein section, and he was consequently formally

dismissed from his position of Inspecting Officer by

COLONEL MOORE (No. 44) on 6-2-15.

In Oct. 1914 FIGGIS and his wife came to live permanently at ACHILL ISLAND, and the series of Letters 45 to 59 passed from Rev. FATHER MEEHAN of Castlebar to FIGGIS. FATHER MEEHAN is evidently a man of very extreme views, and a strong bond of sympathy appears to exist between him and FIGGIS. Some of these Letters refer to the Volunteers and in others FATHER MEEHAN is instructing FIGGIS how to support (Suspect) FRANCIS H. POWER, National Teacher, of Achill Beg Island, in a quarrel which the latter had with his Manager, Rev. FATHER COLLERAN, P.P., of Achill Sound.

Nos 60 to 65 have reference to a Gaelic League lecture by FIGGIS in March last at Limerick. This lecture was evidently got up for Sinn Fein purposes, and while in Limerick FIGGIS stayed at the house of an avowed Sinn Feiner (No. 60) M. O'CALLAGHAN.

For many years hundreds of men and women from Achill Island have gone to England and Scotland each Spring for agricultural and other work, for which they are paid high wages. This year to prevent any help going to Great Britain from Achill, FIGGIS conceived the idea of trying to look for employment for them in Treland, and with this object he got Circular No. 66 printed and put letters and advertisements on the subject to various newspapers, to which amongst his papers I found many replies. Nos. 66 to 69 refer to this matter - which exhibits the bitter anti-British feelings possessed by FIGGIS. Nos. 70 to 80 are various papers. From pages 4 and 5 of No. 76 it would almost seem that FIGGIS had a premonition of the REBELLION which a fortnight later broke out thro' the country. No. 77 is a letter from FIGGIS to his wife and is written from THE O'RAHILLY'S house (see address at on Nos. 12 to 15). There is internal evidence that it and No. 79 were written a couple of days after each other, and the date of posting of No. 79 is on its envelope - No. 78. No. 80 refers to a Gaelic League (Sinn Fein) demonstration at Dundalk which FIGGIS attended.

The foregoing concludes the documents found in the kan house of FIGGIS. In addition, I attach some police statements regarding his sayings and doings and a cutting from "Mayo News" of 31-10-14 containing a letter from FIGGIS in which his sentiments are freely expressed. On 5th Sept. last at Achill Sound he inspected and drilled a party of Sinn Fein Volunteers armed with rifles, who had come from Castlebar (see Constable GILLAN'S statement attached), and on 17th March last at Westport at a Sinn Fein demonstration at which THE O'RAHILLY and WILLIAM MELLOWES, Sinn Fein delegates, attended. FIGGIS was one of the speakers. He took no visible part in the recent REBELLION, but it is unlikely that a man of his proclivities was being overlooked, and it is quite possible that his part was to remain at Achill and assist in the landing of arms on the Achill Coast from the ship "AUD" which is said to have been sunk off the

Kerry Coast while in the custody of a patrol boat.

A suspicious circumstance in connection of FIGGIS on morning of 11th May, '16, was his delay of about 20 minutes in opening the door; and before the police forced the door open they saw him and his wife burning papers.

I examined the burnt ashes of the papers and distinguished the words "Irish Volunteers" in print but could get nothing further from them, as they went to dust. (See statement of Sergeant DONOVAN at back).

In the house of FIGGIS I also found a sword bayonet of foreign make (new), a sheath knife or dagger with the maker's name E. A. BERG, ESKILSTUNA, thereon, a revolver cartridge and 43 full and 36 empty sporting cartridges.

In my opinion FIGGIS is a highly dangerous person to be at large at the present time. He has shown himself to be capable of taking part in any desperate enterprise. He cherishes an intense hatred of England. The letters attached show him to have been on terms of intimacy with SIR ROGER CASEMENT (No. 71), PROFESSOR MacNEILL (2), THE O'RAHILLY (10 & 77), and BULMER HOBSON (1/a). His whole influence, as far as he coould safely go, was against RECRUITING. Hés associated whenever he left Achill were persons of the most extreme views, and up to 17th March last when he attended and spoke at a Sinn Fein demonstration at westport, at which those present were called upon to bear arms when the time came, his active sympathy and help were given to the Irish Volunteers.

A. W. ADDERLEY

District Inspector.

FIGGIS. Darrell. Keel Achill, Co. Mayo.

Age, about 50. (1921).

On Sinn Fein Executive, Administrative side.

Justice, South City Courts.

Not a T.D. — Since electes la 3<sup>rd</sup> Dail.

With his wife came to live at Achill Island.in 1914.

First came before the notice of the Public in 1914 when on the 26th July he acted as leader in the forceable landing of Arms, etc. at Howth, Co. Dublin.

On 21-8-14 was appointed Inspecting Officer of the Irish Volunteers in Co. Mayo, but performed very little duty in that capacity owing to lack of funds.

At the time of the split in the ranks of the Irish Volunteers he sided with the extreme section and in consequence was formally dismissed from his position of Inspecting Officer by Col. MOORE on 6-2-15.

Tried to devise a plan whereby he might prevent hundreds of men and women leaving Achill Island each Spring for the purpose of obtaining agricultural and other work in England and Scotland.

Arrested 11th May 1916 at his house at Keel under the Defence of The Realm Act and lodged in Castlebar Goal.

A suspicious circumstance in connection with his arrest was his delay of about 20 minutes in opening the door; and before the Police forced the door open they saw him and his wife burning papers.

A considerable number of documents were found, also a sword bayonet (new) of foreign make, a sheath knike or dagger, a revolver cart-ridge and 43 full and 36 empty sporting cartridges.

Took no appreciable part in the Rebellion, but it is considered likely that he assisted in the landing of Arms on the Achill coast from the ship "AUD" which is said to have been sunk off the Kerry Coast.

Is a highly dangerous person.

Has shown himself to be capable of taking part in any desperate enterprise.

Cherishes an intense hatred of England.

Letters show him to be on terms of intimacy with Sir Roger Casement, Professor McNeil, The Rahilly, Bulmer Hobson,

His associates when away from Achill were persons of the most extreme views.

Spoke at a Sinn Fein Demonstration at Westport 17-3-16.

Son of A.W. FIGGIS of Calcutta, apparently a business man. His mother, brothers, and sisters live in England. All his relatives are loyal, and his brother Bryan is a Lieutenant in the A.S.C.

For full report, see D.I. Adderley's report attached dated 5-6-16.

Nominated as independent candidate for Dublin County to contest in Elections June 1922.

Attacked by raider s who removed his beard and some of his hair. (see Press cuttings "Irish Times" I3-6-22.)

Elected by large majority 3rd. Dail.

Gave an address at the Rotary Club on "Business and Politics" (see Press cutting) Freeman's Journal" I8-7-22.

Attended the funeral of Arthur Griffith I5-8-22. ("Freeman's Journal" I6-8-22.)

The only T.D. to reply to Mrs. Cole, Mother of the murdered Sean Cole, of the "Fianna" who addressed a circular to each of the T.D's. Figgis was sympathetic, but stated that he was informed that Cole was murdered by his own Colleagues. Mrs Cole's reply was spirited and demanded Figgis to produce his informants and clear the matter up. ("FENIAN" No.63.)

Wrote a long letter to the Editor of the "Irish Independent" on the "Framing of the Constitution" ("Irish Ind. 29-9-22.)



AGENTS PROVOCATEURS AGAIN AT WORK IN IRELAND

To the Editor "Irish Independent."

Sir-Certain information has come into my possession from which it appears that land, are in this country, craftily inciting our people to bloodshed and disorder in order thus to compel the return of English troops and the undoing of the Treaty.

I cannot discover through what agencies this work is being done. However bitterly one may disagree with the policy of the opponents of the Treaty in this country, however sadly one may deplore the consequence of their acts, this much is, at least, sure, that they would not permit such work to be conducted through their hands.

The work is, therefore, going ahead independently of them, and under the cover of their opposition. But I am satisfied that it is going ahead as a result of a definite plan.

I know I incur a certain personal risk, but I have not the slightest hesitation in making public, over my name, the information in my possession that there are agents mering about through this country, urging our young men and women to violent acts, to stand by the Republic, as it is said (and as our earnest youth interprets it), but in fact to play the game of certain crafty men in England and in Ireland.

We now know who inspired the Phoenix Park murders, and to what end. It would appear that the same game is at work again.

DARRELL FIGGIS (Dublin, 5/5/22).

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NDEPENDENT.

THE "INVINCIBLES."-J. W. O'Beirne (Drumcondra) writes:-" In the interests of historical accuracy would Mr. Darrell Figgis please elucidate the last paragraph of his letter, in which he states, 'We now know who inspired the Phoenix Park murders, and to what end.' I happened to know many of the men connected with n- the Invincible movement, and I can assure Mr. r. Figgis their inspirations and motives were as lofty and unselfish as his own."

INDEPENDENT. 11. 5. 22.

## MODERN CONSTITUTIONS

AN IRISH TEXT BOOK

What promises to become the standard text book on the Constitutions of the world is now in preparation, Mr. Darrell Figgis having, in agreement with the Provisional Government, undertaken the work. There is not at present any book dealing with Constitution building, nor any which contrasts and compares the various Constitutions with each other.

