

**'SCIENTIFIC SERVICE'**

**A HISTORY OF THE UNION OF PROFESSIONAL AND**

**TECHNICAL CIVIL SERVANTS**

**1920-90**

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## **The Foundation of the Institution of Professional Civil Servants (Ireland).**

### **Introduction**

On 25 February 1920, following a meeting in late January to discuss the status and future of the professional civil service in Ireland, a group of professional civil servants met and resolved to form the Institution of Professional Civil Servants (Ireland).<sup>1</sup> That an organisation to represent the interests of scientific, professional and technical civil servants was necessary was a belated recognition of the sweeping changes that were transforming the civil service in both Great Britain and Ireland. Despite their title as professional civil servants these officials saw themselves primarily in terms of their professions and only incidentally as servants of the state. Too reliant on their professional status they had been left behind in the rapid evolution of civil service organisation that was now being driven by the administrative and clerical grades, marginalizing the professional and technical staffs.

### **Organisation in the British civil service.**

Although there was a long history of discontent in the civil service on issues of recruitment, promotion and mobility across departments, pay was the main driving force behind the wave of organisation which the Irish professional grades were now joining. During the First World War the government had allowed inflation to rise. The consequent rise in the cost of food and rent was not matched by rises in wages

and salaries. In 1915 two million working days were lost in strikes in Britain as workers fought to protect living standards. Within the civil service agitation for pay increases was led by the postal workers. After the Treasury rejected the post office workers' demand for a pay increase the government, fearful of strike action, referred the claim to an arbitrator, Sir James Woodhouse. Woodhouse awarded a 'war bonus' as a percentage increase on basic pay in compensation for wartime inflation. The war bonus was first awarded in July 1915 to the postal workers but by the end of the year had been extended to all civil servants on the lower pay scales. The war bonus was to make up for the loss of value due to inflation and, it was supposed, would be eventually phased out as prices would return to normal after what was still expected to be a short war. But the war dragged on and inflation continued to rise and so led to applications for further increases in the bonus. By September 1916 the cost of living had increased by fifty per cent since July 1914 and continued its upward rise. The increased pressure for compensation led to the establishment of the Conciliation and Arbitration Board for Government Employees early in 1917. The conciliation and arbitration board formalised a system of hearings on pay issues, awarding thirteen war bonus increases in the period 1917-19. The conciliation and arbitration board was a great advance for civil service trade unionism as it was only through properly organised associations and trade unions that effective and formal applications could be made to the arbitrator. Arbitration gave recognition to the organisations, conceded some influence over their conditions to civil servants and also took the issue of pay out of the control of the Treasury.<sup>2</sup> The number of civil service associations and trade unions grew from 80 in 1913 to 194 by the end of the war.<sup>3</sup>

However this boost to organisation applied only to the clerical and administrative grades below £500 per annum. It was until August 1918 that the

higher civil servants of the executive and higher grades over £500 got a modest war bonus on their salaries. A further factor inhibiting organisation amongst professional civil servants was the lack of a bond across the many professions within the civil service and therefore a fragmentation of effort. It seemed that an architect and an agricultural advisor had nothing in common except that they were both employed by government departments.

Before the end of the war the British government began to recognise that collective bargaining and trade unions were becoming an established part of the industrial landscape. This was prompted in part by fear of the unofficial 'Shop Stewart's Movement'. Originally based in the craft workers in the Clyde war factories this movement of locally elected activists was supported by some workers within the assembly industries who were angry at what they saw as co-operation by official trade union leadership with government attacks on their conditions, especially in undermining craft regulation, and the military conscription of formerly exempt skilled workers. There was also a recognition that the experience of war had shown that a more co-operative system of industrial relations was possible.<sup>4</sup> The Deputy Speaker of the House of Commons, J.H. Whitley, chaired a committee drawn from the leading industrialists and trade unions, appointed to examine the problem of industrial unrest and to make proposals for 'securing a permanent improvement in relations between employers and workmen and to recommend ways of systematically reviewing industrial relations in the future'.<sup>5</sup> The committee's recommendation on the creation of joint worker-employer industrial councils did not survive the end of the war so far as industry was concerned. In fact it was never even established in the major sectors of mining, engineering and ship-building. However in the one environment in which it was argued that Whitleyism was completely unsuitable, the

civil service, it quickly took root. This success was due to a unified effort across all of the civil service organisations.

With the publication of the Whitley committee report the civil service unions demanded that the government should set an example to all other employers by establishing a Whitley council to cure its own industrial ills. At a meeting in April 1919 in Caxton Hall near the Houses of Parliament attended by Austen Chamberlain, the Chancellor of the Exchequer, and by his Treasury officials the civil service unions united behind the postal workers representative Stuart-Bunning in demanding a Whitley Council for the civil service. Chamberlain reluctantly conceded and in July 1919 a two-tier Whitley Council was agreed with a 'local' Departmental Council in each department made up of departmental heads as the official side and local associations as the staff side. There was also an over-arching National Council made up of the senior civil servants (not politicians as the civil servants wished) as the official side and civil service associations and trade unions as the staff side. Civil servants, through their organisations, would now enjoy something more than mere consultation but would have real power in determining their conditions. It brought an end to the tyranny of departmental heads being 'humbly' requested to consider petitions of grievances by individual civil servants and compelled them to recognise civil service trade unions. To fully exploit the advantages of Whitleyism civil servants would have to form and join recognised associations and embrace combined action.<sup>6</sup>

The first issue that the Whitley councils addressed was the cost of living bonus. A Joint Cost of Living Committee of the National Whitley Council agreed a sliding scale of bonus for the civil service. Taking 100 as the base line for the cost of living in July 1914 and 130 as the index figure for 1 March 1920, the committee gave

full compensation of 130 percent on the first £91.15s.0d of salary, 60 percent on salaries between £91.15s.0d and £200 and 45 percent on salaries between £200 and £500 per annum. The cost of living figure would be re-calculated every six months and the bonus either increased or decreased by the new figure. The result was a flattening of salaries through the grades of the civil service as the higher paid civil servants, such as professional grades, received less and less compensation for the increased cost of living in comparison to the clerical and administrative grades.

The Whitley Council then turned to the question of the reorganisation of the civil service clerical and administrative classes. Each government department had its own classification of work and its own grading tradition. Working from October 1919 to January 1921 the Reorganisation Committee re-organised the civil service classes and grades, re-classified work, revised pay and leave and reformed recruitment. The civil service in each government department was to be assimilated into the new and universal administrative, executive, clerical and writing assistant grades, all on the same pay scales and conditions. This would provide an effective division of labour with maximum flexibility. Civil servants could be redeployed within their grade to any department and could compete for promotion to vacancies in the higher grades across the service.

In the rapid development of civil service trade unionism the professional and technical grades found themselves being sidelined. In Great Britain the professional civil servants in the Admiralty were the driving force behind the creation of the Institution of Professional Civil Servants (IPCS) in January 1919. The British Institution had two out of the twenty-five staff side representatives on the National Whitley Council, reflecting the dominance of the post office, clerical and administrative associations. The British IPCS did attempt to secure the same

thorough-going investigation into the grading of the professional and technical civil service as the Whitley Reorganisation Committee was putting into the clerical and administrative grades. Eventually the official side did concede three joint committees to consider the cases of the engineers and architects, the valuers, and the analytic chemists. The official side, by taking each profession one by one, was intent to run the inquiry into the ground.<sup>7</sup> It was the experience of the civil service trade unions that the official side, made up of the most senior civil servants, were at best reluctant participants in the Whitley process and at worse frankly hostile. The professional civil servants had neither the numbers nor the organisation to overcome the habitual autocracy of the departmental elites.

### **Organisation in the Irish Civil Service.**

As Ireland was part of the United Kingdom, Irish civil servants participated in the wave of organisation that transformed civil service trade unionism. Irish branches of the various associations were formed, delegates attended meetings and representatives of the Irish civil service negotiated alongside their British colleagues. At the Caxton Hall meeting that led to the creation of the National Whitley Council a delegation of Irish civil servants secured agreement for an Irish Civil Service Joint Whitley Council. This was in recognition of the necessity for some mechanism to protect the interests of the Irish civil service with Home Rule apparently imminent. Initially the British Treasury wanted the Irish Joint Council to be subject to the National Council, thus making the Irish council a sub-committee of the British body. This was unacceptable to the Irish representatives. After many meetings with proposals and counter-proposals it was finally allowed in March 1920 that an autonomous Irish Joint Council could be created.<sup>8</sup> The official side was made up of

the Under-Secretary James MacMahon accompanied by the heads of the Irish departments. The staff side was made up of the elected delegates of the Irish branches of the grade associations and was dominated by the trade unions of the clerical grades. As the civil service associations nominated the staff side to the Whitley Council the professional civil servants who were as yet unorganised were left outside. Because of the failure of the professional civil servants to organise it seemed the professional and technical grades would not have a place at the negotiation table.<sup>9</sup> It was the sense that the general service grades were setting the pace and that the professional grades were being left behind that prompted the formation of the Institution of Professional Civil Servants (IPCS) (Ireland). Many years later, during the 1932 Brennan Commission hearings into the civil service, Dominick Brunicardi, president and founding member, described the IPCS (Ireland) as a 'relic of the Whitley system'.<sup>10</sup> Clearly, were it not for the establishment of the Whitley councils, it is unlikely the professional and technical civil servants would have managed to organise themselves.

The British Institution of Professional Civil Servants was led and dominated by scientific and technical civil servants within the military establishment, particularly in the Admiralty's naval dockyards, thus reflecting the sort of expertise demanded by the British state. In contrast the IPCS (Ireland) founding members drew largely from the body of experts that had grown around the British government's efforts to solve the problem of Irish poverty and to improve the condition of the people in Ireland. These efforts were shaped and administered by expert advisors and civil servants. The main Irish department driving organisation was the General Valuation and Boundary Survey Office, usually known as the General Valuation Office, located at 5 and 6 Ely Place off St Stephen's Green. The General Valuation Office had been created under the Irish Valuation Act of 1852. Its main task was to calculate the value



of all lands and tenements in Ireland for rates and taxation. William Power Steele, B.E., F.S.I. was one of the three senior staff valuers. He organised the initial meeting on 30 January 1920 that called for professional civil servants to form an association to represent and defend their interests. In the notice calling the meeting, held at the offices of the Architectural Association of Ireland in 15 South Frederick Street, he cited the British institution as a precedent and urged all officials ‘as may be members of their own medical, legal, engineering or architectural societies’ to join the new organisation to safeguard their interests.<sup>11</sup> It is recorded that a representative of the Irish General Valuation and Boundary Survey had attended at the meeting to organise the British IPCS in January 1919 and this may well have been Power-Steele.<sup>12</sup> Other founding members from the valuation office were Major Dominick Nicholas Brunicardi B.E., F.S.I., and James J. McAuley F.S.I. The Brunicardi family was of Italian descent, though long settled in Co Cork. His father was Sebastian Brunicardi, the borough surveyor of Clonmel Corporation. Brunicardi enlisted in the British army in January 1915 and served in the 3<sup>rd</sup> Battalion Royal Welch Fusiliers in France from 1915 to early 1918 and then in the expeditionary force sent to assist the Italians in their campaign against the Austrians in 1918. He was demobilised in April 1919 as a commissioned officer with the rank of Major.<sup>13</sup> Brunicardi was to dominate the IPCS (Ireland) for many years and it was his determined leadership ensured its survival in the lean years of the 1920s and 1930s.

Luther George Banton and William Patey, both land surveyors, represented the Irish Land Commission. The Irish Land Commission was set up by the Land Act of 1881 to set ‘fair rents’ that were binding on both landlords and tenants. It was later given the additional task of facilitating the transfer of the land from the landlords to the tenants under the land purchase acts, mainly by surveying and establishing title

deeds to the lands being transferred. As such its work was highly political. It was also very onerous outdoor work in remote regions. The Land Registry mapping section was represented by Edward Palmer, a quantity surveyor.

The Congested Districts Board was established in 1891 to encourage agriculture and industry in the most impoverished western areas of the country. It was also empowered to purchase land for redistribution to tenants in the congested districts. Although its effectiveness in addressing poverty has been questioned there is no doubting its popularity amongst the people of the west. It was represented by H.W. Stephenson (sometimes Stevenson) and W.J. O'Farrell.

The Local Government Board, as well as supervising local authorities, had accumulated many responsibilities in public health, welfare and in the environment. It was represented by Robert Percy McDonnell, a medical inspector, and Arthur Scott Quekett, B.L. a solicitor. Quekett later transferred to the administration in Northern Ireland where he wrote the definitive legal guide to the 1920 Government of Ireland Act.

The Board of Public Works was established in 1831 to encourage economic improvement in Ireland through public works and loans. Created originally to maintain civic properties its responsibilities were expanded to include all harbours, canals, railways, fisheries, drainage and the care of national monuments. It both initiated its own work schemes and supervised works undertaken by local authorities and financed by Board loans. It was represented by Harry Alberry, deputy principal architect, and J. Chaloner-Smith, a civil engineer.

The National Education Board was established in 1831 to supervise the first national education system in Great Britain or Ireland, a unique experiment for its time in state intervention in mass literacy. It never succeeded in overcoming the

entrenched sectarian interests of both Protestant and Catholic churches but it did succeed in establishing a state-financed and monitored education system available to even the poorest in Ireland. It was represented by J. Yates M.A., a senior inspector.

These founding members of civil service trade unionism were united simply by their professional status. In religion, nationality and presumably politics they were a diverse group. William Power Steele, the driving force in organising the Institution, was a Cork-born member of the Church of Ireland. William Alberry was English-born and a member of the Church of England. Married to a Catholic Irish woman all their children were raised as Catholics. Quekett, of the Local Government Board was English-born, of the Church of England but McDonnell, also of the Local Government Board, was Catholic. Both McAuley and Brunicardi of the valuation office were Catholics. Other Protestants were George Luther Banton (a Congregationalist) and William Patey. Protestants formed a majority of the founding members, reflecting the Protestant dominance of the professional classes. It would be safe to assume that these men, all middle-aged, were constitutional nationalist or unionist in their politics and definitely out of sympathy with the republican revolution that was sweeping away the state they served.<sup>14</sup>

At its first meeting the IPCS council referred to the new Whitley Council for Ireland and sent Messrs Power-Steele, Alberry, Banton and Yates along to observe the conference which was called to establish the Irish Civil Service Joint Whitley Council. As the significance of the Whitley Council for future conditions in the Irish service began to dawn on the Institution a more urgent note crept in. By March 1920, one month after its foundation, the IPCS (Ireland) was insisting on having their own representative of the professional civil service, William Alberry, on the Joint Whitley Council. In response to English precedents, and IPCS (Ireland) pressure, a

professional and technical civil service group was formed within the Joint Council. The IPCS (Ireland) then organised its constituent associations to back Alberry as their representative. By the end of March, as the Whitley Joint Council held its initial meetings, the IPCS (Ireland) had been recognised and accepted as the organisation of the professional civil servants in Ireland, though as yet it actually represented very few of them. The ICPS (Ireland) was now provided with the forum within which it could raise the problems of the professional and technical civil service.<sup>15</sup>

It would have been more precise for the IPCS council to call their organisation a federation of professional and technical associations as all those on the founding council attended as honorary secretaries representing their various departmental professional associations. The creation of the IPCS (Ireland), its name and the constitution it adopted, closely followed the precedent of the Institution of Professional Civil Servants in England in January 1919. It was this close association with the English Institution that probably led to the belief that the Irish Institution had been formed in the same year. Just like the English institution the IPCS (Ireland) was essentially an alliance of the associations of the professional and technical civil servants in the various government departments. Again, just like the English institution, there was great anxiety to ensure that only professionally qualified civil servants would be admitted to membership.<sup>16</sup> The first council of the IPCS (Ireland) was made up of representatives of 'associations whose constitutions have been found by the drafting committee to contain a qualifying clause in accordance with the constitution of the Institution of Professional Civil Servants' and that 'the honorary secretaries of associations send in individual applications for members of their associations together with qualifications of applicant'.<sup>17</sup> The constitution formalised the rules for admission to membership of the IPCS (Ireland) through a 'properly

constituted Association of professional civil servants' who might nominate any of its members to the Institution. The council of the IPCS (Ireland) was required to satisfy itself firstly, that the membership of the nominating association was confined to professionals and secondly, that the individual proposed had recognisable professional or technical qualifications and duties as a civil servant.<sup>18</sup> Just as in England the status of draughtsmen led to a long discussion. "Draughtsmen" was at that time a general term for technical staff below the professionals, and usually employed as their assistants, but above the ordinary workmen. In England these were not allowed become full members of the Institution, only associate membership being allowed. The IPCS (Ireland) again deferred to the English precedent and created an associate membership following precisely the same constitutional formula as used in the English case; 'any member of the Civil Service...whether a professional civil servant...or not and whether established or unestablished, but who is engaged on technical or scientific work, and who is a member of a Constituent Association, provided that no person who may be a workman within the meaning of the Trades Union Acts shall be eligible'.<sup>19</sup> During the summer of 1920 the council canvassed the possibility of affiliating the IPCS (Ireland) with the English Institution, but as the English institution was less than enthusiastic and as the constitutional situation in Ireland became more uncertain the proposal was allowed to lapse.<sup>20</sup>

Most of the early council meetings were spent in vetting the proposals for membership coming in from the constituent associations. It might be supposed that any member of such an association was, by virtue of such membership, entitled to join the IPCS (Ireland). However this was not the case. The IPCS (Ireland) was determined that, based on education and qualifications, professional status would be determined by the professionals themselves. Government would be asked to accept

their own evaluation in determining their status as professional. There was therefore a ruthless and minute scrutiny of the qualifications of the candidates and their associations. In March all the applicant members of the Association of Divisional and Senior Inspectors, National Education Office and of the Professional Association General Valuation & Boundary Survey Office Ireland were admitted. But in April, of the nineteen applicants from the OPW Professional Staff, only seventeen were admitted and of the fifty-seven applicants from the Congested Districts Board only twenty-two were admitted. This selectivity caused trouble with the applicants from the Surveyors Association of the Irish Land Commission when out of the ten applicants only one was accepted. Paley of the Land Commission, who was a member of the council, objected strongly to this extreme exclusivity but to no effect.<sup>21</sup> In the case of a new association the council scrutinised its constitution very carefully to ensure that it admitted only properly qualified professional staff before considering the question of admitting members to the IPCS (Ireland).<sup>22</sup> By May the constitution was agreed and, by the time of the annual general meeting of March 1921, the first annual report of the IPCS(Ireland) could record eleven constituent associations drawn from the Local Government Board, The National Education Board, the Office of Public Works, the Valuation Office, the Land Commission, the Department of Agriculture and Technical Instruction and the Land Registry. It had 367 full members and 71 associate members. As it found its organisational feet the Institution faced into dealing with the complexities of the reorganisation of grades and the application of the Government of Ireland Act, issues which dominated the Institution through 1920 to 1922.

Combining the full and associate members indicates the full membership of the IPCS (Ireland) was 438, organised in eleven constituent organisations. This

suggests an average membership of each association of just forty. The IPCS (Ireland) was being optimistic in expecting that associations with membership of just forty would each be able to sustain a functioning executive with a full range of officers willing to put in the effort that would be necessary to sustain the Institution by gathering information and helping in forming policy, especially in its first years. The labour historian Emmet O'Connor has argued that the Irish trade union movement was mentally colonised by the British movement. He suggests that Irish trade unions were reliant on British organisation and followed the rhythms of British militancy.<sup>23</sup> The mobilisation of the IPCS (Ireland) and the organisation of civil service in Ireland would tend to support his argument. All the Irish civil service associations were branches of the same British organisations. The result was a proliferation of associations in a small service where the entire Irish membership was less than that of a single branch in the same British association. Ronald Mortished, of the Association of Executive Officers and vice-chairman of the Irish Whitley Council, was the only leader within Irish civil service organisations to consistently warn of the danger of the special concerns of the Irish civil service being smothered by the British organisations and the danger of relying on them. He used his civil service journal, the *Irish Civil Servant* to urge the creation of a single national union of the Irish civil service with an explicit separatist agenda.<sup>24</sup>

In fact just such a single national organisation of the Irish civil service had been in existence since April 1893 and the second home rule bill of the Liberal Prime Minister Gladstone.<sup>25</sup> The General Committee of the Irish Civil Service, as we shall see, united all the classes, grades and departments of the Irish civil service in a powerful single organisation in defence of the status and security of the membership in the event of a home rule government being established in Dublin.

## **The Provisional Government**

On Saturday 7 January 1922 the Dáil narrowly approved the Treaty. The Southern Irish Parliament, consisting of the pro-Treaty members of Dáil Éireann with the four Dublin University MPs, then met briefly for the first and last time to ratify the Treaty and elect the Provisional Government. On the following Saturday 14 January the Treaty was signed and on Monday 16 January, with Collins at its head, a delegation of the Provisional Government swept into the Castle Yard to 'receive the surrender of Dublin Castle to the Irish Nation'.<sup>26</sup> The Provisional Government immediately took control of the entire civil service, directing that 'civil servants and all public servants and functionaries hitherto acting under the authority of the British government shall continue to carry out their functions unless and until otherwise ordered by us pending the Constitution and Government of Saorstát Éireann and we do further prohibit the removal, tampering with or destruction of any records, documents, correspondence, accounts, books, writings or papers of a public nature or relating to, or which come into existence for the purposes of government or public administration in Ireland...'.<sup>27</sup> The Order also prohibited any action 'altering the status, rights, perquisites or stipends or the transfer, or dismissal of any officer, servant, employee or functionary of the state'.<sup>28</sup> Though the country had been partitioned the entire civil service remained united, available and firmly under the control of the Provisional Government. The constitutional and parliamentary form in which it happened concealed the extent to which, by abolishing all Irish offices in the service of the crown, the entire existing machinery of government had been swept away.<sup>29</sup> Between 1916 and 1922 Ireland experienced a revolution that was not only political but also economic and social. The country was partitioned and the Irish Free State emerged as an overwhelmingly



Catholic and agricultural society. The brief post-war boom ended in 1922 and prices and wages began to fall.

### **Civil service reaction**

The civil service that the Provisional Government took over was battered and confused. The British departments and boards were still in the midst of reorganisation and the rationalisation of the Irish administration, which had been long recognised as urgent, was still incomplete. During the World War normal recruitment procedures had been ignored and many temporary or unqualified positions had been created. In addition during demobilisation unqualified ex-soldiers had been given civil service jobs. The revolutionary Dáil in addition had several departments that duplicated those in Dublin Castle, such as local government or agriculture, as well as other departments that had no equivalent, such as economic development or defence. Also it would now be necessary to create wholly new departments, notably Finance, which had no previous existence in Ireland. Rather than being smooth transfer of authority the provisional Government operated in a country where the existence of any central government as a functioning reality could be questioned.

Dr Cornelius (Conn) Murphy, secretary of the Irish branch of the Civil Service Alliance, who had impeccable Sinn Féin, Gaelic League and revolutionary credentials, wrote to the secretary of Dáil Éireann Diarmaid O'Hegarty, introducing himself as the secretary of the new "Executive Committee of the Conference of All Associations of Irish Civil Servants" with whom any future Irish government may conduct such negotiations as may be deemed necessary'. This Executive Committee was in fact the staff side of the Irish National Whitley Council. He also forwarded a detailed fifteen-page memorandum on the history and functions of the Whitley

councils.<sup>30</sup> In the cabinet the offer and correspondence were noted but ignored.<sup>31</sup> An early meeting of the Provisional Government decided that the Whitley Councils posed an unacceptable limitation to the power of the executive and ordered that they should immediately cease working.<sup>32</sup> However the decision was not actually announced to the civil service until December 1924.

Article 10 of the Treaty stated that 'the government of the Irish Free State agrees to pay fair compensation on terms not less favourable than those accorded by the Act of 1920 to judges, officials, members of police forces and other public servants who are discharged by it or who retire in consequence of the change of government...'. The inclusion of this assurance in the Treaty, in effect a constitutional guarantee of their status, seemed to assure a fair deal in future negotiations and was initially of great relief to the civil service.<sup>33</sup> However for the IPCS (Ireland) the proclamation by the Provisional Government, which banned any interference with their status, also prevented any alteration to their grades and pay. The often promised re-grading was still incomplete, and it seemed would remain so despite the many pledges received. Reorganisation was still unfinished amongst the senior inspectors of the National Education Board, the surveyors attached to the Land Commission, the outdoor staff of the Congested Districts Board and amongst the auditors and inspectors of the Local Government Board. Letters of complaint were immediately sent to Waterfield, to the British Chancellor Woods, and to Gallagher on the staff side of the Irish Civil Service Joint Whitley Council, though none were sent to the Provisional Government.<sup>34</sup> The failure to complete the re-grading meant that those professional civil servants who opted to retire, or were compelled to retire, would receive pensions calculated on pre-reorganisation grading or, if their status as civil servants was not confirmed, perhaps no pension at all.

The take-over of the Castle by the Provisional Government with many of the reorganisation schemes still incomplete provoked another wave of despair in the IPCS (Ireland) council. Many of the council members, who represented their own departmental professional and technical officers, simply stopped attending council meetings. The general purposes committee failed to achieve a quorum through December 1921 and January 1922. Office procedures collapsed as applications and correspondence were left unanswered or were lost. Again it was Brunicardi provided the energy to maintain the IPCS (Ireland) council, organising discussions on a proposal to reserve a number of seats on the council for women members and suggesting that the Institution and the various professional associations consult with the Provisional Government on recruitment policy for professionals in the civil service. Discussion however was desultory and it seemed the council might simply fade away from inactivity.<sup>35</sup>

With the death of Griffiths and the shooting of Collins the Provisional Government lost its visionaries. The killing of Collins also heightened the Provisional Government's sense of siege and strengthened the conservative aspects of the national revolution. In September 1922 the executions of anti-Treaty republicans by military tribunals began. No challenge to the authority of the state was tolerated. Even the September withdrawal of labour by the post office workers in a strike against wage cuts was treated as subversion and ruthlessly crushed.

### **Confronting the postal workers**

With post-war deflation the cost of living figure and therefore the 'war bonus' paid to civil servants began to fall. Civil servants, having got used to thinking of their combined basic and bonus as their real salaries, now faced what was in effect a cut in

pay. As the Provisional Government came into office the British government had already made a decision that the civil service would face a reduction in pay. The post-war euphoria had evaporated in Britain and boom had gone bust. In reaction the British government, in February 1922, imposed a “Supercut” of between ten and fifty per cent on civil service salaries along with an overall maximum total remuneration of £2000.<sup>36</sup> The Postmaster General of the Provisional Government James J. Walsh decided to apply the same cut in the Irish civil service. Post office workers, who were then classed as civil servants, went on strike to protest against the cuts. A request by Walsh to the British Postmaster General to provide strike-breakers got a positive response. The British government was anxious about the impact on their own civil service of any successful agitation in Ireland against cuts at a time when the two civil services were still closely linked.<sup>37</sup> The strike was settled by a temporary rise in the basic salary, a promise to create a commission of inquiry into working conditions and wages in the post office under James Douglas, the Quaker businessman and nationalist who acted an advisor on the Free State Constitution Committee.<sup>38</sup> It was also agreed to calculate an Irish cost of living figure rather than rely on the British figure.<sup>39</sup> The Economics Affairs Department of Dáil Éireann was given the task of calculating an Irish figure based on the cost of basic foodstuffs.<sup>40</sup>

In September the next cost of living calculation, based on the new Irish figure, was due. By now the civil war was entering its darkest phase in the weeks after the killing of Michael Collins. Faced with another strike by the post office workers the government responded as if the strike was inspired by ‘Irregulars’ rather than by the postal workers union. The Provisional Government recruited pensioners and unemployed to act as strike-breakers and issued a statement that ‘the government does not recognise the right of Civil Servants to strike. In the event of a cessation of

work by any section of the Postal Service picketing such as is permitted in connection with industrial disputes will not be allowed'.<sup>41</sup> It was implied in the Dáil that the strikers were Dublin-based irregulars intent on subverting the government.<sup>42</sup> The army broke up the attempted pickets and eventually the postal workers returned to work defeated. Few civil servants would have conceived of ever going on strike, but to be told that the right to strike was expressly denied them by their employer was a shock, especially since that same government had dismantled the Whitley Councils, the only institutional forum for addressing grievances in the civil service.

### **Transferred civil servants and the Provisional Government**

The postal workers September strike coincided with the first meeting of the Dáil which had been elected in June 1922, just as the civil war broke out. This Dáil was in fact a constituent assembly, elected to debate and pass the constitution of the Irish Free State and so allow the Irish Free State come into official existence on December 6, the anniversary of the Treaty. The debate on the status of the transferred civil servants was brief and uncontroversial.<sup>43</sup> All of the 21,000 officials transferred had, under Article 10 of the Treaty, a right to compensation if they resigned as a consequence of the transfer of government, or were dismissed. In fact however the majority of this apparently vast bureaucracy was post office workers, whilst in the professional, technical and supervisory grades there were about one thousand civil servants. Reviewing its options on compensation for retiring or dismissed civil servants the Provisional Government decided to establish an advisory committee, chaired by Justice Wylie, of two senior officers of the Department of Finance with two representatives of the Civil Service Federation. The terms of reference of the Wylie advisory committee were: 'to enquire into and advise as to the compensation

and all matters consequent thereon which should be paid under Article 10 of the Treaty to any civil servant or other public servant or officer of the Irish government who may be discharged or may retire in consequence of the change in government'.<sup>44</sup>

Coinciding with the establishment of the Irish Free State the civil service was experiencing another wave of organisation. The government repression of the 1922 strike against the cuts in the cost-of-living bonus in the Post Office helped to create the powerful Post Office Workers' Union (POWU), through the amalgamation of the smaller postal workers unions in June 1923. In February a conference of Irish civil service organisations established the Civil Service Federation to act as a single voice in negotiation with the Provisional Government. The Federation was an alliance of various staff federations that grew out of the ad hoc "Executive Committee of the Conference of All Associations of Irish Civil Servants", in fact the staff side of the Irish National Whitley Council. Thus the Federation sought to act as an umbrella organisation for the autonomous and diverse civil service organisations. As well as the relatively numerous executive officers and clerks, the Civil Service Federation at its foundation included many of the smaller sections of the civil service that would in later years be members of the professional and technical civil servants trade union, such as the ordnance survey staff and the inspectors of taxes.<sup>45</sup> Paradoxically therefore, it was to be the experience of the Irish civil service that it began as a tightly organised and united movement but then, over time, gradually fragmented into a multiplicity of smaller organisations.

The IPCS (Ireland) joined the initial steering committee of the Federation and though the Institution delegates contributed to the discussions, the Institution remained deeply split on whether it should actually join the Federation, finally deciding by the narrowest majority to remain outside. The Federation was dominated

by the clerical and executive grades, most of them nationalist and many of them Gaelic League members. To the many politically 'imperial' IPCS members the defiantly nationalist Federation was probably distasteful company. More fundamentally, the IPCS (Ireland) was always conscious that it represented an outlook very different to the mass of the civil service. For most of the clerical and executive grades work involved the application of known and established procedures in a familiar hierarchy of responsibility. For professional and technical civil servants work involved the application of their specialist knowledge in unfamiliar and novel situations in which responsibility was assumed rather than conferred. The Post Office Workers Union, which was in dispute with the government on pay reduction, also remained outside the Federation. Thus the government, in appointing the Federation to represent the civil service interests on the Wylie compensation committee, excluded not only the Institution representing the professional grades but also the POWU, representing by far the largest single body of civil servants.<sup>46</sup>

### **IPCS (Ireland) and the Provisional Government**

Almost every aspect of the emerging government policy on compensation for discharged and retired civil servants was disturbing to the IPCS (Ireland). Firstly, it would only deal with those civil servants who were leaving the service and thus would have nothing to say on those who remained; secondly, the committee was purely advisory and could not make any decisions; and thirdly it assumed that the recently created Civil Service Federation represented all civil servants. The initial response of the IPCS (Ireland) to the establishing of the Provisional Government was one of a guarded optimism. At the annual general meeting in March 1922 the President spoke warmly about the 'new vistas of usefulness that was gradually

opening before the Institution'.<sup>47</sup> The optimism within the IPCS (Ireland) was guarded however after a close reading of the text of the Treaty, when it was realised that, though the interests of those civil servants who choose to leave were protected, the interests of those who choose to remain (presumably the majority) were not safeguarded. This would be of particular concern to the professional and technical civil servants in the permanent employ of the government. It was also of concern that the committee would be *advising* the minister of Finance on compensation rather than making a firm determination. A minister is always free to reject advice.<sup>48</sup>

In June 1922 the Institution's council summarised their concerns in a formal 'Statement Relative to the Effect of the Treaty on the Position of Professional and Technical Civil Servants In Ireland', which was printed and forwarded to the Provisional Government.<sup>49</sup> Unfortunately for the Institution this coincided precisely with the attack on the Four Courts and the beginning of the Civil War. Nor would it have helped that the 'Statement' consistently refers to the state as "Southern Ireland". Not surprisingly therefore the government was tardy in its response. In September the Institution turned to Professor Ernest Henry Alton, the former Unionist MP and now TD for Trinity College, to get some answers to the questions raised in their Statement. The Statement described the civil service as 'beset by doubts and perplexities', some of which were shared by all in the service and some of which were peculiar to the professional and technical grades. First and foremost was the status of those civil servants who remained. For the professional branches of the civil service (which the Statement list as including architects, engineers, surveyors, doctors, chemists, bacteriologists, pharmacists, valuers, geologists, botanists, auditors, solicitors, barristers, veterinary surgeons and others) there were additional anxieties. Of necessity professionals entered the civil service later in life than the common civil



service clerical and executive grades, having spent years acquiring qualifications. Under the British service the Superannuation Act of 1859 acknowledged this and conceded added years for qualifications. The IPCS (Ireland) wanted the new government to re-enact those benefits. On these anxieties the Department of Finance could offer an explicit assurance that all civil servants carried with them into the new government all their existing rights in regard to superannuation, salary scales, and conditions of service. On the other problems; the number of unestablished men who had been employed for many years in a temporary capacity and the unfinished re-grading in some of the professional posts; the Department of Finance could only offer the Wylie committee, which was then being established. As the Wylie committee was only dealing with those civil servants who opted to retire, or were dismissed, the Department of Finance was in effect saying that those civil servants of uncertain status who opted to stay in the service of the Irish free State would have to take their chances. However, the department did promise that though the Civil Service Federation would ordinarily represent the staff, whenever the committee would be dealing with a special class then one of the representatives of the Federation would stand down and be replaced by a representative of that class. Under this arrangement the Institution of Professional Civil Servants would have a representative on the committee when it came to deal with any of its members.<sup>50</sup>

As is so often the case promise and performance were far apart. In an interview with the Minister for Finance Ernest Blythe the IPCS (Ireland) council discovered that they would only be invited to attend the committee hearings if the chairman Wylie thought it fit. He, in turn would only agree if the other members of the committee agreed. In an intensely argumentative meeting with Wylie the Institution council was dissuaded from pressing its entirely legitimate claims to

representation. The IPCS (Ireland) council turned to the British parliament, which was debating the bill to confirm the Treaty and the constitution of the Irish Free State. The IPCS (Ireland) wanted the British parliament to accept responsibility for the pensions of the civil servants who, in the view of the Institution, were in reality being ejected from the imperial service. Not surprisingly the claims of the IPCS (Ireland) received scant sympathy there. The British Parliament, having seen the Irish problem safely disposed of, was not going to welcome its revival in any form.<sup>51</sup>

1922 was a deeply traumatic rite of passage for Irish democracy.<sup>52</sup> The civil service was, initially, fired with a sense of mission and a determination to serve the new nation fully and faithfully. The first issue of IRIS SEIRBHÍSE AN STÁIT/CIVIL SERVICE JOURNAL (henceforth Iris), the Journal of the Civil Service Federation, noted that at the time of the Treaty the civil service had been enthused at the opening up of brighter prospects of an efficient service, and celebrated the camaraderie which had infused the Gaelic League in the old days and, it was hoped, would infuse the nation and its civil service once again. Most civil servants anticipated that national independence would mean a civil service in which patronage and nepotism would be a thing of the past, entrance would be by a 'ruthlessly just' competitive system and industry, integrity and intelligence in the service of the state would prove the only passports to promotion. However, one year later the mood was one of foreboding. National freedom meant an attack on workers, on trade unions and on the civil service.<sup>53</sup> The opportunity had passed. The Provisional Government squandered the goodwill of its civil service and as 1923 dawned and, under the same hands, the Irish Free State came into office the attitude of the civil service was one of suspicion and defensiveness. For many civil servants the state, rather than embodying the bright ideals and generous ambitions of the nation, was simply their employer.

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- <sup>1</sup>Institution of Professional Civil Servants(henceforth IPCS) (Ireland), council minutes 25 Feb. 1920; Irish Times, 27 & 30 Jan. 1920. In later years the incorrect belief grew that the IPCS had been founded in 1919.
- <sup>2</sup> Henry Parris, *Staff Relations in the civil service: fifty years of Whitleyism* (1973), p23; B.V. Humphries, *Clerical Unions in the Civil Service* (1958), pp80-9.
- <sup>3</sup> Garry Sweeney, *In Public Service: A History of the Public Services Executive Union 1890-1990* (1990), p17.
- <sup>4</sup> Alastair J. Reid, *United We Stand a history of Britain's trade unions* (2004), pp 177-85.
- <sup>5</sup> Martin Maguire, *The civil service and the revolution in Ireland, 1912-38 'Shaking the blood-stained hand of Mr Collins'* (2008), pp54-7.
- <sup>6</sup> J.H. Macrae-Gibson, *The Whitley System in the Civil Service* (1922) Fabian Society.
- <sup>7</sup> James E. Mortimer & Valerie A. Ellis, *A Professional Union: The Evolution of the Institution of Professional Civil Servants* (1980), pp18-23.
- <sup>8</sup> Warwick University Modern Record Centre (WUMRC), national Whitley council minutes, 14 Oct. 1919; 19 Mar 1920.
- <sup>9</sup> Maguire, *civil service and the revolution*, 54-7.
- <sup>10</sup>NAI, BC/2, 3567-74, 2 Mar. 1933.
- <sup>11</sup> *Irish Times*, 30 Jan 1920.
- <sup>12</sup> Mortimer & Ellis, *A Professional Union*, p433.
- <sup>13</sup> National Archives London, WO 339/48003, Maj. D.N. Brunicardi file.
- <sup>14</sup> National Archives, Ireland, 1911 census enumerators returns for the biographical details, available online at the National Archives Ireland website.
- <sup>15</sup>ICPS (Ireland) council minutes, 25 Feb., 10-24 Mar. 1920; Mortimer & Ellis, *A Professional Union*,pp19-21.

