Irish Honours List, National Medal or Personalised Emeritus Grant of Arms?

In answer to Parliamentary Questions in Dáil Éireann on Tuesday Nov. 20th 2007, An Taoiseach, Mr. Bertie Ahern, TD, confirmed that he wished to introduce an “Irish Honours System” to permit the State to offer a national recognition for achievement, excellence and service by our citizens and members of the Irish Diaspora. Mr. Ahern mentioned examples of such systems operating in other countries. His preference was for the system employed by the French Republic as an example of egalitarian republican honours. This is a mistaken view of the French system as both the Legion of Honour and the Order of Merit have five classes of recipients, not unlike the British system of CBEs, OBEs and MBEs etc. The creation of “classes” of honours is hardly necessary. As always this subject raises suspicions and indeed, in the 1937 Dáil debate on the Constitution, Mr. William Norton, TD, speaking on a proposed “Order of Merit” said, “it often means that the greatest party hack, the greatest ‘yes-man’, the greatest rubber-stamp in a political party puts out his hand and gets a title in return for that kind of servile loyalty or as a return for a cheque to party funds”. Without doubt, this must be avoided. Mr. Ahern also continually made references to the British monarch’s recognition of Irish citizens with awards of honours to underpin his argument for the establishment of an Irish equivalent. Whilst, An Taoiseach, also drew comparisons with other nations around the world, his conclusions were essentially reactionary and far from visionary in this respect. This is not an appropriate manner for a sovereign republic to deal with this important issue of the recognition of meritorious citizens. Ireland needs to establish a means to officially recognise and award its meritorious citizens in a manner that specifically reflects our own requirements, ethos and tastes. Creating an “Irish Honours System” would unfortunately be popularly equated with the British model, no matter how republican or egalitarian we claim it to be. A facility recognising meritorious citizens need not be shackled by its description as an “Irish Honours System”. A national medal or similar award is more appropriate to our nation’s requirements. The Genealogical Society of Ireland proffered a unique solution and one based on an already accepted practice in Ireland. In the Genealogy and Heraldry Bill, the Society proposed that meritorious citizens be awarded their own unique coats-of-arms by the Chief Herald of Ireland. Such awards have already been made on behalf of the State to former American Presidents Kennedy and Clinton, so why not to our own citizens in recognition of service, excellence and achievement? A Grant of Arms (Coat of Arms) is beautifully presented on vellum. Unlike a national medal or “honours list” the Coat of Arms can be personalised to heraldically depict the nature of the award and its significance. It would become a cherished possession of the recipient’s family of for generations to come.

Genealogy & Heraldry Bill, 2007

Senator Alex White will shortly publish the Genealogy & Heraldry Bill, 2007 and enter the Bill on the Order Paper of Seanad Éireann (Irish Senate). This is not simply restoring the 2006 Bill to the Order Paper as significant amendments were made to the text of the original Bill to meet the concerns expressed by the Minister in December 2006. Though, the current Minister for Arts, Sport & Tourism, Mr. Séamus Brennan, TD, has indicated that only a “short Bill” was required to regularize the State’s delivery of heraldic services, this opportunity to both improve and expand such services should not be lost. Indeed, those arguing for a “short Bill” are unwittingly or otherwise advocating the continuance of a barely regulated heraldic regime. The absence of a sound legislative basis for the regulation and delivery of heraldic services by the State gave us the “bogus chiefs” scandal and almost turned the Genealogical Office into a rubber-stamping agency for tite purchasers. The State’s heraldic authority must be properly established and regulated by legislation. This new Bill provides Ireland with a model for other republics with a rich heraldic tradition to follow.
James Scannell Reports..