Mr. Figgis has, during the work of the Constitution Committee, received from the different Governments of Europe and America copies of all the more recent Constitutions, which have been carefully translated, and in the Committee's offices there is now a completer library of Constitutions than could be found elsewhere.

The work, entitled "Constitutions of the World," will contain copies of all these documents, and will be made available only for members of the Constituent Assembly antil the Irish Constitution has been approved and promulgated. The Constitution of the Irish Free State will subsequently be included, when the whole will be issued in book form. In the meantime the information contained in it will be placed in the hands of all our legislators for the very important work with which they have been entrusted. The new Dail. to be elected in June, will act as a Constituent Assembly, and with them will be the final form of the Irish Constitution.

## RISH INDEPENDENT' 30-5-22.

## FIGGIS AND REPUBLI

DECEIT TOWARDS PAC

The "Republic of Ireland" publishe a Stop Press containing a charge agains Mr. Darrell Figgis of treachery to the par between Mr. de Valera and Mr. Collins by to be a full and exclusive report.

The deputation included Mr. M'Laughlin will permit me to revert to it. finance, etc. The three groups represente charge should cease to be made. Treaty majority in the Dail. If there we any oath to be taken it would be the

Treaty oath.

MR. FIGGIS REPLIES. Mr. Darrell Figgis, in the course and partly false, and, therefore, the worl to make it. form of falsehood. It seems rather wear of these people to betray so great a fear their polities. I simply read Clause 4 ganda against other parts. fore I had his authority for my reply, for

what that is worth. "They invited me to meet them at answered again that the Pact itse threw the door open to independent cand dates. This present Dail has wrangled and fro over the Treaty until the who 4, which had safeguarded this point. country is sick of these endless discu ISSUE FOUGHT BEFORE. sions. If the next Dail is to be compost precisely as the present Dail is, then

of affairs we must act on Clause 4 of Pact and get labour men, business m to misuse the Pact. and farmers represented on the next D The country needs them."

## THE PACT, AND WHAT IT MEANS

TRENCHANT LETTER FROM MR. DARRELL FIGGIS

To the Editor "Irish Independent." Sir-Late last night a Pressman called on me with a "Stop Press" edition of the his presence and remarks at the reception "Republic of Ireland." The hour was very of a deputation representing business in late, and it was only possible to print part terests by the National Executive of the of the statement I issued in the Press this I.F.U. at a special meeting on May 25 morning. The matter is of importance to of which they published what purported this country, as it concerns the interpretation of the Pact, and I will be glad if you

Mr. Hubbard Clarke (Dublin). Mr. Beamis Before doing so, however, let me first deal (Cork), Mr. Moylett (Galway), and Co with the description of the Farmers' Union Moore. Mr. Figgis, speaking for the deas "a body of ex-policemen, Deputy Lieuputation, said it was full time that the tenants of his Majesty the King, Freemabusiness and economic interests should I sons, and Unionists." This is not the first represented in a national Parliament, an time such a calumny has been uttered that Parliament should not be occupied by against the farmers of this country. But people who only stood for politics. If for the support of the farmers our national thought the best thing was to form a con war would not have met with the success mon executive to parcel out candidate it did, and it is time that this monstrous

would be commercial, industrial, farming The meeting of the Farmers' Union at If a number of independent candidate which I was present contained an over-were returned it would give a greater Pr whelming majority of men who are as good Sinn Feiners as any others. They had already taken the excellent decision only to put forward candidates of a good national record, and in that decision the meeting was unanimous. I have no apology to offer to the Editor of the "Republic of Ireland" statement with reference to the for being found in their company. If I had Stop Press, said :-- "It is partly tru it would not be to him I would have need

NO PICKING AND CHOOSING.

independent candidates. To issue a speci Now as to the Pact. This Pact consists Stop Press about me is a complimen of seven clauses, and no one clause can be especially when it is remembered that the separated from the others. The Pact is only accusation against me is that I be separated from the others. lieve in the freedom of the Irish peop! binding as a whole in respect of its clauses, This much is true. Certain business m not in respect of some to the exclusion of chime to me, and asked me if they won others. It is not open to any to pick and be free to choose candidates in the ne choose what part of the Pact they wish to election. I knew, and know, nothing accept, and to conduct malicious propa-

the Pact to them. in which their candid Clause 2 of the Pact states that the two tules were invited. To that Pact Depul parties at present represented in the Dail de Valera's signature is put, and, there agree mutually to limit their candidatures as against one another. Clause 4 states that "every and any interest is free to contest the election with the Sinn Fein Panel." It would be as absurd to say that larger meeting, and to repeat what I ha clause 4 excluded clause 2 as to suggest said. I went. The truth is, I was not of that clause 2 excludes clause 4. They both the deputation, but that I did accompan form part of one common compact. When, it. And when the farmers asked me th therefore. I was asked to say, whether in same question that the others had asked my opinion as an individual, independent candidates could go forward for election, I had merely to recite the terms of clause

In a word, the Pact had safeguarded the will get months and months more of the liberty of the people of Ireland. In any wrangle concerning a matter on which t election that is the only point at issue. country has long since made up its min The old. Irish Party attempted to restrict "The country, I believe, desires the the right of the people to free election by practical business affairs should get a lit claiming that anyone who stood against attention, and steps taken to ease and hi their candidates stood against the national the increasing disemployment. Men a interest. Some of us fought against the women are starving, nay dying, while I Irish Party on that issue for precisely Dail wrangles, as I told the farmers; a the same reasons as we fought against there is no farmer to-day who can sell the right of the English Government to produce at anything like the cost of restrict the freedom of the Irish people. production. If we are to cure this st The issue is the same to-day; not because of the Pact, but because of the attempt

Let us remember that we have had no elections since 1918. Some of the present members of the Dail have never been voted upon by the people. The rest have not been voted upon since December, 1918. We are, therefore, almost as far from a genuine electiin as the Irish Party was. And if we are not careful we will have another landslide in the future as the

Irish Party had in 1917-18.

THE SIMPLE ISSUE. Finally, let me say one word about Sinn Fein. I have borne that title when it was dangerous to do so. I was proud of it then and I am proud of it now. Sinn Fein is not a close political corporation. It is itself a composition of many different parties. Many independent candidates will be chosen who will be as good Sinn Feiners as any Panel candidate. If they are not, the country will be able to judge of them.

That is the simple issue before us. The people of Ireland are free and responsible, and no one can restrict that freedom or diminish that responsibility. The Pact has not done so as I read it. Before the Farmers' Union I merely repeated what the Pact has fully protected. And I stand by

every word I said. It is stated in this Stop Press issue that I once described myself as a doctrinaire Republican. I am a doctrinaire Republican. The word Republic means that in all issues the people themselves must decide without dietation from anybody within or without the country. That is my political faith. But this implies that they must have an opportunity of voting, without that opportunity being taken from them by an artificial restriction of candidates.

DARRELL FIGGIS.

24 Kildare St., Dublin, May 30, 1922. P.S.—This Stop Press is full of inaccuracies, both with regard to myself and in regard to others. These I have not troubled to answer.

## TIMES: 29-10-21.

IRISH INDUSTRIES.

## SINN FEIN COMMISSION TO BE WOUND UP.

"Reconstruction in the New Ireland" was the subject of an address which Mr. Darrell Figgis delivered at the opening of the Students' Literary Union in connection with the Tullamore Technical Schools on Thursday night. He said that things were not actually decided yet, but he believed that a very great blunder was about to be made—that the closing of the Commission of Inquiry into Irish Industries and Resources was in contemplation. The prosperity for which they hoped and wished could never be achieved unless they won it by industrial success. He wished to see that industry and that prosperity, which would give opportunities to all the children born within this territory of remaining here and living honourable, decent lives, and having a share in the prosperity and trade which their work created. If that was to be done, work such as the Commission of Inquiry had been doing for the last two years was essential. In addition to political independence, they must have economic independence.

## 'NDEPENDENT' 5-12-21. POWER RESOURCES OF IRELAND

## WORK OF AN DAIL INQUIRY

Mr. Darrell Figgis, Secretary, has furnished us with a copy of Vol. II. of the minutes of evidence taken by the Commission of inquiry appointed by Dail Eireann. The evidence deals particularly with the Power Resources of Ireland. The witnesses represent every shade of political opinion, if we may judge from their names, many of whom are very well-konwn in the country for industrial enterprise.

Mr. Hamilton Robb, Portadown, gave evidence on the practical use of peat in producer plants as employed in his factory. "I give it as my opinion," Mr. kobb states, "that all power required in Ireland could be better supplied from peat than from coal. The only thing wanted is sufficient enterprise to get it done." Mr. Robb speaks as an industrialist of experience, and a large user of power.

Un the same subject, Mr. Thomas Tomlinson deals with the Development of Irish Peat Resources. He quotes the finding of the Peat Commission of 1810-'14, and draws attention to the fact that these findings are as true to-day as they were when written. though nothing has been done in the meantime. He argues for the immediate preparation of the bogs of Ireland for subsequent use by a careful and complete system of drainage.

## OTHER PROBLEMS.

Professor Cronshaw deals with the Structure and Composition of Irish Peat Bogs; Miss Ryan with the Chemical Analysis of Irish Peat; and Mr. J. U. Moynan, C.S. N. Tipperary, both with Peat and with Water Power.