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- <sup>16</sup>Mortimer and Ellis, *A Professional Union*, pp2-4.
- <sup>17</sup>ICPS (Ireland) council minutes, 25 Feb. 1920.
- <sup>18</sup>*Constitution of the Institution of Professional Civil Servants (Ireland)*.
- <sup>19</sup>IPCS (Ireland) council minutes, 25 Feb., 7 Apr. 1920; *Constitution of the Institution of Professional Civil Servants (Ireland)*; Mortimer, James and Valerie A Ellis, *A Professional Union* p4.
- <sup>20</sup>IPCS (Ireland) council minutes, 7 & 27 May, 8 & 17 June 1920.
- <sup>21</sup>*Ibid.*, 24 & 29 March, 7 & 29 April 1920.
- <sup>22</sup>*Ibid.*, 7 May 1920.
- <sup>23</sup> Emmet O'Connor, 'Labour and politics, 1830-1945: colonisation and mental colonisation' in Fintan Lane and Donal Ó Drisceoil (eds) *Politics and the Irish Working Class, 1830-1945* (2005), pp27-43.
- <sup>24</sup> Maguire, *The civil service and the revolution in Ireland*, p64.
- <sup>25</sup> Maguire, 'Gladstone and the Irish civil service' in Boyce and O'Day (eds) *Gladstone and Ireland* (forthcoming).
- <sup>26</sup> *Irish Times*, 17 Jan. 1922; Periscope [G.C. Duggan], 'The Last Days of Dublin castle' *Blackwood's Magazine*, 212:1,282 (Aug 1922) ; Henry Robinson, *Memories Wise and Otherwise* (1923) pp324-5.
- <sup>27</sup> National Archives Ireland (NAI) department of the Taoiseach S1 'transfer of services hitherto administered by the British government In Ireland' 16 Jan 1922.
- <sup>28</sup>NAI, CSORP 1921/3864/2, 'provisional government arrangements pending transfer of powers of existing departments'; NAI, G1/1 minutes of the provisional government 16 Jan. 1922.
- <sup>29</sup> Ronan Fanning, *The Irish Department of Finance 1922-58* (1978), pp30-1.
- <sup>30</sup> NAI, Provisional Government, S36/22, Jan. 1922.

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- <sup>31</sup>NAI DE4/11/40
- <sup>32</sup> NAI, G1/1 provisional government 20 Jan. 1922.
- <sup>33</sup>Gallagher, *Memoirs of a civil servant*, p62.
- <sup>34</sup>IPCS (Ireland) council minutes, 9, 19, 29 Dec. 1921, 11 Jan. 1922.
- <sup>35</sup>Ibid., 9, 19 & 29 Dec. 1921; general purposes committee Dec 1921-Jan 1922 especially see 4 & 11 Jan. 1922.
- <sup>36</sup> AJP Taylor, *English History 1914-1945* (1965, revised edition 1975) pp240-1.
- <sup>37</sup> NAI, CSORP 2638/12 'reorganisation of the civil service'.
- <sup>38</sup> J. Anthony Gaughan (ed) *Memoirs of Senator James G. Douglas (1887-1954) Concerned Citizen* (1998) pp15-18.
- <sup>39</sup> NAI, G1/I minutes of the provisional government, 1, 27 Feb.; 3, 6 & 22 Mar. 1922.
- <sup>40</sup> Gallagher, *memoirs of a civil servant*, pp78-82.
- <sup>41</sup> NAI G1/3 minutes of the provisional government, 4-28 sept. 1922; *Dáil Debates* 11 Sept. 1922 cols 108-130.
- <sup>42</sup> *Dáil Debates* vol.I cols 42-50, 9 Sept., cols 230-54 13 Sept., cols 294-317 14 Sept. 1922.
- <sup>43</sup> Ibid., vol.1, cols 1448-51, 11 Oct. 1922.
- <sup>44</sup> NAI G1/3 minutes of the provisional government, 5, 23 & 28 Sept. 1922; *Dáil Debates* vol.1, cols 1027-8, 3 Oct. 1922.
- <sup>45</sup> Sweeney, *In Public Service*, p33.
- <sup>46</sup> IPCS, council minutes, 13 & 17 Feb., 21 & 27 Apr., 8 Aug., 6 Oct. 1922.
- <sup>47</sup> Ibid., 31 Mar. 1922.
- <sup>48</sup> Ibid., 18 & 4 Jan., 2 Feb. 1922
- <sup>49</sup> NAI, FIN 1/444 'the Treaty and professional and technical civil servants'.
- <sup>50</sup> Ibid.

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<sup>51</sup> Institution of Professional Civil Servants (Ireland). Third Annual Report of the Council 31 March 1923; council minutes, 6 Oct.-21 Nov. 1922.

<sup>52</sup> Tom Garvin, *1922 The Birth of Irish Democracy* (1996).

<sup>53</sup> *Iris Seirbhíse An Stáit* (The Civil Service Journal) Official Organ of the Civil Service Federation, vol.1, no. 1 (Jan. 1923).

## **THE IPCS (IRELAND) AND CUMANN na nGAEDHEAL**

### **Introduction**

In August 1923 the ‘Constituent’ third Dáil dissolved and the general election returned the Cumann na nGaedheal government led by W.T. Cosgrave. Cumann na nGaedheal, formed in April 1923, consisted of the pro-Treaty members of Sinn Féin. Although a minority in the Dáil, the party remained in government due to the absence of the anti-Treaty deputies. The Cosgrave governments were in fact all minority administrations empowered by the abstention of republican TDs.<sup>1</sup> The Labour Party, under the leadership of Thomas Johnson to 1927 and T.J. O’Connell to 1932, was limited in its role of opposition by its few TDs, its conservative leadership and by the divisions in the trade union movement that followed Jim Larkin’s return.

Assailing civil servants fast became a regular ritual of the Dáil debates and allegations of a bloated public service living off the fat of the land became a cliché of political comment on the civil service.<sup>2</sup> The underlying assumption of these pronouncements was that the civil service of the Irish Free State ought to be significantly smaller than that handed over by the Treaty. Under the British regime Ireland had developed a large and decentralised civil service a large number of whom served as experts in departments whose objective was the transformation of Irish society and economy through government action. In the last decades of the British regime professional civil servants were

recruited to run the many autonomous institutions being developed as a solution to the problems of Irish society, especially its chronic poverty and under-development. The government of the independent state inherited the pre-independence nationalist suspicion of the civil service as an alien influence. Yet alongside this suspicion there was a strong nationalist belief, shared by Sinn Féin and by all parties in the state including Cumann na nGaedheal, that state aid was necessary to achieve the economic development of Ireland. In contradiction to the unthinking hostility to the civil service, this implied that the professional civil service would have a central role in the future of the state and nation.

### **Economy in the public service**

In May 1923, as an investigation into the financial position of the Irish Free State revealed a deficit of £1.2 million for the current year.<sup>3</sup> In pursuit of a balanced budget, and fearful of the hyperinflation that was sweeping the Weimar Republic of Germany, the Cosgrave government cut old age pensions, blind pensions and teacher salaries.<sup>4</sup> In this pursuit of an economic strategy of severe retrenchment the civil service was an obvious target. As economy in the public service emerged as an insistent theme of government it was linked to the cost of compensation for civil servants dismissed or resigned under Article 10 of the Treaty.<sup>5</sup> The Department of Finance's review of the budget position late in 1923 identified the civil service as being ripe for "economy". The review identified a two-pronged approach to lower costs by, firstly, scrapping inessential services and ending the 'unnecessary multiplication of departments as an obvious source of waste' and, secondly, by cutting the cost of the services then remaining. The objective of the review was to ensure that the costs of the public services would reflect the diminution of work that was necessarily consequent on the 'exclusion of the six-counties'.<sup>6</sup>



In 1924, as part of its economy drive and also to assert control over the civil service, the government substantially reduced the basic salary scales and annual leave for new entrants to the clerical and executive classes. It also introduced a new differentiated scale between married and unmarried civil servants.<sup>7</sup> From that point on there were in fact two completely different salary schemes in the civil service; for the transferred civil servants protected by Article 10 there was a continuance of the old scales, with the new lower scales being applied to the new entrants. The Civil Service Federation publicised its objections to these changes introduced without any negotiation, which tended to drive experienced officers out from the service protected as they were by Article 10 of the Treaty and to create resentment between the old and the new civil servants.<sup>8</sup>

### **Legislative changes and the civil service**

The Cumann na nGaedheal government transformed the legislative base for the relationship between the state and its civil service. Under the British regime the various boards and commissions in Dublin Castle, including those that recruited professional and technical officers, worked to a budget and recruited and paid their own staff. The Irish government's Civil Service (Regulation) Acts of 1923 and 1925 swept aside all of these Boards and brought their staffs into a single civil service under the control of the Minister of Finance. The Civil Service (Regulation) Acts of 1923, 1924 and 1925 established the Civil Service Commission to recruit future civil servants by open competitive examinations. These acts also empowered the Minister of Finance to make, change or revoke regulations for establishing the classification, remuneration, conditions and terms of service of the civil servants. Thus while the Civil Service Commission controlled recruitment the Minister would remain solely responsible for management of the civil service. In line with the general expectation for a minimal state apparatus Blythe, Minister for Finance, expected that the

Commission would have very little work to do and the commissioners would be very much part-time positions.<sup>9</sup> The first commissioners were the Ceann Comhairle of the Dáil and the secretaries of finance and of education, the two departments most directly involved. The Civil Service Federation protested, with no effect, at the appointment of the Ceann Comhairle to chair the commission as his was a political position.<sup>10</sup>

In the Dáil the opposition, whilst approving of the Commission, proposed that it ought to report to the Dáil rather than to the Minister for Finance and that control of the civil service ought to lie ultimately with the Dáil as the legislative assembly rather than with the executive. The intent was to make the management of the civil service of the new state subject to a detailed code enshrined in legislation rather than to ministerial prerogative.<sup>11</sup> Although this was rejected as unpractical it does underline the extent to which the Dáil was determined to de-politicise the question of recruitment and control of the civil service.<sup>12</sup> The executive council equally strongly opposed any attempt by the Dáil or Senate to interfere in its control of the civil service.<sup>13</sup>

The Civil Service Regulation Act allowed for recruitment of professional or technical civil servants whose expertise was such as could not be determined by the usual competitive examination. Introducing this section of the 1923 bill Blythe said ‘there is a class of post which requires a man of experience, administrative ability, certain force of character, and knowledge of the world, and you might easily have the best candidate for that class of position surpassed in examination by a bookworm or quite a young student, who would be altogether unfit for the post’.<sup>14</sup> In recruiting these professional civil servants the Commission was directed to assemble a suitably qualified interview board to help it in its selection.

The Ministers and Secretaries Act centralised the departments of government in an executive of nine ministers under the president. During the second reading Cosgrave described it as second only to the constitution in importance in laying down the foundations

of the state.<sup>15</sup> The broad principle of the bill was to take the multiplicity of boards and commissions of the British administration, and reorganise them into departments under ministers described as “corporation sole”; in other words the minister *was* the department and all acts of the civil servants of that department were done as if directly ordered by the minister. For many professional civil servants this would have represented a loss of the personal autonomy that marked the more casual and decentralised Castle administration. The creation of nine ministerial-controlled departments also, of course, created a small, elite corp of top civil servants as departmental secretaries. The key department was that of Finance, which took charge of the administration and business of public finances and to which was assigned the civil service commission. Although each department continued to appoint their own civil servants each appointment required the express permission of the Minister of Finance. The former departmental autonomy of the old British regime had truly passed beyond recall. The Ministers and Secretaries Act involved a significant redistribution of many of the civil servants, especially those in the professional and technical grades of the former Land Commission, Congested Districts Board and those in the Education Boards, to the new government departments.

### **Adapting to change in the IPCS (Ireland)**

In the light of the changes in the government and the creation of the Irish Free State revision to the constitution of the Institution of Professional Civil Servants (Ireland) was clearly necessary. A proposal to allow those who retired under Article 10 of the Treaty to retain membership was rejected, reflecting, perhaps, some hostility to those civil servants who refused the chance to serve the new independent Irish state. They were ultimately allowed retain a non-voting membership.<sup>16</sup> The revised and amended constitution deleted all references to “H.M.’s Civil Service” but retained the name of the institution as “The

Institution of Professional Civil Servants (Ireland)”, implying either a hope for retaining an all-Ireland organisation or a refusal to accept the title “Saorstát” for the state. However, recognising the fact of national partition, the IPCS (Ireland) admitted that, of necessity, it had to be primarily occupied with defending the interests of the professional civil servants in the Irish Free State as in reality there was little or nothing that it could do for those professional and technical civil servants transferred to Northern Ireland.<sup>17</sup> The objects of the Institution now were ‘the improvement and maintenance of the position and status of civil servants (established or unestablished) of the directing administrative or higher grades who are engaged in professional, technical or scientific work; the protection, assertion, and defence, or the assisting therein, of the status, position, rights, remedies and interests of civil servants engaged in professional, technical or scientific work; the advancement of efficiency in the civil service; the promotion and extension of science, knowledge and practice, and the interchange of views thereon either alone or in combination with other persons or bodies; and the representation of the Institution by properly appointed persons on any body formed in pursuance of the objects contained herein’.<sup>18</sup> Membership was through approved associations of professional and technical civil servants, the Institution retaining its role of essentially acting as an umbrella body for these associations. Associate membership was available to those civil servants engaged in technical or scientific work, whether established or unestablished, whether or not described as a professional appointment, provided that such a person could not be described as a workman under the Trade Union Acts. An honorary membership was created for outside members of kindred professional bodies who might be available to act on consultative committees.

As well as the usual work of acting on behalf of individual members, the council also maintained a watch over the constituent associations and encouraged them to re-organise in response to departmental changes. Thus the Inspectors in the Department of Education were

encouraged to amalgamate the senior, divisional and junior inspectorate associations into a new Association of Inspectors. The established and unestablished officers of the former Department of Agriculture and Technical Instruction were also encouraged to amalgamate into a new Association of Professional and Technical Officers of the Department of Lands and Agriculture. Prison Governors were admitted as professional civil servants.<sup>19</sup> Contact was maintained with professional associations such as the Royal Institute of Architects, who were objecting to architects in the Board of Works poaching on their livelihood by maintaining private practices on the side, though there is little evidence of the IPCS (Ireland) doing anything about it.<sup>20</sup>

The IPCS (Ireland) also began to develop contacts in the Oireachtas and to learn the skills of political lobbying in the newly independent state. Departmental changes were monitored and the IPCS council kept up correspondence on these changes with either the President of the Executive or the responsible Minister.<sup>21</sup> In the Senate they used Sir Edward Coey Biggar, Sir John Keane and Samuel Lombard Brown K.C. Coey Biggar was the former head of the Castle Local Government Board. Liberal in his politics he opposed the government on the 1927 Juries Bill to exclude women from jury service. He was prominent on public health issues generally. Sir John Keane was an ex-Unionist landowner nominated to the Senate. His mansion in Cappoquin, County Waterford was burnt down in February 1923 during the civil war. He was most prominent during the debate on the 1923 Land Act that completed the end of landlordism in Ireland. Other senators with whom the IPCS (Ireland) maintained contact were Brigadier General Sir Edward Bellingham, a figurehead to the Irish ex-servicemen of the British army, J.J. Parkinson and Dr Henry L. Baniville. In the Dáil they used the independent TCD TD Sir James Craig, professor of Medicine at Trinity, and the Cumann na nGaedheal TD T.P. Hennessy.<sup>22</sup> At general elections the membership were urged to press the claims of the civil service if canvassed. However, although the IPCS

(Ireland) may have had many members who were imperial in their political instincts it also supported William Norton, leader of the POWU, as the Labour Party candidate in Dublin South constituency by-election in February 1926.<sup>23</sup> When successfully elected Norton proved a staunch defender of the civil service in the Dáil chamber.

The council used these parliamentary supporters to ask questions in the Dáil or to prompt ministers on issues that concerned the IPCS and on which they could get no progress through the official channels. One such issue was allowances for travel and accommodation. As professional officers the IPCS membership, more than the mass of civil servants, had to travel the country on official business. Allowances were a persistent and vexatious issue with a government that regularly and unilaterally reduced these allowances. Faced with a refusal by the government to discuss these allowances, and failing also to secure concerted action with the other civil service associations (few of whom utilised these allowances to any great extent) the IPCS (Ireland) turned to Dáil and Senate sympathisers to intervene with the Department of Finance.<sup>24</sup>

### **The IPCS (Ireland) in the 1920s**

As the Cosgrave governments settled into normal politics the Institute of Professional Civil Servants (Ireland), in common with other civil service unions, faced the task of mobilising its membership on two opposed fronts. On the one hand it had to fight to defend the interests of the civil servants who opted to remain in the civil service of the Free State whilst on the other hand fighting for the best terms possible for those who wished to retire under the provisions of Article 10 of the Treaty. However, although the other civil service organisations soon concentrated on fighting the cause of those civil servants that remained, the IPCS (Ireland) got further and further embroiled in the cases of those who opted to retire. As was the experience of some other civil service associations this concentration on the rights of those

who were “deserting the ship” led to tensions and disagreements with those who remained.<sup>25</sup>

By the end of the 1920s the Institution was losing members and, just in time, turned to defending the position of those professional civil servants that stayed on.<sup>26</sup>

Through the early years of the new state it is striking how unaware the IPCS (Ireland) seems to have been of the important and fundamental changes that were taking place in the civil service. The fourth Dáil, from September 1923 to May 1927, saw the issuance of many ministerial orders and the enactment of laws to regulate the civil service. These included the Civil Service (Regulation) Act, which created the civil Service Commission; also the Ministers and Secretaries Act, which was the legislative basis for a highly centralised and politically directed civil service; as well as the creation of the ESB, the first state-sponsored industry. Yet on all of these key events for the state’s civil service the IPCS (Ireland) records are silent. This lack of awareness was most likely due to the self-image that the professional civil servants had of themselves as being professionals primarily, who happened to work for the state. This meant that they saw themselves as being fundamentally different to the mass of ordinary civil servants who had entered the service through competitive examinations and worked within an established grading structure. It is also possible that the IPCS (Ireland) expected that the professional associations would defend the interests of the professional civil servants who were undoubtedly being affected by legislative changes. This is in marked contrast to the Civil Service Federation that maintained a close watch on political changes and was not afraid to publicise its grievances.

### **The end of the Whitley Councils and the search for civil service unity**

In May 1922 Collins had assured a delegation of the civil service that though he could not commit any future government to accept the Whitley councils he personally accepted the need for some consultative body. The Whitley Joint Council was abolished but the

departmental councils were allowed continue as an *ad hoc* consultative council for the transition period. Whilst the staff representatives saw this arrangement as a temporary substitute for some future form of reinstated Whitleyism, Collins and the provisional government saw this as a purely temporary arrangement to facilitate the transition from British to Irish rule. The IPCS (Ireland) was suspicious of this consultative council created in early 1923 as it was clear that as a purely *ad hoc* and temporary body it as no substitute for the Whitley Joint Council. The IPCS (Ireland) remained sceptical despite the enthusiasm of the Civil Service Federation for the consultative council and opted to insist on separate representation for the professional grades.<sup>27</sup> The Federation continued to hope for a Whitley-like body on which ‘representatives of official and staff sides meet, not for mere ventilation of grievances but to give both sides co-equal interest and power...a body for action not talk, fostering and developing in the staff that spirit of co-operative responsibility which was the guiding principle in the Irish-Ireland movement’.<sup>28</sup>

A year later, with the transition period complete and the Civil Service Regulation Act in force, the civil service associations continued to expect the reinstatement of something like the Whitley Council. However in February 1924 the Whitley Council was formally abolished with the government offering a meeting with civil service representatives nothing more than a promise to establish new machinery ‘more suited to Saorstát Éireann conditions’.<sup>29</sup> This rhetorical flourish might have seemed promising to the more nationalist members of the civil service, but few were convinced and most of the associations continued to press for a restoration of a Whitley-type council. In the Dáil deputies Cooper and Johnson’s repeated questioning of Cosgrave and Blythe on the Whitley Councils got vague and non-committal replies. Within cabinet however, and eventually in a statement to the Dáil, Cosgrave took the view that sole power to determine pay and conditions within the civil service lay with the government and that therefore only a consultative body could be



allowed.<sup>30</sup> Finally, in December 1924, the Minister for Finance issued without discussion or consultation a scheme for a purely consultative representative council for the civil service made up of official and staff sides, all civil servants.<sup>31</sup>

With the question of representation for civil servants reopened by the abolition of the Whitley councils the IPCS (Ireland) once again considered joining the Civil Service Federation. Affiliation to the Federation was quickly rejected but the Institution sought to create a working basis for co-operation. By the end of 1924, when the government finally unveiled its scheme for a civil service representative council, the civil service was represented by three main blocs; the Civil Service Federation, the Post Office Workers' Union and the Institute of Professional Civil Servants (Ireland).<sup>32</sup>

As soon as the government circulated its scheme the IPCS warned the constituent associations not to commit themselves in any way until their council had determined a line of action. Unhappy at the government scheme, which was a considerable retreat from the powers of the Whitley councils, the IPCS council drew up counter-proposals and worked to co-ordinate a cross-service response with the Federation and the POWU. A Provisional Staff Side was drawn together equally from the three bodies and a meeting with the Minister for Finance was requested. Initially the joint approach worked well. When the minister, predictably, refused to meet the Provisional Staff Side it was pointed out to the government that it had already broken a pledge to consult the service and that any scheme drafted and put into operation by one side lacked the first element of conciliation, agreement by both sides.<sup>33</sup>

Within a few weeks however the unity of the service associations was broken. The Civil Service Federation, assured by the minister that the conciliation scheme could be revised to remedy any defects that might emerge once it was working, decided to give it a trial. In fact the Federation, as the largest and most nationalist organisation in the civil service, had come under considerable pressure to work the government scheme. The POWU

and the IPCS (Ireland) decided to stick with the decision that the scheme was completely unacceptable and both protested at the Federation's decision to break ranks with the rest of the service. Confident that the other associations would have to eventually come on board the government pressed ahead and the Civil Service Representative Council, without either the POWU or the IPCS (Ireland), held its first meeting on 15 March 1926. The POWU description of the scheme as 'utterly worthless' proved correct. Whilst the civil servants might have continued to refer to it as a "conciliation" council the minister, correctly, referred to it as a "representative" council. From the beginning the Civil Service Representative Council proved unsatisfactory and the "recognised" associations within the Civil Service Federation unanimously pressed an unconvinced minister to accept that the constitution had to be revised.<sup>34</sup>

1927 was a crucial year in stabilising the Free State. This was the year in which, in the aftermath of the murder of the government minister Kevin O'Higgins, the republican Fianna Fáil party was manoeuvred into finally entering Dáil Éireann. With a now vibrant and seemingly sympathetic opposition and with the government facing into two elections in 1927 the Federation tried once again to build up a single service voice. The Federation proposed a service-wide dinner, including the IPCS (Ireland) and the POWU, as a launch for a new drive for co-operation on a conciliation council. The Institution was wary. In February 1927 a hurriedly called conference between the Federation, the POWU and the IPCS (Ireland) reviewed the Civil Service Federation five-point programme that included demands for;

- (1) Provision for departmental councils or committees to deal with departmental matters.
- (2) The chairman of both local and central councils should not have the right to decide what matters should be placed on the agenda for discussion.
- (3) The councils should have the power to come to decisions.

(4) Provision should be made for the attendance at council meetings of the full-time officers of associations.

(5) An appeal body should be set up to which matters on which disagreement had been reached might be referred.

The IPCS (Ireland) replied that the first four points had already been included in the earlier demands that had been put to the Minister for Finance and had been rejected by him and that the fifth point was not practicable. The POWU proved equally dismissive. In truth the IPCS (Ireland) was not interested in joining what was clearly a sinking ship. In September the Civil Service Clerical Association seceded from both the Civil Service Federation and the Representative Council and so therefore, as the Federation was breaking up, the so-called 'Representative Council' now represented a minority of civil servants.<sup>35</sup>

The IPCS (Ireland) continued to co-operate with the POWU on specific issues, in particular the question of the way in which the cost-of-living was calculated and on which the amount of the "bonus" depended. It also worked with the new Civil Service Clerical Association and the POWU in continuing to press the demand for proper conciliation machinery and their attempts to make it a political issue. The POWU, the Civil Service Clerical Union, and the smaller unions of the Custom and Excise Federation and the Association of Inspectors of Taxes formed an umbrella organisation, the Civil Service Joint Committee to form a united front in negotiation with the government, however the IPCS (Ireland) remained aloof. The Institution horizon was never limited to the civil service and it also continued to maintain contact with secular professional bodies in order to defend the status and integrity of the professional civil service.<sup>36</sup> It has to be admitted that the efforts of the various civil service associations and unions to unite and defend the interests of those civil servants that choose to remain in the civil service of the Irish Free State bore little fruit. However, in defending the interests of those civil servants that choose to retire under Article

10 of the Treaty, the IPCS (Ireland) and other unions built and maintained a great cross-service unity and achieved a defeat of the government that re-opened the whole Treaty debate and brought into question national sovereignty. This was the Wigg and Cochrane case.<sup>37</sup>

### **The Wigg and Cochrane Case**

Article 10 of the Treaty guaranteed that all of the 21,000 civil servants transferred from the British administration had a right to “fair” compensation, no less favourable than that offered in the 1920 Government of Ireland, if they choose to resign due to the change of government or if they were dismissed. Under the 1920 Government of Ireland Act a transferred civil servant had three main rights; the right to retire within a transitional period of two years; the right to special compensation if a post was abolished; and the right to seek permission to retire with special compensation from a statutory committee if it could be proved that conditions of service had worsened. The transfer of the civil servants began on 6 April 1922 and although it promised to be in any event a complicated task it was thrown into complete disarray by the outbreak of civil war. By September 1922 the staff not yet transferred included the Inland Revenue and Custom and Excise, the Land Commission, the Registry of Deeds, Quit Rent office and the Office of Clerk of Crown and Hanaper. Many of these staffs though working on Irish departmental business were in effect still working for the British government. The transfer of staff was further complicated by the absence of any knowledge within the Provisional Government of the intricacies of the inner workings of the administrative machine it was taking over. This, as in the case of the Land Commission, made the Provisional Government constantly suspicious that it might be buying a decrepit and run down apparatus.<sup>38</sup> The final transfer of staff occurred on the first day of April 1923.

From that day on the entire civil service faced the choices of an uncertain future in the Free State, or voluntary retirement, or dismissal, with compensation.

### **The Wylie committee**

The Provisional Government decided that a quasi-judicial committee would most fairly address the question of compensation for civil servants dismissed or choosing to retire. This would also help divert an otherwise certain pressure from applicants on individual TDs, Senators and Ministers.<sup>39</sup> Mr Justice Wylie, a respected judicial figure who had acted as defence counsel at the courts-martial of the 1916 leaders, chaired the committee, which began its sittings on 4 October 1922. On the official side were Gregg and Gilbert of the Department of Finance. On the staff side were Smyth, MacGiobuin and Smidic from the Civil Service Federation and, when appropriate, a representative from other, smaller associations or unions. In strict law the committee was purely advisory, but as the government seemed set to accept without question the advice offered it seemed that the resolution of the fate of those civil servants who opted to retire, or who were dismissed, would be determined without too much rancour or difficulty. The Wylie committee, in assessing compensation and pensions, indicated that it intended simply to apply the regulations on superannuation of civil servants as inherited from the British administration, as if the applicants were redundant or retiring due to ill-health. The Wylie committee was already a significant retreat from the 1920 Act, which provided for a statutory “civil service committee” empowered to finally and conclusively determine compensation. Due to the refusal of the Dublin civil servants to co-operate with the Civil Service Committee in late 1921, it had never in fact assembled but it would without doubt have been a more powerful and representative committee than that assembled by the Provisional Government.<sup>40</sup>

The Wylie committee circulated the ‘form of application for compensation’ to be returned in duplicate. The day appointed by the government as being the day on which the changeover of the civil service actually occurred was 1 April 1922, the day after the British parliament approved the Treaty and gave it the force of law. It was also made clear that it was expected that where a retiring officer made an application there was an onus on him or her to support the statement that retirement was “due to the change of government” and that the Official side would demand the right to interrogate any such claim. Again, this was a significant departure from the 1920 Act committee, a departure the Staff side was determined to resist.<sup>41</sup> By the end of March 1923 the committee had quietly and efficiently dealt with upwards of six hundred claims under Article 10 of the Treaty. Most of the civil servants who opted to retire were senior officials with long years of service and therefore represented a loss of experience. But for the civil servants who choose to stay on, whilst these retirements meant increased work in the short term, in the long term it also represented an opportunity to introduce new blood and to compete for hitherto unavailable promotions.<sup>42</sup> The Civil Service Federation was certainly sanguine in the early months of the committee.<sup>43</sup> But the IPCS (Ireland) was soon to put a spanner in the works of the Wylie committee.

### **The IPCS and the Wylie Committee**

The IPCS (Ireland) was less happy about the composition of the committee and defensive about its right to represent members during its deliberations. As the application form for retirement under Article 10 was circulated the Institution instructed its members to clearly state that they belonged to and wished to be represented by the IPCS (Ireland) and not the Federation.<sup>44</sup> By years end, unhappy at many rulings of the committee, the IPCS council was looking for legal advice on challenging it in the courts. Whilst the minutes of the IPCS council are frustratingly brief and opaque (‘agreed that legal advice be sought on aspects of

committee's decisions' or "Counsels opinion upon the four points submitted discussed') it is clear that initially the main bone of contention centred on how the "bonus" was being included when calculating the pension.<sup>45</sup> Originally, thinking that the wartime inflation was a temporary difficulty only, the British Treasury in introducing the bonus in 1916 explicitly stated that it would not count for pension or gratuity under the Superannuation Acts. As the war bonus became in fact a regular part of the pay of civil servants pensions emerged as anomalous and unfair. In April 1919 this was temporarily addressed in a memorandum of agreement between the Treasury and the civil service associations. Under this agreement subsequent pension awards would include a war bonus related supplementary pension. In the post-war period as the bonus, though temporary and fluctuating, had become in reality part of the pay of civil servants the Whitley Council for the civil service turned its attention to the continuing problem of pensions. The Whitley Council agreed that in addition to the normal calculation of pension there would be added three quarters of the bonus paid at the time of retirement and also, in calculating the lump sum gratuity the bonus would be added on. The Treasury then, without agreement or legislation, decided that the part of a pension of retiring civil servants that was based on the bonus would be, just like the bonus itself, subject to periodic quarterly adjustment based on the cost of living calculation, and would be subject to an over-riding maximum. A 'Treasury Minute' of March 1922 introduced a notional maximum for the bonus element that would allow the bonus to fluctuate downward but prevent it fluctuating upwards beyond a certain percentage. The notion of a 'maximum' was introduced to prevent the total annual sum payable in pensions exceeding the statutory proportion of the total salary on which civil servants pensions were calculated because, it was conceivable, the bonus element of the pension might in time rise to exceed the actual basic salary paid to a civil servant on retirement. These changes were effected by a Treasury Minute dated 20 March 1922, that is in the period between the Provisional Government

taking over Dublin Castle on 16th January, when Collins forbade any alterations in personnel or conditions, and the 1st April 1922 when the civil service in Ireland was formally transferred to the Provisional Government. Justice Wylie, at the first sitting of the Compensation Committee, indicated that he intended to allow this Treasury Minute to govern the compensation payable under the Treaty.<sup>46</sup>

### **Wigg and Cochrane**

By early January 1923 the IPCS council decided to fight the Wylie committee in the courts and instructed the member associations to forward to the council a list of the cases past and pending in the Wylie committee. These were then carefully monitored.<sup>47</sup> Meanwhile a “Treaty Pensioners Association” was formed to act as the organisation of the civil servants affected. This Association, funded in part by the IPCS, travelled to London to lobby the British government on the issue of the compensation and pensions.<sup>48</sup> By the autumn two cases had emerged as promising vehicles to challenge the compensation committee; that of John Howard Wigg and that of Robert Oliver Cochrane. Wigg was assistant architect in the OPW in Dublin on a salary of £430 plus bonus of £232.3.0, which, by his date of retirement, had reduced to £119 giving him a salary of £549 on retirement. Wigg had, on 1 April 1922, seventeen years of service. The pension awarded to Wigg was £200 on his basic salary plus a supplementary bonus of £103.0.9 subject to a maximum of £88.6.5. This gave him a pension of £288.6.5. Cochrane was a chief executive officer in the OPW on £415 plus bonus of £194.5.6 with twenty-six years service on 1 April 1922 giving him a final salary of £609.5.6. Cochrane was awarded £206.5.0 basic pension plus a supplementary bonus £106.5.2 subject to maximum of £91.1.7 giving him a final pension of £297.6.7. In both cases the pensions were calculated in the normal manner, taking account of years of service and added years. However, following the Treasury Minute of March 1922, the awards



carried the conditions that the supplemental pension would be subject to quarterly reassessment based on the cost-of-living figure and that at no time would the supplemental pension exceed its prescribed amount at the date of retirement, the “over-riding maximum”. Had the terms of the 1920 Better Government of Ireland Act been applied the basic salary and bonus would have been considered together as “pay”, the pension would have had no periodic reassessment and the over-riding maximum would not have applied.

On 15 November 1923 Wigg and Cochrane issued a writ in the High Court. In their writ Wigg and Cochrane asked that the High Court declare that the compensation awarded them was not “fair compensation” inasmuch as part of the compensation was put on a sliding scale, the quarterly cost-of-living reassessment, which would not have been the case under the 1920 Act. The central argument hung on the words of Article 10 of the Treaty, ‘the government of the Irish Free State agrees to pay fair compensation on terms not less favourable than those accorded by the Act of 1920...to public servants who are discharged by it or who retire in consequence of the change of government’. Wigg and Cochrane argued that terms less favourable than those accorded by the 1920 Act were in fact being imposed by the government because in 1920 there was no “maximum” and no adjustment of the bonus element of the pension. What they wanted was that the courts should declare that the bonus was part of the salary formerly enjoyed and that in calculating the superannuation allowance a fixed award should be made, and that no part of such allowance should be put on a sliding scale.<sup>49</sup> They also asked for a declaration that the relevant date for reference for calculating superannuation and bonus was not the actual date of transfer, 1 April 1922, but December 1920 when the 1920 Act came into law, when there was no over-riding maximum and pensions were a fixed sum calculated on full salary and three-quarters of bonus.

The government defence was that the Department of Finance of the Irish Free State had inherited the authority of the former British Treasury. Under that authority civil servants

were employed at pleasure and had no legal *right* to a pension. The decision as to the amount of any pension that lay formerly with the Treasury lay now with the Minister for Finance. Therefore the action of Wigg and Cochrane was not sustainable and ought to be dismissed. In the High Court however the judgement, delivered on 18 July 1924 by Mr Justice Meredith, found not only that the pensions of Wigg and Cochrane ought to be calculated, as they had argued, under the 1920 Act, with a sliding scale but no over-riding maximum but also that their pensions and by implication that of all transferred civil servants established or temporary, were guaranteed by the Constitution's incorporation of the Treaty. Rights that were secured in the Constitution could not be governed or qualified by a Treasury Minute, or a decision of the Minister for Finance, or even an Act of the Oireachtas. The pensions of dismissed or retiring transferred officers were not a gift of the Minister of Finance but a constitutional right and therefore enforceable in the courts whose task it was to defend the constitution.

The state immediately appealed to the Supreme Court. Meanwhile Wylie, once his authority was questioned, resigned from the committee. Initially the government was not unhappy at these developments and may well have welcomed them, confident that their interpretation of the rights of the transferred civil servants would stand. The decision to abolish the Whitley Councils and the stubborn refusal to establish any replacement arbitration scheme made civil servants uneasy and more willing to take the money on offer and resign. In July 1924, just before the High Court delivered its judgement, Blythe revealed that 864 civil servants had resigned 'in consequence of the change of government' costing a lump sum of £208,870 and an annual pension of £124,666, and there were still many applications in the pipeline. These payments were being made against the background of cuts in old age pensions and teacher salaries.<sup>50</sup> The government also discharged 454 civil servants, mainly in the court system and in the non-denominational Marlborough Street

Teacher Training College, at even higher costs. By the end of 1925 the cost of compensation under Article 10 was running at £254,785 per annum in payments to 1,851 former civil servants, Dublin Metropolitan Police and judicial officers with a further 2,139 still pending.<sup>51</sup> Even before the High Court case Blythe described Article 10 as the worst section in the Treaty.<sup>52</sup> The High Court decision and the resignation of Wylie allowed the government to suspend all the pending cases and halt the flow of resignations.<sup>53</sup>

Certainly in the case of the IPCS (Ireland) and in all likelihood the other civil service associations and unions, the purpose of the Wigg and Cochrane case was to try and force the government to reinstate some form of Whitley Council to determine pensions in the first instance, but also to re-establish it as a permanent part of civil service industrial relations. The IPCS had devoted considerable time and money to preparing the cases of Wigg and Cochrane.<sup>54</sup> The initial hope was that with the High Court decision in their favour the government would not appeal but would look to establishing what was the true objective of the litigation, a properly constituted statutory arbitration scheme. When the government did decide to appeal the decision of Meredith to the Supreme Court, and the case made its slow progress toward that appeal, the IPCS noted with anxiety that the government was not bothering to replace Wylie and was refusing to name a date for the reconstitution of the compensation committee.<sup>55</sup> The financial implications of a further appeal were a worry, but unavoidable once the government decided to go to the Supreme Court.<sup>56</sup>

### **Transferred Officers' Protection Association**

Early in 1925, as it became clear that the government was going to pursue the case of Wigg and Cochrane all the way to the Supreme Court, the IPCS (Ireland) combined forces with the Post Office Workers' Union, the Civil Service Federation and the Irish Treaty Pensioner's Association to form the Transferred Officers' Protection Association (TOPA).<sup>57</sup>

The object of the TOPA was to ‘safeguard the rights of members under article 77 and 78 of the Constitution of Saorstát Éireann and article 10 of the Treaty’.<sup>58</sup> The driving force behind TOPA was William Norton of the POWU. It was Norton who drew up the initial memorandum detailing the decline in service conditions under the Free State government and inviting the other associations to join forces. James Irvine of the IPCS (Ireland) was the first honorary secretary of TOPA and a dominant figure as the case developed over the next five years. The twelve-member executive of the TOPA was made up of four appointed by the POWU, four by the Civil Service Federation and four by the Institution.<sup>59</sup> Thus the TOPA was a much more collegiate organisation of the civil service than the Federation and, as virtually all civil servants in the Free State were “transferred officers”, might well have proved a base to build cross-service unity but in fact it never became other than an organisation to fight the Wigg and Cochrane case. Nevertheless, as such, it was an undoubted success. It is therefore ironic that the civil service unions and associations that had failed to build a unified platform to negotiate on behalf of those civil servants staying in the Free State came together to fight and win the cause of those who were retiring.

Civil servants who were going to stay in the civil service of the Free State, or recently recruited civil servants, were understandably reluctant to finance a court case that would benefit those who were retiring and create hostility to those who remained. It was alleged that TOPA was solely concerned with those civil servants who intended to retire under clause 10 but had not got a chance to go because the Wylie committee was hamstrung since the resignation of the chairman. It was also alleged that TOPA was being run by people whose sympathies were British rather than Irish and who were in fact ex-British Army officers; a reference to Major Brunicardi of the IPCS (Ireland); and that TOPA was motivated by a desire amongst ‘the usual garland of Poppies sustained by Freemason wires’ (meaning Protestants) to humiliate the native government.<sup>60</sup>

In the Supreme Court the government won and so it might have seemed that that was the end of the case. The decision of the majority of the court was that, bluntly, a civil servant under the Treaty had no pension *rights* as such which are enforceable by law and that the Minister of Finance was the sole authority to determine matters between the State and the civil service. But, in a dissenting judgement, one of the three judges raised the question as to the status of the Treaty and the other legislation establishing the new government. Whilst the other two judges, O'Connor and Fitzgibbon (a former leading Dublin Unionist) accepted the government argument for continuity of authority, and therefore superannuation and compensation powers, the third, Justice Johnston, dissented arguing that the Treaty had completely displaced the Act of 1920 and had 'brought to an end the whole existing administrative, executive and judicial machinery of the country and made suitable provision for the substitution of something different'.<sup>61</sup> In his view the case of Wigg and Cochrane was not about the power to determine superannuation but about fundamental constitutional rights as guaranteed by the Treaty agreed with Great Britain and the Constitution as enacted by Dáil Éireann. If the government, he argued, could disregard article 10 of the Treaty then it could equally disregard any other article of the Treaty, the Constitution and the Orders transferring authority to the Free State, making them no more than so much waste paper. In a paradoxical reversal therefore the government of the Free State was now arguing that what had taken place was not a revolution whereas the departing civil servants were arguing that it was. Breaking through the question of pension rights now was the status of the Treaty itself.