DIETKIRCHEN CELTIC CROSS
During November 2007 the German town of Dietkirchen restored and rededicated a Celtic cross erected in May 1917 to the memory of 45 World War 1 Irish soldiers who died in a prisoner of war camp which lay between this town and Limburg in western Germany. No trace remains today of the 24 hectare camp which held up to 12,000 prisoners of war. It's believed that the soldiers died from a combination of battle injuries and disease in the camp with most of the remains being removed and interred in other military cemeteries. The 3m high Celtic sandstone cross, one of the few of its kind in mainland Europe, had deteriorated significantly due to 90 years of weather exposure and was in a very fragile condition before the decision to restore it was taken. The local community held Irish folk festivals and concerts to raise the funds while donations were received from the Royal Munster Fusiliers' Association, other military associations and the Irish Government. During the summer the cross was restored in situ. The names of the 45 soldiers engraved at the base of the cross had become totally illegible and have now been re-entered on a new bronze plaque. The first name on the plaque is 40 year old Frederick Kelly, the first man to die in the camp on 20 December 1914 and recently the Dietkirchen authorities have named a new street overlooking the graveyard in his honour. At the rededication ceremony a local priest blessed the cross to the melody of the Der Gute Kamerad (The Good Comrade) in the presence of townspeople and visitors from Britain and Ireland. The cross was erected on 25 May 1917 at the initiation of Rev. J. T. Croatty, a Dominican priest from Kilkenny who was sent by the Vatican to administer to the spiritual needs of the Irish prisoners. Speaking after the rededication ceremony, Mr. Bernhard Eufinger, leading official (Ortsvorsteher) in the town of Dietkirchen said that the cross, standing on that spot for 90 years should serve as a symbol of reconciliation but also stand as a reminder of the immeasurable suffering of the two World Wars in the 20th century.

ADMIRAL WILLIAM BROWN
During November Mr. Noel Dempsey, TD, Minister for Transport, unveiled a statue of Admiral William Brown, founder of the Argentine Navy in Foxford, Co. Mayo, bring to a close a year long celebration marking the 150th anniversary of his death. The Argentine Embassy, Argentine Navy and Irish naval Service were represented at the ceremony which was also attended by upwards of 150 people. The statue of Admiral Brown was executed by Argentine artist Claudio Fernandez. A similar statue has already been erected at Sir John Rogerson’s Quay in Dublin. During the unveiling, Minister Dempsey said that Brown was one of Mayo’s greatest sons and went on to reveal that in Argentina there are two towns, 1000 streets, 500 statues as well as a sizeable city and a few football clubs named after him.

The World of the Galloglass
Galloglass from the Irish “Galloglach” or foreign soldier was the term applied to the Scottish mercenaries employed by Irish chieftains right up to the collapse of Gaelic Ireland in the early 17th century. This collection of essays, edited by Seán Duffy, is certainly a gem for student of Irish history, but also for the genealogist. The book is particularly interesting for those with Ulster Gaelic ancestry as it chronicles the turbulent events surrounding the struggle of the these clans to maintain their independence. Far from being an entirely localised episode in Irish history, their wars had a wider European context and involved monarchs of England, Scotland and Spain. The essay by Kenneth Nicholls explores the various branches of the Galloglass kindred in Scotland and Ireland detailing their relationships and, in many cases, their internecine wars. In this essay we see the extent of the Galloglass penetration of the Irish Gaelic world in the late Middle Ages in each of the four provinces. Surnames now numerous throughout Ireland, MacSweeney, MacCabe, MacSheehy, MacDonnell, MacDowell etc are all of Galloglass origin. Katherine Simms in her essay explores the bardic poetry composed in honour of the MacSweeney's tracing their origins and genealogies. Through David H. Caldwell's fine essay on the weaponry and ships of the period, a picture emerges of a formidable military machine and a society devoted to that purpose. Of all the essays by the ten contributors, the inclusion of the final one by David Edwards is an intriguing choice by the editor as it has only a very passing relationship with the subject of the book. However, this essay on the career of James Fullerton as a spy challenges the accepted view of the smoothness of the succession of James VI of Scotland to the thrones of England and Ireland following the death of Elizabeth Tudor. "The World of the Galloglass—Kings, warlords and warriors in Ireland and Scotland, 1200-1600" Edited by Seán Duffy, ISBN 978-1-85182-946-0 published by Four Courts Press www.fourcourtspress.ie