Rev. T. Finlay, S.J., deals with Co-operation and General Economic Conditions. His evidence is concerned with general principles rather than with the application of those principles. It is admirable to have all these points of view displayed in evidence dealing with matters or first-rate importance to the country.

Trish coal is also very well represented by Mr. J. J. Parkinson, proprietor of the Wolf Hill Coal Mines, and by Mr. Fercy Hurley, who reports a number of experiments in respect of anthracite that will be read with deep interest by those who are concerned in the development of our anthracite coal. Mr. R. N. Tweedy deals with Industrial

GALWAY AND THE SHANNON.

Mr. Binns, Borough Surveyor of Galway, gave evidence concerned with the development of the Port of Galway, and the adjacent Water Powers that could assist in that development, and Mr. Robert Davison dealt with the Water Power of the Shannon. Mr. Davison does not deal with theories; his evidence is occupied with practical calculations that can be put to the test. He suggests definite engineering tasks, and even gives rough estimated costs for these works. Each area in the County of Limerick is taken in turn, and its industrial resources indicated in respect of both water power and minerals. Finally, he gives statistics of the fall of water of the Shannon, worked out for every day of 3 years, and these statistics are worked out by him in a diagram that appears at the end of the book.

The book has been got up with an excellent index, and, like the other volumes published by this Commission, is attractive and pleasant to read and to handle.

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NDE PENDENT.

## APOLOGY.

STRONG COMPLAINTS CONTINUE TO REACH US FROM BOOKSELLERS AND READERS THAT THEY HAVE BEEN UNABLE TO PRO-CURE COPIES OF

## "THE HOUSE OF SUCCESS,"

BY DARRELL FIGGIS.

We REGRET we failed to anticipate the large demand for this book. Orders were handled by us in rotation, and before Christmas Eve the FIRST EDITION WAS SOLD OUT.

A SECOND EDITION is now practically ready. We will continue to deal with orders in rotation, and to avoid disappointment we recommend that Booksellers and Readers ORDER AT ONCE. It is obvious that there is going to be a record sale for this book.

ONE BOOKSELLER gave a heavy order for the FIRST EDITION. His was the first order received by us. He continued to sell till late on Christmas Eve, when he, too, sold out. He has now re-ordered.

WE APOLOGISE for the disappointments that have been caused. We regret any errors or failures in the rush of orders. We warn buyers to Order Now for all they may want of this remarkable book:

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BY DARRELL FIGGIS,

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## NDEPENDENT. MARCH 16, 1922.

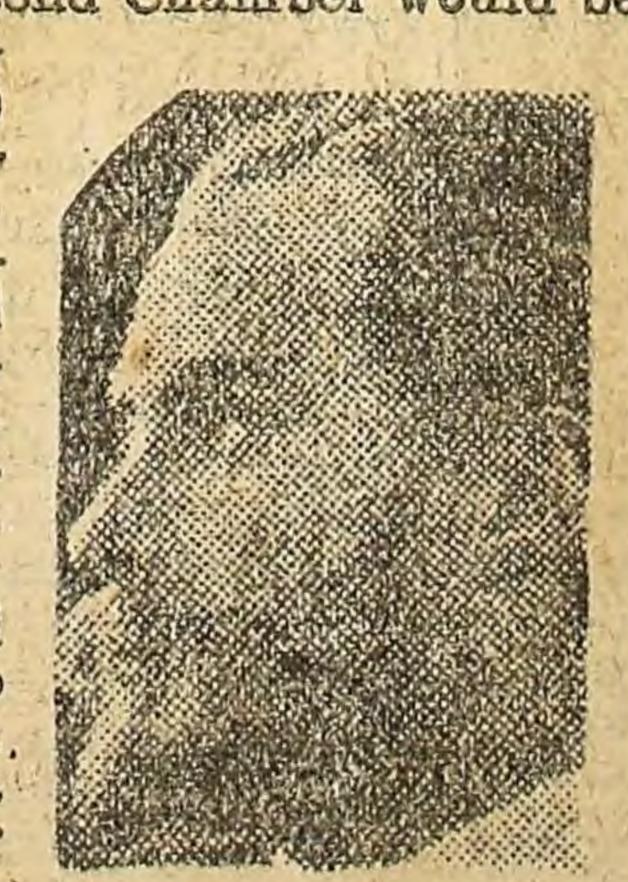
## A TWO-CHAMBER GOVERNMENT

## INTERESTING DEBATE

Mr. Darrell Figgis presided at a meeting of the College Historical Society in Trinity College when a motion, proposed by the Auditor (Mr. R. Brereton Barry) that "Two Legislative Chambers are essential to successful Parliamentary Government," was carried by 18 votes to 6.

The Auditor based his arguments on 3 grounds: (1) That history taught a dual assembly was better than a single legislature; (2) that a Second Chamber would be

a check on a popular assembly, and (3) that it would enable people representing the best elements of National life to become associated with the Government of the country. A partly nominated and partly elected Second Chamber would be the most effective. Nowhere was a Second Chamber more essential than in Ireland. He held no brief for the



Mr. Darrell Figgis.

Southern Unionists, but from amongst them men could be found capable of rendering great services to the new Ireland that was arising. This doctrine might be assailed in the sacred name of democracy by those most blind to the will of the nation, but, despite that, there could be no doubt the country would benefit.

## (CONTINUED.)

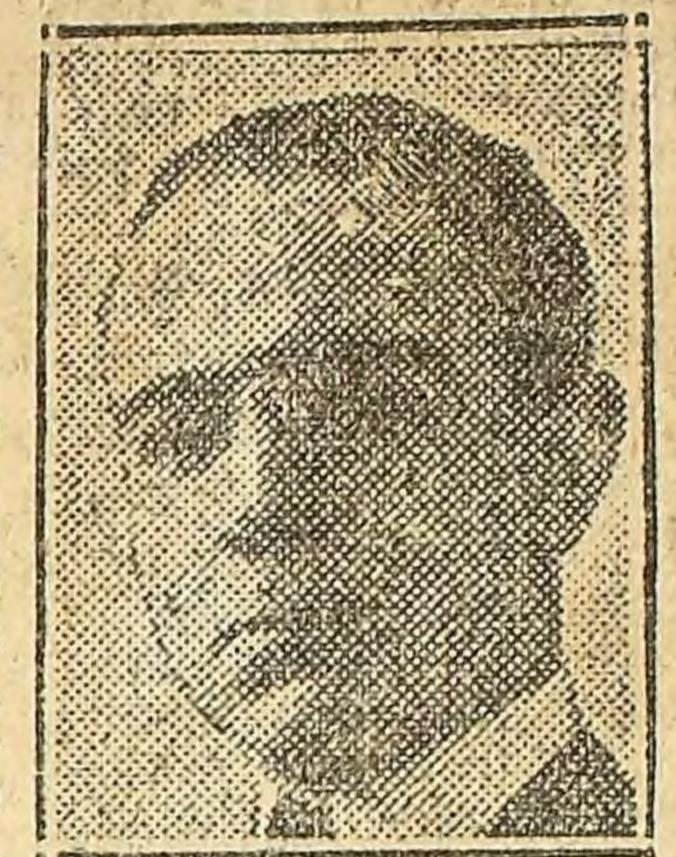
### ARGUMENTS CONTRA.

Mr Bourke, Sch., was the leading speaker for the opposition, and held that dual Chambers were not essential to good Government. On the contrary, where single-Chamber Government was given a fair opportunity it had succeeded. Changes made in a Bill by a second Chamber often rendered the Bill useless.

Mr. D. R. Dutt, Mr. C. P. Wallace, and Mr. R. H. Wright followed on the affirmative side, and Mr. R. M. Hilliard, Mr. M. Wilson, Sch., Sen. Mod., B.A., and Mr. E. H. Pike spoke on the negative side.

The Chairman said he refused to be menaced by the past or by the experience of other nations. If they were going to

have 2 Chambers what separate constituencies and functions wers they to find for them. "We have," said Mr. Figgis, "tackled that problem and have found a satisfactory answer to it." These were men of eminent worth and service, judgment and wisdom, who, because of their qualities, would be reluctant to pass through the ordeal of the hustings. These men



Mr. R. Brereton Barry.

ought, nevertheless, to be called into national service. They would be chosen by the people of the country if the people had an opportunity of choosing them.

### THE CONSTITUTION.

They would never be chosen by any one of the acknowledged political machines. By getting such men a function and a constituency would be found for them. The work of the Constitution makers had not been concluded, but certain results had been achieved, and

the question of a second Chamber had been answered-satisfactorily, he believed, and strikingly, and in a way attempted by no country in the world ever before.

"I think you will agree with me," said the Chairman, "that we ought to be able to differ with courtesy and without red-pepper." In expressing a good wish towards the Society he said in the future Government of Ireland, whether it was conducted under a system of one or two Chambers, Trinity would be able to render conspicuous assistance, and in nothing more than this-that she will be able to teach us to conduct our business with dignity, good manners, courtesy and love for all Irishmen.

## FREE MANS. 5-5-22.

## Influence of Foreign Press on Intending Visitors to Ireland.

Writing from Birkenhead to Mr. Darrel Figgis, Mr. M. J. McMahon, a native of the U.S.A., states that a recent pleasant visit to Ireland which he has made disproved reports that Ireland is an unsafe place for foreigners to visit. He adds that the public of the world should be informed that a visit would be welcome and in perfect safety, for there are thousands of Americans, to his knowledge, who are deterred from coming to this country only by Press exaggeration of the state of affairs here.