### **The Judicial Committee of the Privy Council**

Even before the High Court judgement the IPCS had discussed the possibility of invoking a controversial and contentious avenue of appeal if the decision went against Wigg and Cochrane. This was an appeal to the Judicial Committee of the Privy Council in the

British House of Lords.<sup>62</sup> The appeal to the Judicial Committee of the Privy Council was not mentioned in the Treaty, but had been included in the Irish Free State Constitution (article 66) at the insistence of the British government. The British government viewed the appeal to the Privy Council as a vital expression of Commonwealth unity and British judicial supremacy within the Dominions. It derived from the Judicial Committee Act of 1844, which gave statutory validity to the right of the Crown to hear appeals from any colonial court.<sup>63</sup> The British government wanted the Privy Council to be seen, and act, as the supreme court of the empire and dominions. At the 1926 Imperial Conference it came under fire from both Canada and the Free State.<sup>64</sup> The existence of such an appeal, and its exercise, was considered an insult to the Irish Supreme Court and the competency of the Irish judiciary. By appealing the Supreme Court decision to the Judicial Committee of the Privy Council the IPCS, through TOPA and Messrs Wigg and Cochrane, was asking a British court to overturn the Irish Supreme Court's interpretation of Article 10 of the Treaty and therefore undermining the Irish Supreme Court and Irish national sovereignty.

Having decided to take the appeal to the Privy Council the main problem facing the IPCS was that of financing it. TOPA acted as the co-ordinating organisation and the main fund-raiser. The IPCS itself raised £130 of the £400 lodged by TOPA with the courts for security on costs, the balance being made up by the Irish Treaty Pensioner's Association, the POWU and the Civil Service Federation. IPCS Members were urged to join TOPA and consideration was given to asking each individual member to give guarantees on meeting the legal costs if the appeal was unsuccessful.<sup>65</sup> The appeal to the Privy Council went even better than it could have been imagined. The Privy Council decision, delivered 3rd May 1927, overturned the Supreme Court decision and gave Wigg and Cochrane the compensation and pensions they had demanded by agreeing that the rights of the transferred officers were constitutional rights. This judgement sent shock waves through the

governments in Dublin and in London. Under the British administration civil servants were by law employed “at the pleasure of His Majesty” and status and pensions were by gift rather by right. It was also the British view that the Irish Free State was not the creation of revolution but was a devolved government, created by Westminster legislation, continuous with the former administration. The Privy Council decision implied that the Irish Free State was in fact a break with the former British administration. Far more seriously, from a financial point of view, the Privy Council decision also meant there was now a group of civil servants within the British and Irish system whose status and security were far superior to their colleagues and were in fact under-pinned by constitutional guarantees. The Law Lords of the Privy Council had determined that transferred civil servants now enjoyed a status far better than any they would have enjoyed had there never been a Treaty and were now entitled to more favourable treatment than they would have enjoyed had they remained under the British administration or had they been recently recruited in the civil service of the Free State.

For the Dublin government the decision of the Privy Council was the last straw. The Wigg and Cochrane decision was now far more than a dispute about pensions. In fact most of the civil servants that had applied to retire under Article 10 had accepted the decision of the committee and there were only about four hundred cases outstanding.<sup>66</sup> The right to resign as a consequence of the change of government had a seven-year limit and would run out in December 1929. There was a reasonable fear that the civil service might now see a rapid collapse over the next year as officials seized upon the Wigg and Cochrane decision to retire when they could on what were extraordinarily favourable terms. But the main objection to the Wigg and Cochrane decision was on constitutional grounds. The Irish government had already objected at the Commonwealth conferences to the claims of the Privy Council to act as an imperial supreme court. By the Wigg and Cochrane decision the

Privy Council, dominated by the most reactionary of the Tory legal establishment, now claimed an authority to interpret the Treaty itself. The government's argument that the Treaty, in the words of Michael Collins, gave the "freedom to achieve freedom" now rang hollow. Even before the decision of the Judicial Committee Blythe announced that the government had no intention of complying with the decisions of a 'bad, useless and unnecessary court' whilst other deputies attacked the 'disloyal, unpatriotic and rapacious civil servants'.<sup>67</sup>

However, constitutionally eccentric as the decision may have been, neither the British nor the Irish governments could simply ignore it. Blythe's response was uncharacteristically terse, 'The judgement in the Wigg and Cochrane appeal raises not merely financial but constitutional questions, and I think a quick decision is not to be looked for'.<sup>68</sup> Whilst the Irish government was primarily engaged on the constitutional aspects of the decision the British government was itself quite alarmed at the Privy Council decision that some civil servants would be better treated and have definite rights as a result of the Treaty. Clearly it was to the advantage of both governments to come to an understanding on the way of retreat from the decision of the Privy Council. The government might insist that the civil servants were not going to get a farthing more than they were entitled to under the Supreme Court decision but clearly the pension entitlements of transferred officers need to be taken out of the courts and dealt with by legislation. Any legislation would have to be agreed between the Irish government, the British government (because any new law on Article 10 would be a renegotiation of the Treaty) and the transferred Irish civil servants (to persuade them to abandon further litigation). Finally, reluctantly and with bad grace the Irish government sat down to negotiate with, rather than bully, the civil service.<sup>69</sup> Complex negotiations began between the Irish government and the Transferred Officers Protection Association and the Irish government and the British government. The IPCS was closely involved in these



negotiations as part of the TOPA delegation and members were kept informed on progress.<sup>70</sup> The result of these negotiations was the Civil Service (Transferred Officers) Compensation Act 1929. This act was, in constitutional terms, a re-negotiation of Article 10 of the Treaty by the British and Irish governments by which the Irish government conceded the better terms won by the Wigg and Cochrane case and the British government agreed to repay to the Irish government the additional moneys involved.<sup>71</sup>

Under the Act a statutory committee of a judge, representatives of the Department of Finance and representatives of the transferred officers, was established with sole jurisdiction to determine compensation under Article 10. Written into the Act were the retirement conditions of the 1920 Act, thus securing the better terms of the 1920 Act for civil servants. Picking up the cost of these higher awards was the British government who agreed to compensate the Irish government for the “excess” in the pension bill.<sup>72</sup> Thus honour was saved and the Irish, if not the British, public purse left no lighter after nearly ten years of litigation and frustration. Finally a definite resolution had emerged to the whole vexed issue of civil service pensions under the Treaty but it left a residue of hostility to the civil service within the Dáil and public opinion.

### **The Davitt compensation panel**

The compensation panel finally assembled in early January 1930 under Judge Cahir Davitt, the son of the Land League founder and a judge in the revolutionary courts of the 1919-22 period. The tribunal expected to deal with about 1,600 cases, many of them of civil servants who had retired but whose compensation and pensions had been delayed by the Wigg and Cochrane case. Blythe appointed Messrs Boland, Doolin, Redmond and Leydon to represent the Department of Finance. A panel of twenty-five nominees represented the civil service trade unions with James Irvine from the IPCS representing the professional civil

servants.<sup>73</sup> In dealing with any case the court was limited to five members, two each for the department and the civil service along with Davitt the Chairman. Irvine was a frequent attendee at the court, far more frequent than his status as IPCS nominee would warrant, which suggests that his able defence made him the preferred choice for many non-professional claimants. The very first case was the high profile Drennan, the Secretary of the Land Commission. Judge Davitt treated his case with great courtesy and care. However, as the months dragged on and the cases of the lower ranks of the civil service were being dealt with, the tone of Judge Davitt became more caustic. As he was a government appointee there is no reason to doubt that in doing this he was faithfully reflecting the official mind.<sup>74</sup> Lowly postmen and junior civil servants, many of them women, had to endure sarcasm from Judge Davitt. He rubbished the logical argument that as the Fianna Fáil party were committed to destroying the Treaty, and as they were likely to form the next government, it was reasonable to assume that the guarantees contained in Article 10 would not long survive such a change of government.<sup>75</sup> Davitt was particularly sneering when dealing with the stock claim made by nearly all applicants (who echoed mantra-like the phrase of Article 10) that their wish to retire was “due to the change of government”. The national and provincial press picked up and echoed his hostility. The *Clare Champion* editorialised against the ‘British-backed civil servants’ as ‘lickspittle professions’ offering gratuitous insults to the elected representatives of the ‘unfortunate people who will have to pay out to them money that has not been earned’.<sup>76</sup> It was true most of the applicants simply wanted to seize an opportunity that few would let pass, to retire early and enjoy a life of leisure. However there was also a general feeling that the service had become degraded, supervision stricter (if not bullying), hours longer and pay shorter under the Free State with every sign that the future under Fianna Fáil would be worse. As one inarticulate woman telegraphist, who simply wanted out, put it ‘it is atmospheric conditions’.<sup>77</sup> Davitt was ruthless in interpreting the terms under which

retirement was claimed and the civil service unions, who had bought in, could not opt out. By the end of March the court had heard 461 cases and allowed only 250, rejecting 160 with 51 withdrawn. Thus nearly one half of all cases ended up either withdrawn or rejected.<sup>78</sup>

The complaints of the civil servants at the Davitt court reflect the transformation of the Irish civil service from an informal, casual and poorly supervised collection of Boards to a centralised and ruthlessly-driven state-machine. The nostalgia that many felt for the old days of the British regime was however misplaced for those days had long passed in Britain as well as Ireland. For the professional grades in Britain the expected benefits of the 1920s Reorganisation, the Whitley Councils and the Civil Service Arbitration Board had all had proved illusory. An attempt by the British IPCS to force a re-grading of the professional classes was resisted by the Official Side with irrelevant and evasive arguments or simply blank refusals. The final report on re-grading the professional classes of the British civil service, delivered in 1925 after one hundred and fifty-seven meetings, offered meagre improvements.<sup>79</sup> The Whitley Councils were far less successful than the Irish civil service liked to imagine. Meetings were either chilly gatherings of the mute or red hot rows due to Official Side resistance to the whole concept of negotiation.<sup>80</sup> Nor was the gain of a Civil Service Arbitration Board any more useful than the Whitley Councils. In 1922 the “Geddes Axe” that aimed to secure cuts in government costs simply and unilaterally abolished the Arbitration Board. It was finally restored in 1925 but without Official Side approbation proved ineffective.<sup>81</sup>

### **After Wigg and Cochrane**

The time and effort of the Wigg and Cochrane case had the effect of identifying the IPCS with those civil servants who were retiring and therefore being of little relevance to the vast majority that were staying on. The 1925 to 1928 AGMs of the IPCS were dominated by

reports of the case, which explains the poor attendance of members, as few as twenty-three at the 1925 meeting.<sup>82</sup> Where issues that might be even vaguely relevant to Article 10 turned up, rather than dealing with them the council simply referred them to TOPA for consideration.<sup>83</sup> Late in the day Brunicardi protested to TOPA that the point of the litigation was to protect the future of officers who were to continue in the service rather than to place a premium on retirement.<sup>84</sup> This was disingenuous. The argument that by fighting the cause of those civil service who were retiring the rights of those who remain were being defended was unconvincing.<sup>85</sup> The IPCS had in fact become little more than a branch of the TOPA, directed wholly at fighting and winning the Wigg and Cochrane case. Civil servants had lost sight of the original object of the struggle, which was to secure a restoration of the Whitley councils or an equivalent arbitration body. As soon as the case was won the pillar upon which civil service unity had been built collapsed, undermined by the extent of its success. The Privy Council awarded the civil servants all of the costs incurred in fighting the case. The Irish Treaty Pensioners Association that had initiated and first put up funding for the struggle accused the IPCS and TOPA of pocketing the award of costs and allowing the Pensioners Association share to 'go west'.<sup>86</sup> The IPCS in turn described the Pensioners Association as a bankrupt organisation dependent on the "serving service" to find the money to establish its right to retire on pension.<sup>87</sup>

With the passing of the final 1929 Act and the resolution of the pensions issue the IPCS struggled to survive. The time between meetings of the council grew longer and many of these meetings had to be abandoned because of the lack of a quorum.<sup>88</sup> With Brunicardi in the chair the 1930 10<sup>th</sup> AGM, which ought to have been a celebration, became a searching inquiry into the future direction of the IPCS. The AGM approved a resolution by Brunicardi that a special meeting be called of delegates to amend the constitution so as to secure the future interest of professional civil servants. The implication of the resolution was a

broadening of membership so as to maximise the Institution's appeal.<sup>89</sup> Such was the inertia in the IPCS that the special meeting was never called. There was some vague and pointless discussion which decided against revising the constitution and one year later the poorly attended 11<sup>th</sup> AGM heard little new in the annual report.<sup>90</sup> The issues that dominated the meeting, the calculation of the cost-of-living and the plight of the widows of civil servants who died in service, simply underlined the key failure to secure an effective arbitration tribunal. The serving civil service needed the same legislative bulwark for their conditions as the retiring Article 10 officers had secured in the Transferred Officers Protection Association. This could only be a conciliation and arbitration system similar to the Whitley Councils.

With the continuing decline in membership Brunicardi called a special meeting to approve the appointment of an organising secretary for the IPCS. The organiser, it was hoped, would also be able to not only increase membership but also draw up a case to meet the growing hostility to the civil service in the country.<sup>91</sup> James Irvine, who had shown his ability at the compensation panel, was appointed as chairman of a new organising committee with council members Kenny, Chaloner-Smith, Shortall and Dawson.<sup>92</sup> The IPCS was still determined to maintain its distinctive professional and technical membership and rejected overtures from the newly formed Civil Service Clerical Association for a joint campaign on the demand for arbitration.<sup>93</sup> The Civil Service Clerical Association (CSCA) was the most militant of the civil service trade unions. Its journal *An Peann* was unapologetically virulent in its attacks on the mean pay levels of the clerical grades, poor promotion prospects and on the persistent of what it termed "Union Jack" attitudes in the upper echelons of the service. The CSCA brought the issue of civil service pay to the Trade Union Congress and led the campaign for an arbitration scheme.

By the spring of 1932 the new organisation committee led by Irvine had effected a turn-around and the IPCS could record an increase in twenty-two in its membership. However the increase in membership might also be ascribed to the February 1932 general election that had brought Fianna Fáil to power with a programme for government that included a promise to consider an arbitration tribunal for civil servants.<sup>94</sup>

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<sup>1</sup> Of the 153 seats Cumann na nGaedhael won 63 in 1923, 47 in June 1927 and 62 in September 1927.

<sup>2</sup> *Dáil Debates*, vol 5, cols 1233-48, 23 Nov. 1923; vol.13, 12, 18,25 Nov. 1925 are typical examples.

<sup>3</sup> NAI, G2/2, executive council minutes, 12 May 1923.

<sup>4</sup> NAI, G2/3 executive council minutes, 27 Oct. 1923.

<sup>5</sup> *Dáil Debates*, vol. 1, cols 1367, 6 October 1922.

<sup>6</sup> NAI, FIN 1/826/ &6 financial statements, 5 Oct.; 2 Nov. 1923.

<sup>7</sup> NAI, G2/3 &4 cabinet minutes, 15 May, 10 Oct. 1924.

<sup>8</sup> Civil Service Federation, *Statement Concerning proposed Alterations in the Regulations Governing the Employment of Saorstát Civil Servants* (1924).

<sup>9</sup> *Dáil Debates*, vol 5 col. 1218, 23 Nov. 1923.

<sup>10</sup> NAI, G2/2 executive council minutes, 8 May 1923; *Iris* (June 1923).

<sup>11</sup> *Dáil Debates*, vol 4, 25 July 1923, civil service regulation bill, second reading.

<sup>12</sup> *Ibid.*, vol. 4, cols 1507-10, 26 July 1923.

<sup>13</sup> NAI G2/3 executive council minutes 9 Jan. 1924.

<sup>14</sup> *Dáil Debates*, vol. 15, col 741, 14 Nov. 1923.

<sup>15</sup> *Ibid.*, vol. 5 col 919, 16 Nov. 1923.

<sup>16</sup> IPCS, council minutes 29 June 1923, special general meeting 20 Dec. 1923, AGM 30 April 1923.

<sup>17</sup> Institution of Professional Civil Servants (Ireland), Third Annual Report Year Ending 31 March 1923.; AGM 38 Mar. 1923.

<sup>18</sup> Constitution of The Institution of Professional Civil Servants (Ireland), 1926.

<sup>19</sup> IPCS council minutes, 24 July, 13 Oct. 1925; 19 Jan., 4 Mar. 1926.

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- <sup>20</sup> Ibid., 13 July 1926.
- <sup>21</sup> Ibid., 2 May 1923, 25 Nov. 1924.
- <sup>22</sup> Ibid., 10 Mar., 16 Apr. 1924, 10 Sept., 13 Oct. 1925; 10 Feb. 1926; 31 Oct. 1927; Donal O’Sullivan, *The Irish Free State and its Senate, a study in contemporary politics* (1940), pp124-5
- <sup>23</sup> IPCS council minutes, 10 Feb. 1926.
- <sup>24</sup> Ibid., 13 Oct., 3, 11, 21 25 Nov. 1925.
- <sup>25</sup> John Campbell, “*A loosely Shackled Fellowship*” *the history of Comhaltas Cána* (n.d.) pp. 126, 141.
- <sup>26</sup> The records of this period also reflect declining interest, with scant or minimal minutes and few meetings recorded.
- <sup>27</sup> IPCS, council minutes 23 Feb., 23 Mar., 12 Apr., 2 & 14 May, 23 June 1923.
- <sup>28</sup> Iris, Apr. 1923.
- <sup>29</sup> NAI, S. 6247/FO/1, department of the taoiseach.
- <sup>30</sup> *Dáil Debates* vol. 8, cols 1028-9, 10 July 1924; cols 1540-2200, 17 July 1924.
- <sup>31</sup> Department of finance circular 48/24.
- <sup>32</sup> IPCS, council minutes 10 Mar., 29 Sept., 3&10 Oct., 13 Nov. 1924.
- <sup>33</sup> Ibid., 16 Dec. 1924, 3&17 Feb., 23 Mar. 1925.
- <sup>34</sup> Ibid., 23 June 1925, minutes of 6<sup>th</sup> AGM 20 Apr. 1926; Sweeney, *In Public Service*, pp45-8.
- <sup>35</sup> IPCS council minutes, 7 Jan., 14 Feb., 4 Apr. 1927; Sweeney, *In Public Service*, p46-8; NAI, department of the taoiseach S 6247/FO/1.
- <sup>36</sup> IPCS council minutes, 11 Nov. 1927, 15 May, 29 Oct., 11 Dec. 1928.
- <sup>37</sup> *Seanad Debates*, vol. 13, col 27, 20 nov. 1929.
- <sup>38</sup> *Dáil Debates*, vol.1 col 1795-7, 19 Oct. 1922.



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- <sup>39</sup> NAI, DE 1/4 president's department, 27 Jan. 1922; department of the taoiseach S.6247/FO/1
- <sup>40</sup> Maguire, *The civil service and the revolution in Ireland*, pp112-7.
- <sup>41</sup> *Iris*, vol.2, no.8, Aug. 1924.
- <sup>42</sup> *Ibid.*, vol.1, no.1, Jan 1923.
- <sup>43</sup> *Ibid.*, vol. 1, no.1, Jan. 1923; vol.1, no.3, Mar. 1923.
- <sup>44</sup> IPCS council minutes, 6 & 25 Oct. 1922.
- <sup>45</sup> *Ibid.*, 6 Dec. 1922; 17 Jan. 1923.
- <sup>46</sup> *Wigg and Another v. Attorney-General of the Irish Free State*, No. 29 of 1926 in the Privy Council, pp46-102; see Maguire, *The civil service and the revolution*, pp182-95 for a full discussion of the case.
- <sup>47</sup> IPCS council minutes, 22 Jan. & 23 Mar. 1923.
- <sup>48</sup> *Ibid.*, 11 Jan., 4 Oct. 1923.
- <sup>49</sup> *Wigg and Another*, writ of summons 16 Nov. 1923.
- <sup>50</sup> *Dáil Debates*, vol. 8, cols 1249-50, 15 July 1924.
- <sup>51</sup> NA, department of finance, E109/13/26, 'superannuation payable under article 10 as at 1 Dec. 1925'.
- <sup>52</sup> *Dáil Debates*, vol 5, cols 877-8, 15 Nov. 1923.
- <sup>53</sup> *Ibid.*, vol.11, 14 May 1925, Questions.
- <sup>54</sup> IPCS council minutes, 4 Oct., 5 Nov. 1923.
- <sup>55</sup> *Ibid.*, 3 Oct. 1924; 17 Feb. 1925; Dail debates, vol.9, col 642, 1394, 4 & 21 Nov. 1924; vol.11, 14 May 1925, Questions; vol.12. cols.1390, 1403, 19 June 1925.
- <sup>56</sup> *Ibid.*, 25 Nov. 1924.
- <sup>57</sup> *Ibid.*, 17 Feb., 23 Mar., 9 Apr. 1925.
- <sup>58</sup> *Iris*, vol.3, no.5 (May) 1925.

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- <sup>59</sup> Irish Labour History Museum and Archives (ILHS), MS.10/TOPA/1,2,3.
- <sup>60</sup> *Iris*, vol.3, no.11 (Nov.) 1925.
- <sup>61</sup> Wigg and Cochrane, judgement of Mr Justice Johnston, 1 April 1925.
- <sup>62</sup> IPCS council minutes, 14 June 1924.
- <sup>63</sup> D.W. Harkness, *The Restless Dominion the Irish Free State and the British Commonwealth of Nations 1921-31* (1969) London. p.9.
- <sup>64</sup> Harkness, *Restless Dominion*, p81.
- <sup>65</sup> IPCS, council minutes 11&28 May; 24 July, 13 Oct., 3 Nov. 1925; 19 Jan., 10 Feb. 1926.
- <sup>66</sup> *Dáil Debates*, vol.18, 23 Feb. 1927, Questions.
- <sup>67</sup> *Ibid.*, vol.18, col.385, 8 Feb. 1927.
- <sup>68</sup> *Ibid.*, vol.19, 20 May 1927, private notice questions.
- <sup>69</sup> *Seanad Debates*, vol.13, cols26-35, 20 Nov. 1929 for Senator Johnson's caustic and ironic history of the government's actions.
- <sup>70</sup> IPCS council minutes, 9 Mar., 11 Dec. 1928; 12 Apr., 17 June 1929.
- <sup>71</sup> *Dáil Debates* vol.31, col.928-933, 11 July 1929; NAI, department of the taoiseach S. 5459, CAB 1/2, 26 Mar. 1928, Wigg and Cochrane case.
- <sup>72</sup> ILHS, ms.10/TOPA/1-3; Parliamentary Debates, Commons, Vol.229, No.11, cols1218-1224, 11 July 1929.
- <sup>73</sup> *Irish Times*, 7 Jan. 1930.
- <sup>74</sup> *Irishman*, 1 Mar. 1930.
- <sup>75</sup> *Irish Times*, 28 Feb. 1930.
- <sup>76</sup> *Clare Champion*, 15 Mar. 1930.
- <sup>77</sup> *Irish Independent*, 21 Feb, 1930.
- <sup>78</sup> *Irish Independent*, 29 Mar. 1930.

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- <sup>79</sup> Mortimer & Ellis, *A Professional Union*, p19-21.
- <sup>80</sup> Ibid., p18.
- <sup>81</sup> Ibid., p26-33.
- <sup>82</sup> IPCS council minutes, 17 Apr. 1925.
- <sup>83</sup> Ibid., 10 Sept. 1925.
- <sup>84</sup> Ibid., 11 Dec. 1928.
- <sup>85</sup> IPCS annual report, 1929-30.
- <sup>86</sup> ILHS Ms.10/TOPA/1-3. letters between Scales of the ITPA and Irvine of the IPCS,  
11 May 1928-12 Jan. 1929.
- <sup>87</sup> Ibid.
- <sup>88</sup> IPCS council minutes, 31 Oct. 1930.
- <sup>89</sup> IPCS, annual general meeting minutes, 21 Nov. 1930.
- <sup>90</sup> IPCS council minutes, 19 Feb. 1931; annual general meeting minutes, 19 June  
1931.
- <sup>91</sup> IPCS council minutes, 22 Oct., 13 Nov. 1931.
- <sup>92</sup> Ibid., 25 Jan., 1932.
- <sup>93</sup> Ibid., 17 June, 11 Dec. 1931.
- <sup>94</sup> Ibid., council minutes, 11 Mar. 1932.

## **The IPCS (Ireland) and Fianna Fáil: 1932-48**

### **Introduction**

The transfer of power to Fianna Fáil proved to be more than a change in the ruling party, it was also a change of ideas on the future political, economic and social development of the Irish state. The history of the early Fianna Fáil governments is dominated by the big events of the 1932-8 'Economic War' the 1937 Constitution and the Emergency. But too great a concentration on the big events can distract attention away from the less spectacular but still historically significant fundamental change in the role of the state and the civil service under Fianna Fáil. Fianna Fáil used a populist rhetoric to project itself as the party of tradition whilst acting as a dynamic and modernising force in Irish society. This dual stance enabled the party to consolidate and tighten its hold on power in the four general elections between 1932 and 1938.

### **New roles for the civil service**

Despite de Valera's often cited ideal of a rural Ireland of self-sacrifice and frugal comfort Fianna Fáil governments drove industrial development, an increase in urbanisation and a dramatic expansion and centralisation of the state. An invigorated welfarism saw increases in old-age pensions, large-scale slum clearance especially in Dublin and major improvements in unemployment benefits. The expansion of the

socially protectionist state saw the provision of workmen's compensation and widows and orphans pensions along with protective legislation in the Conditions of Employment Act of 1936 and the Shops Act 1938 along the creation of the Wages Board. The lack of initiative by the native entrepreneurial classes led, by default, to the state assuming a leading role in the drive to industrialise and modernise Ireland through a state-sponsored industrial sector secured behind a wall of protectionist tariffs.<sup>1</sup> Whilst Fianna Fáil had been 'for' national development through protectionism in the election campaign, what exactly that would mean in policy terms was never clear. Economic policy would have to be worked out after, and not before, taking office.<sup>2</sup> In working out that policy tensions emerged early between the Department of Finance and the spending departments, especially the Department of Industry and Commerce under Seán Lemass. The creation of a detailed economic policy had also to take account of the Economic War. This dispute began with de Valera's refusal to hand over the land annuities and the British retaliated by imposing special duties on Irish cattle and dairy produce. As it escalated the imposition of tariff and counter-tariff gave a veneer of national sovereignty to Fianna Fáil's protectionist policies.

In April, just weeks after taking office, the government appointed an economic policy committee comprised of de Valera (though he had little interest in economics) James Ryan, Minister for Agriculture; Senator Joseph Connolly, Minister for Posts and Telegraphs; and Seán Lemass. The initial exclusion of Seán MacEntee, Minister for Finance, and his later inclusion in September, may reflect the beginning of the struggle between MacEntee and Lemass on control of economic policy which was to shape the Fianna Fáil governments of de Valera. In May the Department of Industry and Commerce established an Industrial Development branch. New ideas on the role

of the state in Irish economy and society opened up new fields of activism to the civil service that was now expected to provide the expertise and leadership for development. However this growth in the state happened with little if any advice or direction from the expertise that was in fact already available to the government. The CSO collected statistics on, for instance, employment patterns but it was never cited or used. Nor had the government any economists to advise on a state-led industrialisation.<sup>3</sup> Instead civil servants found themselves having to display expertise in economic management, whether they had such expertise or not. Some, such as John Leydon, had a natural penchant for detailed planning and analysis. Dr J.H. Hinchcliff of the Department of Agriculture and a member of the IPCS (Ireland), was appointed chairman of the Sugar Company. R.J. Browne, a senior tax inspector was appointed to the ESB. However, the professional civil servants were not as successful as the general service grades in securing senior positions in this new area of civil service activity.<sup>4</sup>

Boland, Secretary in the Establishment division of the Department of Finance, initially was willing to concede that persons of the calibre required to run these state enterprises were as likely to be found inside the civil service as outside it, grew increasingly alarmed at the surge in numbers and the disruption to established grades and salaries these posts created.<sup>5</sup> In November 1936 McElligott, General Secretary in Finance, wrote a memorandum to Moynihan, Secretary to the government, expressing his departments alarm at the growth in civil service numbers and identifying Industry and Commerce as the chief culprit. ‘A fair number of civil servants seem to feel that they are justifying their own existence and incidentally their own importance, by suggesting new measures’ he sneered.<sup>6</sup> Finance was now finding itself in direct conflict with government policy because, as Boland pointed

out, 'it is illusory to expect any reduction in staff without reduction in services'.<sup>7</sup> These new posts also threw the existing pay scales into confusion. Dr Hinchcliff's salary rose from £950 to £2000 on his appointment as Chairman of the beet sugar manufacture, though he remained a civil servant. P.J. Dempsey was on £313 as a Junior Executive Officer. When he was seconded to become secretary to the ESB his salary rose to £750. R.J. Browne, who as a senior tax inspector had a salary of £850, was on a salary of £1700 as chairman of the ESB. Boland minuted Leydon that these appointments were causing chaos in the higher grade remuneration and asked that 'the practice of placing civil servants on the directorate of these outside bodies should be discouraged and if possible prevented'. However it should be noted that Doolin, another assistant secretary in Finance, was hugely amused at Boland's 'railing against fate'.<sup>8</sup> The civil service was receiving a status and opportunity never previously enjoyed. Rather than curbing the expansion in opportunity, departments were instructed not to block mobility and to allow civil servants move to 'whatever posts their services are most likely to be of the highest value to the state'.<sup>9</sup>

### **Renewing the struggle for arbitration.**

In October 1934 the cabinet agreed on the outlines of an arbitration scheme for the civil service based on the Interim Report of the Brennan Commission published in July (a report which the civil service unions had immediately rejected) and directed the Department of Finance to flesh it out. The Interim Report of the Brennan Commission accepted the Department of Finance argument that the executive was prevented by the constitution from binding itself to accepting a decision by an

arbitrator. The Heads of Agreement for an arbitration scheme issued by the Department of Finance were:

- (A) The Minister for Finance to prescribe the kind of dispute which would be appropriate for reference to arbitration.
- (B) Reference of a particular matter to the arbitration board to be made only with the concurrence of the Minister for Finance.
- (C) Reports of the Arbitration Board to be in the form of a recommendation to the Executive Council.
- (D) The Chairman of the Arbitration Board to be appointed by agreement between the Minister for Finance and the Chairman of the Staff Side of the Civil Service Representative Council; in the absence of agreement the Chairman to be selected by the Minister for Industry and Commerce.
- (E) Civil Servants or officials of Civil Service Associations are not eligible for appointment as Chairman.
- (F) Ordinary members of the Arbitration Board to be selected by the Minister for Industry and Commerce from two panels nominated by him to represent
  - (i) the Minister for Finance and consisting of persons acceptable to him
  - (ii) Staff Side of representative council and consisting of persons acceptable to that body.
- (G) Panel not to include civil servants, members of the Oireachtas or officials of staff associations.

Finance was also instructed to prepare a memorandum to confine membership of the Civil Service Representative Council to serving civil servants.<sup>10</sup> In Finance Boland directed that a memorandum for circulation to the staff associations should present the proposed arbitration scheme by reference to what was excluded from



discussion and, in a separate memo, to refer to the exclusion of ‘outsiders’ from being present in the arbitration process.<sup>11</sup>

The Association of Officers of the Executive and Higher Grades (the former AEO), the Civil Service Federation, the Civil Service Clerical Association, the Post Office Workers’ Union and the Custom and Excise Officers Association all immediately rejected the scheme.<sup>12</sup> Their reasons for their united and unequivocal rejection of the scheme were that the prior consent of the minister was required before a claim could be referred to the Arbitration Board; ministerial approval of the terms of reference were required; the minister nominated the chairman of the Board; the representatives of the civil servants had to be themselves serving civil servants; the government could adopt or reject any award made by the Board; and the findings of the arbitrator could not be published except by direction of the government. What was on offer was clearly not arbitration as usually understood, in fact it was merely consultation by grace and favour of the Minister.

The government decision to press on what was clearly an unacceptable arbitration scheme may have been prompted by evidence of division within the civil service associations. It came to light in the public and bitter row between Norton of the POWU and Hughes of the Executive Officers Association and the Civil Service Federation. Hughes suggested that Norton was failing to use the political pressure that was at his command to force the government to establish an acceptable arbitration scheme. Norton retaliated by accusing Hughes and the Federation of splitting the civil service organisations by attending the Civil Service Representative Council when all the other associations had recognised that it was a useless body. He described the Federation as the ‘best friend’ of the

Department of Finance and the representative council as the ‘official muzzle’ on civil service associations.<sup>13</sup>

The Department of Finance issued the draft scheme to the civil service associations in June 1935. An interesting last minute alteration was inserted by the cabinet instructing that the requirement that at least one member of each of the two panels should be a woman should be omitted.<sup>14</sup> The Department of Finance also asked that the associations provide written responses to the Minister. A speedy and unambiguous response was clearly what seemed to be required. The IPCS (Ireland) however began a laborious and lengthy consultation with the constituent associations, inviting them to read the proposed scheme carefully and to bring to the IPCS (Ireland) council an itemised criticism. Exactly one year later when the final report of the Brennan Commission was published in June 1936, the IPCS (Ireland) council was still having long discussions on how to respond. MacEntee, when questioned in the Dáil on the almost universal rejection of the scheme was able to state that whilst many of the associations had indeed rejected the scheme, some of them in the most intemperate language, he had not yet got a written response from all associations.<sup>15</sup> Clearly MacEntee took the view that silence implied consent. It would seem that once again the federal structure of the Institution and the absence of a strong unified identity as civil servants neutralised the IPCS (Ireland) council and prevented it giving the immediate and sharp response required.<sup>16</sup>

In the opposition to the government scheme divisions within the civil service that weakened and hampered a co-ordinated campaign were identified as a fundamental problem.<sup>17</sup> At the 1936 IPCS (Ireland) agm Brunicardi warned the members that the Institution would need to fight the case for a proper arbitration

board. The treasurer, M.J. Kenny, emphasises the need for a strong fighting fund for the coming struggle.<sup>18</sup> The recognised need for a single unified civil service response to break the deadlock led to a new initiative in June 1936. A joint letter to the Minister, signed by almost all the civil service organisations, offered to open negotiations on an arbitration scheme that contained as essential features;

1. The Chairman of the Board to be appointed by agreement between the Government and the staff associations.
2. Each party to be free to select its representatives on the Board and its advocates before the Board.
3. Each party to have the right to bring before the Board any claim within a previously agreed category, without veto by the other party, the Board alone having power to decide whether a particular claim falls within the agreed category.
4. The Government to give effect to the awards of the Board subject to the authority of Parliament.
5. In the event of a dispute as to the meaning of an award, the Board to determine its own findings.<sup>19</sup>

When the IPCS (Ireland) was invited to sign the letter and join in the combined campaign Brunicardi advised the secretary not to wait for a full meeting of the Institution's council but to act immediately with the permission of the general purposes committee. The general purposes committee consisted of the secretary, the president Huggard and Brunicardi himself.<sup>20</sup> By taking the initiative Brunicardi gave much needed impetus to the IPCS (Ireland) and asserted the authority of the general purposes committee. Boland, on behalf of the minister, reminded the associations that he was still waiting a written response to the draft scheme. Any discussions would

have to be on the basis of those written responses, based on the government scheme. No progress therefore on arbitration, but some progress on civil service unity had been achieved.

In order to increase the pressure on the Department of Finance a further joint letter from the civil service associations was sent to de Valera reminding him of his promise in the 1932 election campaign to grant arbitration to the civil service and asking him to intervene with his Minister for Finance.<sup>21</sup> This letter was clearly meant to embarrass the president.

### **The 1937 Constitution**

De Valera was in fact fully occupied in drafting a new constitution which he brought to the Dáil in May 1937. The civil service associations were afraid that their rights under the Treaty and under the Saorstát Éireann constitution would be abolished in the new constitution. This led to a test case brought by Peter Hegarty, an assistant inspector of National Health Insurance, through the still functioning Transferred Officers Protection Association (TOPA). His claim was that the constitution of Ireland/Éire discharged him from the service of Saorstát Éireann and that he was entitled to compensation under his retained rights. At the hearing John A. Costello, representing Hegarty, argued that the constitution was a revolution in as much as it ended one state and initiated another. The government found itself having to argue that the constitution introduced no innovation and that Hegarty had the same employer before and after the passing of the constitution. On 17 August the civil service compensation board found that though Hegarty was not discharged by the National Health Insurance Board, he was discharged by the government of Saorstát Éireann and therefore was entitled to his compensation claim.<sup>22</sup> The judgement of the

board suggested that the entire civil service of Saorstát Éireann had been discharged and therefore the 6,000 transferred civil servants still in the service of the state might be entitled to compensation. The Department of Finance immediately issued a circular to all civil servants stating that the government would not pay compensation and would introduce legislation to remedy the situation.<sup>23</sup>

The decision to go to the courts in the Hegarty case was controversial within the civil service associations. The IPCS (Ireland) objected to TOPA undertaking what might prove a costly claim without fully consulting the membership, as had happened.<sup>24</sup> On the other hand the Cork engineering branch of the POWU, which was losing members, was very enthusiastic after the successful hearing and urged Norton to use it to full effect in Dáil debates.<sup>25</sup> TOPA was in fact quite in the dark on the Hegarty case. Although it had been usual for the executive of the association, made up of representatives of the CSF, POWU and IPCS (Ireland), to be kept updated on the progress of cases the Hegarty hearings had been kept confidential. When, on the insistence of the IPCS (Ireland), a meeting was held Hughes, who represented the CSF on the staff side of the compensation board, refused to attend or to divulge the progress of the Hegarty hearing. This was despite the momentous impact it would have on the transferred officers. It was when the Hegarty reward was announced that the reason for Hughes's reticence became apparent. Before the Hegarty case Hughes had made an application to the compensation board himself for permissive retirement terms. When the likely result of the Hegarty decision became apparent, with the permission of the board and the Minister for Finance, he withdrew his application for permissive retirement and re-applied for retirement on the same grounds as Hegarty, that is the more generous dismissal terms. He had been a civil servant since 1913. He went out with twenty-five years service and ten years added, giving him a pension

based on thirty-five years service plus a lump sum. What seems clear is that Hughes kept the rest of the civil service in the dark on the outcome of the hearing and in return was allowed by the Minister for Finance resubmit his own application.<sup>26</sup> Hughes had in fact applied for and been appointed to the post of general secretary of the British Institution of Professional Civil Servants, worth £750-900 a year. He left the Irish service with a generous pension and moved to London to take up his new post in October 1938. It ought to be recorded that he was not a success in the new post and his contract was terminated in 1943.<sup>27</sup> Hughes may well have been prompted to take the opportunity presented by the Hegarty case by the failure of new Civil Service Alliance to secure arbitration despite mounting a well-organised campaign in support of the demand.