Manx Kingship in its Irish Sea Setting
Besides contributing an interesting essay on the same subject in Seán Duffy’s “The World of the Galloglass” R. Andrew McDonald’s book on the Manx kingship in its Irish Sea setting brings home the interconnectedness and internecine histories of Scotland, Ireland and the Isle of Man. A Gaeldom stretching from the north of Scotland to south west of Ireland, linked by language, culture and more often, by war. The Gàill Gàeil or those of mixed Viking-Gael blood played a very significant role as mercenaries, traders and, in the case of the Isles, warlords. Though Norse in origin, these Gàill Gàeil became thoroughly Gaelised both in the Hebrides and on the Isle of Man. Linked by marriage to Gaelic, Anglo-Norman, Welsh and Norse nobility, the Kings of Man held sway over a medieval waterworld that stretched from the city of Dublin and Carlingford in Co. Louth. In his chapter on foreign relations to c. 1200 and the following chapter c. 1200-29, McDonald illustrates the extent of Manx involvement in the dynamic struggles in each of the ancient kingdoms of these islands and beyond. For the genealogist, this book provides an early history of some of the Scottish and Scots-Irish clans claiming descent from Somarfulid (Somarhille). More importantly McDonald deals with a period much overlooked by other historians and provides an account of individuals omitted from mainstream histories. This is not simply a “Manx history” but a very significant chapter in the history of these isles. Indeed, a late medieval Welsh poet referred to the Irish Sea as “Mor Manaw” - “the sea of Man” for this very reason. “Manx Kingship in its Irish Sea Setting 1187-1229—King Rognvald and the Crown Dynasty” by R. Andrew McDonald ISBN 978-1-84682-047-2 Published by Four Courts Press www.fourcourtspress.ie

Monthly Newsletter of the Genealogical Society of Ireland
Precis of the November Lecture

On Tuesday November 13th Seán Connolly, Royal Dublin Fusiliers Association gave a fascinating talk on tracing a family member who fought in World War 1. Seán set the scene by giving an account of political and social conditions in the run-up to the outbreak of the First World War. Concentrating on the Irish regiments in the British army, Seán explained how Irishmen from north and south, unionist and nationalist, Catholics and Protestants, all enlisted but for very different reasons. Nationalists in an effort to protect the delivery of Home Rule which was suspended for the duration of the war and unionists to secure the union of Great Britain and Ireland. With the aid of a PowerPoint presentation, Seán, brought us through the main battles in which these Irishmen fought, in many cases, unionist and nationalist soldiers fighting side by side. Seán also outlined how public opinion turned against this war and triggered a slowdown in recruitment. He explained how the remnants of units were attached to other regiments during the conflict. Seán also touched on the impact of the 1916 Easter Rising had on the public opinion of the war and the British army. Seán’s talk was followed by a lively Q&A session. The Society was honoured to have the President of the Royal British Legion Rep. of Ireland Branch, Maj. Gen. David, The O Morchoe, in attendance at this lecture.

1911 Census On-Line

The launch this month by the National Archives of its new on-line facility offering “free-for-view” access to the 1911 Census returns is arguably the most significant development in Irish genealogy for decades. The project has initially made the returns for Dublin City and County available and it is hoped to have the rest of the country on-line next year. Full indices and linked to the actual images of the original Census Returns it’s a wonderfull service for researchers the world over. When complete the project will have both the 1901 and 1911 Census Returns available on-line and, in many cases, linked to digitised photographs and images of the areas concerned. Time now to think of the 1926 Census then? For further details see www.census.nationalarchives.ie

Membership Subscription Renewals Now Due

Membership fee renewals will fall due next month. The Board of the Society at its November 2007 meeting conducted the normal annual review of the Membership Fee structure and under Res: 07/11/53 the Board adopted the following revised Fee Structure for 2008 - Ireland & Overseas: Offering ordinary membership of the Society, Membership Card, voting rights, use of the Society’s archives, monthly newsletter by mail, Annual Journal by mail, and the right to purchase the Society’s publications at Special Members’ prices of up to 50% off selected publications. This also includes an optional second Membership Card for a household member, including voting rights, for an all inclusive cost of just €40.00 per annum. The modest increase in the Membership Fee, which hadn’t changed since 2004, was unavoidable as costs continued to rise sharply. The production of a biannual Journal became prohibitive when printing and postage costs eroded any savings that were to accrue in the change from a quarterly journal. Unlike many other similar organisations faced with the same problem, the Board decided to keep publishing the Society’s journal but as an annual publication only. The Membership Fee is now in line with similar organisations in Ireland. However, in many respects our Membership Package, offers considerably better value.