Mr. Figgis, in his reply, says it ought to be known that reports in the foreign Press are grotesque, due to the necessity for foreign journalists in this country to justify their pens. He says he is sure that Mr. McMahon will make it known in America on his return that a visitor can tour the entire length and breadth of Ireland without even being aware that we are passing through a state of

political crisis. Mr. Figgis illustrates the unreasonable attitude of foreigners towards Irish affairs by relating an incident which took place when he was in London recently. He remarked to an English acquaintance how debauched the English people had become, instancing the accounts of murders, robberies, bigamies and divorce suits which comprised the sole news of London in the daily Press. Upon the Englishman's assertion that these accounts did not represent the true state of affairs, Mr. Figgis asked him why should he suppose that the English Press correctly represented the state of affairs in Ireland, when it was unreliable in matters relating to England. Mr. Figgis added that this question might be worth repeating in the States.

# "Inish Times" 13-6-22.

## Letters to the Editor.

What the Pact Implies.

Sir-I have seen the editorial in this week's "Republic of Ireland," which is quoted in the Prez: this morning. I wish to acknowledge the courtesy of their reference to me. But the editor misses the whole point at issue.

As I have already stated, the Pact does not consist only of Clause 2, but of Clause 2 and Clause 4 among other clauses, all of which are of equal value and effect. The "Republic of Ireland" is attempting to read into the Pact what would cause nothing less than an intolerable bondage for the Irish people. The Pact makes it clear that no such bondage was

intended. I think I should know a little of the original purpose of the present Sinn Fein constitution. The editor of the "Republic of Ireland" was not in Ireland at the time when it was first adopted and administered. He will, therefore, allow me to inform him that Sinn Fein was never regarded as a political party in the ordinary sense-much less as a close political corporation. The true Sinn Fein spirit was that those who were not against us were with us, as long as the final purpose was the same, day. Earlier than that I do not know, And, as a matter of historical fact, one of the chief arguments used from the Sinn Fein plate form of that time was directed against pledge-bound political party, and the stifling of the treedom of election by an improper use of the national name.

FREEDOM OF ELECTORS. The position is the same to-day. There is nothing whatever in the Pact about the National Panel restricting the freedom of candidates and the freedom of electors. It is not } candid to read into the Pact what it does not specifically prescribe . I am aware that this ! construction was put upon the Pact by Deputy de Valera at the Ard Fheis, but it was promptly repudiated by one of the delegates,

and all further discussion was at once stopped. Since, however, my action as a member of the Standing Committee had been impugned, let me say this: The Standing Committee of Sinn Fein to-day practically does not exist. It has not met since the February Ard Fheis;! and I have no more information of how the panel is being constituted than the man in the moon. I was not present at the last Ard Fheis. When I heard that discussion was not to be permitted on a formal motion I preferred not to be present. I was elected on the Standing Committee of Sinn Fein by the Ard-Chomhairle. I will stand aside from all possible service on the Standing Committee until the Ard-Chomhairle next meets, and then I will let it be the judge.

In the meantime let me say that, in my judgment it would be outrageous to seek to compel any voter to record a vote for any candidate with whose action and purpose he disagree. As I read it, taken fairly as a whole the Pact never intended this.

DARRELL FIGGIS. 24 Kildare street, Dublin, 1st June, 1922,

## IRISH TIMES: 8-6-22.

## THE TREATY ISSUE.

## MR. DARRELL FIGGIS'S CANDIDATURE.

In the course of a statement to the electors of County Dublin, asking for their first votes, Mr. Darrell Figgis says:-I stand (1) for the Treaty of Peace as the law of the land, confirmed by Dail Eireann and the British Parliament, and honourably binding on both; (2) for freedom of elections and the right of the people themselves to decide and vote on the candidates of their choice; (3) for the responsibility of public representatives to those who elect them, that they keep in touch with their constituents, serve their interests, and represent, and not misrepresent, them; (4) for stability of government, and the firm putting down of disorder, without which every hope for the country is in vain; (5) for a period of constructive government, in order that the nation may get time to repair the damages of war and develop the opportunities of peace; (6) for the completion of land purchase, as necessary alike to financial and commercial stability as to the needs of agriculture; (7) for the development without delay of our great natural resources in the advantage and employment of the people; (8) for strict economy and efficiency in the public service, and the decrease of taxation, which, under a strong Government, can with ease be brought about, but which is impossible if we are to continue in a state of indecision and turbulence.

## MDEPENDENT 9-6-22,

MR. FIGGIS' BIRTH-PLACE To the Editor "trish Independent."

Sir-Because I am standing as an independent Free State candidate for the county constituency of Dublin. I have received certain letters-some friendly, some not-same signed and some not-asking to know where I was born, and where my father was born. I recognise at once that recent events in Ireland have made it very proper that such a question should be put to any candidate for an Irish constituency. There could not be, I admit. any more pertinent inquiry, in whatever spirit it is put. Permit me, therefore, to say that I, my father, my grandfather, and my great-grandfather were all born either in the city or Co. of Dublin? Nor is the family unknown in the county tonor do I greatly care. I hope this will satisfy my inquirers, both those who have signed their letters and those who have

DARRELL FIGGIS 24 Kildare St., Dublin. June 8, 1922.

PRISH INDEPENDENT 10-6-22.

FIGGIS' CANDIDATURE

REPORT OF SPEECH CORRECTED

To the Editor "Irish Independent."

Sir-Your report of my speech at Lucan in to-day's issue does me a very serious wrong. You report me as having said that in my candidature "the people of Co. Dub. lin had an opportunity of deciding against the Free State and the Treaty." What I actually said was the precise and exact opposite.

I was dealing with Mr. Boland's speech at Roscommon last Tuesday, in which he said that "the Treaty was not going to the people yet," with the intimation that possibly before another election came there might not be any Treaty at all. To that I answered that every trouble in Ireland today is due directly to the fact that the Treaty has not been finally settled by the people and the Free State established. Had free elections been held immediately the Dail endorsed the Treaty last February most of our present troubles would not have occurred. It is an open secret that the Six Counties would have come in, and, therefore, the fire, bloodshed and insult in Belfast are directly attributable to those who rightly feared the judgment of the people.

CAUSE OF ALL THE TROUBLE. Moreover by the establishment of the Free State, seeing that it had been endorsed by Dail Eireann, constructive work could have been undertaken, and the present hunger and disemployment need never have occurred. And so on. There is no trouble in Ireland to-day that cannot be traced in its present form to the fact that the Treaty was not allowed to "go to the people."

Yet we are blandly told that, in spite of what the people themselves may want. their masters have decided that "the Treaty is not going to the people yet"and apparently may never go. And this is the masterly anti-Treaty argument for the Panel candidates, with which I was deal-

My answer was that the statement was not true. It is true that the Panel candidates are not standing for a decision on the Treaty and Free State issue; and that their defeat or return cannot be interpreted as the voice of the people in this mattr. But many non-Panel candidates are standing on this definite issue, which, in their person is, therefore, before the

people. WHAT DEFEAT WOULD MEAN.

Dublin will be able to claim that the Mr. Figgis, in reply to inquiries, stated that in favour of its acceptance. DARRELL FIGGIS.

Mr. Darrell Figgis spoke at a representative meeting at Howth last evening. In the course of his speech he stated that certain folk were attempting to withhold the Treaty from the Irish people, hoping in this way to destroy it. He had, however, made the acceptance of the Treaty and the establishment of the Free State the plain, simple issue of his election. He had the very best reasons for this. The country was demanding that practical constructive development work be at once undertaken, but it was clear that before such work could be done it finish once and for all the was necessar ro about the Treaty that had arguing to r me of Ireland. A man now disgraced who und practical constructive work for was worth a thousand who conhis own ducted wrant political debates about their relations with other nations. A substantial measure of freedom had been gained and the people wished to accept it and, therefore, the only sensible course for them now to adopt was to argue that matter no longer, but proceed to making Ireland a prosperous and worthy place

There was much electioneering activity in Longford and Edgeworthstown on Sunday, where no less than three public meetings were hold. Labour took the platform at 5 p.m. in Longford, and strong contingents from Lanesboro', Killashee, Newtownforbes, Ballymahon, and Longford with fife and drum bands arrived at the Market Square, were enthusiastically cheered. The "red flag" was conspicuous. At 9 p.m. the panel candidates held their

meeting.

for Irishmen and women to live in.

## OUTRAGE IN

### MR. DARRELL FIGGIS ASSAULTED

Shortly before midnight last night an outrage was committed on the person of Mr. Darrell Figgis, who has been nominated as an independent candidate for County Dublin in the coming clections.

Mr. Figgis, who, with his wife, occupies a flat in Kildare street, Dublin, was about to retire for the night, when Mrs. Figgis heard a knock at the door. On opening it, she was confronted by three young men, who said that they wanted to see Mr. Figgis, and that they came from a certain Mr. Murphy. Mrs. Figgis suspected their intentions, but was unable to prevent them from entering the flat, which they proceeded to raid.

They told Mr. Figgis that they were acting under instructions, and that part of their duty was to cut off his beard. Naturally, he remonstrated with them, pointing out that conduct of this kind could only result in injury to Ireland's cause, but they refused to listen to argument, and two of them held Mr. Figgis down in a chair while the third cut off a large portion of his beard. They were about to turn their attention to his hair when Mrs. Figgis intervened, reminding them that their "instructions" already had been fulfilled. The three raiders then left the flat.