### **The Civil Service Alliance**

In the absence of any success with MacEntee the civil service campaign for arbitration became public and highly political. In January 1937 the civil service organisations agreed to combine in a new organisation, the Civil Service Alliance. The Alliance, formed to ‘deal with all matters of common concern to the affiliated bodies or to significant sections of such bodies’ was understood to be in fact the organisational vehicle for a united campaign on arbitration. The Alliance represented sixteen associations organising ninety per cent of civil servants. Its president and the initial sponsor was Hughes of the Executive and Higher Officers’ Association. The secretary was Archie Heron of the clerical officers association and the treasurer was Cairns of the POWU.<sup>28</sup> The Alliance was also a response to an ultimatum from the Department of Finance saying that unless the civil service associations accepted the government scheme and indicated clearly their willingness to work it the scheme

offered would be withdrawn in its entirety. In March Norton brought a motion to the Dáil in favour of arbitration, supported by Deputy Costello of Fine Gael. MacEntee did not even bother answering in the debate, simply dismissing the well-argued points of Norton and Costello.<sup>29</sup>

The IPCS (Ireland) council referred the question of whether the Institution should join the Alliance to a referendum of the membership. Following a 75 per cent approval the secretary applied to affiliate to the Alliance 'on the assumption that the policy of the Alliance was the same as that of the Institution namely; (a) unswerving loyalty to the State (b) strict legality in the prosecution of any movements or agitations for the betterment of the service'.<sup>30</sup> The nervousness within the Institution reflects a fear that the IPCS (Ireland) might get drawn into an agitation led by the more militant and relatively numerous clerical grades. However the IPCS (Ireland) was soon complaining at the lack of action by the Alliance which seemed unable to go beyond urging all the civil service organisations to pass resolutions against the government proposals on arbitration.<sup>31</sup>

### **The 1937 and 1938 General Elections.**

De Valera published the new constitution on 1 May 1937. It was widely anticipated that the referendum on the constitution would be accompanied by a general election. On 14 June he dissolved the Dáil, setting 1 July as polling day. Contrary to Fianna Fáil expectations the new constitution received little enthusiasm, approved by only 57 per cent of the voters. Both Fianna Fáil and Fine Gael lost seats. The Labour Party made significant gains, doubling its vote and winning 13 seats in the new Dáil.<sup>32</sup> Amongst the new Labour TDs was Archie Heron, returned for Dublin North-West. Heron, along with Norton, meant that the civil service had a powerful presence in the

Labour Party. The raucous celebrations by civil servants within government buildings as the results came in brought a stern rebuke from Boland in Finance.<sup>33</sup> Labour was not going to support Fine Gael, but Norton made it clear that the minority Fianna Fáil government could not assume the support of his party. Amongst the key issues for Labour would be civil service arbitration.<sup>34</sup>

The debate on a motion by Deputy Costello directing the government to immediately establish arbitration for the civil service began on 30 March 1938 and continued to May. Costello made a good job of demolishing the argument that the constitution's requirement that the government could not assign responsibility for public spending to an arbitrator. Heron spoke on the psychological effect on both sides of the presence of an arbitrator, arguing his presence would mean each side striving to reach agreement. Norton, in his usual pugnacious style, attacked MacEntee relentlessly. MacEntee, forced to reply, said that the civil service associations had adopted an attitude toward the government that caused him great regret and he attacked Heron in particular for politicising the civil service through his work as general secretary of the clerical officers. He did offer an olive branch to the civil service associations by suggesting that if they accepted the basic principles of the government scheme he would be prepared to amend it on lines they might suggest. In the vote, taken on 25 May 1938, the government to their own and everyone else's surprise were defeated by one vote. It was generally expected that Fianna Fáil would try to get around the defeat by calling for a confidence motion. Instead de Valera dissolved the Dáil on 27 May and set 10 June as polling day.<sup>35</sup>

De Valera contested the election on his success in the negotiations which had concluded the Economic War with Britain. The negotiations had begun in January and concluded on 25 April. The Partition question remained without agreement,



which was not unexpected. But on the land annuities the claim for £100 million was settled for a final payment of £10 million. The Treaty ports were returned and an end to all restrictions on Irish agricultural produce to the British market was agreed.

Although Fianna Fáil campaigned mainly on the successful negotiations with the British government and on the need for stable majority government, the question of arbitration in the civil service was pursued by MacEntee. Deeply conservative as he was, MacEntee did see valid constitutional difficulties in the manner that the civil service had run the campaign for arbitration. In 1932 the civil service had been circularised by the Department of Finance on the proper attitude of civil servants in regards to political matters. The circular stated that civil servants were expected to show a reserve in politics and ought not do anything that would ‘give colour to any suggestion that his official actions are in any way influenced, or capable of being influenced, by party motives’. Specifically, civil servants were forbidden ‘to be a member of an association or serve on a committee having for its object the promotion of the interests of a political party or the promotion or prevention of the return of a particular candidate to the Dáil’; nor were officials to publicly support or oppose any Dáil candidate; nor make statements to the newspapers or comment publicly on any matter of current political interest.<sup>36</sup> The civil service associations had breached each of these regulations in the campaign leading up to the Dáil defeat. T.J. Hughes, on behalf of the Civil Service Alliance, had appealed to each TD to vote in favour of the opposition motion. Eamon Bolger, Honorary Secretary of the Rathmine’s branch of the POWU had written to MacEntee pointedly reminding him that many of his constituents who were members of the POWU were taking a keen interest in the debate and Archie Heron had written to each civil service association in the Alliance

urging members to approach the TDs in their constituencies asking them to vote for the motion.<sup>37</sup>

MacEntee urged de Valera to use the defeat in the Dáil to take decisive action by announcing that in future ‘no civil service organisation will be recognised that employs an official who is not himself a civil servant and that no representations from it would be received or entertained by the government’.<sup>38</sup> It would have to be admitted that even an entrenched conservative such as MacEntee could have a valid point. In his view, if he entered negotiations with Norton and Heron he could never be sure whether he was in negotiation with the secretaries of civil service organisations or with Labour Party TDs and activists. They could use the Dáil chamber as a second forum for negotiation in which to win concessions denied in formal processes. Given the choice of believing that either the civil service had captured the Labour Party or that the Labour Party had captured the civil service, he choose to believe the latter. The journals of the civil service organisations do, as MacEntee alleged, sometimes read more like Labour Party organs. In the campaign leading up to the vote these journals had urged TDs to vote for an opposition motion knowing that, if successful, it would lead to the defeat of the government. His press statement allege that ‘the real purpose behind the agitation of Deputy Norton and his associates was to take control of the Civil Service out of the hands of the government...he doubted whether the majority of the unfortunate civil servants who were being used as stalking horses by these politicians even knew what was in the government’s scheme’.<sup>39</sup>

In the election campaign Fine Gael was bankrupt in terms of policy and Labour dusted down the same policy document as the previous year. Fianna Fáil won 52 per cent of the popular vote, the first party in the history of independent Ireland to

win a popular majority. Labour lost five seats, Archie Heron's included.<sup>40</sup> Fianna Fáil was able to form a stable single-party government and the civil service, that had so publicly nailed its colours to the Labour masthead, now had to learn to live with that fact. The Department of Finance, in the persons of Boland and McElligott, was hostile to any attempt by civil servants to better their lot. Civil service organisation was seen as a challenge to the dominance of their department. In private correspondence with Joseph Brennan, then Chairman of the Currency Commission but who had been secretary of the Department of Finance under the Cumann na nGaedheal governments, Boland had let slip the bullying attitude which informed his role as Establishment officer. He wrote 'the position that our department occupies in the mind of the service generally and the respect they show for our minister's authority must obviously be very largely affected by the feeling that ours is the minister and the department who in so large a sense can control and determine the fortunes of individual civil servants. I need not enlarge on this point'.<sup>41</sup> Efficiency was not the point at issue in negotiations with the civil service associations so far as Boland was concerned, it was power. Arbitration would be a concession of that power.

The IPCS (Ireland) provided the presidency of the Civil Service Alliance for the year 1938-9. Bowing to the inevitable the Alliance met with MacEntee, now reinstated as Minister for Finance, to discuss how his arbitration scheme might work. Having conceded the victory to the minister the staff side were given a very good reception and MacEntee seemed to be open to their suggestions.<sup>42</sup> The question of non-civil service representatives remained contentious, but with the resignation of Archie Heron from the CSCA to take up the post of secretary to the Irish Local Government Officers' Union and his replacement by a serving civil servant, the

question was in fact conceded. The IPCS (Ireland) lost the leadership of Major Brunicardi early in 1939 as a result of his promotion to a higher post in the Valuation Survey. Brunicardi had moulded the Institution and had played the key role in securing the prestige and status the IPCS (Ireland) enjoyed, despite being a small and scattered association. He was hugely popular amongst the membership whilst being recognised as an extremely able and subtle negotiator.<sup>43</sup>

The framework of an arbitration scheme began to take shape. Departmental Councils would provide a conciliation service, with a General Council for general service matters. An Arbitration Board would be established under a Chairman acceptable to both sides, though still appointed by the Minister. Arbitration would cover classes whose normal pay did not exceed £500 per annum, that is up to Administrative Officer level. Then, with the outbreak of war in Europe and the declaration of a State of Emergency, the discussions and the process of drafting legislation were immediately suspended.<sup>44</sup>

### **The IPCS (Ireland) and the Emergency**

In 1939 it would not have been unreasonable to expect that Ireland would fail to maintain its declared neutrality in the developing European war, not because of British or German actions but because neutrality would be economically unsustainable. Faced with the collapse of its economy and the threat of mass starvation Ireland would be forced to surrender its sovereignty in return for aid.<sup>45</sup> That neutrality was successfully maintained through the World War was due to the success of the policy of national self-sufficiency allied with a powerful and centralised control of the economic and social resources of the state. Previously an ideological stance, self-sufficiency became an absolute necessity for national survival. The ability of the civil service to undertake successfully the complex task of

controlling the limited resources available and to ensure their relatively fair distribution was unexpected. Also unexpected was the peaceful acceptance of state control by Irish society. From a state viewpoint therefore the main threat to neutrality was not an external enemy but rather internal forces that would undermine the ability of Irish society to survive of its own resources. The labour and trade union movement and its fight to maintain living standards was identified as one of those internal forces. Although a State of Emergency was declared no national government was formed and Fianna Fáil continued as the single party of government. Such shifts in government policy as did occur reflected cabinet reshuffles. The outbreak of war saw the creation of two new government departments; the Department of Supplies and the Department for the Co-Ordination of Defence Measures. Lemass was put in charge of the Department of Supplies. MacEntee was moved from Finance and into Industry and Commerce to replace Lemass. Sean T. O'Kelly moved from Local Government to Finance, his place in Local Government being taken by P.J. Ruttledge. Frank Aiken took responsibility for the new Department of the Co-Ordination of Defence Measures. In August 1941 Ruttledge resigned due to ill-health. This created an opportunity for another reshuffle. Lemass had Industry and Commerce returned to his control whilst retaining the Department of Supplies. MacEntee was moved to Local Government and Health. After the August 1941 reshuffle Lemass therefore had virtually complete control over industrial policy. In order to ensure the efficient management and control of the purchase and distribution of food, fuel and other essentials the Department of Supplies created several private companies staffed by the civil service. These included Grain Importers Ltd., Animal Feeding Stuffs Ltd., Timber Importers Ltd., Fuel Importers Ltd., Tea Importers Ltd and Irish Shipping Ltd.<sup>46</sup> These commercial state companies were a creative response to the needs of the

Emergency and also a recognition that the best managerial and professional talent in the state resided in the civil service. The tension between a conservative MacEntee and Department of Finance that shared the view that the state had no place in business and a dynamic Lemass in Supplies proved more significant in shaping government policy than any political or trade union opposition to the controls that were now imposed on the Irish economy and workforce.

### **Prices and Wages**

In a speech at Queen's University Belfast in October 1938 on 'War Finance' MacEntee, Minister for Finance, elaborated the lessons of 1914 and their implications for national governments in any future war. He anticipated that the full power of the state would be available in defence of the national economy and that governments would not hesitate in using that power. Increased taxation would be accompanied by a drastic curtailment of expenditure not essential to the war effort. This would mean an immediate halt to 'long-term schemes of social and economic amelioration'. The Department of Finance was busy at that time preparing a report, the contents of which were shaped by McElligott, detailing the cuts in unemployment benefits and in social reform which would be required to maintain a balanced budget in the event of European war. This report, presented to government in early September 1939, ran into the sands as the cabinet balked at the political implications of Fianna Fáil-sponsored compulsory poverty.<sup>47</sup>

The actual outbreak of war led not only to the cabinet shuffle but also a rethink of priorities. Whereas MacEntee was more concerned at maintaining a conservative fiscal policy, Lemass focussed on maintaining employment and economic activity. After Dunkirk and the collapse of France the British government

continued to hope that the Irish government would abandon neutrality and come to its aid. As it became apparent that the Irish government was not going to budge, the British began to apply pressure through cutbacks in exports of raw materials and by curtailing space allocations on British ships. The maintenance of supplies and services would depend entirely on the Irish government, subject to the goodwill of the British. That goodwill was secured by secret military co-operation, intelligence sharing and facilities for Irish labour migration to the British war factories. But the inescapable fact remained that the survival of the Irish state and society depended on Irish resources alone. The government of independent Ireland, as a small neutral economy with few choices available, could only react to events as they unfolded.

The IPCS (Ireland) council, in its annual report for 1939-40, despite its prolix and sometimes confused prose, reflects an acute consciousness of the devastation of the war and the demands that would be placed on the civil service. It deserves to be quoted at length;

Your council regrets that its Report is this year presented to you under the overshadowing influences of a major emergency, the all-pervading tragedy of a most devastating war, which the resources of Statesmanship have failed to avert and the calamitous effect and extent of which the wisest and most benevolent-intentioned of human beings appear to be powerless to limit or even to envisage. It will not, therefore, surprise you to learn that your Council's programme for the past year has of necessity suffered orientation from a considered plan in order to align itself with an entirely new set of circumstances necessitated by the totally altered conditions. In times of great emergency, both Council and members in common with all citizens, first look to the Government for guidance and instruction. The latter proceeds to readjust its whole economic system, rearrange Departments and for some time all plans are upset and normal proceedings are somewhat chaotic. All this sudden upheaval from settled conditions impresses a realization on the minds of the more responsible Civil Servants of the fact that our Government is at once our protector and employer, and for some time places us in an invidious position. We must face, nay undertake, responsibilities not visualized before, must co-operate for national safety and must willingly offer of our best in the national interest. This course of action involves a sacrifice of immediate self-interest which reacts unfavourably as on former occasions on the normal organised efforts of collective bargaining. No sooner have matters been

adjusted to the requirements of the moment than we find the Government in possession of the initiative and our ranks once more on the defensive....<sup>48</sup>

The government's planning for war in 1939 was made in the shadow of the war of 1914-18. Most people had clear memories of the inflation caused by the 1914-18 war that had proved so intractable, long-lived and socially corrosive. Although Lemass and the Department of Supplies now dominated government planning Finance was still the major influence on wages policy. The government was determined to suppress any inflationary tendencies that emerged, but through a wage freeze rather than price controls. In November 1939 Sean T. O'Kelly, now Minister for Finance, used a supplementary budget to lay down his views on wage increases. Admitting that the shortages in essential goods was already forcing prices upward he made it clear that the government was 'determined to set its face against the efforts of any class to obtain compensation for the rise in prices at the expense of the community'. He warned that action was already being planned by the government to control the salaries of all civil and public servants and if necessary controls would find a wider application.<sup>49</sup> The government wanted a voluntary wage restraint "in the national interest" but was preparing for compulsory wages policy for the public service. In February 1940 a strike by the IMETU that brought Dublin city services to a standstill provided the opportunity for the government to enforce its wages policy for the public services. The City Corporation was on the verge of conceding to demands for an eight shillings a week wage increase in compensation for the rising cost of living when the government intervened. The City Manager was instructed to grant an increase of two shillings only, one quarter of the demand, and was assured that the government would assist in defeating the strike. The dispute ended in failure for the IMETU.<sup>50</sup> This strengthened the hand of the government as it met with the civil



service representatives in early April in the context of the continuing rise in the cost of living.

### **An informal arbitration**

The immediate impact of the Emergency on the civil service was not a growth in numbers, as happened in 1914-18, but rather a major redeployment. Departments were instructed to facilitate staff movements into the departments which were considered vital to national survival. These included the Department of Defence, the Department of Industry and Commerce and the Department of Agriculture. Professional staff were redeployed from the Land Commission to oversee compulsory tillage and to occupy the new Emergency Scientific Research Bureau.<sup>51</sup> Any promotions that occurred were on an acting basis only, whilst all civil servants were required to work an extra half hour a day without overtime payments.<sup>52</sup> The temporary staff were warned that the emergency may require that they would be dispensed with. Unlike World War One, when the war created opportunity, the civil service felt under pressure from the beginning of the Emergency. In July 1940 An Inter-Departmental Committee on Emergency Measures was assembled from the Departments of Supply, Industry and Commerce and Local Government and Public Health. The exclusion of Finance reflected its loss of primacy where the main task facing government was the survival of the state itself.

The IPCS (Ireland) was mainly concerned with the status of the temporary professional civil servants, many of whom were approaching retirement age with many years of service but no pensionable status, and also with travelling expenses which rose considerably in the Emergency. The IPCS (Ireland) council also ensured that the increased hours of attendance imposed on the clerical grades did not apply to

the professional staffs, many of whom were outdoor and ought to be trusted to deliver all that was required of them in a day's work.<sup>53</sup> Initially the Institution was content to act from within the Civil Service Alliance. The Alliance campaign had failed to secure an arbitration scheme but the Alliance was remained as a useful umbrella organisation to maintain the struggle. In meetings with the Department of Finance the Alliance offered mixed signals. On the declaration of war it had offered full co-operation with the government during the Emergency including working extra hours without overtime payment. The reason that the Alliance made this generous offer was that it held to the belief that full co-operation implied full consultation in whatever measures were thought necessary.<sup>54</sup> This was not an uncommon assumption by the public service unions; the ILGOU also hoped that its offer of closer co-operation with the government would lead to future recognition of the union for negotiations on conditions of service.<sup>55</sup> Comhaltas Cána, the organisation of the Customs and Excise officers not only offered unconditional loyalty but also offered £500 by way of an interest-free loan to the exchequer.<sup>56</sup> In early November there was an informal meeting between the Alliance and the senior civil servants of the Department of Finance. Whilst the Alliance delegates insisted that the demand for a conciliation and arbitration board would be maintained, despite the emergency, they did agree to informal consultation with representatives of Finance from time to time. The Finance side however made it conditional that no pay claims could be discussed at these meetings. The attraction for the Alliance was that the official side accepted that 'it is desirable to have a clearing house for proposals which the staff wish to discuss, and it was agreed that the Civil Service Alliance would prove a suitable medium for this purpose'.<sup>57</sup> The Alliance represented a wide span of organisations across the civil service grades but it was dominated by the Association of Officers of the Executive

and Higher Grades and the Clerical Officers' Association. At the November meeting the Alliance was represented by John Kelly of the CSCA, Michael Meade of the Executive Officers', and Colm O'Sullivan of the IPCS (Ireland) who acted as President of the Alliance. Colm O'Sullivan was emerging as a key figure in the IPCS (Ireland) at this time. A scientist within the Department of Industry and Commerce he acted as one of the honorary assistant secretaries of the IPCS (Ireland) for many years from the 1940s to the 1960s and was as significant influence on the postwar Institute as Brunicardi had been in its formative years.. An incisive and analytic intelligence he retained a formidable memory for structures and regulations within the professional civil service that were to prove invaluable in negotiations.

It may have hoped that the Alliance would act as a cohesive and co-ordinating organisation in the struggle for conciliation and arbitration that would be resumed after the emergency. Discussions, however informal, would in any case establish the Alliance as the voice of the civil service. The discussions that did occur between the Alliance and the senior civil servants of the Department of Finance, especially with John Moynihan with whom the civil service found they could talk frankly, were useful in establishing good personal relations with the senior civil servants if not with the minister.<sup>58</sup>

### **The Stabilisation of Bonus Regulation, May 1940**

The cost of living began to rise rapidly and the index that was 75 at the declaration of the State of Emergency had risen to 85 by the end of the year. By June 1940 the figure had risen further to 105. The Alliance met with the officials of the Department of Finance in April 1940. McElligott told the staff side that the government had decided to do its duty to halt the increase in wages generally by stabilising the bonus

at the January 1940 figure of 85. There would be no further increase regardless how high the cost of living rose. Colm O'Sullivan of the IPCS (Ireland), in putting forward the objections of the Alliance, reminded MacElligott that the sliding scale had been introduced on the First World War as a partial compensation for the rise in the cost of living. It had been consistently applied to force down civil service salaries and had bred discontent on the service which would now grow even stronger. The Alliance then withdrew from meetings with the official side.<sup>59</sup> The IPCS (Ireland) joined with the other Alliance members in a court challenge to the stabilisation of the bonus, which was effectively a unilateral abolition of the sliding scale. When the court case proved unsuccessful the Alliance turned to mass protest meetings and publicity. By now the POWU was pursuing its own agitation under the leadership of Norton in the Dáil. In June 1942 and again in January 1943 the government conceded small increases to the lowest paid civil servants though offering very little to the higher grades, including the professionals.<sup>60</sup>

### **The Wages Standstill Order, 1941.**

The standstill on wage rates for civil service was in fact just the first stage in a longer term strategy led by MacEntee. MacEntee brought into the Department of Industry and Commerce a Finance department view of Irish wage levels which held it as axiomatic that Irish wages should be equal to, or less than, those in Great Britain. In fact, according to the Department of Industry and Commerce, which had the responsibility for industrial policy, Irish wage rates had increased beyond those in Britain. The Emergency was therefore an historic opportunity that was not to be missed to force Irish wage rates down. Finance was not going to let the global crisis go to waste. The problem was that the employers were too disorganised to check the

trade unions and therefore the task would have to be taken up by the government.<sup>61</sup>

The breaking of the IMETU strike in Dublin city was followed by the Standstill Order on civil service salaries. MacEntee then took to the cabinet his proposals for a general wage freeze. The State would take the initiative in confronting the trade unions. In cabinet MacEntee argued with his colleagues through 1940 on the need to use the emergency powers to freeze wages. The result was the Emergency Powers (no.83) Order, 1941 which prohibited any wage increase over and above that prevailing on 7 April 1941. At the same time MacEntee followed the logic of the incomes policy by bringing to cabinet a proposal to so regulate the right to strike as to make it a legal or financial impossibility through penal anti-strike legislation. This was too much for his Fianna Fáil colleagues and MacEntee was forced to scale back his Bill. The 1941 Trade Union legislation, published on 30 April 1941, just as the wage freeze was taking effect, proposed to control trade unions rather than strikes. Trade unions would be required to take out a negotiating licence at considerable expense but in return would win exclusive rights to represent workers in an industry where the union organised the majority. The Bill, though introduced by MacEntee, had the hallmark of William O'Brien of the ITGWU and his vendetta against Jim Larkin and the British-based amalgamated unions. It was in fact an attack on the right of workers to form and join trade unions of their choice. These two measures created a groundswell of opposition led by Jim Larkin and the Dublin Trades Council that grew into the greatest show of strength by the labour movement since the foundation of the State.<sup>62</sup>

MacEntee, through his uncompromising hostility to trade unions and his aggressive and confrontational style in addressing workers, had succeeded in precipitating a crisis between Fianna Fáil and labour and brought government and trade union relations to a dangerous pitch. Clearly he had to go. In August Lemass regained

control of Industry and Commerce and MacEntee was moved to Local Government and Health. Lemass quickly began to rebuild contacts with the trade union movement and, in consultation mainly with William O'Brien, produced the amended 1942 Trade Union Act which was generally acceptable to the trade unions. He also abandoned the policy of wage freezes by initiating a process of regulated and moderate increases. Trade unions began to actively participate in the government's wages policy through the complex wage negotiation machinery.<sup>63</sup> It also had the additional benefit, for the government, of widening the split between O'Brien, Larkin and the amalgamated unions, a split which finally reached into the Labour Party. The Labour Party had enjoyed a major surge in support in the June 1943 general election, mainly at the expense of Fianna Fáil which continued in office but now as a minority government. Exploiting the divisions in the labour movement de Valera called a snap election in May 1944 and regained all that had been lost.<sup>64</sup> With a weak and divided labour movement Fianna Fáil could again dominate the industrial and political field. Of the 7,303 orders made by the government under Emergency powers 5,330 were Wages Standstill Orders.<sup>65</sup>

### **Seceding from the Alliance**

In Great Britain rationing was introduced to cope with the main problem facing the government, which was the supply of food. In Ireland the tillage drive ensured that food was available, the main problem therefore was not food supply but its price. Between 1940, when the pay freeze was imposed, and the Spring of 1944 the cost of living rose from an index figure of 185 to 292. The civil service had therefore seen a considerable decline in living standards. The arbitration system introduced by Lemass allowed most workers to at least apply for wage increases to meet the

increased cost of food. However the civil service demand for access to arbitration on the same basis as all other workers continued to face a blank refusal. An attempt to make conciliation and arbitration for the civil service an issue in the 1943 general election was unsuccessful as even the Labour Party studiously avoided any reference to the issue.<sup>66</sup>

In November 1944 the government finally conceded an increase that based the cost of living on a figure of 110 instead of the figure of 85 which had been established in 1940. More importantly for the professional civil servants the ceiling at which the increase was applied was lifted. For the higher paid professional civil servants on salaries of £500-700 it gave an increase of between fifty and sixty pounds. It also encouraged the formation of the Association of Higher Civil Servants to organise those grades. The IPCS (Ireland) regarded the AHCS as an additional platform and encouraged its constituent associations to participate.<sup>67</sup> The IPCS (Ireland) had withdrawn from the Civil Service Alliance in January 1943. This was not due to any disagreement on issues or strategy but rather to the sense that the clerical and executive officers on the Alliance regarded the IPCS (Ireland) as a small body of little significance. The IPCS (Ireland) delegates were not kept informed on discussions and decisions were being made that, though they affected the professional grades, they were not in on the discussions. There was also a suspicion that the professional civil servants were being pushed aside by the clerical and administrative divisions as regards promotion. The AHCS therefore provided a more comfortable forum.<sup>68</sup> However the Department of Finance, finding it much easier to deal with the single organisation, continued to pretend that the Alliance represented the IPCS (Ireland) and ignored the calls from the Institution for a meeting.<sup>69</sup> The IPCS (Ireland) was usually satisfied to work through the Alliance on questions affecting the general

service and to also work with the AHCS on issues that affected all the higher grades. However, whilst the Alliance represented those civil servants on the lower half of the salary scales and the AHCS represented those on the upper half the IPCS (Ireland) represented professional and technical civil servants at all points of the scales. What the Institution wanted was access to the Department of Finance on those problems which it was believed were peculiar to the professional grades; pension entitlements where recruitment to the professional posts tended to be later in life; the high proportion of professional civil servants with temporary rather than established status; the failure to increase the number of higher professional posts as compared to the increase in higher administrative staff and the encroachment by these same administrative staff into areas proper to the professional grades.<sup>70</sup>

### **Looking ahead**

By the summer of 1942, with the USA and the USSR now allied with Britain, the defeat of Germany was a matter of time. Attention began to turn to planning for the post-war world. Governments in the post-1918 era attempted to reconstruct the world before the war, a period which now became enveloped in a nostalgic glow. In contrast, those who began to plan for after World War Two fixed their thoughts unwaveringly on the future. This was not only because the allies faced a continent that war and occupation had turned into a blank slate but also because there was a popular appetite for a transforming vision which would make the sacrifices of war meaningful and worthwhile. People expected a new world, not the reconstruction of the old. William Beveridge's 1942 report on 'Social Insurance and Allied Services' set out a vision of a 'warfare state' being transformed into a 'welfare state'. His report laid the foundation of the post-war welfare state in Britain. There was



considerable thinking given to the future civil service structures that the welfare state would require, including the foundation of a training college for civil servants. The British professional civil service grew from being between 8,000 to 9,000 before the war to between 70,000 and 80,000 at the height of the war. Science and the professions were mobilised to meet the problems of total war and would be ready to meet the scientific challenges of the welfare state. The technical and professional divisions enjoyed new status, higher pay and greater opportunity. The British IPCS in response reshaped its constitution. The myriad old associations were transformed into branches of the new centralised IPCS and an annual delegate conference replaced the old AGM. New blood flowed into the institution and the pre-war leadership was replaced by a new and more radical generation.<sup>71</sup>

In Ireland however the war had not had that radicalising impact. Compared to the horrors of Nazi occupation and the devastation of air and ground combat, independent Ireland had had an easy war. But that also meant that there was no recognition of the need to rethink former certainties. The Irish state survived the world war with its sovereignty intact, but Irish society did not escape the social and economic consequences of the war. Independent Ireland emerged out of the war poorer and less healthy. Nor was the civil service immune to the worsening conditions. The Department of Finance noted the increased incidence of TB amongst civil servants in the war period, though the department saw this as a loss of efficiency rather than as a health issue.<sup>72</sup> Lemass, who alone of the Fianna Fáil cabinet understood the need to plan for the future, suggested in September 1942 the establishment of an Economic Planning Committee made up of the secretaries of the departments most involved. That he put his faith in the senior civil servants rather than his cabinet colleagues is a significant indicator of the extent to which he had

come to appreciate their calibre. The civil service was in fact the only native intelligentsia that was capable of making a significant rather than platitudinous contribution to the debate on the future direction for Irish society and economy. De Valera, having recovered the status of national rather than a mere party leader, which he had lost in the Civil War, preferred a political committee. The committee, which comprised de Valera himself, Lemass and Sean T O'Kelly, wasted considerable time on the most trivial of issues. De Valera did not see the point of planning but was not going to deny his best minister.<sup>73</sup>

The IPCS (Ireland) also began to plan for the future through an examination of organisation, recruitment and administration of the institution. A recruitment drive began and the constitution came under scrutiny.<sup>74</sup> In 1946 the AGM agreed to change the name to the Institute of Professional Civil Servants, dropping 'Ireland' from the title and changing 'Institution' to 'Institute'. This was a minimal change which followed the rejection of the suggestion that it be called an 'Association'. The proposal to coin an Irish language version of the name was also rejected.<sup>75</sup> The British IPCS agreed to a request from the council to keep them informed on the new technical-administrative divisions in the British service.<sup>76</sup> A professional secretarial service was contracted in to run the office whilst the council began to work on a further re-drafting of the constitution to meet the challenges of the post-Emergency service.<sup>77</sup>

Despite an invitation from the Alliance and pressure from the Department of Finance the Institute decided not to re-affiliate with the Alliance. The Department had no problem with the IPCS, they checked with the Institute when the Civil Service Draughtsman Association sought recognition. It was simply that the Department preferred to deal with one organisation rather than several organisations where an

issue which was common across the service, such as travelling allowances, came up for discussion. The simplest way for the Department to maintain pressure on the IPCS was to ignore any issue that did not come through the Alliance.<sup>78</sup>

The IPCS council, aware that organisation would be the key to progress in the post-war period, pressed ahead with a recruitment drive. A sub-committee canvassed in the different departments where there were technical and professional division including the OPW, the Department of Education, the State Laboratories, and the Department of Posts and Telegraphs. The message the sub-committee brought was on the need for the scientific, professional and technical grades to organise in the face of the success of the clerical and administrative grades in securing their positions and prospects. The Professional and Technical Staff Association, Office of Public Works affiliated in 1946. Membership rose, especially where individuals could join even where there was no departmental associations.<sup>79</sup> Generally however professional and technical civil servants were encouraged to form an association and then affiliate to the IPCS through that association, even where staff numbers were small. In the case of the air traffic control officers this meant that of the seven air traffic controllers in the state, the five that wished to join the IPCS had to form an Air Traffic Control Officers' Association and then vote to affiliate to the IPCS.<sup>80</sup> The National Museum officers, who applied to join the IPCS were instructed to form the Association of Technical Officers, National Museum first.<sup>81</sup> The logic of this policy on membership is clear; the local associations would deal with the particular problems of the many professional, technical and scientific specialists in the different departments whilst the IPCS would deal with the overall terms and conditions of the scientific, professional and technical grades with the Department of Finance. The council of the IPCS could not be expected to deal with complex questions of, for instance, the rostering of air

traffic controllers. However by sticking to an essentially federal structure the IPCS would have to prove its usefulness continually to a membership that was encouraged to identify with sometimes very small, if not tiny, professional niches. The danger was also that professional and technical associations with few members would proliferate as new positions and new forms of expertise were created in the government departments. With only a handful of members the work of maintaining such an organisation would inevitably suffer.

### **The end of the Emergency.**

In June 1945 Sean T. O’Kelly was elected president of Ireland, narrowly defeating the challenge of the Fine Gael candidate General Sean MacEoin and the independent republican Patrick MacCartan. Frank Aiken succeeded him as Minister for Finance. Aiken was attracted to ideas of social credit and was intrigued by the ability of the belligerent states to finance a long and hugely costly war and by the British chancellors efforts to force down interest rates and therefore the cost of reconstruction.<sup>82</sup> A young Principal Officer of twenty-eight years of age, Ken Whitaker was assigned by McElligott to brief the Minister on monetary theory. Whitaker and his colleague Patrick Lynch were already exploring the implications of moving finance policy away from the embedded *laissez faire* conservatism towards planned and directed state intervention in the Irish economy to drive development. It was their view that unemployment was a greater social threat than inflation and that the state should use its budgetary policy to expand employment. It was to be another decade however before the potential of the expertise that the civil service embodied was recognised and exploited for the betterment of Irish society. A hopeless weariness continued to dominate finance thinking. The war had been a long one and

the Irish economy had suffered a severe dislocation. Industrial production had fallen during the war by almost a third with employment falling by fifteen per cent. The expected return from Britain of the Irish workers and demobilised soldiers threatened to create an overwhelming social and economic crisis. The severe winter of 1946-7 and the poor harvest meant that wartime conditions continued into the peace.<sup>83</sup> The dollar crisis of 1947 led to a global flight from sterling which exacerbated the difficulties of Ireland's transition from the isolation of the emergency to the wider modern world. Ireland faced a financial crisis to which the Department of Finance responded with the usual pessimism, calling for major reductions in government expenditure and in personal taxation. This was in an era when Keynesian thinking was encouraging governments across Europe to borrow to stimulate demand and drive economic development.<sup>84</sup> In fact however, instead of a return of Irish from Britain a sustained flow developed in the other direction as the British economy responded to government stimulus and created new job opportunities. The only major initiative by the government was the creation of the Department of Health and Social Welfare in January 1947 with Dr James Ryan as minister. Assisted by a group of dynamic and far-sighted civil servants, especially Dr James Deeny, Ryan had a Health Bill ready for the government by the following August. The Health Bill, a small dose of Beveridgeism, proposed to tackle two key areas of public health, infectious diseases and mother and child welfare, through state action.

### **The end of wage controls**

The trade union movement and the government had been both planning for the end of wage controls. Trade unions looked to the return of free collective bargaining and the opportunity to retrieve the losses in real income of the war years. Lemass,

appointed tánaiste and clearly the heir to de Valera, emerged from the Emergency period with his authority enhanced. The fear of a wages free-for-all led him to propose a wages policy based on discussions between labour and employers rather than on government dictation. The cabinet approved his initiative in December 1944, despite the opposition of the Department of Finance that took the usual view that negotiation always forced wages upwards. The foundation of the proposal was the Labour Court, established by the Industrial Relations Act 1946, as a permanent industrial relations body of trade union and employer representatives which would arbitrate on all issues between labour and employers and reach voluntary agreements without the disruption of strikes. This was an historic challenge to the dominance of the Department of Finance in wages policy. The Labour Court, was however an arbitration system for the private sector. Civil servants were expressly excluded from its remit by section 4 of the 1946 Act. Thus the Department of finance retained its control of civil service pay levels.<sup>85</sup>

For higher paid civil servants, which included most professional officers, government wages policy had also led to a flattening of scales with the difference between the lowest and the highest paid civil servants being significantly reduced, at the cost of the higher grades. All civil servants now accepted that a conciliation and arbitration scheme alone would address the logjam of grievances that had built up. During the Emergency the Civil Service Alliance had been led to believe that though an arbitration scheme could not be introduced during the Emergency, as soon as possible after the end of the war there would be such. At a meeting in October 1945 the staff associations were given the predictable news that the minister had decided that despite the end of the war he would not concede any conciliation and arbitration scheme for the civil service.<sup>86</sup>

The civil service seethed with anger at duplicity of the government that worked hard at promoting the virtues of arbitration to the private sector but denied them to their own employees. The feeling was that the Emergency had been used to enforce a decline in civil service salaries and that loyalty to the State had been badly abused. Civil servants had accepted additional duties and heavier responsibilities to ensure the survival of the State and in return had been used as an instrument to enforce a decline in wage levels. The voluntary offer of an additional half an hour of work a day had been pocketed by the government and had in fact become normal as the Minister for Finance announced that normal hours would not apply for at least two years after the end of the Emergency.<sup>87</sup>

The unsuccessful Dublin INTO strike for higher wages from March to October 1946 revealed the depth of anger across the public service at the decline in earnings. The emergence of new political parties, Clann na Talmhan and Clann na Poblachta, also signalled a popular dissatisfaction with the government and a hunger for change.

### **The IPCS and meeting the Minister**

The emergency standstill order of 1940 that had ‘stabilised’ the cost of living bonus for civil servants was expected to lapse in September 1946. In anticipation the civil service associations began to campaign for its restoration, anticipating that the cost of living agreement would come into operation immediately after the lapsing of the emergency order. It was reckoned that the cost of living had increased by about forty per cent during the emergency. Though not acknowledged publicly, it was also generally accepted that the bonus mechanism had in reality been abolished and that the end of the emergency controls would lead to negotiations on new consolidated pay scales for the civil service.

In April 1946 a meeting took place between O'Donovan (President) and Miss Cunningham (Honorary Secretary), both of the Land Commission, with Dr Lafferty of the Department of Agriculture, as representatives of the IPCS with Moynihan, Fitzgerald and O'Connell of the department of finance. Two different records of the meeting have survived, one in the IPCS (Ireland) archives and one in the archives of the department of finance.<sup>88</sup> The differences in the two accounts are illuminating. The department of finance records that the IPCS was dissatisfied with the Alliance because it had no interest in a small body such as the IPCS. The Alliance had, for instance, excluded the Institute from discussions on travelling expenses with the department although this was an issue of vital interest to the members. Accepting that the Alliance and the AHCS were satisfactory bodies to deal with general service questions the IPCS asked for recognition as an independent negotiation body for the professional and technical grades on issues 'peculiar to themselves' such as late recruitment resulting in full pensions being unattainable, the higher proportion of temporary staff in these grades, the failure to increase the number of higher professional posts and administrative grades making recommendations proper to technical grades. The department denied that these problems were so peculiar to the professional grades that rights of representation were necessary. In fact they argued the Alliance was already dealing with those issues. Moynihan, speaking on behalf of the department was quite frank in explaining that it was their view that it was better to have a single representative body, such as the Alliance, to negotiate with as then the various associations of the civil service had themselves to work out a unified position to bring to the minister. He urged the IPCS to rejoin the Alliance, with which the department had an exclusive agreement on negotiations, assuring them that he could ensure that when matters peculiar to the professional grades was under discussion the



IPCS would be invited to attend meetings with the minister. When the IPCS delegation flatly rejected this suggestion Moynihan asked that they supply him with the number of members of the Institute on salaries above £900.

According to the IPCS record, the delegates interpreted Moynihan's pressure on them to re-join the Alliance as a crude attempt to split the Institute between the Alliance, which represented civil servants on pay scales up to £500, and the Association of Higher Civil Servants, which represented those above £500. It also pointed out the department did not, as it maintained, deal only with the Alliance as it had dealt with the AHCS and had invited the POWU and its secretary Norton to negotiations. The IPCS was in fact the only civil service association that the department had refused to meet despite the fact that the IPCS had, since its origins in 1919, found that the diverse interests of the professional and technical grades could not be represented by general organisations.