GSI Lecture Programme

On Tuesday December 11th Steve Butler, Elder, Church of Latter Day Saints will present “Who Do You Think You Are?” Dublin Cinemas: RMS Leinster; Old Dublin Society; Snippets from the AGM; John Redmond Papers are Catalogued; An Daonchartlaí; Queries: Anderson, Dingle, Jeromy, Sherry, O’Hal- loran, O’Brien, Maguire, Garrett, Clooney, Connolly. MAY: Television Creates a New and Much Older History for “Britain”, New Minister Needs to be Proactive, Innovative and Imaginative; A Manus View of the GSI Article on the Isle of Man; Sunday May 27th & The Great Famine; Pioneer Bus Company; National Memorial for Irish Army; Admiral Brown; Irish Battlefields; Donegal Corridor; WW1 Veterans; Publication of Your Family History is an Important Gift to Future Generations; Queries: McKerr, Bogle, Bradish, Good, Phillips, O’Day, Shannon, Healy, Kane.

JUNE: Mistranslation and Official Neglect Endangers Our Place Name Heritage; Constitution and Presidency Seachto Bliain ag Fao; Royal College of Physicians; In Honour & Memory; NLI Board Report Awaited; Dublin Projects: Heritage Funding; New Visit Centres; Heritage Properties; Seánal Eireann, Irishman Came to US to Pursue his Dream; Queries: Owen/Owens, Wright, Hosnell, Hunter Dunne, Hilford, Reed, McBean, Gilchrist, Graham.

JULY: County Arms, Club Flags & logos and State Insignia on Merchandise: A Future for “Irish Roots” Magazine?; Place names Heritage Communities; Gazette as an On-Line Publication?; First World War Dead; Rediscovery; Death & Burials Custom; Seánal Eireann General Election; Queries: Horgan, Burk, Shea, Costello, Hogan, Fee, Flynn, Carmichael, Kennedy, Cayne/Kane, Finting.

AUGUST: The Flight of the Earls Crash Landed in Galway, didn’t they?; Garda Logo Registered in 2005; Constitutions or comments on this programme, suggestions for future programmes. Any sug-

September: Seachtó Bliain ag Fás; Royal College of Physicians; Insignia on Merchandise; A Future for “Irish Roots” Magazine?; Placenames Heritage Committees; Gazette in Search of the Barlows: The Continuing Saga of Sections 12 & 13 of the National Cultural Institutions Act, 1997 by Noel Cox.

EDITOR’S NOTE: I wish to thank all those who contributed items for publication in the Gazette, especially, James Scannell for his reports during the year.
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DIARY DATES
Tuesday Dec. 11th 2007 & Jan. 8th 2008
Evening Open Meeting
Dún Laoghaire College of Further Education
Cumberland Street, Dún Laoghaire
20.00hrs—22.00hrs

Wednesday Jan. 23rd & Feb. 27th 2008
Morning Open Meeting
Weir’s, Laur. George Street, Dún Laoghaire
10.30hrs—12.30hrs

NO MORNING MEETING IN DECEMBER
Contribution €3.00 p.p.
(Coffee/Tea included at Morning Meetings)

THE LEGAL STATUS OF GRANTS OF ARMS BY ULSTER KING OF ARMS 1936-43
Noel Cox

Prior to 1922 armorial bearings granted by Ulster King of Arms (hereinafter “Ulster”) were governed by the Irish Law of Arms (Sir Crispin Agnew of Lochnaw, Bt, “The Conflict of heraldic jurisdictions” (1988) Judicial Review 61, 62). While the exact nature of that law may now be uncertain, at that time the authority of Ulster to make grants was generally unquestioned. This was derived from the delegation to Ulster of the royal prerogative of the Crown in the United Kingdom. However, the status of grants made by Ulster before 1922 in what might be seen as a private capacity, of the Irish King and therefore of the King of the United Kingdom. Grants made by Ulster to Irish citizens at this time were therefore made by Ulster of his own sovereign authority, and not as a delegate of the King of the United Kingdom. When the situation in Ireland between 1936 and 1943 was, the creation of a de facto Irish republic in 1937 and the establishment of the Genealogical Office in 1943, is less certain. Ulster remained a residual part of the British establishment in Ireland, though that is not necessarily determinative.