Mrs. Figgis suffered considerably from shock. Mr. Figgis, in an interview after the occurrence, said that at 11.40 last night the three men pushed him into the sittingroom. Mrs. Figgis, fearing that they intended to shoot him, pushed into the room, and attempted to lock the door. The three men at once wrestled with her, and endeavoured to wrench the key from her, but without success. They flung her away from the door, and then took hold of Mr. Figgis, and stated that they were under orders to mutilate him by removing his beard. They were each equipped with scissors for that purpose. Mr. Figgis asked them not to be guilty of acts that would be disgraceful to Ireland, and Mrs. Figgis asked them if they were aware that during the war she had nursed and provided for wounded men.

One of the men said that they knew all this well, and they did not like the job that had been committed to them. Mr. Figgis asked them under whose orders they were acting. One of the men, who appeared to act as spokesman for the three, stated that they were acting under Army orders, but refused to say from whom they had been received.

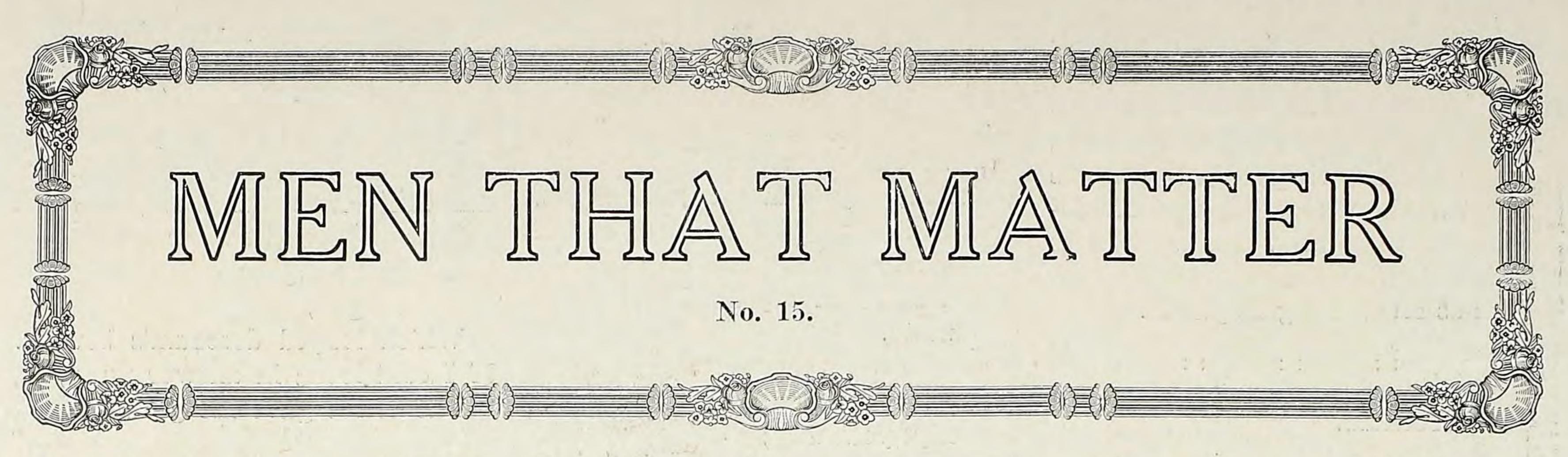
Mr. Figgis then asked them if they realised I was arguing for my own case as one what disgrace would be thrown on Ireland's such candidate. I stated that my return name when this news got abroad. Upon this would be a definite decision in Co. Dublin the three men drew aside into a corner of the for the Treaty and the Free State because I room and had a consultation. They returned had made the Treaty and the Free State and stated that they would have to the issue in my election campaign. And carry out their orders. They then pulled it is notorious that my defeat would be Mr. Figgis away from her husband and seized hailed by the anti-Treaty party as a de- Mr. Figgis and placed him in a chair. One cision of the people in the county of Dub- of the men held back his head, another seized lin against the Treaty. his arms, while the third proceeded to cut his It is true that if I fail to be returned, beard and moustache. Resistance on his part the result will be regarded as a decision was useless, and when Mr. Figgis made an against the Treaty, seeing that I stand de- effort to throw the men off they said that if finitely on that simple issue. But that he did not at once cease they would cut away is not what your sub-editor, in the haste his hair as well. In fact, one of them made an of the small hours of the night, makes me attempt to do so when Mrs. Figgis again to say. For the reverse is equally true, interfered. The three men then rushed out of that if I am returned, the people of Co. the room, ran downstairs and out of the house.

Treaty went to them, and that they decided he could easily be able to recognise the three men again. Mr. Figgis said that he had nothing to say against the men in question. They had them-

selves stated that they strongly objected to the

orders they had received and disliked the work that had been committed to them. He added that the offence lay not with these boys, but with the men who had charged them, and. finally, with the leaders of those who opposed the Treaty, unless they specifically repudiated this act and took measures to see that proper discipline was observed, and that other acts

of a like sort did not occur in the future.



MONG all those prominently identified with the present progressive movement for the that of Mr. Darrell Figgis. His

teristics. He has fearlessness in the expression of his opinions and boldness amounting almost to audacity. trimmed ruddy-beard, his clear He invariably took immense care in

MR. DARRELL FIGGIS.

complexion, and bright eyes, are dealing with each case and his judgreadily recognised in the well set ments were always logical and fairup man who invariably carries an minded. attache case. Mr. Figgis remained :: :: :: Darrell Figgis and his attache case remained "when all but he had fled."

: :

mention this fact, as it illustrates one of his prominent charac-

a familiar personality in the streets At certain crises in Ireland's all night and a palm room where during that stormy time when recent history the figure of Mr. practically all the Deputies of the Darrell Figgis has been noticeable. Dail and all those who employed When Sir Edward Carson organised their energies against the British the famous gun-running episode at Government were in detention Larne, it was Mr. Darrell Figgis who furnished an effective reply by running guns at Howth. When at the critical Longford election the issue swayed in the balance, it was Mr. Figgis who ran the gauntlet back from England, to where he had been deported, and achieved a decisive victory for his party.

Mr. Figgis did splendid work on the Committee of Enquiry which covered every phase of national rere-building of Ireland as a nation, In his capacity as President of Sinn source, and the extraordinary grasp there is no more familiar figure than Fein Courts, Mr. Figgis has shown of each subject dealt with was so outstanding ability in handling the complete and masterful, that it is by finely chiselled features, his neatly most intricate and technical cases. no means surprising to find him now Acting-Chairman of the Committee forming the Constitution of the Free State. In addition to his political and commercial distinction, Mr. Darrell-Figgis possesses literary and critical attainments of an extremely high order. His novel "The House of Success" has become enormously popular. He has a fascinating style which reveals the philosophic mind. Mr. Figgis is artistic in his tastes and takes a keen interest in music and drama.

RAMBLER.

From the time of Adam to the time of Asquith the world has been steadily improving. No doubt it will be a little better a hundred years hence, but it is a comfortable enough place even as it is, and if people don't like it they have only got themselves to blame.

The Lyons Mail.

It is my lot to live a great deal in hotels. And the hotels in which I live are of the sumptuous order, with marble pillars and rubber trees and with two girls with waving golden hair sitting at a desk and running a telephone exchange. There is a grill-room where they serve lobster Newburg and hot dog they play music all day and where expensive - looking women eat French pastry with anæmic men. There is a ballroom where on nearly any evening you can see a débutante's dance going on and wish you were twenty years younger, and a concert room where you hear an Italian basso singing an aria, "Oh! Qual Chianti," to a Ladies' Fortnightly Musical Club. -Stephen Leacock, in

The Lyons Mail.

## POET'S BEARD:

## DAILY SKETCH

WEDNESDAY, JUNE 14, 1922.





Mr. Darrell Figgis, the poet and an independent candidate in the Irish elections, is the victim of an extraordinary Dublin outrage. Three men rushed into his flat and cut off his beard and mous= tache. These photographs show Mr. Figgis with the beard and before he had grown it.

Irish Independent. 23 = 6 = 22.

## EXPLANATION OF CONSTITUTION

SWISS PRECEDENT

By Darrell Figgis (Acting-Chairman, Constitution Committee).

IV.

More is spoken of the two instruments of the Referendum and the Initiative (particularly the former) than is known about them; for in the countries where they have been adopted folk use them and do not talk about them, and where they have not been adopted folk talk about them with ardour, or with fear, but without knowledge. Briefly, they may be described as a retention by the sovereign people of sovereign authority over the making of laws.

The case is not without an historical parallel. In earlier times, in other States, the sovereign was the king, who said: they realise that they are powerless to "L'Etat, c'est moi." He was, therefore, change or check the measures it may pass. the law-maker by supreme right. He might The power to throw out their representasummon the estates of his realm-Lords tives at the next General Election and Commons-to advise and counsel him; is only a limited form of freedom, and it and he might, normally, allow their acts is illusory in face of the fact that those without his interference; but, being sov- representatives are generally chosen by ereign, he reserved the right to cause those powerful political organisations which take acts to be referred to him for the final act care to select pliant and obedient tools. of his will, and he at all times reserved the right to send a message to them instructing them to make laws on matters that seemed to him to require attention.

A RESERVED RIGHT.