The position of the department of finance created a difficult situation for the Institute. Its case for direct access to the minister was based on the claim that it, as federal institution, represented the professional and technical grades across many departments. However those departmental associations joined the IPCS on the basis that it had access to direct negotiation with the minister. If the IPCS was shown in fact not to have such access then there was little point in departmental associations paying affiliation fees and sending delegates to the annual general meeting. They might as well join the Civil Service Alliance.

### **Consolidation**

In the Autumn of 1946 the department of finance contacted the Civil Service Alliance, the Association of Higher Civil Servants and the POWU to discuss the restoration of

the bonus. These discussion quickly turned to the question of the level at which a new wages policy that offered a consolidated pay scale and abandoned the periodic sliding bonus would be set. The IPCS was excluded from these negotiations.<sup>89</sup> The government offered consolidation at the 270, when its calculation suggested that a figure of 245 would have been a more accurate compensation for the rise in the cost of living. This high figure was offered in order to secure a voluntary abandonment of the sliding scale system. However, the government made it clear that the offer of 270 was an inducement to existing staff only. New entrants to the civil service would be on consolidated pay scales equivalent to a sliding scale figure of 255.<sup>90</sup> For the civil service this figure of 270 represented a loss as, according to their calculations full compensation for the cost of living increase would have given a figure of 310. The department of finance had succeeded in ensuring that consolidation had occurred at the lowest cost possible.

Although the IPCS had been excluded from the negotiations on consolidation, it was decided to ballot the members on the new scales nevertheless. Of the 550 ballots issued 400 were returned with 305 voting in favour of the offer of consolidation at the cost of living figure of 270.<sup>91</sup>

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- <sup>1</sup> Alvin Jackson, *Ireland 1798-1998: Politics and War* (1999) p288-90.
- <sup>2</sup> John Horgan, *Seán Lemass The Enigmatic Patriot* (1997), p67.
- <sup>3</sup> J.J. Lee, *Ireland 1912-1985: Politics and Society* (1989), pp191-2.
- <sup>4</sup> NAI, department of finance, E62/12/33 ‘appointments’.
- <sup>5</sup> NAI, department of finance, E68/1/33, ‘dept of commerce peat scheme’ 1933-35.
- <sup>6</sup> NAI, department of the taoiseach, S6333 ‘variations in staff numbers 1932-40’.
- <sup>7</sup> NAI, department of finance, E109/36/39 [2002/50/385], ‘government request for reduction in civil service’.
- <sup>8</sup> NAI, department of finance, E72/10/36, ‘industrial alcohol board, remuneration of civil service members’.
- <sup>9</sup> NAI, CAB 1/6, 17 Feb., 3 may 1935.
- <sup>10</sup> NAI, CAB 1/5, 23 Oct 1934; S6247B ‘arbitration board for the civil service’.
- <sup>11</sup> NAI, department of finance E109/7/35 ‘draft scheme of arbitration’ 24 Oct 1934.
- <sup>12</sup> *Irish Times*, 12, 14,18, 21, 29 June 1935.
- <sup>13</sup> *Ibid.*, 17 Oct 1934.
- <sup>14</sup> NAI, CAB 1/6, 4 June 1935.
- <sup>15</sup> *Dáil Debates*, vol 58, col 1416-17, 5 July 1935; vol 60, col 1705-6, 5 Mar.; vol 61, col 511-24, 26 Mar. 1936.
- <sup>16</sup> IPCS (Ireland) council minutes, 17 June 1935, 15 June 1936.
- <sup>17</sup> *Irish Times*, 29 June 1935.
- <sup>18</sup> IPCS (Ireland), 16<sup>th</sup> agm, 27 April 1936.
- <sup>19</sup> *Iris*, 14, 7 (July 1936).
- <sup>20</sup> IPCS (Ireland) council minutes, 15 June 1936.
- <sup>21</sup> *Iris*, 14,9 (Sept. 1936); 14, 11 (Nov 1936).

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- <sup>22</sup> ILHS, ms10, TOPA/3; Norton papers, ‘correspondence 1938’; *Dáil Debates*, vol.73, col 282-304, 2 Nov. 1938.
- <sup>23</sup> NAI, department of finance, circular 19/38, ‘notice to transferred officers’; ILHS, ms.10/TOPA/3.
- <sup>24</sup> ILHS, ms.10/TOPA/3, ‘IPCS (Ireland), executive committee to Norton’ 19 Jan 1938’.
- <sup>25</sup> ILHS, Norton papers, J. Mahony to W.Norton, 28 Oct 1938.
- <sup>26</sup> ILHS ms.10/TOPA/3, ‘Hegarty case’; *Dáil Debates*, vol.73, col 282-304, 2 Nov. 1938.
- <sup>27</sup> Mortimer & Ellis, *A Professional Union*, 99-100, 128.
- <sup>28</sup> *Iris*, 15,3 (March 1937).
- <sup>29</sup> *Dáil Debates*, vol.65, cols 1733-63, 11 March 1937; Vol.66, cols 1894-1917, 28 April 1937.
- <sup>30</sup> IPCS (Ireland) council minutes, 1 & 15 Feb., 5 Apr. 1937; annual report 1936-7.
- <sup>31</sup> IPCS (Ireland) council minutes, 28 May 1937, 3 Jan., 7 Feb. 1938, minutes 18<sup>th</sup> AGM, 25 April 1938.
- <sup>32</sup> Niamh Puirseil, *The Irish Labour Party 1922-73* (2007), pp64-5.
- <sup>33</sup> NAI, department of finance, E109/43/37, ‘celebrations of labour party success’.
- <sup>34</sup> *Dáil Éireann debates*, vol.69, cols 22-3, 21 July 1937.
- <sup>35</sup> *Dáil Debates*, vol.70,cols 1196-1224, 30 Mar.; cols 1815-52, 8 Apr.; vol.71, cols 1832-69, 25 May 1938.
- <sup>36</sup> NAI, department of finance, E109/11/27 ‘circular No.21/32 ‘civil servants and politics’.
- <sup>37</sup> NAI, department of the taoiseach, S10709, ‘civil service arbitration *Dáil* motion’.
- <sup>38</sup> *Ibid*.

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- <sup>39</sup> Ibid., ‘press statement issued by minister for finance 27 May 1938’.
- <sup>40</sup> Puirseil, *The Irish Labour Party*, p70.
- <sup>41</sup> NLI, Brennan papers, MS 26,313.
- <sup>42</sup> IPCS (Ireland) council minutes, 14 Nov., 12 Dec. 1938, 6 Febr. 1939; Irish Times, 7 Jan. 1939.
- <sup>43</sup> IPCS (Ireland) annual report 1938-9.
- <sup>44</sup> NAI, department of finance, E109/9/45 [2002/56/162] ‘govt of Northern Ireland query re. civil service arbitration’
- <sup>45</sup> Clair Wills, *That Neutral Island a cultural history of Ireland during the Second World War* (2007) pp45-54.
- <sup>46</sup> Muiris MacCartaigh, ‘The Corporate Governance of commercial State-Owned Enterprises in Ireland’ CPMR research report 9 (Dublin, 2009) IPA, p19.
- <sup>47</sup> Andrew McCarthy, ‘Reacting to war: finance and the economy, 1938-1940’ in Dermot Keogh and Mervyn O’Driscoll (eds) *Ireland in World War Two* (Cork, 2004) pp48-62, p50.
- <sup>48</sup> IPCS (Ireland) annual report 1939-40.
- <sup>49</sup> Dáil Éireann debates, vol 77, col 969, 8 Nov 1939.
- <sup>50</sup> Sean Redmond, *The Irish Municipal Employees Trade Union 1883-1983* (n.d.).
- <sup>51</sup> NAI, department of finance, E109/37/41 [2002/52/291] ‘civil service census 1942’; E109/53/39 [2002/50/390] ‘release of staff for emergency service’.
- <sup>52</sup> NAI, department of finance, E109/43/39 [2002/50/386] ‘promotions during the emergency’.
- <sup>53</sup> IPCS (Ireland) council minutes, 26 May 1941.
- <sup>54</sup> NAI, department of finance, E108/5/40 [2002/51/290] ‘Civil Service Alliance co-operation during emergency’.

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- <sup>55</sup> Martin Maguire, *Servants to the Public A History of the Local Government and Public Services Union 1901-1990* (1998) p106.
- <sup>56</sup> John Campbell, *'A loosely Shackled Fellowship' The History of Comhaltas Cána* (Dublin, no date) Public Service Executive Union.
- <sup>57</sup> NAI, department of finance, E109/63/39 'conference 7 Nov 1939'.
- <sup>58</sup> E.g., NAI, department of finance, E109/20/42 'TUC affiliation of civil service staff assoc'.
- <sup>59</sup> Sweeney, *In Public Service*, pp113-5; *Dáil Debates*, vol 80, col 22-4, 8 May 1940.
- <sup>60</sup> NAI, department of finance, E98/4/43 'query ref cost of living and civil servants'.
- <sup>61</sup> Finbarr O'Shea, 'A tale of two acts: government and trade unions during the emergency' in Keogh & O'Driscoll (eds) *Ireland in World War Two*, pp211-229.
- <sup>62</sup> Seamus Cody, John O'Dowd, Peter Rigney, *The Parliament of Labour 100 years of the Dublin Council of Trade Unions* (Dublin, 1986), pp171-7.
- <sup>63</sup> O'Shea, 'A tale of two acts: government and trade unions during the emergency'.
- <sup>64</sup> Puirseál, *The Irish Labour Party*, pp99-107.
- <sup>65</sup> Seosamh Ó Longaigh, 'Emergency law in action, 1939-1945' in Keogh and O'Driscoll (eds) *Ireland in World War Two* pp62-80, p64.
- <sup>66</sup> *Civil Service Review*, 1,3 (June 1943).
- <sup>67</sup> IPCS (Ireland) council minutes, 26 Sept 1943.
- <sup>68</sup> IPCS (Ireland) council minutes, 23<sup>rd</sup> AGM, 4 Jan, 1 Feb 1943; NAI, department of finance E108/26/39 'meeting with IPCS (Ireland) 23 April 1946.
- <sup>69</sup> IPCS (Ireland) council minutes, 10 May, 26 Sept 1943
- <sup>70</sup> NAI, department of finance E108/26/39 'meeting with IPCS (Ireland) 23 April 1946'.
- <sup>71</sup> Mortimer & Ellis, *A Professional Union*, pp105-19.

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- <sup>72</sup> NAI, department of finance, E109/62/40 [2002/51/318] ‘Prevalence of TB in the civil service 1936-46’
- <sup>73</sup> Horgan, *Sean Lemass*, pp111-2.
- <sup>74</sup> IPCS (Ireland) council minutes, 18 Jan., 29 Mar. 1943
- <sup>75</sup> IPCS (Ireland), agm minutes, 29 April 1946.
- <sup>76</sup> IPCS (Ireland) council minutes, 22 Nov. 1943, 3 Jan. 1944.
- <sup>77</sup> IPCS (Ireland) council minutes, 30 Apr., 21 June, 19 Nov. 1945.
- <sup>78</sup> IPCS (Ireland) council minutes, 21 June, 19 Nov. 1945; NAI department of finance, E108/9/43 [2002/54/201] ‘recognition of civil service draughtsman association’.
- <sup>79</sup> IPCS (Ireland) council minutes, 3 Jan., 23 June 1944; 22 Jan., 19 Feb., 21 June 1945.
- <sup>80</sup> NAI, department of finance, E108/13/45 [2002/56/156], ‘ATC officers association, 16 Oct 1945’.
- <sup>81</sup> IPCS (Ireland), council minutes, 31 Mar, 12 May 1947.
- <sup>82</sup> Fanning, *Department of Finance*, p392.
- <sup>83</sup> Keogh, *Twentieth-Century Ireland*, p168.
- <sup>84</sup> Fanning, *Department of Finance*, pp389-91.
- <sup>85</sup> O’Shea, ‘A tale of two Acts: government and trade unions during the Emergency’.
- <sup>86</sup> NAI department of finance E108/26/39 ‘meeting with staff associations 19 Oct 1945’.
- <sup>87</sup> *Irish Times*, 18 July 1945 ‘civil service hours decision’.
- <sup>88</sup> NAI, department of finance, EE108/26/39 ‘temporary machinery of negotiation’; IPCS (Ireland) agm minutes 1947 ‘report on the deputation from the Institute received by the department of finance’. [The IPCS (Ireland) minutes wrongly date the meeting as 1947].

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<sup>89</sup> IPCS (Ireland) council minutes, 22 Nov 1946.

<sup>90</sup> NAI, department of finance, E109/5/47 [2002/58/136], 'scales for new entrants'.

<sup>91</sup> IPCS (Ireland) council minutes, 13 Jan 1947.



## **A decade of failure: 1948-1958**

### **Introduction**

The 1950s was the decade in which the independent state ran out of excuses for its economic failure. In the immediate post-war period the policy of economic protectionism was maintained by the Irish government. A brief recovery seemed to suggest that protectionism was doing no harm and might be doing good. But, as the rest of Europe surged ahead in the 1950s, the failure of the Irish economy was starkly revealed. The British were too long gone for Irish economic ills to be blamed on the former colonial rulers and as the rest of the world enjoyed a golden age of economic expansion, the international situation could not be blamed either. Inconsistent and confused responses by the government, especially by the Department of Finance, exacerbated the economic crisis. The publication of the 1956 census report quantified the failure of the state as it revealed that the population, at 2,894,822, was the lowest ever recorded in the state and that emigration had grown to a level not seen since 1881

as 40,000 a year left the country, seeking a better life in Britain and America. On the fortieth anniversary of the 1916 Rising the question as whether Ireland had a future and the possibility that national independence was a terrible and costly mistake was being voiced.<sup>1</sup>

### **The governments and the economy, 1948-59**

On the 18th of February 1948 John A Costello was elected Taoiseach at the head of a coalition of five different parties; Fine Gael, Labour, National Labour (an ITGWU-led breakaway faction) Clann na Talmhan (a western small farmers party) and Clann na Poblachta (an apparently radical republican party). The change in government after sixteen years of Fianna Fáil surprised everyone, including the successful coalition parties. The hastily assembled and ideologically fractious government was united only by a determination to 'put them out'. It began a decade of political instability that saw four changes of government with Fianna Fáil governments of 1951 to 1954 and 1957 to 1959 alternating with the inter-party governments of 1948 to 1951 and 1954 to 1957. The 1948 election also established the pattern of 'Fianna Fáil versus the rest' that was to dominate electoral politics up to the 1990s.

The 1950s also saw several changes in the person of the Minister of Finance. In February 1948 Patrick McGilligan was appointed Minister for Finance.

McGilligan had served in the Cumann na nGeadheal governments of Cosgrave and was identified with the Ardnacrusha electricity generation station and the creation of the ESB, the most ambitious enterprise ever undertaken by the state in Ireland.

McGilligan's period as minister saw a decline in the dominance exerted by the Department of Finance over government policy. Its advice was questioned and sometimes rejected. The decline in influence over state policy formation was due in

part to the ideological complexion of the inter-party government but also due to the impact of new economic thinking conveyed by the European Recovery Programme and the arrival of Keynesian ideas into political discourse.<sup>2</sup> However the Department of Finance remained fixated on the threat of inflation when unemployment and underemployment were more significant problems.

Fianna Fáil interpreted its 1948 defeat as due to the opportunism of the other parties rather than to any failure of policy. No new policies were elaborated. The party machine got an overhaul as the Dáil party waited for the coalition to fail. Reflecting the lack of a clear path out of economic misery the 1951 election was indecisive with the minority Fianna Fail government dependent on the support of independent TDs. The return of MacEntee to the Ministry for Finance signalled a recrudescence of an uncompromising conservatism in finance policy. The 'Famine Budget' of April 1952 saw unusually severe cuts in food subsidies accompanied by increased taxes on consumption. The budget was intended to reduce consumption and increase savings to stave off a balance of payments deficit. The view in the Department of Finance was that the 'pay round' system, initiated by Lemass's Labour Court as an orderly pay bargaining mechanism, was driving inflation. Not unexpectedly the 1952 budget did prompt a new round of wage demands. In March 1953, McElligott retired as Secretary of the Department of Finance, a post he held from September 1927. He was essentially negative in his economic advice, readily explaining why something could not be done. Shaped by his experience of the 1920s, for him the Department of Finance was committed to an eternal struggle against inflation. He was succeeded as Secretary by Owen Joseph Redmond who held the post for a brief three years, retiring in 1956 to be succeeded by Ken Whitaker.

Gerald Sweetman of Fine Gael, described as ‘one of the keenest minds of the nineteenth century’ and a dogmatic conservative, was appointed as Minister of Finance in the second coalition government of 1954-7.<sup>3</sup> He immediately faced into a deeply pessimistic assessment by his officials of the public finances and the cost of the public services. The budget was in deficit following a £0.9 million pay award to the public service. The 1956 financial situation promised to be much worse than the most pessimistic assessment as the government attempted to deal with a deficit of £35 million. An emergency budget (first of three budgets in one year) introduced special import levies on a wide range of imported goods and extra taxes on domestic consumption. The balance of payment deficit was incorrectly blamed on consumer spending fuelled by the pay rounds. Higher wages had been spent on imported goods as the Irish people attempted to maintain a standard of living equal to that enjoyed by the British. As the value of sterling fell this had led to a decline in the value of exports accompanied by a rise in the value of imports. This mistaken analysis led to a series of austerity budgets designed to cool the economy that was not in fact overheating. Instead it exacerbated an already serious unemployment problem.<sup>4</sup>

Fianna Fail returned to power but as an uninspiring gerontocracy under the 75-year old de Valera, his cabinet still dominated by his remaining 1916 comrades. A *rigor mortis* seemed to have descended on the Irish body politic. However the transfer of MacEntee and his replacement as Minister of Finance by James Ryan signalled a significant swing within the Fianna Fáil cabinet toward the more dynamic Lemass. De Valera, almost blind and prone to delivering long monologues on the evils of partition at cabinet meetings, was persuaded to contest the 1959 presidential election. His move to Aras an Uachtaráin saw Lemass succeed him as Taoiseach.

## **Arbitration and Conciliation**

Labour had two ministers in the coalition government of 1948, William Norton (who was also Tánaiste) in Social Welfare and T.J. Murphy in Local Government. The young Brendan Corish was appointed parliamentary secretary to T.J. Murphy.<sup>5</sup> For the civil service associations the presence of the Labour Party in government transformed the struggle for a conciliation and arbitration scheme. Norton, as general secretary of the POWU, and as a TD and leader of the Labour Party, had been a leading voice in the demand for such a scheme since the foundation of the state. With Norton now in the cabinet it was immediately delivered. For the Department of Finance the decision in principle to negotiate an arbitration and conciliation scheme made the question of representation and recognition an immediate and central concern.<sup>6</sup> In March the IPCS was informed by the Department of Finance that the minister would meet with representatives of the Institute when matters specifically affecting its members were being discussed. The IPCS had finally secured the ministerial recognition which was vital to its status and future expansion.<sup>7</sup>

The Department of Finance, for obvious reasons, preferred to deal with as few associations as possible. The tendency toward grade exclusiveness within the civil service militated against this. In fact, once the principle of a scheme had been determined by the minister, the senior officials of the department, most especially Moynihan, moved quickly to bring it into being. The fear was that after a scheme would be agreed an association would emerge that had not been represented in the negotiations and belatedly reject some aspect of the scheme. Once the Department of Finance had accepted conciliation and arbitration in principle, the difficulty in arriving at a working scheme would arise from within the organisations representing the civil service.

In October 1948, having concluded that the higher grades in the Alliance were ignoring the clerical foot-soldiers in salary negotiations on a revision of the 1946 consolidated scales, the Clerical Association seceded from the Civil Service Alliance.<sup>8</sup> The Clerical Association also immediately demanded separate representation on any conciliation and arbitrations scheme that would be negotiated.<sup>9</sup> The IPCS was very cautious about admitting new members and tended to confine membership to associations of professional civil servants who were university graduates. For instance, the status of the graduates of the state forestry school at Avondale led to much agonising within the IPCS council. This exclusiveness was interpreted by other civil service grades as academic snobbery and the ‘professional’ claim was subject to resentment.<sup>10</sup>

As a preliminary to the scheme the Department of Finance asked the associations to supply a list of the constituent association for which they claimed representation. The IPCS reply listed as constituents;

- Cumann na Cigirí na Scoil Náisiúnta
- State Foresters Association
- Association of Professional Civil Servants, Department of Lands
- Land Registry Technical Officers Association
- Post Office Engineers Association
- Association of professional Chemists, State Laboratory
- Association of Professional Officers, National Museum
- Association of Professional and Technical Officers, Department of Agriculture
- Professional and Technical Staff Association, Office of Public Works
- Professional Association, General Valuation Office
- Association of Technical Officers, Department of Industry and Commerce

- Professional Association, Special Employment Schemes Office

The largest single constituent association was the Professional and Technical Officers of the Department of Agriculture, underlying the continued high status of agriculture in the national economy. The IPCS also listed two individual members; the Lands Officer in the Department of Defence and the Transport Inspector in the Department of Posts and Telegraphs. Associations that had applied for affiliation, but had not yet been formally accepted into the IPCS, were Irish Civil Aviation Radio Officers' Union, the Civil Service Draughtsman Association, the Professional Officers' Department of Local Government, Ordnance Survey Staff Association, the Air Traffic Controllers Association and the Meteorological Officers Association. These last three associations were in fact already affiliated to the Civil Service Alliance, but now wished to be represented by the IPCS.<sup>11</sup>

In November the Civil Service Alliance, Post Office Workers Union, the Civil Service Clerical Association and the IPCS agreed to form a temporary consultative council, clumsily known as the 'Interbody', to negotiate the scheme of conciliation and arbitration with the department. The Interbody's first meeting was dominated by suspicions that the Alliance was trying to regain dominance of civil service representation. The IPCS representatives made it clear that there would not be any re-affiliation with the Alliance, that the IPCS regarded the Interbody as a purely temporary arrangement that would deal only with the question of the scheme and that any agreement would have to be made by reference back to the IPCS council.<sup>12</sup> The discussions within the Interbody were overshadowed by the lingering suspicion that the Department of Finance continued to prefer the Alliance as representing the whole service and was withholding information from the other associations.<sup>13</sup> The

department anticipated that the Alliance would simply accept whatever scheme was offered and it would not have to do any meaningful negotiations. If meetings with the officials of the Department of Finance were called to which any of the constituents of the Interbody were not invited it led to accusations of backroom deals and general skulduggery.<sup>14</sup> As soon as the conciliation and arbitration scheme was agreed the IPCS moved the dissolution of the Interbody.<sup>15</sup> The inability of the civil service of the time to escape the rigid mentality of the grading structures under which they worked is striking.

### **The Scheme**

Despite these suspicions agreement on a conciliation and arbitration scheme was quickly reached, reflecting the long period during which the concept had been argued and also the model provided by the well-established British Whitley scheme. The scheme, the first and foundation of all later civil service schemes, provided a conciliation system for negotiations on matters affecting conditions of service and an arbitration board to which the civil service associations and the Minister for Finance had access in the event of disagreement. The conciliation stage consisted of a general council and departmental councils, each composed of representatives of the Minister (the official side) and an equal number of representatives of the staff (the staff side) with each side also providing a secretary. The general council dealt with matters concerning the whole service or with matters concerning a class common to two or more departments. These matters might include pay, promotion, or working conditions. The departmental councils dealt with the heads of the department on purely departmental issues. For the professional and technical staffs the practical consequences were that the departmental association of professional and technical



staff dealt with the departmental secretary on local matters affecting the conditions of the departmental professional and technical officers. The IPCS dealt with the Department of Finance on the general conditions of the professional and technical classes. The result of the general council discussions were brought to the minister who gave his decision on any agreed recommendations. If the recommendation, or the decision of the minister, was considered unsatisfactory then the matter could be brought to arbitration. The arbitration board consisted of an agreed chairman, two official side and two staff side representatives. The findings of the arbitration board were submitted to the government who might accept them or ask the Dáil to reject or modify them. There were therefore some important limitations to the scheme; only claims made on behalf of classes could be brought to conciliation, individual cases were not catered for. The decision to allow conciliation where a class crossed at least two departments was in fact a concession to the IPCS that represented a 'class' that might have in fact have only one member in a department. Also, the minister retained the power to reject any arbitration finding, with the permission of the Dáil. What was on offer was therefore more correctly consultation and not conciliation, and an arbitration decision that was not binding on both sides could hardly be called arbitration in the true sense. Finally, the scheme was only available to those classes and grades below £500 basic salary, the Higher Executive Officer scale, thus excluding many professionals. Nevertheless, an important advance empowering the civil service associations had been achieved. The successful creation of the conciliation and arbitration scheme greatly enhanced the status and attractiveness of the associations, even amongst the professional and technical grades, many of whom retained a disdain for quasi-trade union association.

In July 1949 the IPCS called a meeting of the affiliated associations to give their assent to the proposed scheme. Lonergan of the Civil Service Alliance also attended to give a short summary of the scheme from a point of view outside the professional classes. T. O'Sullivan, honorary secretary of the IPCS, gave a summary history of the whole struggle for conciliation and arbitration and an honest assessment of its limitations. Lonergan extolled the scheme and the whole concept of conciliation and arbitration for the civil service. He argued that the civil service had been wrong in rejecting the earlier schemes of 1935 and 1940, but his most persuasive argument was the instability of the current government, which already apparent, and the prospect of a return of Fianna Fáil with MacEntee back in Finance. The main objection from the floor, and the only vote against the scheme, came from the representative of the General Valuation Office who felt that the salary ceiling would have the effect of splitting the IPCS.<sup>16</sup> Then, on 30 July 1949, at a public ceremony the scheme was signed into effect by McGilligan and representatives of the civil service associations.

### **Forming the Staff Side Panel.**

Immediately following the signing of the scheme the civil service staff associations, at the prompting of the IPCS, agreed to form a temporary committee to draft rules and a constitution and to bring the staff side panel into existence. This temporary committee had representatives of the POWU, the CSA, the CSCA, the Revenue Group of Associations, the Federation of Government Employees, the Post Office Engineering Union and the IPCS. Each civil service association was entitled to one representative for each 500 members. The IPCS, with a claimed membership of 1,000 had two seats. If it succeeded in recruiting all the potential 2,700 professional and

technical civil servants it would be entitled to four seats. The Civil Service Alliance, mainly the Executive Officers, had four seats. The Civil Service Clerical Association had four seats also. The Federation of Government Employees, mainly the low-paid staff, had two seats as had the Post Office Engineers and the Revenue Associations Group. The largest representation was with the Post Office Workers Union with six seats. The constitution and standing orders of the staff side panel reflected the fact that the representatives of the various civil service associations were strangers to each other, their experience was confined to their own class and grades. Each approached the panel with suspicion and a determination that it would not be allowed develop into an authoritative body that might dilute the autonomy of the individual associations.<sup>17</sup> However, the decision to allocate seats on a numerical basis and to take decisions by majority vote did inevitably mean that the weight of numbers would lie with the lower and middle grades of the civil service and the higher paid professional and technical grades would have to struggle for a sympathetic hearing.

### **Pay, Conciliation and Arbitration.**

The conciliation and arbitration scheme got off to a bad start as the Civil Service Clerical Association and the Staff Officer Association disputed which of them should be recognised by the Department of Finance for the staff officer grade. In order to facilitate these associations reaching agreement the Department of Finance secretly agreed to delay implementation until a solution was found. The other associations interpreted the unexplained delay as a manoeuvre by the department reluctant to accept a dilution of its authority over the civil service. In the Civil Service Alliance the Revenue Group of Associations argued that as the Alliance was formed to win a conciliation and arbitration scheme, the time had come to dissolve the Alliance. The

Alliance continued but the Revenue Group left anyway, determined to secure its own separate place at the scheme.

Finally, on 1 June 1950 the council met and began to consider the agenda. Issues for discussion included, inevitably, pay scales and grading. For the IPCS a bone of contention was the requirement for ability in the Irish language for scientific, professional and technical classes and the temporary status of many of their members despite their many years of service. The operation of the scheme reflected the culture of the civil service and the decision to look to legal counsel for the arbitrator. Cases were presented almost as legal briefs with carefully prepared and lengthy statements of claims argued out as if for a submission in a court of law. For instance the IPCS case on the Irish language requirement was submitted as a memoranda on the irrelevance of the language within the professions. The Department of Finance replied with a memorandum on the constitutional status of the Irish language and invited the IPCS to prepare a more detailed submission of their case for presentation to the minister. The final, and obvious solution, was to give preference to Irish language proficiency only where all else was equal.<sup>18</sup>

Of immediate concern to all the staff associations was pay levels. Since the 1948 agreement on consolidation, prices had continued to rise. For the IPCS there was the added discontent of the lack of clear grades and structures for the professional grades, the long periods of temporary status and the poor prospects for promotion on offer to university graduates in the sciences compared to the Administrative Officers, who usually were university graduates in the arts. The majority of the IPCS cases at both arbitration and conciliation were either salary claims or claims for establishment.<sup>19</sup>

The 1948 agreement that consolidated the basic and sliding scale salaries of the civil service had contained a commitment to a review after two years. The general staff side panel, with T.O'Sullivan acting for the IPCS, now began to put forward a claim for a revised pay offer in light of the continuing rise in the cost of living. The staff side case was that the offer of a consolidated figure of 270, 20 points below the actual cost of living figure, was based on government assurances that the cost of living would fall. It was argued that the civil service, once that figure fell below 270, would therefore be making real gains. In fact, the staff side argued, the cost of living had risen and therefore an increase was justified. The official side then argued further that the 1948 agreement had committed to a review in two years but only in the light of then existing economic conditions, the exchequer position then obtaining and the trend of remuneration outside the civil service. These three conditions were, it was argued, inextricably linked. Therefore, as the cost of living had been stable for the two years and as the exchequer figures and the general economic situation were generally unfavourable, only a modest increase, if any, was warranted. A long series of meetings beginning in November 1950 argued the issue back and forth. At one point Dr Roy Geary of the Central Statistics Office (and a member of the IPCS) was cross-examined by the staff side on the manner in which the cost of living was calculated. Finally, in February 1951, disagreement was recorded. The question now moved to the arbitrator.

The arbitrator appointed by the government and approved by the staff side was Frederick Charles King, a barrister-at-law. King was educated at Clongowes Wood and TCD. He had served in the Indian Civil Service from 1911 to 1941. He was editor of *Public Administration in Ireland* which for many years was the standard text on the subject. At arbitration the official side made a final offer of six per cent on

salaries up to £200, four per cent on salaries over £200 up to £500 and two per cent on salaries over £500. The staff side, when pressed to make a counter-proposal suggested fifteen per cent on salaries up to £200, ten per cent on £200 to £500 and four per cent over £500. This counter-proposal was completely unacceptable to the Civil Service Alliance and to the IPCS as it simply reproduced the government compression in salaries inflicted on the higher scales which would carry the cost of the higher awards to the lower levels. The bias within the staff side panel toward the lower grades and the mistake of substituting a majority opinion for an agreed opinion was revealed. The staff side counter-proposal had been pushed through the panel by a simple majority vote. The Clerical Officers had maintained relentless pressure on the government during the negotiations by staging public meetings in favour of their case, meetings which the IPCS had refused to support as ‘unnecessary and undesirable’ and which had infuriated the minister.<sup>20</sup>

The CSA and the IPCS immediately distanced themselves from the staff side proposal and demanded a separate arbitration panel for their members.<sup>21</sup> That, of course, was not on offer. Colm O’Sullivan, in an argument on behalf of the IPCS that reveals prevailing mentalities, emphasised the status of the professional classes within society and the need for a salary that is commensurate with that status. The arbitrator’s decision, reported to the minister on 24 May, simply modified the staff side proposal; fifteen per cent on the first £200 of salary and ten per cent thereafter. The increases were to be back-dated to take effect from 15 January 1951. Both the IPCS and the Clerical Officers had to accept that they had participated in the process and would therefore have to accept the result.<sup>22</sup> The government had dissolved the Dáil on 3 May and were in the midst of a the campaign for the election on 30 May. The arbitration was immediately accepted by the government as were outstanding

claims including several by the IPCS for the establishment of officers over 50 years of age, for a new salary scale for the Land Commission Inspectors and a similar scale for the forestry inspectors.

### **MacEntee and the conciliation and arbitration scheme.**

On 14 June the new Dáil assembled and Fianna Fáil returned to power with MacEntee once again Minister for Finance. One week later, on 20 June, MacEntee announced that the recent arbitration award and its follow-on awards to the Gardaí and defence forces had added about £2.4 million to the demands being made on the exchequer. The conciliation and arbitration scheme had written into its terms a review after one year of operation. He further announced that he had therefore suspended the conciliation and arbitration scheme and would begin a review of its operation.<sup>23</sup> The 1951 general election campaign has been long recognised as a watershed in the emergence of modern Ireland. It was the first campaign dominated by the language and theories of monetary and economic issues and it was also the first to offer a clear choice on economic policy between an expansionary state or retrenchment. In rhetoric that was Gladstonian in its commitment to sound money and balanced budgets MacEntee epitomised retrenchment. His return to Finance worried not only the civil service but also the Lemass coterie in Fianna Fáil. His budget of 1952 is now recognised as deeply flawed in its analysis and damaging to the Irish economy. Heavily informed by the orthodoxies of the Central Bank, which a later generation would recognise as monetarist, it undermined Fianna Fáil's standing, opening the way to the second coalition of 1954-7, and marked the end of MacEntee's influence in the party. It was also the last budget under J.J. McElligott as secretary of

the department. McElligott had grown more reactionary and contemptuous of politicians in general. Succeeded by Ken Whitaker as secretary of the department, he followed his predecessor Brennan into the governorship of the Central Bank where he continued the tradition of issuing jeremiads on an annual basis.<sup>24</sup>

The fear within the civil service organisations was that the suspension of conciliation and arbitration was a prelude to its abolition. The suspension of the scheme brought an immediate halt to the many conciliation talks across the government departments which could reasonably be expected to be resolved locally. MacEntee used his quasi-budget statement of July 1951 to complain that the civil service had ‘made a good thing’ of the previous government’s land reclamation policy having secured 75 per cent of the budget in salaries.<sup>25</sup> MacEntee did admit, when questioned by McGilligan in the Dáil, that he always regarded arbitration with a great deal of apprehension as it tended to remove the control of civil service pay from the control of government. However, as it had been conceded by the previous government the Fianna Fáil government would honour the scheme. Revealing what may perhaps have been a deeper objection, he attacked the linkages between the civil service and the trade union movement and the political agitation that it had mounted through the Labour Party and the Trade Union Congress.<sup>26</sup> On his hostility to political affiliation MacEntee had the full support of the IPCS. The 1952 Annual Delegate Conference passed a motion affirming that ‘no organisation of Civil Servants should be in affiliation with a political body’.<sup>27</sup>

As the staff side began to co-ordinate an approach to the negotiations on the amended scheme the IPCS found itself isolated. The AHCS would not join with the Institution in a joint approach for officers on salaries above the limit of the arbitration scheme.<sup>28</sup> The IPCS wanted essentially to have separate conciliation and arbitration



scheme for the professional and technical grades. Accepting that was improbable, the second line of negotiations for the IPCS was to include in the revised schemes as many revisions as possible that reflected their particular concerns. The rest of the staff side panel simply dismissed these revisions, anxious as they were to get to direct negotiations with the minister with as few items for discussion as possible. The other civil service organisations wanted to bring forward the minimum of changes in order to deny the department an excuse to procrastinate. With hindsight it is apparent that both sides had a reasonable point of view, however it also possible that the readiness of the IPCS to agree with MacEntee's demand that the civil servants should adopt a self-denying ordinance not to affiliate to any 'outside organisation to make representations' in any campaign (which meant the ITUC) soured relations with the rest of the staff side.<sup>29</sup>

By March 1952, as negotiations between the staff panel and the minister made progress, the IPCS, finding its situation intolerable as its amendments were dismissed one after another, began to search for way to break with the other organisations whilst retaining the goodwill of the minister. By June the Department of Finance, with most of the staff panel organisations in agreement, was putting pressure on the IPCS and on the CSCA that was also resisting the rush to a new scheme, to sign up. The main difficulty for the IPCS was the ceiling of £600 salary for grades that could avail of the scheme as many of the professional officers were on pay scales in excess of that figure. There was also the refusal of the minister to allow the IPCS organise the second and third secretaries of the Department of External Affairs (who had approached the Institute) as, in his view, they were not classed as 'professional' and it would therefore be inappropriate for the IPCS to represent them. Finally, in June

1952, the council agreed that they had taken it as far as they could and signed on for the new conciliation and arbitration scheme.<sup>30</sup>

### **The revised conciliation and arbitration scheme**

The main amendments from the official side related to recognition of associations for negotiation. Under the original scheme different organisations had claimed to represent the same grades and classes. Under the revised scheme the associations would apply for recognition to the minister. On securing recognition only the recognised association would have access to the scheme for the grades and classes it represented. To meet the case of the IPCS, which represented officers both inside and outside the scheme at all salary levels, the minister would grant dual recognition to enable the organisation act on behalf of its members separately at departmental level and at ministerial level.<sup>31</sup> The other issue that the minister included in the amendments was that of political affiliation. Article Three of the scheme explicitly denied recognition to any association that affiliated to any political organisation after 1 April 1949 or that collected funds or subscriptions to a political organisation. This was aimed at the Labour Party and, whilst accepting the special relationship enjoyed by the POWU through its general secretary Norton, aimed to prevent any further extension of Labour Party influence in the civil service. The scheme also explicitly forbade any 'public agitation as a means of furthering claims or seeking redress for grievances'. None of this was not seen as contentious by the IPCS which, as we have seen, looked askance at any political or public demonstrations by civil servants. The IPCS had complained that the six POWU members of the staff panel had exercised undue influence on the workings of the scheme, which was of course another argument for a separate scheme for the scientific, technical and professional classes.

The often technical and detailed nature of the IPCS claims seemed obscure and of little interest to the rest of the staff side.<sup>32</sup> MacEntee took the view that that was a problem for the staff side to sort out and would not concede a separate scheme, but the revised scheme did make several explicit references to the professional, scientific and technical grades and recognised the peculiar position of these classes in the civil service, which was a significant gain for the IPCS. A special concession for the IPCS was the inclusion of professional and technical civil servants that might be on a salary above the ceiling so long as they were not the principal officer in their department or office and so liable to act on the official side in departmental conciliation hearings. Finally, in June 1952, the new conciliation and arbitration scheme was agreed.