The legal status of grants made by Ulster to recipients in the south of Ireland was derived from the delegation to Ulster of the royal prerogative of the Crown of the United Kingdom and Ireland. This means that it is not necessarily the case that the legal status of Ulster grants was the same as that of the other prerogatives of the Crown. The situation in Ireland was also complicated at this time by the sensitive position of the elderly Ulster, Sir Neville Wilkinson, who had held office since 1908. It is, however, likely that the Irish Government was overly keen to negotiate over a matter which would have required the personal assent of the Sovereign. As a result the question was allowed to continue unresolved. It is perhaps unlikely, despite the non-existence of the royal prerogative in Irish law after 1936, that whatever may have been understood and agreed in relation to heraldry in the 1921 Treaty negotiations had no direct application, as they were not subsequently expressly enacted.

It is important to recall that the royal prerogative of arms in England and Wales, (and Northern Ireland also) was and is exercised by the Kings of Arms, and also the Lord Lyon in Scotland, effectively without recourse to any other authority, though subject to direction by the Sovereign. It is a ministerial or executive function, based on a broad delegation of the royal prerogative, and is not a legislative or judicial function. Nor is it directly analogous to any other prerogative power (for which see Noel Cox, “The Dichotomy of Legal Theory and Political Reality: The forms of law-making in the Realm of Arms” (1998-99) 14 Australian Journal of Law and Society 15-42; and Noel Cox, “The royal prerogative in the realms” (2007) 33(4) Commonwealth Law Bulletin (forthcoming)), since there is, in effect, a standing delegation of it to non-political tenant-in-chief of the Crown. This means that it is not necessarily the case that the Irish King and therefore of the King of the United Kingdom was exercising a function of Irish law, and possibly as late as 1949 (Republic of Ireland the Sovereign was no longer the head of the Irish legal system). It is important to note that the Irish King was not exercising a function of Irish law, his actions were effectively without recourse to any other authority, though subject to direction by the Sovereign.

The dichotomy of legal theory and political reality: the forms of law-making in the realm of arms (2007) 33(4) Commonwealth Law Bulletin (forthcoming). Then the legal status of any grants made during this period could be similar to that of grants made to American citizens by the Chief Herald of Ireland, under American law – possibly nil. But they would remain valid under English – and Northern Ireland – law. However there is an important qualification which renders this possible explanation unlikely, despite the non-existence of the royal prerogative in Irish law after 1936. Although the Irish Government had ceased to 1922 December 1936 to be such for all purposes except signing treaties and acceding to enactables (Executive Authorities Act 1949), it did not mean that Ulster lost his authority to grant arms, especially since the prerogative was already effectively delegated.

CONTINUED BELOW

THE MEN OF THE "CONNAUGHT"

The loss of the RMS Connaught on March 3rd 1917 almost eighteen months before the tragic loss of her sister ship RMS Leinster again to German torpedoes is frequently overlooked due to the more commemorative ceremonies here. This ship, built in 1897 for the City of Dublin Steam Packet Company, was commandeered in 1915 by the British War Office as a troop carrier during WWI. Having transported troops to France and on return to Southampton from Le Havre she was hit by a torpedo fired from U-Boat U-48 which exploded aft on the starboard side of the vessel. Whilst, most of the crew took to the lifeboats and were saved, three men lost their lives. These were Able Seamen Henry Charles Jasper (39) from Channel Islands, William Charles Parkhurst (46) from Swansea, Wales and John Moran (33) from Kingstown (Dún Laoghaire), Co. Dublin. John was the son of Denis and Mary Moran, Cumberland Street and husband of Kathleen Moran (née Kelly) of 7, Crofton Ave., Kingstown. The German U-Boat itself was scuttled by her crew on Nov. 24th 1917 after its discovery by a British patrol vessel and an exchange of gunfire leaving 19 dead with 17 survivors. The wreck can still be seen on the shifting banks of the Goodwin Sands. John Moran’s grandson, David, is researching the sinking of the “Connaught” and its crew, in particular, to ascertain whether any other members of the crew from Dublin or Ireland also would welcome any info on this subject. Please contact him by e-mail at Lesterb@eircom.net.

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