This he did, being the sovereign. His Parliament was the Legislature of the State, but he preserved the Referendum and it presses too fast ahead. They themselves the Initiative, and held them as his sov- can make the pace. And the effect on ereign authority over the authority de- themselves is that, with this added reputed to the Legislature. When, however, sponsibility, they take a quick interest in sovereignty passed to the people they their own concerns. In the first place, assumed the attributes and the functions they break up the power of political orof that sovereignty.

king's dwelling, for example, had been zens, responsible and intelligent guiders of declared to be inviolable, now (as in our be inviolable.

And where once the King reserved the right to voto and to initiate legislation, so now (as again in our Constitution) the people reserve the right to veto and to initiate legislation. This is the plain and simple meaning of the two instruments of the Referendum and the Initiative. Their effect is to shift sovereignty from the Par-La sent to the people where the revolutions of the 17th and 18th centuries shifted sovereignty from the King to the Parliament.

THEORY AND PRACTICE.

It frequently happens that theories (for whatever they may be worth) are carried to their logical ends by practical people and not by theorists-for theory generally lags in the rear of practice. So it happened in this case. For it was the soberly, practical and conservative people of Switzerland who, in modern times, first devised the Referendum, and then the Initiative. Since then they have been adopted in many countries, chief of which are Belgium, Australia, and many of the American States; and they appear in most of the Constitulions recently adopted in Europe. But it is in Switzerland that they can most usefully be studied, for there they have a solid experience of 90 years' continuous practice behind them.

The Referendum came first; and in its modern form was first adopted in the Constitution of the Canton of St. Gall in 1831, the second and third articles of which read: Art. 2.- The people of the Canton are sove-

reign. Sovereignty, which is the sum of all political powers, resides in the whole body of citizens.

Art. 3.—It results from this that the people themselves exercise the legislative powers, and every law is submitted to their sanction. This sanction is the right of the people to refuse to recognise vent ity execution in virtue of their sovereigr power

other 22 cantons, and to the legislation reserved to the Federal Assembly.

CONSERVATIVE RESULT.

every law to be submitted to the people by Referendum, or for laws to be submitted each tas the two instruments of the Referwhen a given number of electors, within endum and the Initiative. a limited period of time, have demanded

that the Referendum be exercised, some of the Cantons having adopted it in one form and some in another, the Confederation adopting it in the optional rather than in the obligatory form. Then, after the Referendum, followed the Initiative with quick pace, by which the people asserted tne right, not merely that laws may be submitted to them for their approval or rejection, but that a given number of electors may, in writing, demand that the legislature proceed without delay to legislate on any matter that they judge to be of sufficient importance.

At first sight measures such as these appear to be revolutionary and drastic. In practice they have proved to be conservative.

The mere existence of the Referend im has proved to be a check on legislation that might otherwise have been carried by Parnamentary manoeuvring for votes. The people, in actual fact, have proved to be both purer and more conservative than their representatives; and the tendency towards economy in the expenditure of public moneys has, in the main, been not the least benefit it has conferred.

POLITICAL INFLUENCE.

People are little inclined to study bills debated in the National Assembly when

Only at times of great crisis does the wish of the people become vocal; and even then it is more usually neglected than not. But with the Referendum in their hands (especially with the Initiative added to t) the will of the people is always present. The people can hasten legislation where it moves slowly. They can retard it where ganisations; and in the second place they Where once the king's person and the themselves become alert and educated cititheir own destinies.

Nor are these the imaginings of theory. Constitution) the people's persons and They are the practical outcome in every the people's dwellings were declared to country or State where the Referendum and Initiative have been adopted. They have especially been

the result in Switzerland, where, by means of the Initiative, the people have Insisted on measures being passed that no political party would have dared to undertake. For there are many questions that cut clean across all parties, which dare not offend a majority or a minority, and where, therefore, the unity of the party comes before the interest of

the nation. But minorities from all parties may join, and in Switzerland have joined, together to press for their adoption, with the consequence that the National Assembly has had no alternative but to frame legislation to deal with them. And when such legislation has come before the people by the Referendum, the people have, in many cases, adopted them.

A SUGGESTED CHANGE,

The presence in our Constitution of both the Referendum and the Initiative is, therefore, a sign that the people of Ireland are to be rulers in their own house-not merely as against foreign control, but as against the dominance of political parties. It means more. It means that responsibility is now definitely reposed in them. There are provisions which, in the present draft of the Constitution, could with advantage be changed. For

to require, in Article 46, that a petition from the people of not less than "onetwentieth of the voters then on the registor" is necessary (in the alternative of a vote of three-fifths of the Senate) before a measure may be put to the Referendum, is to impose an almost impracticable, and certainly an extremely

difficult, task. It reveals a fear of the exercise of the any law submitted to them, and to pre- Referendum that experience in other countries does not justify. With the wide franchise allowed in the Constitution, the tendency will be to play into the hands of From St. Gall it spread to each of the political parties, and one of the purposes of the Referendum is to destroy the power of political parties. Yet a slight change here may easily be made. And the essen-Everywhere it is either compulsory for ing asserted the fact of their sovereignty,

DARRELL FIGGIS.

F. Journal. 18/4/22

### BUSINESS OR POLITICS

### Lecture At Rotary Club By Mr. Darrell Figgis, T.D.

At the Rotary Club Luncheon yesterday, in Kidd's Buffet, Mr. Darrell Figgis, T.D., gave an address on "Business or Politics," in the course of which he said that while the politician was not very highly thought of, a different idea prevailed about the business man, without, it seemed to him, any regard to the fact that he might be an altogether inefficient man of business. A difference between the two men was that the politician did not feel compelled to carry forward a bad balance, which could be shouldered over to a successor. The business man, straining after development and improvement, judged results by the prosperity or the reverse of the concern—the other by the vote in the Lobby. There was at least that fundamental difference between the two; and while the one acquired a good name, the other achieved the reverse.

It was at the present time necessary that in Ireland they should set out to justify themselves as a nation, and look upon this country as a business concern rather than as a political gamble (hear, hear). It was to the future rather than the past that they were concerned. There was work to do in Ireland-work that had been neglected. Every business man was aware of the necessity for laying plans for the future and taking time by the forelook. The present was conditioned by the plans made for the future. Those who were concerned with the future, and they all had a magnificent reservoir to draw upon in the accumulated experience of the world, but they must make up their minds upon their line of action if success was to be achieved.

CAUSE OF PRESENT STRIFE.

As to the present position in Ireland, if they could only establish good order all would go well. There would be tremendous opportunities for development. Money would not be difficult to find. Building would be needed, and they should have to start at once.

It was his belief that a great deal of the present trouble was caused by unemployment -more than half of it. To his definite knowledge, a large number of men in the Four Courts and in other places were people out of work. How could unemployment be reduced at once? He remembered in 1915 in London what was done in quickly removing the results of a great explosion. What was done there could be done here (applause).

A vote of thanks was passed to Mr. Figgis on the motion of Mr. Wm. Findlater.

## "IRISH. INDEPENDENT" 26. 26.9.22.

We publish below further letters which we have received on the sublect of the Irish Constitution now being discussed by the Dail:-

## MR. FIGGIS REPLIES

## TO "Æ" AND MR. DOUGLAS

To the Editor "Irish Independent." Sir-I have too often admired my friend "At" doing the same thing before to be dismayed now that he makes me the victim. For it is part of his repertoire in controversy to fasten upon an apparent contradiction, and then speedily to sound the tocsin of victory, in the expectation! that subsequent argument will be silenced in the ensuing clamour.

Yet I am glad that " Æ" points to this apparent contradiction he has discovered. It helps to illustrate the very point that is at issue. If he looks closer he will find that there is no contradiction at all, but that his pertinence in argument has brought him to the very heart of the

question. For the whole problem lies in the world of difference between the words "may" and "must." In my book I statted, truly,

"there is much virtue in the liberty of the Chamber to appoint as Ministers persons who may be specially qualified, but who may not be members."

I say so again. What is a great deal more to the point is that every Constitution in the world says so. I challenge "Æ" or anybody else to produce one single provision in any Constitution that restricts

this liberty. But that is quite a different thing from insisting in a Constitution that they must appoint persons who must not remain members of the Legislature-and quite a different thing from saying in advance that these must be, under normal procedure, in an exact proportion of four Deputy Ministers to eight non-Deputy Ministers, the like of which no Constitution ever saw before.

## LIBERTY TO CHOOSE.

If this liberty were allowed in the Irish Constitution, as in every other Constitution, we in Ireland would then be able to put to the test the experience of other nations. We have seen that in practically every other nation (including Switzerland) Ministers are only chosen from deputies, in spite of the allowance that they may be chosen from persons who are not deputies. We would be able to prove from our experience whether it were or were not desirable to "appoint to high Ministerial positions persons who have not been chosen by the people of Ireland."

But that, again, is quite a different matter from insisting in advance that we must choose such persons, and must choose them in a proportion of eight to

This, then, is the contradiction concerntour. ing which "AE" so merrily pulls his bell. It is, as I have said, the difference between "may" and "must" as a constitutional provision. Let us, like every other nation, leave the Legislature at liberty to appoint to high ministerial positions those who have not been chosen by the people of Ireland; but let us, at the same time, also leave the Legislature at liberty to learn from experience how far this liberty may properly be exercised, or (as other nations warn us) if it may properly be exercised at all. The main thing is to ensure liberty, for we cannot tell in advance what the teaching of experience in this matter will be.