#### **The 1953 arbitration award.**

Immediately the scheme was approved the staff side submitted a new pay claim for 20 per cent increase in compensation of the rise in the cost of living which followed the ending of food subsidies in the 1952 budget. By August, having exhausted the conciliation stage, disagreement was recorded and the claim was passed to arbitration. The new chairman of the arbitration panel was the retired chief of staff of the defence forces General Daniel McKenna. He passed his report to the government in November. When MacEntee then told the Dáil that as he was not obliged to respond until three months had elapsed, and that he was going to wait for those three months, it was reasonable to suppose that the arbitration was favourable to the staff side.<sup>33</sup> In February MacEntee presented the details of the arbitration award to the Dáil. The arbitrator had revisited the 1951 award and had topped it up by an average of seven per cent; the 15 per cent of the 1951 award was increased to 27.5 per cent and the 10 per cent to 15 per cent, backdated to November 1952. However, in order to avoid a

supplementary estimate for the civil service in what was the worst budgetary situation since the Emergency, MacEntee announced that he was now seeking the approval of the Dáil to defer the final decision until the next budget year, that is until after April. What he had therefore decided, and was now asking for the agreement of the Dáil as required by the conciliation and arbitration scheme, was to impose a freeze on civil service pay from November 1952 (the date on which the arbitration award would have taken effect) to the day of the budget in April 1953, with the possibility that the freeze might be extended beyond that date.<sup>34</sup>

The civil service organisations then responded with precisely the sort of action guaranteed to infuriate MacEntee. A major public protest was staged in Dublin on Sunday 15<sup>th</sup> March by the staff side panel led by O’Coighlinn of the Alliance, with a march of civil servants from Stephen’s Green to the GPO. The march and protest received support from both the trade union congresses and, with between eight and ten thousand participants, was a major public embarrassment to the government. Speakers, quoting Cardinal D’Alton and other Catholic social thought authorities on the sacredness of arbitration, included Mary Doherty of the Alliance, Griffith of the INTO and Norton of the POWU. Messages of support came from the Higher Officers’ Association, the Workers’ Union of Ireland, the Bank Officials’ Association, the Irish Women Workers’ Union and the Dublin Trades Council. The widespread support for the civil service reflected the wider trade union fear that MacEntee was introducing another hated Wages Standstill Order by the back door. The response of the government was petty as it ordered that government buildings were no longer to be made available for meetings of civil service associations.<sup>35</sup>

Alone of the civil service organisations the IPCS remained aloof from the public agitation. A motion by Miss Litster of the Department of Health that the IPCS

should show solidarity with the lower grades and show a united front with the rest of the civil service was voted down at the council. Details of the debate at the council were leaked to the Sunday Press, possibly by Miss Litster herself. The tone of the debate at council and the defeat of the call for solidarity deeply embarrassed the IPCS in its relations with the rest of the staff associations. The Alliance representative on the staff side threatened to oppose all future claims by the IPCS at departmental meetings and generally to make life difficult for the Institute. The IPCS found itself excluded from the staff aide on the arbitration board by the votes of the other organisations, even where it had submitted the case.<sup>36</sup>

The minister used the non-participation of the IPCS to make a strategic retreat. Warning the staff side panel organisations that he regarded public agitation as a breach of the scheme and a provocation, but mindful that not all the staff panel organisations had supported the public campaign, he had decided to refrain from action. The staff side panel, at least in public, ignored the non-action of the IPCS and extolled the unprecedented unity of the civil service and the support of the wider world of labour.<sup>37</sup> The agitation did ensure that MacEntee did not continue the freeze and that the budget of April did award the arbitration increase. However the increase was not backdated but applied from 1<sup>st</sup> April. The loss of six months of the increase, about £400,000 in all, became itself an issue that was finally resolved by the change of government in June 1954 when Gerard Sweetman as Minister for Finance paid the money owed.

In 1955 the scheme was further revised. In January 1957, facing a difficult financial situation, whilst assuring the staff side that he was anxious not to disrupt the scheme Sweetman, in a frank discussion with the staff side, successfully appealed to the staff side to co-operate by not submitting pay claims that would embarrass the

government and especially not to generate publicity on pay increases that would have a 'bad psychological effect on the public mind and create difficulties for the government'.<sup>38</sup> By the end of the second coalition government in March 1957 conciliation and arbitration was an established and accepted procedure for the negotiation and settlement of pay and conditions in the civil service regardless of any nostalgia that the Department of Finance, or a minister, might have for the old ways. The new Fianna Fail government, with James Ryan as Minister for Finance, acknowledged that though the scheme did limit the ability of the government to set salary levels in the civil service the advantages of the scheme outweighed the disadvantages and arbitration had become the accepted mode of dealing with the civil service.

Within the IPCS experience was to show that it was usually better to settle for the best deal possible at the conciliation stage rather than push for arbitration. This involved considerable give and take on both sides and tended to create a culture that valued reasonable concessions. The professional civil service were a comparatively small group within the civil service as a whole, recruited to perform a variety of specialist tasks and to meet *ad hoc* departmental needs. As a result the professional and technical civil service did not enjoy any coherent structure with common grades, rates of pay or conditions of service. The slow process of conciliation on a wide field, with an official side for whom the general civil service classes of clerical, executive and administrative grades were familiar, was used to create a rational, graded technical service with common conditions of service. In June 1958, after a decade of conciliation and arbitration the IPCS could record 170 pay grade improvements for its membership won with a reduction of the twenty-three professional and technical grades in the Department of Agriculture to a manageable eight grades.<sup>39</sup>

### **Constitutional and Other Changes in the IPCS**

Winning the conciliation and arbitration scheme transformed the civil service organisations. The formality of the process made it possible to win substantial gains without having to establish a militant posture. It undermined the formerly absolute authority of the Department of Finance and encouraged an acceptance of civil service trade unionism. It removed the temptation for ministers to court popularity by denying pay increases to civil servants. Also, by conferring recognition for negotiation purposes, the conciliation and arbitration scheme gave civil servants an incentive to join their associations. The conciliation process, by encouraging agreement, also tended to standardise salary scales which was of great significance to the professional and technical grades. However, by granting recognition to even the smallest organisation, if it could show that it organised the majority of its claimed grade, the scheme halted any tendency toward the consolidation of civil service organisation and inhibited a trade union consciousness. Also, the formality of the procedures and the necessity to construct what were often very complex cases demanded a level of research, skill and energy that created an enormous demand on the time of honorary officers. Employing a fulltime secretary became an urgent necessity for all civil service organisations.

### **A New Constitution**

The conciliation and arbitration scheme signalled a change in the attitude of the Minister for Finance and the department that encouraged an influx of new members into the IPCS. The Department of Agriculture was identified as having the largest

number of non-affiliated professional and technical officers associations. These were officers who spent most of their time in the field, the 'outdoor officers'. A recruitment drive by the IPCS brought in the Farm Improvement Supervisors, the Assistant Agricultural Overseers and the Cow Testing Inspector.<sup>40</sup> Further new members joined from the Central Statistics Office and the Air Traffic Controllers Association, diversifying the range of expertise represented by the IPCS. New branches were formed in the National College of Art and Design and in the Radio Éireann Orchestras, bringing artists and performers into the Institute.

The council re-organised its work by creating five sub-committees dealing with arbitration, remuneration, superannuation, "temporary" appointments and mileage and subsistence allowances. New standing orders streamlined discussion at the council meetings and facilitated the chairman in 'preventing long discussion on trivial matters'.<sup>41</sup> The influx of new associations was not matched by a higher level of commitment within the associations to making the IPCS work. The sub-committees, if they were to work effectively, needed a constant stream of information on, for instance, the number of temporary professional officers or on superannuation in each of the constituent associations. When this information was lacking the conciliation process was weakened and the high reputation of the IPCS was diminished by poor submissions.<sup>42</sup>

An unexpected disadvantage of the victory on conciliation and arbitration was that, although they remained eligible, the professional and technical officers on pay scales above that of the scheme saw little point in joining the Institute. Clearly, the federal structure that had been adopted by the IPCS at its foundation no longer answered to the new situation. The 1951 AGM and the 1952 Annual Delegate Conference amended and approved a new constitution that transforming the structure



of the IPCS from a federation of professional and technical associations to a unified corporate association with branches in each government department.<sup>43</sup> The new constitution stated that the objects of the Institute were

1. The maintenance and improvement of the position and status of Civil Servants who are engaged in the professional, scientific or technical work.
2. The protection, assertion and defence of the status, rights and interests of such Civil Servants.
3. The advancement of efficiency in the Civil Service.
4. The promotion of scientific knowledge and the interchange of views thereon.
5. The creation and maintenance of standards for professional, scientific and technical work within the State Service.
6. The representation of the Institute by properly appointed persons on any body formed in pursuance of the objects contained therein.

The most important revision in the constitution was in the organisation and administration of the Institute. Formerly each professional and technical class in a department constituted themselves as an association and affiliated to the IPCS. These associations therefore varied greatly in membership, the State Laboratory association had as few as four members. Under the older constitution the governing council of the IPCS was made up of the representatives of the constituent associations; one representative for each association with less than twenty members, two for associations with more than twenty but less than seventy five and three for those with seventy five or more members. It was quite conceivable that a constituent association might leave the IPCS and decide to go it alone or affiliate to the Civil Service Alliance, the other main federal organisation.

Under the new constitution the constituent associations became members of local branches based in each government department. The organisational basis therefore shifted from the particular professional or technical grade to the government department. This change had the blessing of the Department of Finance who preferred to deal with a few strong organisations rather than a multitude of weak sectoral associations.<sup>44</sup>

The Council consisted of the honorary officers and one representative of each branch. The Council arranged and supervised the affairs of the Institute, enforced the Constitution, incurred expenses, and appointed sub-committees. The day to day business of the Institute was carried out by a 'standing committee' of the honorary officers. Honorary officers; the chairman, vice-chairman, secretary and treasurer and the editor of the IPCS journal; were elected by the Annual Delegate Conference, the supreme authority of the IPCS. The delegates to the Annual Delegate Conference were appointed by the branches on the basis of two delegates for each branch of less than twenty members, three delegates for each branch of more than twenty and less than fifty members, four delegates for each branch of more than fifty and less than one hundred members, five delegates for each branch of more than one hundred and less than two hundred members and six members of more than two hundred members. The Annual General Meeting approved the annual report, financial statement and the report of the Annual Delegate Conference.

The new branch structure worked well as it was flexible, but it did tend in time to facilitate a proliferation of smaller branches within the government departmental structure. Many of the professional associations preferred to affiliate directly with the IPCS rather than through the departmental branch. At the 1955 ADC the inspectors in the Department of Education retained separate branches for the different school

levels, primary and vocational, whilst the forestry inspectors were spread across the department of lands and the department of agriculture.<sup>45</sup> In 1959 the Institute had forty branches. The branches were expected to deal with local issues and take part in conciliation talks, with a member of the Council in attendance to ensure co-ordination across the whole of the Institute. The IPCS dealt with the Department of Finance and at arbitration. Generally this division worked, although there were some difficulties when the OPW branch rejected a pay offer recommended by the IPCS council and demanded direct access to the Minister of Finance.<sup>46</sup> In 1955 the Institute added the Irish form of its name to its official title; Institiúid Na Stat-Sheirbhíseach Gairmiúla; a late concession to the first national language and perhaps an initiative of the school inspectors branch. Having been adopted it seems never to have been used. At the 1959 annual delegate conference a chain of office was used for the first time.

### **Presidents and Vice-Presidents of the IPCS**

In order to address the fear that the IPCS might not attract the loyalty of those professional and technical civil servants on the higher scales, and recognising that the prestige of the Institute would depend to a large extent on the number of senior professional civil servants in its membership, the IPCS retained as an honorary post the office of President and Vice-Presidents.<sup>47</sup> These purely honorific positions were offered to eminent scientific and professional civil servants. The first president of the IPCS was Dr H. Lafferty of the Department of Agriculture. From Co Tyrone, An eminent scientist and member of the Royal Irish Academy, Lafferty was head of the Seed Testing and Economic Botany Division of the Department of Agriculture. He was succeeded by J.A.K. Meldrum, Director of Forestry in the Department of Lands. Meldrum was born in Carlisle and studied forestry in Vancouver in Canada. He was

in the forestry profession in Canada, England before coming to Ireland where he was appointed as Chief Forestry Inspector in 1946. Later Presidents included Dr Roy Geary of the Central Statistics Office, first Director of the Economic and Social Research Institute and the most eminent Irish statistician of the twentieth-century and Dr Joseph Raferty, a native of Dublin and graduate of Marburg Universitat, an archaeologist, Keeper of Irish Antiquities in the National Museum and Member of the Royal Irish Academy. The first Vice-Presidents included Richard J. Hayes, Director of the National Library, and Dr James Deeny, Chief Medical Advisor to the Department of Health. These senior scientific and professional civil servants gave added prestige to the IPCS and enhanced its standing amongst the professional and technical classes and across the whole service. A formal annual dinner with the Presidents and Vice-Presidents, journalists and politicians attending with guest speakers added to the prestige of the Institute. In later years the position of president and vice-president was filled by members with long service to the Institute.<sup>48</sup>

### **The Officers of the IPCS**

The postwar years mark the transition within the leadership of the IPCS from the founding generation to a new generation that had developed within a native civil service. Foremost amongst these was Thomas O'Sullivan from Co Kerry, a Land Commission Inspector and honorary secretary of the Institute. O'Sullivan was one of the most able negotiators on the Staff Side Panel of the conciliation and arbitration scheme. The Chairmen of the IPCS council in the early 1950s included J.J. Kelly from Limerick, an engineer in the OPW and specialist in hydrology; Dr A.E.J. Went, a Londoner with a degree in Zoology, who joined the Department of Agriculture in 1936 and became Inspector of Fisheries and Scientific Adviser to the minister; and

Niall O Brolchain of the Department of Posts and Telegraphs. Other notable members of the Officer Board would include Miss Litster of the Department of Health, Miss I.A. Cummins from Cork who, unusually for a woman of that era, was a graduate in engineering and a Surveyor with the Land Commission and the long-serving Colm O'Sullivan.

### **The General Secretary**

With the successful establishment of the staff side panel it was recognised that the volume of work that the conciliation and arbitration scheme entailed would require a permanent secretary.<sup>49</sup> The main obstacle to employing a permanent secretary was the cost and the reluctance of the members to pay the extra affiliation fee that it would demand. Therefore, though it was agreed that it was a good idea, it was some years before it made any progress. In September 1952 Mr P. Duffy was appointed as 'registrar' of the IPCS on £250 p.a. rising to £300 after six months of satisfactory service. Duffy did not last long and within six months had his contract terminated.<sup>50</sup> Instead the IPCS used a professional office service provider that offered the use of a premises for meetings and record keeping and a secretary-typists to maintain minutes and accounts. To cope with the workload the Institute appointed up to ten honorary deputy secretaries to assist the honorary secretary. These deputy secretaries were drawn from representative groups of the membership. Able to attend the Dublin weekly meetings, it was expected that the deputy secretaries would have considerable experience of the workings of the Institute and its council, with good judgement but 'able to compromise on procedure and not on principle'.<sup>51</sup> The failure to appoint and finance a fulltime secretary created a heavy load of work for the few faithful stalwarts

that were prepared to dedicate many of their free hours to long meetings and the danger of ‘burnout’ and simple exhaustion was always a present threat.

### Scientific Service

The civil service had a long tradition of association journals. The earliest of these was the *Civil Service Gazette* established in 1853. Many of the Irish civil service associations had their own journal such as the Clerical Association’s *An Peann*, the postal workers journal *An Post Gaedhealach* and the Executive Officers *Iris an Stat-Seirbhise*. These journals kept members informed on issues, created a forum for discussion, maintained the identity of the association and acted as an advertisement to attract new members. In April 1949 the IPCS annual general meeting agreed in principle to publish a journal. Dr Raftery of the National Museum agreed to act as editor and to chair a sub-committee. The initial concept seems to have been nothing more ambitious than a quarterly bulletin that would report on arbitration cases, mileage and subsistence rates and notes from the various constituent branches.<sup>52</sup> The practical difficulties of financing, printing and distributing the journal were ably handled by the sub-committee with the first issue of the new journal ‘*Scientific Service*’ (which had the imprimatur of the Department of Finance) ready by early 1950.<sup>53</sup> The title ‘*Scientific Service*’ in Gothic script was set above a masthead designed by Dr Lysaght of the Genealogical Office. It featured a circular seal consisting of a flaming torch of light above a laurel wreath with the name of the Institute and the (incorrect) founding date of 1919, with a banner saying Science and Art. The circular seal was set between sketches of the façade of the Royal College of Science (now the Department of the Taoiseach) and the National Library, the whole linked by a streaming banner across the bottom saying ‘Journal of the Institute of

Professional Civil Servants'.<sup>54</sup> *Scientific Service* was a quality publication, with articles on the IPCS branches, detailed reports on conciliation and arbitration hearings, photographs and short biographies of the officers, reports on key events, and with contributions from members from within their own field. The first issue included an article on 'Patentable Inventions' by Colm O'Sullivan, explaining how the law of patents worked and how something was deemed "an invention". Future editions included articles on Irish forestry, dating the past (by Joseph Raftery) and microfilming the historical records of Ireland by Dr R.J. Hayes of the National Library.

*Scientific Service* came out in two fifty-page editions in the Spring and Winter of 1950, one edition in the Winter of 1951 and one edition in 1952. It then ceased publication until 1955. The problems were obvious, the voluntary officers of the Institute found the work of preparing copy, supervising production and securing advertising too onerous and time-consuming. A more commercial basis for the production, arrived at with the Engineers Institute, allowed its revival in 1955 as a twice yearly publication.

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- <sup>1</sup> Cormac O'Grada, *A Rocky Road the Irish economy since the 1920s* (1997) pp25-9; Henry Patterson, *Ireland Since 1939* (2002) p111; Dermot Keogh, *Twentieth-Century Ireland*, chpt. 6.
- <sup>2</sup> Fanning, *Department of Finance*, pp454-68.
- <sup>3</sup> Michael Gallagher, *The Irish Labour Party in Transition 1957-82* (1982) p 179.
- <sup>4</sup> Fanning, *Department of Finance*, pp500-502
- <sup>5</sup> Puirseil, *Labour party*, 133-5.
- <sup>6</sup> NAI, Department of Finance, E108/8/48 [2002/59/135] 'staff assoc. official recognition'.
- <sup>7</sup> IPCS, council minutes, 30 Mar 1948.
- <sup>8</sup> Sweeney, *In Public Service*, p120.
- <sup>9</sup> NAI, Department of Finance, E108/12/48 [2002/59/137] 'CSCA request for separate access to minister, Oct 1948'.
- <sup>10</sup> IPCS, council minutes, 12 July 1948; Scientific Service, vol.1 no.1, Spring 1950.
- <sup>11</sup> NAI, Department of Finance, E108/7/48 [2002/59/134] 'list of officially recognised staff assoc's'.
- <sup>12</sup> IPCS, council minutes, 20 Dec 1948.
- <sup>13</sup> Ibid., 21 Jan 1949.
- <sup>14</sup> Ibid., council minutes, 31 Jan., 25 Feb., 9 & 25 Mar. 1949.
- <sup>15</sup> Ibid., council meeting, 11 July 1949.
- <sup>16</sup> Ibid., council minutes, 11, 18, 25 July; Scientific Service vol.1, no.1, Spring 1950.
- <sup>17</sup> *Civil Service Review*, Jan. 1950, for the constitution and standing orders.
- <sup>18</sup> NAI, E108/5-7/50 [2002/61/127-131] C&A machinery, general council; *Civil Service Review*, Mar 1951 for the minutes of the general council.



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- <sup>19</sup> *Scientific Service*, vol.1, no.3 1950, for a list of cases.
- <sup>20</sup> IPCS, council minutes, 29 Jan, 30 Mar. 1951
- <sup>21</sup> *Ibid.*, 3 Aug. 1951.
- <sup>22</sup> *Civil Service Review*, Jan 1951-July 1951, has a blow by blow account of the negotiations.
- <sup>23</sup> *Dáil Debates*, 126, col. 192-3, 20 June 1951; Department of Finance circular 9/51, 29 May 1951.
- <sup>24</sup> For an analysis of the 1952 budget see P. Lynch, 'The Irish economy since the war' in K.B. Nowlan and T.D. Williams (eds) *Ireland in the War years and After* (1969); K.A. Kennedy and B.R. Dowling, *Economic Growth in Ireland: the experience since 1947* (1975) p201-3; Paul Bew and Henry Patterson, *Sean Lemass and the Making of Modern Ireland* (1982) p62; O'Grada, *Rocky Road*, pp61-3; Horgan, *Sean Lemass*, p158-9; Tom Feeney, *Sean MacEntee A Political Life* (2008), pp 171-96.
- <sup>25</sup> *Dáil Debates*, vol.126, col. 1911-53, 18 July 1951.
- <sup>26</sup> *Ibid.*, vol.130, cols.396-400, 25 Mar 1952.
- <sup>27</sup> *Scientific Service*, vol.2 no.1, 1952, p16.
- <sup>28</sup> IPCS, council minutes, 28 May 1951.
- <sup>29</sup> *Ibid.*, 28 Sept 1951.
- <sup>30</sup> *Ibid.*, 25 Mar., 6, 26 June 1952; *Scientific Service* vol.2, no. 1 1952.
- <sup>31</sup> See appendix 1 for the list of grades and classes for which the IPCS was recognised.
- <sup>32</sup> *Scientific Service* vol.2, no. 1 1952 is devoted to the scheme and its negotiation.
- <sup>33</sup> *Dáil Debates*, vol.135, cols. 1147-50, 10 Dec 1952.
- <sup>34</sup> *Ibid.*, vol..136, cols.1083-6, 18 Feb. 1953.

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- <sup>35</sup> *Irish Times*, 4 to 16 Mar. 1953 has detailed reports on a daily basis on the protest and its aftermath; *Civil Service Review*, Mar. 1953.
- <sup>36</sup> IPCS, council minutes 9 Mar., 15 May, 3 July 1953.
- <sup>37</sup> NAI, Department of Finance, E109/22/53, 29 April 1953 ‘Minister to staff associations re public agitation’; *Civil Service Review* May 1953.
- <sup>38</sup> IPCS, council minutes, 4 Jan 1957; *Scientific Service*, vol.3, no.1, Summer 1955.
- <sup>39</sup> *Scientific Service*, Vol.4, no.5, June 1958.
- <sup>40</sup> IPCS, council minutes, 29 April, 4 May 1949
- <sup>41</sup> IPCS, council minutes, 23 May 1949.
- <sup>42</sup> IPCS, council minutes, 19 Aug 1949 ‘special meeting of Hon. Secs. of Associations’.
- <sup>43</sup> IPCS, council minutes, 31 Mar. 1950; AGM minutes April 1950; *Scientific Service*, vol.2, no.1, 1952.
- <sup>44</sup> IPCS, agm minutes, 28 April 1951.
- <sup>45</sup> IPCS, annual delegate conference minutes, 22 Jan 1955.
- <sup>46</sup> IPCS, council minutes, 5 Nov 1954.
- <sup>47</sup> IPCS, council minutes, 6 & 31 Mar 1950; agm minutes 29 April 1950.
- <sup>48</sup> IPCS, council minutes, 29 April 1950.
- <sup>49</sup> IPCS, council minutes, 25 July 1949.
- <sup>50</sup> IPCS, council minutes, 4 Apr 1952; 1 & 8 Sept., 1952; 31 July 1953.
- <sup>51</sup> IPCS, council minutes, 6 June 1958.
- <sup>52</sup> IPCS, agm minutes, 29 April 1949; council minutes, 25 July 1949.
- <sup>53</sup> IPCS, council minutes, 6 Mar. 1950.
- <sup>54</sup> IPCS, council minutes, 27 June 1949.

## **‘Revolution From Above’: 1958-1972**

### **Introduction**

Ireland in the 1960s experienced a ‘revolution from above’ as the government, accepting the failure of protectionism, opened the Irish economy to international free trade. In a speech of July 1959 Lemass signalled the leading role of the State in this transformation; ‘It is necessary that the state as such should participate in development activities...both as promoter of industrial ventures, in spheres where private enterprise has as yet shown no interest, and as organiser of projects which, while not directly commercial, will contribute to the overall expansion of the country’s economy...’.<sup>1</sup> The revolution from above aimed to offer as good a life in Ireland as was available elsewhere. These years were dominated by the Fianna Fáil party. First under the leadership of Seán Lemass and then Jack Lynch, Fianna Fáil governments jettisoned economic, social and cultural isolationism and opened the country to outside influences. The Fine Gael and the Labour Parties also saw changes

in leadership and direction as James Dillon allowed the ‘Young Tigers’ around Declan Costello to lead the party in a social-democratic direction and Brendan Corish, influenced by an influx of middle-class intellectuals, began to mention socialism in the context of the Labour Party. However, even more important than political leadership in ushering Ireland into modernity was the developing capacity within the public service to formulate and realise the policy of development. However the State-led modernisation of Irish society was confined to the economy. Large areas of policy in education, health and social care were left under the control of the churches, principally the Catholic church. Nonetheless Ireland was transformed as economic growth soared and emigration slowed and then stopped. RTE began broadcasting in the early 1960s with a novel mixture of American and British popular programmes and home-grown current affairs and investigative programming of considerable power and influence. Censorship of publications and films was relaxed. The commercial dance halls and the show bands catered for the new phenomenon of a pleasure-seeking youth culture. By the early 1970s Irish society was better-off, better educated, better informed on issues, more aware of international trends, with higher expectations of the State and public service. Therefore, as Irish society changed in response to the revolution from above, so the State itself and the expertise it commanded in the civil service had to re-think their role within the new Irish society that was emerging.

### **Developments in the IPCS**

In 1950 the IPCS had less than one thousand members in fourteen constituent associations run on an *ad hoc* and informal basis. In 1970 it was professionally run with 3,600 members in forty-two branches and was universally accepted as the

representative organisation for the scientific, professional and technical civil service across two hundred different grades. During the 1960s it built up and consolidated this commanding position, professionalised its organisation and adopted a new attitude of solidarity toward the rest of the civil service that brought it into the Irish Congress of Trade Unions.

The Institute continued to nominate senior figures of rank and prestige in the professional civil service as President through the 1960s; such as Mr J. McNichol B.E., of the General Valuation Office and H.A. De Lap, M.I.C.E.I., of the Office of Public Works. They presided over the conference dinner and could be expected to make a speech extolling the professional service whilst the Chairman of the Institute did the day to day running of the Institute and chaired the conference. The Chairmen of the Institute through the 1960s were Mr T. O’Cuilleain 1963-5, Mr R. Walsh, 1966-8 and Dr Thomas F. Shine 1969-71.

From 1954 to 1966 the honorary general secretary of the Institute was Colm O’Sullivan of the Land Commission, one of the founding associations. As early as 1960 it was recognised that the Institute needed to modernise by employing a fulltime general secretary and finding its own premises, rather than relying on office service providers.<sup>2</sup> Despite pleas to the members not to contact him at his office or collar him in the corridors Colm O’Sullivan, who prepared cases for the conciliation and arbitration hearings and had an encyclopaedic knowledge of precedents, was finding the volume of work overwhelming. Unfortunately O’Sullivan was too good an honorary general secretary and his organisational ability, phenomenal memory for regulation and skill in negotiation meant that the need for a fulltime official was forgotten.<sup>3</sup> The Department of Finance agreed to allow O’Sullivan twenty five days special leave annually for his activities as general secretary, the cost to be refunded by

the IPCS.<sup>4</sup> Then, in 1966, after eleven years as honorary general secretary Colm O'Sullivan reached retirement age and the Institute had to re-open the question of a fulltime general secretary.

In July 1967 Mr Ralph (Rafe) Pares, formerly secretary of the ESB Officers' Association, was appointed general secretary of the IPCS. His appointment marks a new level of professionalism and combativeness in the Institute. At the same time new premises were acquired, initially at 64 Adelaide Road and then larger offices at 31 Fitzwilliam Place. In 1970 an assistant general secretary, Michael (Mick) Downes was appointed. Downes joined the civil service as a clerical officer in the Department of Defence in 1943. He soon became active in the Civil Service Clerical Association and in 1962 he was appointed a full-time assistant general secretary to that association. On his appointment as assistant general secretary to the IPCS he brought his long experience of the conciliation and arbitration scheme and a deep conviction on the need for the civil service organisations to present a united front on behalf of all of their members. He served as assistant general secretary and deputy general secretary until his retirement in 1984. Along with three clerical/typists the appointment of Pares and Downes brought the fulltime staff of the Institute to five. The finances of the Institute were consolidated by the introduction of the deduction at source for members subscriptions.<sup>5</sup>

In October 1970 the IPCS celebrated its Golden Jubilee with a symposium on 'The role of the Professional in the Civil Service for the next 50 years'. Speakers at the symposium included J. Brennan, Minister for Labour; Mr Folke Gustafsson of the Swedish Federation of Civil Servants; Mr Cyril Cooper, deputy general secretary of the British IPCS; Mr Ralph Pares, general secretary of the Institute; and George Colley, Minister for Finance, who was probably pre-occupied with the 'Arms Trial'

of, amongst others, his colleague and former Minister for Finance, Charles Haughey, which had just opened in the High Court. The symposium report shows a keen awareness of the importance of events in Europe and in Britain and an anxiety to extract as much comparative information as possible on the status of the professional civil service in other countries.<sup>6</sup>

The Journal *Scientific Service* continued to be issued quarterly until the end of 1971 when it was replaced by a monthly newsheet *IPCS NEWS*. The first issue of *IPCS NEWS* in November 1971 announced that its object was ‘to inform the general membership fully and promptly of the progress of Institute business’. Its first editor was P.J. McGarrigle, M.Sc., Ph.D., M.I.C.E.I. *IPCS NEWS*, a tabloid news-sheet, was a less glossy production than *Scientific Service*. Articles on the more arcane corners of the scientific service were dropped to be replaced by reports on the progress of issues, especially at conciliation and arbitration, reflecting less anxiety about status and a greater urgency to inform members in a rapidly changing world. The issues that were now beginning to dominate the Institute were the impact of growing inflation on the value of salaries and the re-structuring in the civil service that seemed imminent after the publication of the Devlin Report.

The most significant development in the IPCS was the decision to affiliate to the Irish Congress of Trade Unions, taken at the 1968 annual general meeting. Congress had a lively civil service presence since the foundation of the State through the POWU and the CSCA. Both these Unions had regularly proposed motions on issues of concern to the civil service, such as the long-standing demand for arbitration, poor levels of pay in the public service and the lack of promotion. Congress had debated these motions with interest and sympathy and the civil service usually received a sympathetic hearing from the general unions.<sup>7</sup> The IPCS had been

a member of the Irish Conference of Professional and Service Associations (ICPSA) since 1959.<sup>8</sup> The ICPSA had been formed in 1946 by groups of white collar workers at the lead of the ESB Salaried Staff Association. It was essentially a pressure group of salaried, middle class professionals reluctant to be identified with trade unionism but recognising the need for some organisation to speak for the white-collar employee. It included in its affiliate organisations the Irish National Teachers' Organisation, the Vocational Teachers' Organisation, the Irish Local Government Officers Union, the Civil Service Alliance, Comhaltas Cana, Dublin Port and Docks Board Officers' Association the Irish Bank Officials Association, the Assurance Representatives Association, the Transport Salaried Staffs Association and many other organisations of the white-collar sector.<sup>9</sup> It had the right to nominate candidates to the Senate elections on the Labour Panel. The decision to seek affiliation with Congress represents therefore a decisive change of identity for the IPCS. This move toward Congress was driven by Pares but it is notable that the decision to affiliate with the rest of the public service and the general unions was not contentious. It reflects a general recognition that the future of the Institute, despite its professional status, lay with its developing as a trade union in alliance with the broader labour movement and the rest of the public service. Membership of Congress also exercised a profound change in the way salary increases were negotiated.<sup>10</sup> As the IPCS Chairman Dr Thomas .F. Shine told the 1969 AGM, ‘

We must examine our relationship with our other colleagues in the Trade Unions; the type of co-operation we can offer our sister unions-moral support, financial support or, above all, even more direct support. No member of ours must impede this. We must consider our attitude to the picket line, to the class struggle in the whole community and the struggle within the various social strata. Examination of these problems will give us a clearer picture of ourselves, our place in this society, our relationships with the whole community and with the establishments that evolve and those that are self-perpetuating. If our Arbitration Scheme is found threatening, a conforming middle class past must see the lights go out.<sup>11</sup>



### **Enhancing the State's policy-making capacity**

The iconic role of T.K. Whitaker's 1958 paper *Economic Development* and the associated *Programme For Economic Development* in the modernisation of Ireland has been long conceded but it has also overshadowed other modernising forces at work in the late 1950s in Ireland. The programme, with a vision for the next five to ten years, reconfigured the budget as an instrument of economic development rather than a process akin to the annual stocktaking in a corner shop. Ireland would make an about-turn from industrialisation through import-substitution to export-led industrialisation via foreign direct investment. In order to overcome resistance from the MacEntee-Aiken axis the programme was, uniquely, published under the name of a civil servant, T.K. Whitaker. This presented the programme as the result of high-level economic expertise rather than the policy of a mere minister, or Taoiseach. Strangely enough it was never discussed in detail either in Fianna Fáil or in the Dáil, as if economic policy was an arcane science best left to the experts.

Though the State was deficient in policy-making centres, the Statistical and Social Inquiry Society of Ireland had been the only 'think-tank', the green shoots of new evidence-informed policy-making were beginning to show. In 1959 the Irish National Productivity Centre, a joint employer and ICTU body, was formed to identify factors impeding the growth of productivity and to take steps to improve productivity to the benefit of Irish society as a whole. The formation of the INPC reflects the growing impact of the American-influenced Organisation for European Economic Co-Operation (OEEC). The OEEC emerged out of the Marshall Plan for European economic recovery. Its function was to promote economic co-operation and integration in post-war Europe. It encouraged liberal-democratic governments to

overcome social conflict in Europe through successfully managing a transition from economic scarcity to economic abundance. Technocratic efficiency and not political struggle was the key to a better future.<sup>12</sup> The Economic Research Institute, from 1963 the Economic and Social Research Institute, (ESRI) was founded in 1960 by T.K. Whitaker with a grant from the New York-based Ford Foundation. The ESRI was established as an independent research centre providing up-to-date analysis of social and economic data on Ireland to inform government policy-making. The Institute of Public Administration (IPA) was formed in 1957 as an initiative of the Association of Higher Civil Servants (AHCS) along with other civil service and local government officers. The IPA journal *Administration*, which was not for public sale, became the main platform for debating the role of the public service in the modernisation of the Irish State and society.<sup>13</sup> The IPCS was an early and enthusiastic supporter of the IPA. The high corporate membership fee entitled the Institute to a seat on the board of the IPA and members to a reduced fee for the courses.<sup>14</sup>

For the scientific, professional and technical civil servants the rise of the technocratic State promised new vistas of responsibility and status. Agencies such as An Foras Talúntais, the agricultural research centre; An Foras Forbartha, the institute for physical planning and construction; Córas Tráchtála, the industrial export board and An Foras Tionscail, the management training institute; applied expert analysis to Irish problems and developed solutions that, it was expected, the State would then apply to Irish society. Members of the IPCS were urged to take on the courses in administration so that the professional civil servants would not lose out in the opportunities in administrative posts that were opening up.<sup>15</sup> It was worrying that the trend in civil service development seemed to be enhancing the prospects for the administrative at the expense of the professional officer as decision-making authority

continued to be concentrated in the administrative grades in what was referred to as the 'Dual Structure' of separate administrative and professional higher civil servants. In 1960 the Department of Finance proposed to meet a shortage in expertise in statistics and economics at Administrative Officer level by funding university degree courses for Executive Officers who would, on graduation, be promoted to AO level. The IPCS, not unreasonably, saw no reason why professional graduates could not be recruited to these administrative level posts but the Department refused to concede the justice of the Institute position.<sup>16</sup>

In 1963 the Convocation of the NUI convened a symposium on 'The Graduate in the Public Service'. The IPCS was represented by the honorary secretary Colm O'Sullivan. O'Sullivan delivered a gloomy report on the status and prospects of a graduate in engineering and science in the civil service faced with the tenacious conservatism of the administrative grades on promotional posts. Mr Seán Ó h-Éigearthaigh, of the Department of Finance, in a sharp response stated quite bluntly that the role of the professional civil service was to give advice and it was 'proper that decisions on policy should be taken by the administrative class, whose function was management'.<sup>17</sup> The dual structure of a separate professional and administrative civil service was deeply entrenched and was to persist in spite of its limitations and the fact that the standards of management within the higher civil service administrative grades were actually often poor. Recognition of the reality that the changes that were happening in the Irish economy and society required changes in the workings of the public services led to the establishment of the Devlin review.

### **The Devlin Report**

The civil service had served the State well since independence but, while it had grown, it had not changed. By the 1960s the need for a more dynamic and policy-oriented service was clearly apparent. The persistence of departmental fragmentation and outmoded modes of operation in an Ireland that was fast changing gave the impetus to the Public Services Organisation Review Group, established in 1966.<sup>18</sup>

The mandate of the Review Group was ‘Having regard to the growing responsibilities of Government, to examine and report on the organisation of the Departments of State at the higher levels, including the appropriate distribution of functions as between both Departments themselves and Departments and other bodies’. The Review Group, usually referred to by the name of its chairman Liam Devlin, the chairman of the B&I Steamship Company, included Lieutenant-General Sir Geoffrey Thompson of Arthur Guinness and Co.; P. Leahy, Professor of Mechanical Engineering at UCD; T.J. Barrington, Director of the IPA; Dr. J.F. Dempsey, former Manager of Aer Lingus; Dr Thekla Beere, former secretary of the Department of Transport and Power and L.M. Fitzgerald, former assistant secretary of the Department of Finance.<sup>19</sup>

The Devlin Report, published in September 1969, recommended radical changes in way the government distributed its responsibilities amongst the departments, how policy was shaped within each department and how the higher civil service were recruited. Government departmental changes that were suggested included combining the Departments of Lands and of Agriculture, Health with Social Welfare, Transport with Posts and Telegraphs to create a new Department of Transport and Communication, a new Department of National Culture to include the former Department of An Gaeltacht, and the Department of Local Government to devolve many of its local functions to local authorities and become a Department of Regional Development. The most radical departmental change recommended was to

split the Department of Finance and establish a new Department of the Public Service with responsibility for the entire public and civil service. Each department, it was recommended, should have separate staff units for planning, finance, organisation and personnel with frequent inter-departmental contacts at unit level. Each department should also have a policy-making core, termed *An Airecht*, composed of the minister, the secretary and the assistant secretaries which should be largely free of day-to-day execution of policy to concentrate on planning, direction and control. The higher ranks of the civil service, Principal Officer and above, were to be opened up to all staff in an integrated system of promotion open not only to administrative but also to professional civil servants.

The immediate reaction of the IPCS to the establishment of the Review Group was disappointment in that the only professional in the group was Professor Leahy and he had no civil service experience. Otherwise the panel was drawn from a managerial and administrative background. The IPCS wrote to Jack Lynch, minister for finance, suggesting that the review group should be broadened by the inclusion of professional or technical personnel from a civil service background and urging that ‘the role of the professional officer in the direction and management of Departments and the better integration of administrative and professional skills in the service of the State must surely be matters of major consideration for a body such as the Government has in mind’.<sup>20</sup> Needless to say, the suggestion was rejected.

The IPCS submission to the review group, delivered in October 1967, was a synthesis of the various branch responses. Detailed and thorough, the submission concluded that ‘professional officers are being prevented from making their full contribution either in their own disciplines or as Civil Servants [due to] the dual structure of Departments in which the professional officer occupies a sub-ordinate or,

at best, purely advisory role to the administrative hierarchy'. The view of the professional civil service, according to the IPCS submission, was that 'the professional officer was more interested in getting the job done while the administrator appears to be more interested in getting the paperwork right'.<sup>21</sup>

In its oral submission the IPCS was mainly concerned to ensure that the career chances of the professional, technical and scientific university graduates in the civil service were at least as good as those of graduates in the arts and humanities. To achieve this objective the IPCS suggested that;

- 'Improved career prospects should be created by devolving more of the supervisory and management responsibilities in section to technical officers.
- Facilities should be made available to technical officers either by scholarship, or by fulltime release, or apprenticeship type training to acquire the professional qualifications deemed essential for higher posts.
- Where technical training or qualifications are essential for entry to a technical grade these standards must be maintained not watered down, and no deviation by way of ad hoc equivalents permitted'.<sup>22</sup>

With the publication of the Devlin Report the IPCS Council appointed a sub-committee to draft a response. The main criticism aimed at Devlin was that the report offered no argument for its recommendations. Nor did it publish the evidence justifying its conclusions. This made it difficult to respond in other than a general reaction, but the IPCS response, whilst generally positive, showed a determination to defend promotional possibilities for the membership. The response generally supported the suggested separation of policy-making from policy execution, provided

that professional and technical expertise had a presence in the formation of policy at the *Aireacht* level. The Institution welcomed the suggested establishment of four staff units in each department, but expected that all officers appointed to these units would have professional qualifications. The main fear of the IPCS was that the *Aireacht* would perpetuate the dual structure with the professional civil service losing out to the administrative grades.