## FACTS AND THEORIES.

Nor may "Æ," or James Douglas, sidetrack the issue by referring once again to the "British system." The liberty to appoint Ministers who are not Deputies is in every Constitution. The decision to confine such appointments to elected persons is the result of experience under each of these Constitutions. And the same liberty and the same practical results are to be seen, not only in all the older Constitutions, but also in all the newer Constitutions, of nations who have only achieved self-government and constitutional liberty since the outbreak of hostilities in 1914.

These are very remarkable facts; and are more important than beautiful theories which no one has ever seen yet put to the test. By all means let us leave ourselves free to test these theories. But do not let us bind ourselves hand and foot to them without some better assurance than we have that they will prove successful.

iso much for the contradiction over which "AE" makes so merry. He develops his case, however, by pointing to the danger (which he complicates by a personal argument) of one Minister being brought to defeat by the indiscretions of another Minister. From this he argues that Ministers should be independently responsible to Parliament.

I may say that I have not argued against this. "At" may have all the fun he wishes knocking over the skittles in his own alley, but I would like to point out that they have nothing to do with the skittles in my alley.

### EUROPEAN EXPERIENCE.

Nevertheless, he is not the first person in time to have discovered this incongruity. A little knowledge of European political affairs will show that this problem has frequently been encountered there, and has been answered to general satisfaction.

It is the experience in European Ministries that if a Minister proves himself of energy and capacity in his office, he is generally taken on by the next succeeding Ministry in the same office. That is how this problem has been answered in Germany, in France, in Czecho-Slovakia, in Italy, and in all the other Continental countries-and under Party Government, to boot.

With the many other arguments against the scheme put forward I have not dealt. I have examined some of them in my book. I will only briefly deal with one other here. For whatever may be said for the right of the Legislature to appoint non-Deputies as Ministers, the present draft goes further

It says that, though some Deputies on appointment as Ministers may remain Deputies, other Deputies, if they are appointed as Ministers, must resign as Deputies. Consider what this fantastic provision will mean in practice. For if such a Minister, for good reasons, resigned te would cease to be both a Minister and a Deputy.

### ELECTIONS AND CONFUSION.

Moreover, the whole Proportional Representation of the nation would be miset, including the representation of minorities. If any Deputies were appointed to these non-Deputy Ministries. then immediately after the turmoil and confusion of a general election, by-elections would occur.

And in these by-elections, apart from the added turmoil and confusion, persons of an entirely different party might be returned from those whose resignations created the vacancies. And for exactly what gain is all this maximum of confusion caused?

So I come to James Douglas's letter. There are only two parts of this that require an answer. The first is the statement, constantly made and as constantly answered, that "the existence of the Free State itself might also be endangered 'if the Ministry were defeated on a minor part of their policy.

The suggestion is absurd on the face of it. As long as the Dail has a clear Free State majority, and as long as an Executive is appointed representative of that majority, the Free State can never be endangered, whatever may happen to particular Ministries. The use of this argument is not very honouring to the intelligence of

your readers. The other concerns the ingenuous suggestion that the Executive of the present draft will get us away from party influancas. We are to believe that a party

majority, having appointed four Deputy Ministers, would then, with a magnanimous gesture, give away the eight non-Deputy Ministries non-party persons. I am bound to say that I think the event unlikely.

## ARTEMUS WARD'S PHILOSOPHY.

Was it not Artemus Ward who suggested that the wisdom of Life was to be prepared, not only for what we expect, but also for what we shall get? And would not the real effect (at least in the majority of cases) be to place eight excellent semiparliamentary jobs in the hands of the party majority, while making it impossible for the Dail to be rid of them except by an elaborate and cumbrous machinery?

Now as to the other matter to which "Æ" refers. I should be sorry indeed to say one word to wound a beloved friend. But there are certain public rights which must be firmly stated. "Æ" knows very well, and I know, that in certain political and semi-political circles in Dublin Eamon de Valera's part in a future Free State Ministry was being freely discussed during the early months of this year.

One of the original arguments put up in favour of this scheme was that it would find a place for him. But it is now assumed that these things should not be stated in public. What political and semipolitical circles in Dublin may make a theme of gossip the people of Ireland may not know. To that doctrine I have never subscribed, and never will subscribe.

I believe that the Executive scheme in the present draft (whatever its merits or demerits on other grounds) would have never seen the light but for the political circumstances of the time. I have more than good grounds for believing this. Therefore, the right place for me to say it is in the most public place possible.

### "AN ORIGINAL PROTAGONIST."

I do not know if "Æ" had any part in this. I do not believe he had. I mentioned his name for quite another reason, very proper to debate. For I was led to believe at an earlier date that much of the inspiration of the scheme was his. I do not know whether this was so or not.

While this work was on I had neither the inclination nor the time to do anything but keep at the task before me. But we all had liberty to consult others, and "Æ's" name was expressly included in that permission. And in mentioning him now I wished to acknowledge that I was confronted with an original protagonist. There was nothing derogatory in that acknowledgment. If "AE" thinks there was. I will willingly withdraw it. But I am reluctant to do this, as it would mean that "AE" did not care to be acknowledged as an original protagonist of the scheme. DARRELL FIGGIS.

23 Kildare St., Dublin, 25/9/22.

## IRISH INDEPENDENCE. 28-9-22.

Mr. Darrell Figgis said they were dealing with a state of affairs so severe and so unusual that unless it was dealt with in a very Draconian method the health and the sanity of that country might be permanently destroyed. It must be dealt with in a very vigorous way. He did not agree, however, that the best method had been chosen in giving to the Army what he could only describe as a blank cheque. While a good deal more stringent action could be taken, he urged that the President should not ask them to pass a resolution which permitted the penalty of death being imposed on persons in respect of anspecified offences.

If the Minister said that in cases of ambush no quarter should be given recognising what had occurred he (Mr. Figgis) would be with such decision. It was time that certain persons who had helped and were known as having helped the forces of treason in this country, and were known to be persons of considerable or of certain or indefinite amount of property should be attainted not only as to their persons, but also attainted as to their property. He was proceeding to deal with amendments of which are had given notice when

Mr. Kevin O'Higgins, Minister for Home Affairs, said the Ministry would be glad to nave a vote on the spirit of the resolution, then they could go into committee to discuss the details, but if they had amendments at this stage they would have cross voting and a confusion of issue.

Mr. Figgis, continuing, said he was dealing with his proposals not now as amendments, but wished to explain his position, The amendments, he said, he intended to move were:-

(1) Wherever the word "Government" appears to substitute the word "Minis

(2) Wherever the words "Army Au thorities" appear to substitute the words "Minister for Defence."

of sub-section (a) to read: one person of legal knowledge and experience appointed by the Minister for Defence," instead of the words that now conclude the sub-section.

(4) In the ninth paragraph to read and the detention by such military courts and committees of such persons for any period to be decided by them and or until hostilities shall have come to an end," instead of the words that now appear in that paragraph.

(5) To add the following additional paragraph to the resolution:-

"And it confirms such sanction for a further period of fourteen days from the date of the passing of this resolution, subject to the renewal of such sanction for further period of time, in no one case to exceed fourteen days, as and when the Minister for Defence shall show cause on a report to the Dail on the state of the country under these powers hereby granted to him."

## FRAMING OF THE CONSTITUTION

## STATUS

## FIGGIS'S ALTERNATIVE ARTICLES

To the Editor "Irish Independent." Sir-Before carrying this matter one stage farther into some immediately practical development, there are but two points in James Douglas's letter in your issue to-

day that require attention.

In the first place, he is not quite candid in saying that a Minister "may be an elected representative, or may not, according to the decision of the Dail." The point is that, if a Deputy, he must instantly resign as such. Not in every case, however. Four Ministers may be allowed to

remain as Deputies, but eight must not-I described this proposal before as fantastic. I repeat the word. No more fantastic, arbitrary, or meaningless provision was surely ever made in a Constitution. Why should a President be required to make this invidious distinction between Article 56 .- The Representative of the those of his colleagues who would be permitted by him to remain as members of the Dail, and those whom he would put out of their position as public representatives before he allowed them to serve as Ministers? And who is more entitled to vote on a Bill than the very Minister who has given it thought and attention, and has commended it to the Legislature?

Now for the second point. I did not "insinuate motives political" to anybody. I said straight out that the main argument put forward when the present draft was originally suggested was that it would enable Eamonn de Valera to become a Minister without assuming responsibility for the External Affairs of this country. I repeat it again. As I write the words, I have the original argument before me in black and white.

### THE ALTERNATIVE DRAFT.

However, it is necessary that this discussion, to be profitable, should be brought to a practical head. One of our Irish journals yesterday, in reviewing my recent book, referred to the "widespread dis- kept what the Ministry have stated to be the quietude" which the Executive clauses in the present draft had created. I have myself received a number of communications asking me if I would put forward a definite alternative Executive draft. I am not in the habit of criticising without being prepared to furnish an alternative if called upon; and I therefore meet the invitation by giving you possible alternative articles.

Attached to these alternatives articles I append a very brief commentary on each. It will be seen from this commentary that these alternatives fully provide for individual as well as for collective Ministerial responsibility, according to the wish of the legislature in each case and on each issue. It is only necessary for me now to say that I am not proposing these clauses in any suggestion of finality. I suggest that they would form a more satisfactory basis for discussion than the complicated clauses of the present draft.

### ALTERATIVE EXECUTIVE PROVISIONS

With this understanding, then, I attach provides its own commentary. the alternative Articles herewith. I number them so as to correspond, as far as Legislature the liberty to go outside itself possible, with the numbering of the pre- for the nomination of Ministers. It also sent Draft-beginning, that is to say, leaves it free for the Legislature to learn with Article 50.

the Irish Free State/Saorstat Eireann is hereby declared to be vested in the King, and all Executive action taken in the name of the Crown, including every exercise of the Royal Prerogative, shall, within the territory and sphere of by the Representative of the Crown.

Article 51-The Executive Council shall not justify. cessors are appointed.

Article 52-The President of the Executive He shall on his nomination naminate one answerable to the people's wishes. the other Ministers, with the asant of

Dail may by a vote of lack of confidence remove the entire Executive Council or any individual Minister.

Article 53 .- The Executive Council may appoint one of its number to act as Tanaist/Vice-President. Should the Uachtaran/President of the Executive Council die, resign or be permanently incapacitated, the Tanaist/Vice-President of the Executive Council shall act in his place until an Uachtaran/President of the Executive Council shall be elected. The Tanaist/Vice-President of the Executive Council shall also act in the place of the Uachtaran/President of the Executive Council during his temporary absence.

Article 54.—If any Minister shall be nominated who is not a member of the Parliament/Oireachtas he shall, before his appointment, comply with the provisions of Article 17 as if he were a member of the Farliament/Oireachtas, and he may be required by the Chamber/Dail to attend and answer questions, and may speak in the Chamber/Dail by its leave.

Article 55 .- The members of the Executive Council shall receive such remuneration as may from time to time be prescribed by law, but the remuneration of any Minister shall not be diminished during his term of office.

Crown, who shall be styled the Governor-General of the Irish Free State, shall be appointed in like manner as the Governor-General of Canada and in accordance with the practice observed in the making of such appointments. The salary of the Governor-General of the Irish Free State shall be of the like amount as that now payable to the Governor-General of the Commonwealth of Australia and shall be charged on the public funds of the Irish Free State/Saorstat Eireann and suitable provision shall be made out of those funds for the maintenance of his official residence and establishment.

Arricle 57 .- The Executive Council shall prepare the Budget of Receipts and Expenditure of the Irish Free State/Saorstut Lireann for each financial year, and shall present it to the Chamber/Dail Bireann before the close of the previous financial year.

### COMMENTARY

Article 50 .- It will be observed that I have essential part of this Clause without material change except for a fuller amplification as suggested in your pages by Mr. Clore Shoridan, no mean authority. As to the number of Ministers, less than five would lead to dictatorship, and more than ten to a danger of corruption.

Article 51 .- This Article provides, as in most Constitutions, for a continuity of Executive pending a dissolution of the Legislature.

Article 52 .- This Article incorporates the present practice of the Dail, with which we are all familiar, and the working of which we understand and can value. The last sentence meets the chief point made by "Al" and James Douglas, with which I have always been in entire concurrence; that the Legislature should be at liberty. on a given issue, to remove an individual Minister without of necessity compelling the fall of the entire Ministry. It also secures a Ministry against the inequity of a snatch division.

Article 53 .- The matter in this Article

Article 54 .- This Article preserves to the from experience whether it will or will not Article 50-The Executive Authority of be wise to exercise this liberty.

Articles 55 to 57 .- These three Articles are identical with the concluding three Articles of the present draft. They expound themselves.

Finally, let me say that if the above authority of the Irish Free State/Saor- Articles be carefully compared with the stat Eireann, be exercisable on the constitutional provisions and practice of initiative, advice, and responsibility of almost every other country, they will be an Executive Council. Such Executive found to preserve only what is judged by Council shall consist of an Uachtaran, them all to be fundamental Executive President and not more than nine or provisions. Above all, they are plain and less than four other Ministers appointed simple, and avoid shackling the future by fantastic provisions that experience may

be directly responsible to and removable I dare venture to say that if the majority by Dail Eireann, but shall continue to of the people of this nation were to comcarry on their duties until their suc- pare the above Articles with the Articles in the present draft, carefully side by side, there is no question which of the two Council shall be the chief of the Execu- would receive their sanction. If, then, this tive Council and shall be appointed on be (as President Cosgrave rightly says it the nomination of the Chamber/ibail, is) a democratic Constitution, it should be

DARRELL FIGGIS. the Dail in each case. The Chamber/ 24 Kildare St., Dublin, 27/9/22.

### MR. FIGGIS REPLIES TO MR. DOUGLAS

To the Editor "Irish Independent." Sir-In further, and I hope final, reply to James Douglas, let me say that I was careful not to neglect the point he raises. Surely even the most casual reader of my letters would have observed that, when speaking of 4 Deputy Ministers and 8 non-Deputy Ministers, I had used the words "under the normal procedure."

I assume that an exceptional procedure, added as an afterthought and proviso, is not inserted in the belief that the exceptional will be the normal. And I assume that it is not proposed that the normal should be the exceptional—although I confess I am almost prepared to believe anything of the present provisions, to judge from the arguments that have been adduced in favour of them.

However, I am willing to meet James Douglas en his own ground, and to concede him all the advantage he deserves for the advocacy of so impossible a scheme. He says that, of 12 possible Ministers, 4 shall be Deputies, but that these Deputy Ministers may be increased to 7.

That is to say, of the 12 possible Ministers, as between Deputies and non-Deputies, the proportion normally shall be 4 and 8, but it may be increased to 7 and 5. Good. But why only 7 and 5? Why not 9 and 3, or 10 and 2? For that matter, why not the other way about: 3 and 9, or 2 and 10? Why should the liberty of the Legislature in this critical matter, where smooth working is vital to efficient government, be limited as to the proportions of each to each?

### THE PRESENT PROPOSALS.

The assumption underlying the present proposals is that the Irish people are such fools that they will not choose efficient persons as Deputies. Let me be generous, and allow that the assumption is correct, however unflattering it may be. But, to vary a famous phrase, the people are not fools all the time. Enlightenment might suddenly come to them. The heavenly wisdom of political circles in Dublin might descend upon them. I presume James Douglas will not rule out a possibility even so remote.

What would happen then? The wise men of the nation would be returned to Parliament. Parliament would find within itself all the capable Ministers it wanted, without having to send messengers into the highways and bye-ways of political Dublin. In that case the present draft (if Ireland chanced to be inflicted with it) would step in, and Parliament would find that it could not choose 12 Ministers from within itself without compelling 5 of them to resign, although it will be permitted nobly to allow 7 of them not to resign. And the poor President of that day would have to sit in the midst of these Ministers, and pick and choose which of them he allowed to remain as legislators, and which of them he would compel to resign.

No. sir, it will not do. I presume that we are writing a Constitution for the practical and smooth working of the responsible business of government. We are not writing a Constitution for the purpose of providing material for political satirists. of the future.

## ALTERNATIVE PROPOSALS.

James Douglas, however, retorts on mi as to my alternative proposals, that for Legislature to require the resignation of one Minister while not causing the fall of the entire Ministry is "as unworkable in practice as it is undesirable."

These are brave words. Unfortunately, a little study of the practice in such matters in other nations shows that in every country, on critical issues, individual Ministers are frequently removed without causing the fall of the Ministry of which they form a part.

The brief experience of the past 3 years is full of such examples in the Governments of Europe. Has James Douglas never heard of a certain Sir Eric Geddes in England, or of a certain even more notorious Noske in Germany? What he states as both "unworkable and undesirable" has, in the political practice of other countries, proved to be both practical and necessary. My alternative articles only made explicit what lies implicit in all other Constitutions.

Indeed, I have already stated that the proposals in the present draft would never have seen the light of day but for the exceptional circumstances in Ireland that gave them rise, and that have now passed. I venture to go further now and say, that they would not have seen the light of day if a little care had been given to studying the practice of liberty in other nations instead of closeting for the purpose 2 --pounding abstract elaborations that have no reference at all to the political experience of the world.

## "A PERSONAL FOIBLE."

It is one thing to argue that the whole world is wrong, and the arguer the only person who is right. I have something of that disposition myself, and have a great deal of sympathy with it in others. But it is quite another thing to make that purely personal foible a constitutional pro-

vision to bind the entire future of a nation. Surely what is required in a Constitution is liberty of movement while carrying the burden of government. I am all for that liberty as much as possible—both liberty to experiment and liberty to relinquish experiments that have proved disastrous. What we do not want in a Constitution is a harsh yoke that will gall the shoulders of the nation that wears it.

## DARRELL FIGGIS

(24 Kildare St., Dublin, 2/10/22). P.S.—It is a striking fact, and worthy of special remark, that if Sir Eric Geddes had been appointed Minister under the present draft scheme the English Parliament could not have removed him, in spite of its wish to do so, until that Parliament itself came to an end. Under the same scheme the English Parliament would have had to stick to Dr. Addison, of whom it wished to be rid. The Germans would have had t stick to Noske, of whom they wished to b rid. Under the system prevailing in these countries these undesirable Ministers were easily got rid of. Under the draft scheme these Parliaments would have been saddled with them to the end of the chapter. thank James Douglas for having pointed this out to me. I liquidate my debt to hin by pointing it out to others.