The tendency for the professional civil servant to lose out in status and opportunity to the ‘all-round’ administrative grades created considerable frustration within the membership of the IPCS. James Deeny, the foremost authority in what today would be termed ‘public health’ was appointed in 1944 as Chief Medical *Adviser*, to advise the medically-ignorant, administrative grade civil servants who in turn advised the minister. In fact there was a general tendency in the Irish civil service to reduce experts to advisers in all fields, cutting them off from decision-making. The Fulton Report into the British civil service had commented on the same tendency and the IPCS had kept a close watch on the Fulton proceedings and maintained contact with the British Institution on developments in the pay and status of the British scientific, professional and technical officers.

The long term damage of the policy of ‘generalist’ dominance became evident in the Department of Posts and Telegraphs that had responsibility for the phone system. The department had plenty of engineers that saw the need for a modern system and could even identify what that system should be, but were powerless in the face of the senior administrative officers who actually ran the department. The result, as any one who applied for a phone from the 1960s to the 1980s could attest, was a telecommunications shambles that held up economic development through the decades to the 1990s. The national transport system also suffered due to the lack of

applied expertise in planning for future needs. The unspoken assumption that in the future everyone would have a car, and therefore public transport would be for the poor, led to the dismantling of the railway network.

T.J. Barrington, director of the IPA, in an article in the IPCS journal, urged the professional and technical officers to avail of the courses on offer in the IPA, anticipating that in the future the function of professional and administration would tend to fuse, but perhaps also recognising that the professional would have to move toward the administrator because movement in the reverse direction was not possible.<sup>23</sup> The IPCS had given some thought to the problems that might be caused with promotion by merit. Firstly, it would be difficult to define merit. Then, if there was such an agreed definition there would have to be an agreed system of staff appraisal, definite and specified qualities required for the promotional post. The main criteria for assessment would have to 'suitability' with due weight given to 'experience', by which was meant seniority. The Institute was not able to arrive at an agreed policy on the question as it began to be recognised that 'promotion by merit' was a double-edged sword. With many technical officers now as qualified as professional officers promotion by merit alone may have required accepting that in some cases a technical officer would be promoted ahead of a professional officer or that a technical officer in one department could secure a promotional post in a different department over the heads of other similarly qualified technicians within the department.<sup>24</sup> Just such a problem had developed in 1963 in the Lands Registry Office where a mapping draughtsman had been promoted to a post of examiner in the same department. Mapping draughtsmen in other departments objected that the opportunity for promotion should have been opened up to those who were similarly qualified and who faced little or no opportunities in their own departments.<sup>25</sup>



The hoped breakthrough for the technocratic civil service that was embodied in the Devlin Report did not happen. The government introduced an Aireacht in each of three departments on an experimental basis, Health, Industry and Commerce and Transport and Power. However management continued to be dominated by the generalists and the fundamental concept of Devlin of transferring real powers from the minister to officials was never applied. The IPCS sub-committee on the Devlin reform was scathing in its assessment of the application of the Aireacht to the Department of Health. According to the Institute the logical approach would have been to define the objectives of the Department of Health, then set up the structures necessary to meet these and then solve such personnel problems as they arose, assuming that the numbers in the health service should fall and certainly not rise. Instead an additional personnel office had been created and administration had become an end in itself. It was also assumed by the Institute that prevention of disease should be an objective of the department. If it were, then doctors would be required at all levels, yet none were recruited. The Chief Medical Officer, who should not be an administrative post, should carry the rank of a Deputy Secretary. As it was the post of CMO would not attract a medical professional because it had no power nor influence and was purely advisory.<sup>26</sup>

Few of Devlin's recommendations were ever followed through, the Management Advisory Committees for each department, made up of the minister, secretary and assistant secretaries were created but as advisory only, and there was, briefly, a separate Department of the Public Services established in 1973. However with little political backing and no enthusiasm within the civil service the Devlin Report gathered dust and public administration continued to be essentially an *ad hoc* 'fire brigade' operation.

## **The Pay Rounds**

The Labour Court had been created by Lemass to impose some discipline on wage negotiations as the Emergency controls came to an end and a wave of strikes was feared. This brought all workers to the starting line for wage negotiation at the same time. It also gave the Labour Court a central role in co-ordinating wage negotiations in which it was implicit that workers were entitled to compensation for increases in the cost of living.. This led to the emergence of a system of ‘wage rounds’ as the Labour Court brought the trade unions, the employers and associated organisations around the table to negotiate agreed increases year after year. In the first series of wage rounds up to 1955 the trade union side looked for compensation for the increase in the cost of living since the previous round and so increases tended to be very similar across all wages and salaries. Trade unions would wait for the lead to be set, usually by the skilled workers, and then follow on with a claim for similar increases. Thus the termination date of each round tended to extend by several months across industries and sectors.

The 1960s were a period of rising expectations and increased confidence. Wage trends were set increasingly by the clerical and skilled workers, many of them in the public sector, who used strikes to force the rate upwards. A feature of the 1960s was the increasing militancy of white-collar workers in RTE, Aer Lingus, the ESB and in local government.<sup>27</sup> In 1959 all workers won generally similar increases in the seventh round increase. In 1960 groups of clerical workers, led in the main by the ESB officers and electricians in the public sector, negotiated a seventh round increase substantially in excess of the trend. Added to this were general demands for a five-day week, a forty-hour week and additional fringe benefits. In 1963, after the

failure to secure entry to the European Economic Community and with a widening gap between national income and expenditure, the government published a White Paper *Closing the Gap*. The White Paper signalled that the government would no longer be playing a passive role in wage negotiation. It proposed to limit future wage rises to increases in productivity and announced an immediate halt to all claims for increase in the public sector, which it was feared had become a trend setter in the wage rounds. To meet the rising cost of the public service and to meet the alarming gap in government finances James Ryan, the Minister for Finance, introduced a 2.5 per cent turnover tax on sales and services which of course added to the cost of living.

In response to the level of opposition that came from ICTU, with which Fianna Fáil had been developing a close relationship, Lemass announced a shift to the left in national policy promising government intervention to convert economic progress into social progress. Lemass was still hoping to ease the inflationary pressures that were developing in the economy but realistically could no longer hope to achieve a halt to wage increases. Instead, in November 1962, he suggested a new system of national wage negotiation that would keep expectations within the limits of national production. The new National Industrial and Economic Council (NIEC), on which trade unions and employers had representation, would report regularly on the national economy and provide objective assessments of the potential for wage increases. In December 1963 after uneasy negotiations between ICTU and FUE delegations agreement was reached on a twelve per cent increase to run for two years from 1964 in the ninth round. The twelve per cent was seen as a very high figure, but was accepted as the cost of a guarantee for industrial peace. It was hoped that this, the first national wage recommendation, signalled that a new era of planned, rational wage negotiation on a national basis had arrived, in fact an agreed incomes policy.

An inflationary rise in prices developed between 1963 and 1965 which, it was alleged, was started by the unprecedented twelve per cent increase conceded in the ninth round national recommendation. Workers were uneasy as inflation eroded the twelve per cent increase and the terms of the agreement prevented any return to negotiations until the middle of 1966. Building workers were also told that their demand for a forty-hour week would have to wait. In 1964 a two-month strike by workers in the building sector in pursuit of the forty-hour week almost wrecked the national agreement. Concessions were finally forced on the reluctant employers by Jack Lynch, Minister for Industry and Commerce. Paddy Smith, Minister for Agriculture resigned, protesting that the government had capitulated to trade union dictatorship.<sup>28</sup>

In 1965, against a background of strikes and threatened strikes, ICTU and employers failed to negotiate a new national agreement. Instead an ICTU suggestion of a maximum increase of £1 was quickly endorsed by the Labour Court and became the minimum of the 1966 tenth round. White-collar workers now began to set the pace as they showed an uncharacteristic militancy in pursuit of status, promotion and higher pay. Industrial relations declined further as the bank officials went on a three month strike from May 1966 and a strike in the ESB threatened power supplies. As economic growth slowed down the government abandoned the Second Programme for Economic Expansion and launched a less ambitious Third Programme to run from 1968 to 1970.

The 1968 eleventh round wage negotiation was a new model. A two year comprehensive agreement covering 1967 and 1968 gave up to £2 increase per week in phases. As the end date of the agreement approached new demands for future increases were prepared. Strikes by electricians in November 1968 and maintenance

craftsmen in April 1969 gave a lead in the settlement terms which was followed by other unions and led to 1969-70 twelfth round increases in the order of £4 a week over eighteen months in two or three phases. As a consequence of unions waiting for leading agreements to emerge before entering their own demands the start and finish date for the twelfth round stretched over the June to December 1971 period. The twelfth round increases in the private sector were the largest since 1945 and were unlikely to be won by the civil service without struggle.

By 1970 national production had dropped to 2 per cent and economic growth was grinding to a halt. Inflation was running at 8 per cent, nullifying the gains being made in the pay rounds. The Irish economy had been transformed but the provision of social services and housing had not kept pace. Disenchantment with the whole concept of economic and social planning, which had fuelled an expanding public sector, set in. The 'rising tide' that Lemass had predicted would lift all boats was going out and large sections of Irish society were left stranded.<sup>29</sup>

### **The Pay Rounds and the IPCS**

The civil service had used the conciliation and arbitration scheme to maintain pace with the increases being won at the Labour Court. This meant that the civil service organisations would wait until a trend had emerged at the Labour Court and then seek a similar rise. In 1955 the minister accepted the civil service staff side panel request that the fifth round increase won by workers generally should be extended to the civil service. In 1957 the staff side, again in response to the general claim being pursued by the trade unions, returned with a demand for a rise of 7.5 per cent with a minimum of 10/- for the civil service.<sup>30</sup> The acceptance of the principle of compensatory pay increases in response to the rise in the cost of living allowed the

IPCS to concentrate on pursuing increases in salary scales attached to particular posts. In 1960, in addition to securing a general award for all civil servants, the IPCS secured substantial additional increases for the government statisticians and the meteorological officers in a revision of their pay scales. These were then used to build a case for comparable increases in analogous posts.<sup>31</sup>

In 1961 the civil service staff panel (on which the IPCS now had three seats out of twenty-five) secured increases that represented an advance in living standards and civil servants could feel that they were now not just retaining existing benefits in negotiations on pay, but participating in the improvements in the national economy. A notable feature of the 1961 round was that although all the civil service organisations negotiated separately for their members the start date for the increases would be the same for all, regardless of when agreement was reached. These successes reflected the work put into the thirty-seven separate conciliation claims were pursued at the sixteen meetings between the Department of Finance and the General Staff Panel as well as the eleven claims pursued at the arbitration board. As these claims were on behalf of grades that spanned women cleaners to the Resident Medical Officer at Mountjoy Prison the staff side negotiators could see advances in pay and conditions being won on many fronts. From the mid-1960s claims were no longer being based on the increase in the cost of living but rather on status, comparability with analogous employment, or improved national productivity. Because each grade and profession had to pursue their own negotiations the IPCS officers had an increasing burden of work. Their successes however enthused the members and attracted more into the Institute <sup>32</sup>

In 1964 success in winning the general increase of 12 per cent up to the Higher Executive Officer level was followed by a successful campaign to win similar

increases for the higher grades so as to avoid compression in salary levels. The Institute also won a five-day week with Saturday work being treated as overtime.<sup>33</sup> These increases were won was in the aftermath of the failed first application to join the EEC and the government threat of a pay freeze implied in *Closing the Gap*. The 1964 national pay round agreement contained a clause permitting special circumstantial claims in excess of the national agreement. In April 1965 the ESB clerical officers won a further ten per cent increase based on 'status' comparability. Clerical workers in the Port and Docks Board immediately followed the lead of the ESB. In response the government established the Quinn Tribunal to investigate the work and pay levels of clerical workers across the public and civil service and establish an absolute level of pay for clerical workers. Gerard Quinn was a Barrister-at-Law and a lecturer in economics at UCD. Others on the tribunal were Mr E.J. Grey, secretary to the Bank Staffs' Relations Committee, Charles McCarthy of the Vocational Teachers' Association, with Cathal O'Shannon and J.S. Quigley of the Labour Court. The ultimate target of the government was not in fact the clerical officers pay claims but the conciliation and arbitration scheme which facilitated those claims. In the Dáil debate establishing the Quinn tribunal the Minister for Finance, Jack Lynch, referred to the leapfrogging of pay claims which was facilitated by the many different arbitration claims determining pay in the public and civil service all operating independently of each other with no co-ordination, consistency or finality. It was his wish to enlarge the Labour Court so as to bring the civil service arbitration board into its remit and make the Court responsible for all wage and salary claims.<sup>34</sup> Although it did not directly affect the members of the IPCS the questioning of the conciliation and arbitration scheme was worrying.<sup>35</sup>

In the 1968 ‘10<sup>th</sup> round’ the IPCS reluctantly accepted the ICTU suggestion of a flat increase of £1 a week as a general pay settlement. There was a fear that by allowing an outside body negotiate an increase, the hard-won scheme of conciliation and arbitration was being emasculated. Agreement did also mean that the IPCS did not have to pursue individual grade by grade claims, which was proving an exhausting process.<sup>36</sup> In the 1969 ‘11<sup>th</sup> round’ negotiations the government for the first time introduced restrictive clauses into the civil service pay agreements which were designed to use the public service, in particular the clerical officers, as a brake rather than a pace setter on general pay levels. This undermined the IPCS pay strategy which had always been to let the major industrial employers of professionals and the senior levels in the banks set the pace. The Oireachtas also passed the Industrial Relations Act, 1969 [14/1969] which allowed that the Labour Court could appoint two of its members to arbitration board hearings in cases relating to the civil and public service. It was expected that the two Labour Court members would agree with the official side in denying any claim that seemed to be mere “me too” leapfrogging.

The twelfth round agreement saw an historic initiative within the public service negotiation strategy. For the first time a small committee drawn from the Public Services Committee of Congress negotiated an agreement for the entire public service. The committee was made up of the general secretaries of most of the civil service and public sector trade unions and associations, thus creating a forum in which these full-time officials could begin to develop a joint strategy and vision for the whole of the public service. The concept of the public sector negotiating as a single unit had been raised at an ICTU seminar in November 1969, shortly after IPCS joined Congress. The twelfth round agreement was negotiated between April and July 1970 and agreed by the whole of the public service in August.



### **The National Wages Agreements 1970-1972**

In April 1970, just as the public service twelfth round negotiations began, the NIEC report no. 27 'An Incomes and Prices Policy' offered a gloomy analysis of the national economy and the forces of inflation that were at work in it. As the NIEC had representatives of both employers and trade unions it was assumed that there was an agreement that inflation in the economy was getting out of control. The NIEC recommended that the employers, the trade unions and the government (as an employer) should use that measure of agreement to negotiate a single national agreement. The government established the Employer-Labour Conference (ELC) as a national forum for the discussion and review of all major industrial relation problems, pay determination and related problems in the context of the current economic realities, with the government joining the ELC as an employer. The main task of the conference was wage negotiation, and especially to stop the emerging practice of leap-frogging in wage rounds as early agreements were surpassed by later. In the background to these negotiations was the banking strike that closed the Irish banks from April to November. The failure of the ELC to agree a wages standstill led the Fianna Fáil government (then riven by the Arms Crisis) to introduce in October a Prices and Incomes Bill 'to regulate, restrict or prohibit increases in wages, salaries, and other remuneration'. The Bill set out a six per cent increase in all forms of earnings as maximum that would be allowed by the law.<sup>37</sup> Debated through the month of November, its passing was the signal for renewed negotiation within the ELC leading to an agreement in mid-December. With agreement at the ELC the government withdrew the Bill, largely because it has served its purpose as a big stick, and the carrot of an agreed national increase would be at least as successful as an

imposed ceiling. The government had achieved an incomes policy by negotiation and not legislation.<sup>38</sup>

The 1971 'thirteenth round' national wages agreement was negotiated within the ELC by ICTU and employers and approved by a Special Delegate Conference of Congress. It provided for an eighteen month agreement with pay increases in two phases. An initial phase of twelve months and second phase of six months. The first phase in the public service gave an across-the-board increase of £2 with the second phase giving a four per cent increase for six months. The second phase was linked to the rate of inflation and offered a 1 per cent increase for each percentage increase in the Consumer Price Index over 4 per cent. The combination of lump sum increase followed by a percentage increase was an attempt to meet the problem of the lowly paid who tended to lose out in percentage deals. The IPCS members, which had members from the lowest point to the highest point of civil service pay scales, saw this as particularly attractive. The guarantee for compensation for inflation contained in the second phase was regarded as the most valuable provision in the agreement as it shifted pressure onto the employers and government to contain price increases below the four per cent level. Any outstanding '12<sup>th</sup> round' comparability and status claims were to be assessed by an independent authority and, if genuine, processed by the normal conciliation and arbitration process or by the Labour Court. The 13<sup>th</sup> round also had, in clause six provision for the pursuit of 'genuine anomalies' in pay differentials which of course begged the question as to what might an anomaly that was not 'genuine' look like. Industrial peace was guaranteed by Congress agreeing that the trade unions would not enter into a strike or other form of industrial action in support of claims for increases in excess of the agreed amounts.<sup>39</sup>

By early 1972, with the national agreement due to end on 30 June, the government began to open discussions on a new agreement. These discussions took place against a background of power cuts in the ESB due to an authorised strike by the shift workers and a relativity claim by the teachers' unions who were seeking parity with a recent 10 per cent award to Higher Executive Officers in the civil service. A proposed agreement was negotiated with better provision for the lower paid and progress toward equal pay for women. The IPCS joined in the ICTU discussions but argued against a new agreement unless it contained a clause that would facilitate special awards to the public service.<sup>40</sup> The new agreement was rejected by Congress in May, but then a new pay pact with some revisions was agreed in July. This, the second national wage agreement, gave a phased increase over seventeen months. The IPCS was against both the April and July agreements because wage controls had not been applied to professional fees and the logical accompaniment to wage controls, price controls, had not been applied nor was there any real progress toward equal pay for equal work.<sup>41</sup> But the IPCS was opposed mainly because it was now beginning to doubt the wisdom of centralised bargaining. There was also the view that ICTU executive, when presented by a 'take it or leave it' offer by government and employers, was too quick to take it.<sup>42</sup> The 1972 National Wages Agreement pushed the fixed date for its termination to the end of September 1974. This of itself was a disadvantage to the civil service but a further disadvantage was that it was coupled to an explicit clause which linked special claims on regradings or restructuring to productivity, which were very difficult for the professional and technical officer.<sup>43</sup>

The 1972 'fourteenth round' agreement built on the pattern established by the 1970 agreement. Ratified by Congress on 28 July 1972 it had once again a duration

of eighteen months with two phases of increases lasting twelve months and six months. The first phase was 9 per cent on the first £30 of basic pay with guaranteed minimum increases, 7.5 per cent on the next £10 and 4 per cent on the remainder.<sup>44</sup> The fourteenth round reflected the general satisfaction with the concept of a national agreement. For the government it provided stability in industrial relations. For the employers it provided predictability in wage and salary levels along with industrial peace. For the trade unions it centralised negotiations, cemented solidarity across the entire movement and enhanced the status of Congress in Irish society. It also marks the emerging leading role being taken by the Public Services Committee of Congress in formulating pay strategy.

### **The IPCS and the Association of Higher Civil Servants**

The process of conciliation and arbitration along with affiliation to Congress brought to a head rivalries between the Institute and the Association of Higher Civil Servants as to which organisation would represent the higher paid professional officers. The AHCS was formed in 1943 in response to the Emergency Wages Standstill Order which imposed the ‘supercut’ on the higher levels of the civil service. A circular letter on the need to organise a response was issued to all higher civil servants above the rank of Higher Executive Officer by R.H. White of the IPCS, M.F. Hogan of the Customs and Excise Controlling Grades Association, P.J. Murray of the Association of Inspectors of Taxes, and E.D. Lenihan of the Customs and Excise Surveyors’ Association. Out of that letter, and a meeting held on 30 April 1943, the AHCS was established to ‘safeguard the interests and promote the welfare of the members’. Membership was open to ‘all Grades in the General Service above the Higher Executive Grade and to corresponding Departmental Grades as determined by the

Council'.<sup>45</sup> It was initially therefore a response of members of existing organisations to an injustice being foisted on their member who were in senior ranks of the higher civil service. The AHCS, once established, continued as an organisation to fight for the restoration of the Emergency cuts. The IPCS was however unique in that it alone of the AHCS founders had membership both above and below the rank of HEO.

Because of the shared membership the conciliation and arbitration scheme complicated the relationship between the IPCS and the AHCS . After the establishment of the 1949 scheme the AHCS represented civil servants above the rank of Higher Executive Officer up to the level of Assistant Secretary who were excluded by the upper salary limit from the conciliation and arbitration scheme. The AHCS secured facilities for access at the departmental level where problems arose for the higher civil servants that were of general service application. The AHCS also had a right of access to the Minister for Finance personally where matters at issue were, in his opinion, of sufficient importance to warrant such a meeting. The IPCS secured recognition as the organisation representing professional and technical civil servants, although many of these were on salaries that were above the conciliation and arbitration scheme cut-off level. Thus many professional, scientific and technical civil servants on a higher grade had dual representation as a member of both the AHCS and the IPCS. The informal practice agreed between the AHCS and IPCS was that where a professional, scientific or technical civil servant on a senior grade had a problem that was considered of general application it was dealt with by the AHCS but where it was a problem peculiar to his or her grade then it was dealt with by the IPCS.

In the 1952 revised scheme MacEntee insisted that only one staff association would be recognised for any particular grade of civil servant for the purposes of representation, whether or not the grade had access to the scheme. The AHCS

application for recognition of the senior grades was rejected because some of the grades were already recognised by other associations, including the IPCS. Waldron of the AHCS met with Went of the IPCS and they agreed informally to suggest to their respective organisations and to the Department of Finance that dual recognition should be offered whereby the AHCS would represent the general service interests of the higher professional officers whilst the IPCS would represent their departmental and professional interests. This was rejected by the IPCS council who feared that the Department of Finance would refuse to discuss professional salaries with them as a general service question. This question was also being raised by the Association of Surveyors of Customs and Excise and by the Association of Inspectors of Taxes. The Department of Finance refused to get involved in the discussions. A compromise was eventually agreed whereby the IPCS had a member co-opted onto the council of the AHCS, the AHCS sought recognition for the purposes of representation on all matters affecting higher civil servants generally, and ‘generally’ was defined by the associations as any matter affecting equally all classes of higher civil servant but not covering professional pay or departmental scales.<sup>46</sup>

The AHCS was generally successful in having the ‘supercut’ restored in the course of the 1950s and in having the terms of the pay rounds applied as a matter of course to the higher levels of the civil service. Significant progress was also made on a widows and orphans scheme for the higher civil service. The AHCS made a submission to the Devlin Review Group on behalf of the higher civil service. In all these discussions the IPCS had a representative on the AHCS negotiating team. This working relationship began to breakdown in the 1960s due mainly to competition for the senior positions that were beginning to open up in the expanding public service. The conflict of interests was brought to a head by the opening up to an inter-

departmental competition of the vacant position of Deputy Controller of Stores, Department of Posts and Telegraphs. This post was considered equivalent to an assistant principal in the Department of Finance. The AHCS protested that the position had traditionally been filled by promotion within the Department of Posts and Telegraphs. The IPCS, correctly, saw the AHCS position as being in direct conflict with interests of the IPCS membership for whom open competition for senior positions was the only avenue to the higher grades.<sup>47</sup>

A further problem arose which was directly due to the working relationship that the IPCS and the AHCS had themselves constructed. This related to the so-called 'straddling grades' of professional civil servants whose salary scales began below but extended above the HEO level. The AHCS had a strict membership policy that excluded these officers. Because the AHCS had recognition for discussions on general questions, which included salary levels, but refused to accept the 'straddling grades' these officers were effectively left without representation.<sup>48</sup>

The AHCS added to the tension by canvassing all the professional and technical senior civil servants for their agreement to deduction at source of their subscription to the Association. This was interpreted by the IPCS as an attempt to poach its members. In a 'full and frank' exchange of views the IPCS argued that it should have sole right to represent all professional and technical officers because lacking the right to negotiate directly with the Department of Finance on general issues damages the prestige of the Institute; that officers in professional grades should not have dual membership; that the IPCS had no way of ensuring that the professional members of the AHCS represent properly the point of view of the Institute and the AHCS primarily represents the view of the general service administrative classes which is antagonistic the interests of the professional and technical grades.<sup>49</sup> The

AHCS argued that acceptance of the IPCS position would mean effectively its disbandment and would advertise the conflict of interest amongst civil grades at a time when the Devlin Group investigation demanded the maximum emphasis on unity and the general interest. For an individual professional civil servant the difficulty with the IPCS was that it was organised departmentally and therefore his or her representative may well be on a lower grade with little sympathy for the higher paid officer. However it was very successful in creating an *esprit de corps* amongst the professional and technical civil servants and successfully represented them regardless of grade. The AHCS on the other hand was organised by grade and all professional civil servants in the Association were represented by higher grade civil servants. It however would not represent any civil servant, including professional and technical officers, below the grade of Higher Executive Officer. The question therefore was which organisation best represented the interest of the professional, scientific and technical civil service and whether they were professionals who happened to work in the civil service or whether they were civil servants who happened to be professionals.<sup>50</sup>

In February 1972 the IPCS applied to the Department of Finance for separate recognition in respect of professional grades. The Department, not surprisingly, replied that 'as the question of recognition was originally settled by mutual agreement between the AHCS and IPCS the Minister would prefer any alteration to be made the same way'.<sup>51</sup> The IPCS then circulated branches instructing them to gather the signatures of any professional and technical civil servants who wished to be represented by the IPCS.<sup>52</sup> However both the Minister and the AHCS remained unmoved. The matter was not finally resolved until 1984 and the institution of a conciliation and arbitration scheme for Certain Higher Grades above those covered by



the main scheme and below the grade of Assistant Secretary. The Staff Side Panel compromised the AHCS (six seats) the UPTCS (four seats) and the Veterinary Officers' Association (two seats). The new scheme thus confirmed UPTCS as holding exclusive recognition for all the professional and technical grades.<sup>53</sup>

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- <sup>1</sup> Gary Murphy, *In Search of the Promised Land the politics of post-war Ireland* (2009) p. 182.
- <sup>2</sup> IPCS, standing committee minutes, 30 Sept 1960.
- <sup>3</sup> *Scientific Service*, vol.5, nos.1&2, March & April-Sept 1960.
- <sup>4</sup> IPCS, standing committee minutes, 28 Aug. 1959.
- <sup>5</sup> *Scientific Service*, vol.11, no.3, Autumn 1967.
- <sup>6</sup> *Scientific Service*, vol.14, no.4, Winter 1970.
- <sup>7</sup> See for instance the report of Congress proceedings for 1926, 1927, 1943.
- <sup>8</sup> IPCS, standing committee minutes, 30 Oct 1959.
- <sup>9</sup> *Irish Times*, 17 Nov 1955.
- <sup>10</sup> IPCS, report of the general secretary to the annual delegate conference 1970.
- <sup>11</sup> *Scientific Service*, vol.13, no.4, Winter 1969 'report, annual general meeting 18 Oct. 1969.
- <sup>12</sup> Peter Murray, 'Ireland and the productivity drive of post-war Europe' in Brian Girvan & Gary Murphy (eds) *The Lemass Era politics and society in the Ireland of Seán Lemass* (Dublin, 2005) UCD Press, pp66-81.
- <sup>13</sup> Michael Mulreany (ed) *Serving the State The Public Sector in Ireland* (Dublin, 2009) IPA.
- <sup>14</sup> IPCS, council minutes, 1 Nov. 1957; *Scientific Service*, vol.4, no.4, December 1957.
- <sup>15</sup> IPCS, council minutes, 1 Nov. 1957.
- <sup>16</sup> IPCS, standing committee minutes, 21 Oct. 1960.
- <sup>17</sup> *Scientific Service*, vol.7, no.1, Spring 1963.
- <sup>18</sup> Muiris MacCartaigh, *Government in Modern Ireland* (Dublin, 2008) IPA, pp 73-4.

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- <sup>19</sup> *Dáil Debates*, vol.227, col.489, 14 Mar. 1967.
- <sup>20</sup> Copies of correspondence in *Scientific Service*, vol.10, no.4, Winter 1966.
- <sup>21</sup> *Scientific Service*, vol.11, no.4, Winter 1967 ‘submission to the civil service review group’.
- <sup>22</sup> *Scientific Service*, vol.15, no.4, Winter 1971.
- <sup>23</sup> *Scientific Service*, vol.9, no.1, Spring 1965.
- <sup>24</sup> IPCS, Promotion by merit-working paper, 14 Jan 1976.
- <sup>25</sup> IPCS council minutes, 6 Sept., 1963.
- <sup>26</sup> *Ibid.*, Devlin sub-committee report 23 Oct 1973.
- <sup>27</sup> Martin Maguire, *Servants to the Public: A History of the Local Government and Public Services Union 1901-1990* (1998) IPA, pp180-6.
- <sup>28</sup> Brian Farrell, *Chairman or Chief? The role of Taoiseach in Irish Government* (1971) pp 66-7.
- <sup>29</sup> For the history of the pay rounds see Charles McCarthy, *The Decade of Upheaval Irish trade unions in the nineteen sixties* (1973) IPA; Aidan Kelly, ‘White-Collar Trade Unions’ in Donal Nevin (ed) *Trade Unions and Change in Irish Society* (1980), pp65-81; T.K. Whitaker, ‘Economic Development 1958-1985’ in Kieran A Kennedy (ed) *Ireland in Transition economic and social change since 1960* (1986), pp10-18.
- <sup>30</sup> *Scientific Service*, vol.4, no.4, December 1957.
- <sup>31</sup> IPCS, Council minutes, 8 Jan 1960; Annual delegate conference minutes, 28 May 1960; *Scientific Service*, vol.5, no.2 (Apr-Sept 1960)
- <sup>32</sup> *Ibid.*, vol.6, no.1, Spring 1962 ‘General Council Staff Panel agm, 18 Dec 1961; vol.6, no.3 Autumn 1962 ‘annual delegate conference minutes, 26 May 1962.; vol.9, no.2 Sumer 1965.
- <sup>33</sup> *Ibid.*, vol.8, nos. 1 & 3, Spring and Autumn 1964.

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- <sup>34</sup> *Dáil Debates*, vol.218, cols.1023-1573, 3 Nov 1965.
- <sup>35</sup> *Scientific Service*, vol.9 no.4, Winter 1965; vol.10 no.1 Spring 1966.
- <sup>36</sup> *Ibid.*, vol.12, no.2, Summer 1968.
- <sup>37</sup> *Dáil Debates*, vol. 249, 10-25 Nov ‘Prices and Incomes (temporary provisions) bill, 1970’.
- <sup>38</sup> *Ibid.*, vol.250, col 1439, 17 Dec. 1970.
- <sup>39</sup> *Scientific Service*, vol.14, no.4, Winter 1970 ‘National Wages Agreement’.
- <sup>40</sup> IPCS, NEC, 21 Jan. 1972.
- <sup>41</sup> IPCS, council minutes, 26 July 1972.
- <sup>42</sup> IPCS News, vol.1, no.7 June/July 1972.
- <sup>43</sup> IPCS, NEC minutes, 14 June 1972.
- <sup>44</sup> For the wage rounds see Francis Devine, *Organising History a centenary of SIPTU* (2009, Dublin), pp 502-3.
- <sup>45</sup> AHCS, council report, 1950-51; 1967-68.
- <sup>46</sup> AHCS, ‘recognition file, 1952-3’; NAI, department of finance, E138/1/52 ‘letter to AHCS’ 26 Oct 1952 & 9 Mar 1953; IPCS council minutes 7 Nov. 1952
- <sup>47</sup> IPCS, NEC minutes, 21 June 1972.
- <sup>48</sup> IPCS, standing committee minutes, 11 Sept., 12 June 1959; 18 Nov. 1960.
- <sup>49</sup> AHCS, council report 1968-69.
- <sup>50</sup> *Scientific Service*, vol.12, no.3, Autumn 1968; vol.12, no.4. Winter 1968.
- <sup>51</sup> IPCS, NEC minutes, 26 July 1972.
- <sup>52</sup> IPCS, NEC minutes, 13 Dec. 1972.
- <sup>53</sup> UPTCS, annual report, 1984, pp44-5.

## **A painful transition: 1973-1981**

### **Introduction**

1973 was a watershed year marking a transition from the optimism of the 1960s to a sense of national crisis and self-doubt that was to last into the mid-1990s. Events that formed this watershed were entry to the European Economic Community, the violence in Northern Ireland that threatened to spill over the border into the Irish republic and the oil crises of 1973 and 1979.

### **The EEC referendum**

A special conference of Congress held in January 1972 voted to oppose entry to the EEC in the forthcoming referendum. This posed some difficulties for the IPCS that felt the role of the trade union movement was to protect the interests of the membership in whatever circumstances emerged from the referendum. It was also the case that a civil service trade union would have difficulties in taking a public position

in opposition to government in a referendum. What was required, in the view of the IPCS, was information on terms and conditions on employment within the EEC and to let the members decide how to vote based on that information. It was agreed that the newsletter of the Institute would carry both sides of the argument and to join in any campaign to ensure the public was fully informed on all the implications of joining the EEC. Clearly the NEC was in fact in favour of joining the Community and decided not to circulate the Congress anti-EEC news sheet. The motion in favour of joining the EEC was proposed by the Executive and Higher Officers' Association at Congress. The IPCS delegates were free to vote whatever way they wished. The *IPCS News* of March- April was a special issue on the EEC debate which was in fact a case for the Yes vote. On the first of January 1973, following the vote in favour, Ireland became a full member of the Community. This was the final act in the opening up of Ireland to a wider world that had been initiated by the 1959 Programme for Economic Expansion.

Entry to Europe marked a dramatic shift of focus for all civil servants involved in policy-making. Previously civil servants were habituated to look to London for comparisons in any policy investigation. Now they began to learn on the European stage, establishing contact with fellow policy analysts from across the European community. New areas of policy also emerged as European directives shaped not only economic and agricultural policy but also began to drive new areas of concern in environmental and social policy, including an equality agenda.<sup>1</sup>

With Ireland's entry to the EEC the IPCS turned its attention to the implications of membership and identified the important issues affecting the members. It was recognised that the economic community would evolve toward a political community, which would have long-term implications for the civil service

generally. For the professional civil service the harmonisation of qualifications across the community also had implications to which attention would have to be directed. The general tone of the IPCS was however positive, even excited, as the EEC promised an expansion of horizons and wider experience which could only benefit the professional civil servant.<sup>2</sup>

In November 1973 M.J. Barry, the Secretary of the Department of Agriculture, met with a delegation of the agricultural officers in the IPCS to review the implications of Ireland joining the EEC. Explaining that a European Directive had the same force of law as an enactment by the Dáil, Secretary Barry made it clear the European farm modernisation scheme, beef scheme and sheep and lamb scheme would all mean that new methods and structures would have to be adopted by the Agricultural Officers, even though he was not too clear what these would be.<sup>3</sup>

In 1972 the Institute affiliated to the International Federation of Employees in Public Service (INFEDOP) and to the European Federation of Public Service Employees (EUROFEDOP).<sup>4</sup> INFEDOP was founded in 1953 as a Christian trade union movement of employees in the public services sector. The foundation of INFEDOP reflects the Cold War influence on trade union development in the 1950s and the AFL-CIO role in encouraging non-political trade unions and introducing American concepts of productivity bargaining rather than shop floor confrontation. EUROFEDOP was a regional grouping of INFEDOP that promoted the interests of public employees across Europe. Both were affiliated to the World Confederation of Labour, formerly the International Christian Federation, which was explicitly committed to expressing Christian principles in the world of labour relations. The attraction to the IPCS was that these bodies seemed to be ideologically neutral and

devoted exclusively to gathering and disseminating information on European trends in pay and conditions for public service workers.<sup>5</sup>

### **Northern Ireland**

In Northern Ireland the 'Troubles' escalated as 1972 saw the prorogation of Stormont in March and the beginning of direct rule. There was some optimism in 1973 as the Sunningdale Agreement promised a fresh beginning in a power-sharing executive and a north-south Council of Ireland, but in May 1974 the Ulster Workers' Council strike swept away the power-sharing executive and with it any optimism for the future of Northern Ireland. The Institute had to be careful in its reaction to the developing crisis in Northern Ireland and be always mindful of the difficulties of the government. A voluntary collection in aid of the victims of the violence collected £2,061 in aid of the Ballymurphy Family Adoption Fund, Internees Dependents Relief Fund and the Ardoyne Housing Committee. As these organisations were largely dominated by republicans, the IPCS asked John Hume, Cardinal Conway of the Catholic church and Archbishop George Otto Simms of the Church of Ireland to take charge of the funds.<sup>6</sup>

### **Changes in Government 1973-1981**

Encouraged by popular support for entry to the EEC, which he mistook as support for his government, Jack Lynch dissolved the nineteenth Dáil and called a general election for 28 February. Fine Gael, led by Liam Cosgrave and Labour, led by Brendan Corish, fought and won the election as a coalition. The presence of five Labour ministers in the coalition cabinet and a government programme that promised greater emphasis on the expansion of social rights and greater equality in Irish society



suggested that the historic neglect of social issues in government policies was going to be redressed. Entry to the EEC transferred to Brussels the subsidisation of Irish agriculture which was an enormous burden on the Irish exchequer, thus freeing up Irish revenues for the promised social services.

The Minister for Finance was Richie Ryan of Fine Gael. Elected as TD for Dublin South-West and primarily interested in Europe, Ryan had little experience in finance. Added to his responsibilities was the new Department of the Public Service, one of the early initiatives of the coalition.<sup>7</sup> The new department was introduced as being a further step in the PSORG recommended reforms. Devlin had a vision of a single public service in which there would be a free flow of talent through local authorities, the semi-state sector and the civil service. However Minister Ryan made it clear that the Department of the Public Service would continue to be under the Minister of Finance and, despite its title, would deal only with the civil service.<sup>8</sup> Its main function was to act as an arm of the Department of Finance concentrating on civil service pay negotiations. It proved successful in frustrating the civil service unions and clogging the conciliation and arbitration scheme by simply cancelling meetings, over-riding departmental proposals and creating log-jams in the arbitration stage.<sup>9</sup> It was eventually wound up in 1981.

The coalition was singularly unlucky in coming to power just as the oil crisis plunged the country into recession and the government faced dealing with a mounting deficit. The 1973 oil crisis had a doubly catastrophic effect on world economies as the rise in the cost of energy had an immediate global impact on prices whilst the suppression in demand for goods, as more and money was spent on energy, led to a fall in economic activity. The combination of inflation in the cost of energy with deflation in demand for goods and services led to the new phenomenon of

‘stagflation’. Though it is debatable to what extent the 1973 oil crisis was the cause or the final blow to the post-war economic order that was crumbling, it does mark to moment when the long period of post-war economic growth came to an end and the world entered a sustained economic recession. The high cost of policing and security in response to the escalating violence in Northern Ireland added to the narrowing budgetary options for the coalition.

In 1972 the Fianna Fáil Minister for Finance, George Colley had borrowed to balance the current budget, thus breaching the axiom of governments borrowing for development only. This was justified as opting for ‘growth rather than stability’. Anticipating that the oil crisis and the soaring costs of energy was a temporary setback, Ryan continued to expand public spending, partly to honour the social commitments of the coalition and also as a form of pump-priming of the economy in order to maintain employment and living standards. This led to a rise in the public sector borrowing requirement from 8.6 per cent in 1972-3 to 12.9 per cent in 1976-7. Some new taxes were introduced to finance this expansion but deficit spending continued. Low interest rates made this affordable. In mid-term Ryan began to rein back on public spending and national indebtedness began to fall.<sup>10</sup>

The 1977 election campaign by Fianna Fáil was blatant auction politics that bid to win the favour of the electorate. Prices had almost doubled during the coalition government and living standards of the working class had declined. The promise of an end to car tax, local rates on houses and cuts in income tax was irresistible to the middle class and Fianna Fáil was returned with an unprecedented majority of twenty seats in the Dáil.<sup>11</sup> George Colley as Minister for Finance brought in a budget that could not have got it more wrong. He combined substantial tax cuts, including the abolition of the coalition wealth tax and local rates, with an expansion in public

spending that was financed by even greater borrowing. The abolition of rates undermined local government and began the erosion of the quality of regional governance in Ireland that has persisted to today.

The architect of this policy was the academic economist Martin O'Donoghue who was appointed to be the new Minister for Economic Planning and Development on his first day in the Dáil. With the failure of the Second and Third Programmes for Economic Development planning had gone out of fashion.<sup>12</sup> The Fianna Fáil economic strategy was set out in a White Paper *National Development 1977-80*. It was hoped that the private sector would expand in response to a massive pump-priming stimulus.<sup>13</sup> It was an extraordinary gamble, but gambling requires good luck and luck was running out for the Irish economy.

The transition phase of entry to the EEC was coming to an end and the benefits to Irish agriculture were diminishing. Joining the European Monetary System (EMS) in 1979 ended the so-called 'Green Pound' devaluations which had been a windfall for Irish agriculture. European food over-production was exhausting the community budget and increasing pressure to cut prices and supports to farmers. In 1979 the revolution in Iran provoked a second oil crisis that sent both the cost of energy and the exchequer deficit soaring. Speeches were now all about the urgent need to reduce the public sector borrowing requirement. That could only mean cuts in the numbers of the public service and a curtailment of the services offered by the state. In 1979 Jack Lynch resigned as leader of Fianna Fáil and in the election to succeed him George Colley, not for the first time, misjudged his support and lost out to Charles Haughey. Fianna Fáil was to remain deeply riven for the next twelve years by factional struggles around the leadership of Haughey, his vindictive attitude to those who disagreed with him, his use of state power to award his friends, and his

amoral attitude to financial probity at a personal level. In 1980 Haughey (betraying no sense of the ironic) went on television to lecture the nation on the folly of living beyond our means. He sacked Martin O'Donoghue, abolished his department and proposed cuts in public services and in public sector borrowing. A Taoiseach who bought his shirts in Paris was prescribing a hairshirt for the people.

Feeling perhaps that his political options were running out Haughey dissolved the Dáil on 21 May (two weeks after the death of the hunger-striker Bobby Sands and one week after the death of the second hunger-striker Francis Hughes) and called the election for 11 June, the shortest campaign permitted by the constitution. The leadership of the opposition had changed since the last election. Liam Cosgrave was replaced as leader of Fine Gael by Garret Fitzgerald and Brendan Corish resigned from the leadership of Labour to be replaced by Frank Cluskey. Though no formal coalition deal was announced both parties urged supporters to continue their preferences to the other party in an anti-Fianna Fáil vote. Frank Cluskey lost his seat but the new Labour leader Michael O'Leary agreed a coalition government with Fitzgerald, who was elected Taoiseach on 26 June with the support of Labour and some independents in what was in fact a hung Dáil.<sup>14</sup>

### **Planning for the future**

Most unions expand by simply recruiting additional numbers of the same kind of worker. By the 1970s the IPCS was expanding by recruiting entirely new sorts of members as the expansion of the State created new sorts of professional and technical expertise. By the mid-1970s membership had grown to 4,260 in 125 technical grades representing 2,578 members and 197 professional grades representing 1,682 members. Though 60 per cent of the membership the Institute was now in fact

technical and not professional, of the 322 grades for which the IPCS held recognition only 30 per cent were technical, the rest professional. The rapid expansion in membership was mainly in new technical grades. The Institute was finding it difficult to absorb and service the entirely new groups of grades with unfamiliar staffing structures. Many of these were science graduates in technical posts working alongside non-civil service staffs in industrial workplaces. The Department of Finance, with little research, sanctioned the creation of new technical posts which became one-person grades with no clear promotional structure or linkage to existing grades, leaving it up to the IPCS to argue a case. These new grades often posed incompatible, and sometimes opposed, interests and considerable time had to be invested in intra-grade consultation to minimise friction in negotiation with the official side. At the same time members awareness of trade unionism raised expectations of what could be achieved. These expectations were increased by each success chalked up by the Institute. Members demanded more action on claims that might be poorly argued. Subsequent failure led to frustration and demands for better service.

There was also a feeling that the Institute was not making as significant contribution in the wider world in issues of concern. Though the Institute had joined Congress its contribution to the Public Services Committee was not as significant as it ought to have been and though the value of the IPCS promoting candidates to the ICTU executive was recognised the time and commitment required to a successful campaign to get on to the Congress executive was not forthcoming. Membership of the IPA was not being utilised fully and the contacts with the NIPSA in Northern Ireland and with the IPCS in England that would be of great value were not being developed. The IPCS along with the other civil service unions was failing to counter

the hostile press reports which featured on a regular basis in contemporary analysis of economic problems. Trade unions generally were also offering a more sophisticated level of service to members including discounts on insurance and legal and financial advice. Clearly, if the IPCS was going to grow and become a leader in civil service trade unionism it needed to modernise.<sup>15</sup>

### **A New Constitution**

In January 1972 a new constitution for the IPCS, adopted at a special delegate conference in April 1971, came into effect.<sup>16</sup> Membership of the IPCS was open to any non-industrial civil servant, established, unestablished or temporary, engaged in professional, scientific, technical or specialist work. The aims of the IPCS were declared to be to protect, promote, assert and defend the rights of its members; to maintain and improve the status of its members; to promote scientific knowledge and to promote efficiency in the Civil Service. The supreme authority of the Institute was the Annual Delegate Conference (ADC), with each branch sending delegates to the conference, the number of delegates related to the size of the branch. The ADC heard the annual report and financial statement; recommended action on, or rejected, motions proposed by the branches; and elected the honorary officers along with twelve members of the National Executive Committee (NEC). The NEC, elected under PR by the delegates, replaced the former standing committee and was responsible for running the Institute from year to year. The authority of the NEC derived from the ADC whilst the constitution gave it wide power. The post of President became honorific, offered to those who had made a long and significant contribution to the IPCS, with the Chairman of the NEC now acting as the representative and governing authority of the Institute. The work of the NEC was

analysed and grouped under the heads of administration and organisation, relationships with other organisations, negotiations, and inquiries into the civil service with members of the NEC assigned to work specifically on one of these areas.<sup>17</sup> The new constitution and the creation of a powerful NEC directly elected by Conference marked the moment of transition from an alliance of largely autonomous associations to a single organisation of branches meeting at Conference and electing a NEC. The Institute was on its way to becoming a Union.

Reflecting the reluctance within the branches to concede full authority to the NEC, the constitution also created a Council directly representing branches and made up of the honorary officers, members of the NEC and one representative of each branch. The Council, charged to assist and advise the NEC, was intended to act as a watch on the NEC by debating and giving the branch viewpoint on issues as they arose. The actions of the NEC could be questioned and could be subject to the veto of the Council. This created a structural tension in the relationship between the NEC and the Council whereby branches that were unhappy with a NEC decision used their representatives on the Council to re-open debates.<sup>18</sup> These constitutional changes reflected the changing membership of the Institute. The expansion in the public service and civil service had led to growth in the number of civil servants in the professional and technical grades. The expansion of technical grades was particularly striking and many of these new posts were filled by the graduates of the universities and Institutes of Technology who wanted the Institute to fight for pay and status that reflected their qualifications.

Establishing the authority of the NEC required that the Chairman be particularly able, an effective leader, a good communicator and popular with the membership. The Institute/Union was fortunate in a run of particularly energetic and

committed chairman through these years: Austin O'Carroll (1972-3) of the Local Government Auditors branch; Des McHugh (1973-4) of the Engineering Draughtsman P&T branch; Anna O'Farrell (1975-6) State Laboratory branch; John Hennigan (1977-80) of the OPW Engineers branch and Jacqueline Doyle (1980-82) of the Marine & Fisheries Inspectors branch. The NEC also developed as an organic environment as delegates were elected and worked together for many years as officers, gaining confidence and ability and learning to work as a team, gradually rising through the ranks of the NEC. By bringing their branch concerns and their own agendas, Jackie Doyle for instance ensured equal pay for equal work went from being a pious aspiration to an immediate demand, delegates enriched the NEC and made it effective in the rapidly changing circumstances of the times. John Hennigan was particularly respected not only by the membership of his Union but also by the other civil service unions who subsequently elected him as Chairman of the Civil Service Staff Panel. His untimely death led to the creation of a trust fund to finance the future education of his children.

### **Education and Training**

The establishing of an Education and Training sub-committee led by the assistant secretary Sean O Briain was an important initiative which sharpened the calibre of the activists. Recognising that the courses on offer to new activists were often of poor quality O Briain established contact with the English IPCS and attended their training courses to establish a model of an effective training course. Induction courses were established for new members with special courses and documents on relevant topics. The course and documents on 'Making a Claim' established a methodical approach to making a claim that was well-founded and carefully prepared and presented with



optimum effect. Briefing documents on industrial action set out with exemplary clarity the different forms of industrial action, the objectives of industrial action and the rules governing such action. The skills of former activists and leading figures in the world of trade unionism were used in training seminars and workshops.<sup>19</sup>

The branches continued to vary widely in their membership and structures and each retained considerable autonomy in running its own affairs. Some branches catered for a single profession in a single department, other branches catered for several grades and professions within a single department. However few, if any, branches had a membership from more than one department.<sup>20</sup> The Archivists branch had six members in three grades, the six Oireachtas translators were organised in four grades whilst the three mapping draughtsmen in the department of lands were on a single grade. All these branches retained the right to send two members to the ADC. Other larger branches, especially in the agricultural area where there were 1,186 members in twenty-eight grades, had high membership numbers but these were widely dispersed and had great difficulty in organisation and communication.<sup>21</sup> In 1972 3,500 members were organised in 229 grades organised in forty-two branches. By 1981, there were 5,184 members organised in fifty-four branches representing 322 grades.

The inherited federal structure of the Institute continued to inhibit its effectiveness as a Union because, as Donal Egan of the NEC wrote in the newsletter, 'its total unity cannot be contained in our minds'.<sup>22</sup> An investigation of the branch structure by a sub-committee of the NEC found that less than half of the branches were active participants in the NEC or the Council or were sending members to courses run by the Institute. Smaller branches tended to be very active on their own behalf but made little or no contribution at decision-making levels of the Institute.

Some branches were very clear on what they expected from the Institute but it was less clear what they brought to the Institute. Smaller branches resisted any attempt at enforced rationalisation and the dispersal of authority within the Institute between the multiplicity of virtual ‘republics’ continued. At the same time some members expressed anxieties that the NEC was tending toward a tightly centralised and bureaucratic structure.<sup>23</sup> Part of the communication problem was the failure to sustain a newsletter or similar journal that appeared regularly and kept members informed on developments across the service. Between mid-1976 and January 1978 the newsletter was defunct.

### **The General Secretary**

In April 1978 the Institute purchased new premises at 16 Earlsfort Terrace. Members were asked to keep phone calls to a minimum as the office initially had only one phone line!<sup>24</sup> The fulltime staff of the Institute continued to expand. In April 1975 Ralph Pares resigned as general secretary to take up the post of general secretary to the AHCS.<sup>25</sup> His successor as general secretary was John Duffy, a native of Warrenpoint Co Down, who had been general secretary to the SDLP in Northern Ireland. His column in the IPCS Newsletter “On My Mind” was a witty and provocative rumination on the issues of the day for the trade union movement. However Duffy’s view of the work of a general secretary was very different to that of the executive. He saw his job as essentially confined to head office and ensuring that the organisation was run in a co-ordinated and efficient manner. The NEC expected him to travel the country and act as an organiser and trouble-shooter but especially to be an effective negotiator. However Duffy had no trade union background and very soon a difficult relationship developed with the NEC. As soon as his probationary

period came to an end his contract was terminated. Finding his successor caused problems as the NEC had to choose between the seasoned and experienced Michael Downes and the younger and more combative Greg Maxwell. Greg Maxwell had applied for and been appointed to the position of assistant general secretary in November 1976.<sup>26</sup> Maxwell was an experienced trade union official who had already made his mark in the creation of the Northern Ireland Public Service Alliance (NIPSA) and was now seeking fresh challenges.<sup>27</sup> It was a case of promotion by merit versus promotion by seniority. The decision to appoint him deputy general secretary in September 1977 was a signal that he would not succeed in an application for the general secretaryship. Downes himself, and many members, felt that he was being badly treated by the Institute, though he encouraged Greg Maxwell in his application.<sup>28</sup>

The post was advertised and interviews held in November 1977. After an impressive presentation on his vision for the future of the IPCS Greg Maxwell, who was only one year in the Institute, was the unanimous recommendation of the interview panel and, in December 1977, took up the post.<sup>29</sup> In 1978 the new post of Research Assistant was created. This was filled by Shay Cody.<sup>30</sup> Shay Cody was a university graduate in history with a research profile in trade union and labour history as well as a family tradition of activism.

### **From an Institute to a Union: UPTCS**

The 1979 ADC abandoned the vague title of “Institute” and approved the change of the name to the ‘Union of Professional and Technical Civil Servants’ (UPTCS) ‘Ceard-Cumann na Stat-Sheirbhíseach Gairmiúil agus Teicniúil’. The adoption of the title reflects the central place attained by the technical grades within

the Union and also the growing identification by professional and technical civil servants with the wider trade union movement. In 1980 UPTCS participated for the first time in the May Day labour march organised by the Dublin Trades Union Council, led by the new Union banner, with members wearing the new Union badge. The Union began to engage in issues of justice and civil rights in the wider world through Amnesty International and the Irish Anti-Apartheid Movement, with Conference debating motions on social justice and agreeing to deductions funding campaigning organisations. The Union was an early supporter of the Irish Labour History Society, founded in 1973 to promote the study of labour history and to preserve the records of Irish working class movements. It was also a supporter of the People's College, founded in 1948 by the trade union movement to provide adult education courses for workers.

The Council was intended to act as a forum for branch representatives and the NEC could discuss the affairs of the Institute and review NEC decisions. However the meetings of the Council developed as no more than briefing sessions on NEC decisions rather than the policy debates that were originally intended. Where there was any input by the branch representative it was usually to elicit more information. The key power of reversing a decision of the NEC was in fact exercised on only one occasion. Some members suggested that the power of the Council should be increased at the expense of the NEC whilst others suggested that the Council should be abolished entirely. In response the 1980 ADC established a joint Council and NEC working party to report on the future role of the Council and its relation to the NEC. Rejecting the call to abolish the Council, the working party emphasised its usefulness as the place where the branches met, discussed issues and kept the NEC abreast of branch opinion. Also rejecting the call to increase the power of the Council at the

expense of the NEC, the working party emphasised the key role of the ADC in scrutinising decisions and setting policy for the NEC. At the heart of this debate was the question as to what sort of organisation the Union aspired to be. Those who wanted the Council to have more power harkened back to the old federal structure of the IPCS on which branches were largely autonomous and direct democracy was the mode of decision making. Those who wanted a concentration of power in the NEC and the abolition of the Council envisaged a trade union that was policy driven and focussed by a small and highly powered elite of the executive and fulltime officials.

The recommendations of the working party were subsequently accepted. These changed the membership of the Council by requiring that the branch secretaries, as the most active and informed representatives at branch level who were also accustomed to keeping members informed of developments, should where possible be the Council member for the branch. Discussion was less heated than at Annual Conference with Council meetings sometimes taking on the form of seminars on issues rather than debates. The NEC members and the editor and assistant editor of the Union journal continued to attend council meetings which were reduced to quarterly rather than bi-monthly. On an issue that required a vote that would challenge a decision of the NEC, only the accredited branch representatives could vote.<sup>31</sup>

### **Negotiating pay in the civil service.**

The conciliation and arbitration scheme which had been initiated in 1950 was straining to cope with a different world in the 1970s. The dominance of agriculture in the Irish economy had been displaced by the service sector. Irish population was rising and every year more were joining the workforce, especially women. The

workforce was also better educated with higher life expectations than earlier generations. The public sector as a whole had grown in response to the demand for a wider ranging and a more professional public service. The recession that followed the oil crisis led to rising unemployment. Most corrosive of living standards was the dramatic and inexorable rise in inflation that by 1980 had reached 20 per cent a year. In the decade 1975-1986 the Consumer Price Index increased by 258 per cent. Some trade unionists took the view that inflation was a problem for the government to deal with and that the trade union movement should concentrate its energy on defending the living standards of workers by matching pay rises. Pay should chase inflation and, if possible, outpace it. Other trade unionists accepted that pay had a role in driving inflation and were willing to consider pay restraint as part of a broader agreement that addressed taxation, prices, rents and dividends.

It had been expected that in the post-war wage rounds pay in the public sector would follow the lead of the private sector and this largely the case in the 1950s when pay had simply followed the rise in the cost of living. Agreements were no more than a recommended floor for increases which the trade union movement had then to pursue in the workplace. The 1964 wage round in the civil service was significant in introducing new status claims which led to a widely varying percentage increases across the state sector and realigned relativities. The key professional marker grade, the Engineer Grade 1 (civil) won an increase of 22.6 per cent.

The pay agreements of the 1970s were negotiated at national level by the Employer Labour Conference with government attending as an employer rather than as the State. These were single agreements applicable to all employees. The 1972 and 1974 national agreements awarded large increases, the 1975 and 1976 rounds gave cost of living increases only, reflecting the new problem of surging inflation.

The increases were combinations of flat sum, which were better for the lower paid, and percentage increases, which were better for the higher paid. These agreements tended to flatten out salary scales in the civil service as a whole. The IPCS tended to be initially hostile to the national agreements because of the increasing restrictions on special claims.<sup>32</sup> The department of finance found it useful to confuse, or refuse to clarify, its dual role as Government and its role as employer within the ELC, although the 1972 agreement did set broad social objectives for the agreement of working toward full employment, securing real increases in incomes whilst giving preference to the low-paid and aiming to end poverty. The development of more complex agreements that addressed issues of tax equity found greater favour with the IPCS and, in time, it became a more enthusiastic supporter of centralised bargaining.<sup>33</sup> The 1977 agreement was in effect a tri-partite agreement in which the Department of the Public Service participated for the first time as the Government. In return for tax cuts and measures to protect employment the unions agreed to low pay increases that were below the cost of living. This followed the 1975 introduction of food price subsidies in an attempt to cool inflationary pressures.<sup>34</sup>

An increasing feature of public discourse on pay and employment in the recessionary 1970s was the identification of the civil service as overstaffed and overpaid, a tendency which the government did little to discourage. Commentators demanded a reduction in the public service, although always stopping short of identifying which particular public service the government ought to suppress.<sup>35</sup> The government and society, and the trade union movement, were all avoiding fundamental questions about what social services ought to be provided by the State and how those social services were to be paid for. There was also the problem that data on the economy and the role of pay in driving inflation was scant and anecdotal,

which tended to lead to a paralysis in policy. Growing frustration at the failure of the government to tackle the economic crisis and growing social fragmentation led to the tax protests on 1979 which brought hundreds of thousands of protestors on to the streets in Dublin in the largest peaceful protest ever seen in Ireland. Cautious of engaging in a political campaign, reminded perhaps of the forces unleashed by the Ulster Workers Strike in 1984, the NEC rejecting a motion by the Museum branch in support of the PAYE tax reform campaign, including demonstrations and stoppages. Regretting the decision of the NEC Paul Doyle of the sponsoring branch reminded the Union that as it had entered the mainstream of labour it needed to be sensitive to the broader trade union movement.<sup>36</sup> The public service trade unions had to work hard at deflecting the anti-tax emotions into the more rational demand for tax equity.<sup>37</sup>

IPCS had over four thousand members grouped in over four hundred grades. The distribution of members over the grades varied enormously; from single officer grades to grades with hundreds of members. As most of these grades were departmental the IPCS had to process these increases under the Conciliation and Arbitration scheme individually, work which took up a great deal effort and time. The centralised bargaining and the 1979 National Understanding for Economic and Social Development offered a general solution to the problem of pay levels. They also left the Union more time to concentrate on the problems of pay policy determination and the pay of members in the higher civil service professional grades that were not covered by the conciliation and arbitration scheme.

### **Negotiating special increases**

The arguments in favour of increases that the IPCS brought to pay negotiations centred on the rise in the cost of living, the justice of civil servants participating in the



general rise in national prosperity and the need for the public service to keep pace with the general trend in salaries. The principles on which pay in the civil service ought to be negotiated were more elusive. In fact, as Michael McGinley, who as a principal officer in the Department of the Public Service played a central role in public service pay negotiation, notes general pay increases negotiated as part of the national agreements are only half the story.<sup>38</sup> The other half is the history of special increases based on principles peculiar to the civil service. A great deal of negotiation on civil service pay was actually less about determining levels of pay and more about determining the appropriate pay for particular posts. For the professional and technical officers the myriad of posts, grades and departments made this exceptionally difficult in a culture used to dealing with a straight-forward clerical and administrative hierarchy. The conciliation and arbitration scheme of the civil service had evolved an informal system of marker grades allied with a network of relative grades. The advantage was that negotiations could focus on a single grade which could then be used to determine the award within a network of related grades. The tactics of the official side negotiators was to use the marker grades as a brake on pay rises as holding the marker grade to low increases would automatically hold the related grades to the same low increase. The staff side focused on the marker grades to win increases for all the related grades.

The IPCS, like all other trade unions, used collective bargaining to win general increases whilst developing a cohesive pay policy to negotiate special increases at conciliation. The criteria used to argue for special increases were fair comparison, internal relativities and value for money. Fair comparison was using the current salaries of comparable non-state sector analogues as a basis for comparison with civil service rates. Professional and technical posts that successfully used the comparative

argument were civil engineers, mapping draughtsmen, agricultural inspectors, laboratory technicians, engineering draughtsmen and clerks of work. Choosing the analogue was crucial to this argument. IPCS would usually argue on the basis of the average of several well-chosen non-civil service posts. The official side however could and did with equal consistency choose a single non-civil service analogue to argue for a low increase or no increase at all in basic rates. The accuracy of figures on pay could be disputed and the comparability of the actual work may not be agreed either. Therefore agreeing the particular analogue could prove to be a long and difficult preliminary to the real negotiation. If the pay of an agreed analogue should increase due to improved productivity then the official side could either deny the validity of maintaining the relativity or demand a related increase in the productivity of the civil service post before conceding the increase.

Internal relativities were employed to negotiate the pay of the vast majority of the professional and technical grades. In these negotiations the pay of a professional or technical grade is agreed to relate to another civil service grade. Therefore an award to the relative grade would automatically lead to an increase in the professional or technical grade. If the linkage was formally agreed then any alteration in the pay of the linked grade applied automatically without the need to make a separate claim at Departmental or Council level. The key objective for the IPCS was establish a linkage at as high a level as possible, Executive Officer or Higher Executive Officer usually. The validity of a high linkage was argued on the level of qualification ( a third level degree) and responsibilities. A whole range of professional and technical posts which had formerly been lowly paid on isolated pay scales were raised to executive level.<sup>39</sup> However, unless the relativity was recorded and agreed by both the staff and official side then it could be treated in later negotiations as an ad hoc

arrangement that had no long-term validity. Also, if the relativity was not automatic the IPCS side had to pursue the increase through conciliation which, in the absence of any agreement on retrospection, could mean the increase not being effective for many months. Value for work was rarely used as the basis for a claim unless the grade was in its development stage. Closely related to the concept of productivity it was based on arguments on the work content of the grade in question. It was recognised by the IPCS that relying on this argument would imply a continuous relative increase in the value of the work to justify any later increases. However the argument of productivity had obvious attractions to the official side.

In the process of conciliation across the whole of the civil service departments a tendency began to emerge of separate bi-lateral departmental agreements that related the pay of a number of different grades to one common grade in a pay band. For the professional civil service the key grade was that of the civil engineer. This began to be used generally as the professional recruitment grade. However these trends were not the result of centralised agreement nor of any overall vision of the professional civil service and its place in the service of the state. Rather it arose as a result of a series of ad hoc agreements.<sup>40</sup>

The staff side strategy was largely based on the British Priestly Commission 1953-5 inquiry into the civil service. Priestly had set down comparability with good analogous outside employment and internal relativities as the basis for civil service pay negotiation. The Pay Research Unit developed from the Priestly Commission as a fact finding unit divorced from the process of negotiation. Its task was to research and present to both sides of the civil service arbitration process well-researched evidence on rates of pay in the non-civil service. This was a model the Irish civil

service saw as useful but limited in its Irish application because of the dominance of the State in many employments in Ireland.

Most of the special claims went to arbitration having been rejected at conciliation. In 1972 the IPCS, which was emerging as the most successful civil service organisation in the conciliation and arbitration process, had over eighty claims in the system ranging from architects to zoologists.<sup>41</sup> The government grew alarmed at the growing success of the civil service staff side in winning special increases as each award led inexorably to a new wave of comparability and relativity claims. One source of the luxuriant variation in special awards was that the various conciliation and arbitration schemes made awards without any cognisance of the impact it might have on other grades. There were nine separate conciliation and arbitration schemes; the civil service, teachers, gardaí, local authorities officers, VEC staffs (who had two different schemes) professional staffs of county committees of agriculture, postmasters, and branch managers of employment exchanges. An award by any one of these arbitrators could set off a entirely new round of claims in the other schemes. The government had wanted for some time to bring the arbitration phase of public service schemes into the Labour Court where an over-view could be maintained but the staff side resisted the move.<sup>42</sup> The IPCS was prepared to consider this option if it was agreed that the departmental councils would be allowed to negotiate to finality without always having to refer back to the department of finance, if the upper limit for access to conciliation was raised to include all professional officers and if the Labour Court had access to a panel of technical assessors in cases touching its members.<sup>43</sup>

The alternative strategy for the government was to use the general pay agreements to hold back special awards by either restricting them or by delaying the award. The 1970 national agreement allowed claims for special pay increases which

removed 'genuine anomalies' in grade relativities. The 1972 and 1974 national agreements attempted to tighten the criteria for these claims but also allowed claims based on falling out of line with the general level of pay for similar work. In 1975 Minister Ryan ordered a complete standstill on all conciliation and arbitration claims, a move the Institute regarded as a breach of the national wage agreement.<sup>44</sup> The minister could not hold the line and the 1976 agreement allowed increases where there were serious inequities but if the increase was for more than 1.5 per cent it had to go arbitration. The 1977 agreement allowed special claims submitted before 1 November 1976 to go ahead, also with arbitration where it was over 2.5 per cent. The 1978 agreement allowed for negotiation on claims based on serious inequity, with arbitration being required for claims over 2 per cent. The Institute continued to support the agreements but with less enthusiasm at the dominance of the money increases at the expense of percentage increases.<sup>45</sup> The 1979 National Understanding allowed increases to restore previously well-established relativities applied in two phases, the first in July 1979. The second National Understanding of 1980 delayed any special increases until April 1981. The 1979 National Understanding was negotiated by Congress in the midst of a 130-day postal strike which made it impossible for UPTCS to circulate the membership on the terms. A special council meeting debated the terms of the new agreement and, noting the commitment to income tax reforms and measures to increase employment, it mandated its Congress delegates to vote in favour.<sup>46</sup> The second National Understanding of 1980 was accepted by a large majority, indicating growing acceptance of this new form of agreement.<sup>47</sup>

### **Pay and the Higher Civil Service**

Higher level civil servants were excluded from the conciliation and arbitration process. Therefore there was a significant section of the membership of IPCS for whom national agreements or success at arbitration offered little. In 1969 the government established the Review Body on the Remuneration of the Public Sector, under the chairmanship of Liam Devlin, to advise it on the pay of public servants not covered by the conciliation and arbitration process, the judiciary and members of the Oireachtas. In 1972 the Review Body began to investigate the pay of the four general service higher grades of Assistant Principal, principal, Assistant Secretary and Secretary. The Institute was vitally concerned as these grades were the marker grades for some of the senior professional posts, concerns which were detailed in its submission to the Review Body.. Although the absolute levels of remuneration the Review Body would recommend were of interest, greater interest was directed toward the principles by which these levels were arrived at. It wanted the Review Body to adopt the principles of fair comparison and internal relativities, principles which it had been promoting as the only just method of determining pay in the Irish civil service. What the Institute wanted was formal machinery to enable claims for increased pay at the higher levels to be negotiated. The first task, so far as the IPCS was concerned, was that professional grades would be evaluated and that the finance circular 16/36 which forbade civil service professionals engaging in their profession outside the civil service should be removed.<sup>48</sup>

The Review Group stated the obvious by reporting that there is no scientific method of determining pay. However the report did move toward the IPCS position by accepting that comparison with a wide range of other employments at the same level is a reliable and inevitable criterion where the jobs are of the same level of responsibility. Responsibility was therefore the key element of comparison in the

Review Group's consideration. Internal civil service relativities were also accepted as a valid criterion, whilst productivity was explicitly rejected. The argument that the professional civil service ought to be able to work outside of the state sector was rejected. The entire public sector was a unity and the State was entitled to expect that all those in the higher reaches of the public service would devote all of their working time to the State.<sup>49</sup>

In 1974 the Institute applied without success to the Department of the Public Service for the extension of the conciliation and arbitration scheme to include higher paid professional, technical and scientific grades whose rate of pay did not exceed that of the Assistant Secretary. This extension of the scheme was to get around the anomalies that had arisen as a result of the Review group award to the Assistant Secretary grade. It covered those professional civil servants that previously had been excluded because they served as the principal officer in a section or department. With the development of the various schemes across the public service this had become an anomalous restriction. No teacher or ESB officer was excluded because they had a managerial function. The IPCS argued that the simplest and fairest way to deal with the accumulation of anomalies was to extend conciliation and arbitration to the grades affected.<sup>50</sup>

Mid-1978 the Review Group signalled that it was preparing to look at the professional, scientific and technical civil service grades. The Institute had to give careful consideration to the strategy it would adopt in its submission. It could either ask that the whole of the professional and technical grades should be reviewed at departmental level or that a few key grades should be closely examined and used to establish vertical relativities and horizontal analogies. The advantages would be that 'broadbanding' of professional and technical groups across the departments would be

effectively achieved which would simplify future negotiations as accepted linkages could be invoked to disperse any increase through the grades. The disadvantage would be that grades that traditionally were already linked to the administrative grades, which were doing well in negotiations, might lose the linkage and be disadvantaged. Branches were asked to decide whether they wanted their branch structure referred to the Review Body, bearing the mind the difficulty of identifying analogues in many cases and quantifying responsibilities. The decision by the Review Group that the examination of the professional grades would be delayed was frustrating for the IPCS, no one could be sure that the Review Group might not be dissolved at any time, but it did give the Institute time to develop its case.<sup>51</sup>

The Institute choose as key grades the agricultural inspectors, the legal, medical grades, and the engineers. These were grades where outside analogies were easily established. The expectation was that the engineers would set the standard with other grades related to them. Other grades where analogies could be established were the National Museum and National Library staffs, architects, land inspectors, and in the aviation sector.<sup>52</sup> The strategy worked well enough for the Union and the Review Body Report No.27 recommended increases for most of the membership, back-dated to June 1980. The increases were in addition to any that those grades linked to the administrative civil service had already secured. The breaking of the link with the general service grades was of great long term significance as it established an autonomous professional and technical scale within the civil service.<sup>53</sup>

### **Equal Pay for Equal Work**

There is an impression that the campaign for women's equality arrived in Ireland with the May 1971 'contraceptive train'. In fact the demand for equality in Irish society



had been argued and fought since the foundation of the State. In the civil service the issue of equality was founded on resistance to discrimination on pay. Women had begun to enter the civil service in large numbers during the First World War when they were recruited to fill vacancies caused by men enlisting. These women were paid on lower salaries to men within the same grade. The Irish Free State introduced a different form of discrimination in the general service grades. In 1925 a new pay scale was established which offered a higher scale to married men and a lower 'single' scale to unmarried men and women entering the service. The new single scale was the former female scale. In addition married men received extra payments in the form of children's allowances, up to five children. Promoted as an encouragement to marriage, whereby the single man accepted a lower pay in order to receive higher along with the children's allowance when he married, it was always regarded by the civil service as objectionable and a form of cheap labour.<sup>54</sup>

The government continued to enforce a sex discrimination in the professional civil service, where every grade had a male and female scale. In fact the IPCS congratulated itself on preventing the introduction of the marriage differential, accepting separate male and female grades as the norm. The IPCS feared that to allow a single and a married scale would encourage the government to discriminate against older professionals attempting to enter the civil service. All pay claims by the Institute included a separate and lower claim for female officers, usually set at 80 per cent of the male scale. The 1956 conciliation agreement on pay scales for assistant architects in the OPW awarded a Male Scale 2 of £450-800 and a Female Scale 2 of £450-635.<sup>55</sup> For women in the civil service it was surprising that the IPCS was prepared to accept that professionally qualified women graduates, good enough to become members of the Institute and doing the same work as equally qualified men

graduates and paying the same subscription to the Institute, were worth less money.<sup>56</sup> That the male and female scales had the same starting point underlines the effect of the marriage bar whereby women were required to resign from the civil service on marriage. Sex discrimination was not as contentious as might be expected due to the expectation that most women would resign before they had advanced far up the pay scale to experience loss of earnings. However for many of the professional women the differential was not only a loss of income but also a loss of status and objections to it began to gather in the immediate post-Emergency period. The IPCS was to spend many years avoiding an issue that was of concern to many of its members and their status as professionals.

### **EPEW Agitation**

In 1948 the women members of the Survey Branch in the Land Commission asked the IPCS council to protest against the differential rates of pay to the Department of Finance. The council refused as it 'had no mandate for action on equal pay'.<sup>57</sup> An organisation of women civil servants, the 'Women's Civil Service Advisory Board' attempted to use the post-Emergency consolidation agreement to win equal scales for men and women. This was interpreted by the IPCS as introducing disunity in the ranks of the civil service by seeking an advance at the expense of the single men in the service.<sup>58</sup> However the IPCS could not ignore the winds of change that were blowing in the ranks of the women civil servants and in 1952 it was agreed that all future claims would be based on 'equal pay' and that the compulsory retirement of female professional officers would be fought.<sup>59</sup> The AHCS, whilst sympathetic to the campaign for equality, decided that as they few members affected, the issue would left to the IPCS.<sup>60</sup>

Motions deploring the sex differential became a predictable regular debate at the ADC through the 1950s as the Institute membership skirted the issue. Nuala Gogan of the State Laboratory Branch, deputy general secretary during much of this period, attempted to drive the issue beyond pious sentiment but with little effect. The council formed a sub-committee on the issue that wasted its time debating the meaning of equal pay and consulting Dr Newman, professor of Sociology at Maynooth Seminary, on whether equal pay for men and women was in conformity with social justice and the common good. His reply, that it all depended on what was meant by the common good, was not very helpful.<sup>61</sup> It was quite clear that some of the men in the IPCS could see advantages in adopting the marriage-single scale with additional children's allowances.

The issue of whether the civil service ought, as a single body, prioritise the end of the sex discrimination scales or the marriage-single scale came to a head in 1958. At a discussion on equal pay at the arbitration staff side panel meeting of 6 June 1958 the Civil Service Clerical Association raised the question as to whether it would be better tactics to try to remove the marriage-differentiated scales as a first step towards winning equal pay for equal work. If the claim succeeded then all men would receive the same pay and all women would be on lesser pay. A mass meeting of women civil servants, organised by the Women Civil Servants' Advisory Body and held in the Mansion House, passed a motion protesting at the action of the civil service staff panel in seeking to abolish the marriage differential which was directly opposed to the interests of the women civil servants. The IPCS council, as a result of this action, had a serious discussion on the precise meaning of equal pay and determined that the Institute policy was in favour of 'Equal Pay for Equal Work' though with the caveat that 'we cannot ignore the society in which we live'.<sup>62</sup>

The 1960s marks a great deal of earnest discussion on equal pay at annual conference, council and in the pages of *Scientific Service*, though without decision or action. For instance, a motion to the 1966 annual delegate conference by Miss Cunningham of the Surveyors Branch and Dr O'Toole of the State Laboratory directing the IPCS to take up the question of equal pay in the professional and technical grades was, of course, passed without dissent.<sup>63</sup> In other civil and public services unions the issue was also moving to the centre of discussions. The Irish Local Government Officers Union saw a major revolt by its women members when it accepted an arbitration award that introduced the marriage differential into local government where it was unknown.<sup>64</sup> The Executive and Higher Officers Association found itself at the centre of the storm generated by the suggestion that abolition of the marriage scale was more important than abolition of sex differentials.<sup>65</sup> Most of this discussion took place amongst women who were aware of the changes taking place in the wider world. Article 23 of the 1948 UN Universal Declaration of Human Rights asserted as a principle that everyone had a right to equal pay for equal work. The British Royal Commission on Equal Pay 1944-46 had accepted the justice of the principle, though it remained unenforced. The 1951 General Conference of the International Labour Organisation at Geneva adopted the convention C100 which established the principle of equal pay for work of equal value. The EEC, for which Ireland remained an applicant country through the 1960s, required equal pay for equal work from its member countries.

### **ICTU and EPEW**

Two developments transformed this sincere but aimless debate into action; the decision to join Congress and the establishment of the Commission on the Status of

Women. The issue of equal pay for equal work was, in the context of the Irish labour force, primarily an issue for the public service. It was only there that significant numbers of men and women worked side by side at the same job but for different salaries. The entry of the IPCS and most other civil and public service unions into the ICTU at the end of the 1960s made the public services committee of Congress the ideal platform for focused thinking and action. Within the professional and technical civil service there were many women who had the same qualifications, did precisely the same work in the same workplace, as men but were paid a lower salary. Most other women were in fact in 'women-only' grades where the issue could be characterised as poor pay rather than discriminatory pay.

The 1970 Congress annual conference saw six motions on equal pay on the agenda, all brought together in a single composite motion that deplored the lack of progress made in the implementation of the principle of equal pay, considered that the absence of a commonly agreed definition of the principle is impeding its implementation, called for governmental acceptance of the principle, the commencement of "phasing in" in the public service, the introduction of an Equal Pay Bill, requested an interim report on equal pay before the end of the 1970, recommended that wage or salary settlements which do not provide for progression towards equal pay be rejected, called on Congress to obtain details from affiliated organisations in the form of regular progress reports on their efforts and successes in the implementation of this policy.<sup>66</sup> The public service associations and unions led the clearly expressed debate, urging 1975 as a target date for full equal pay. In the vote on the composite motion there was no dissent.

### **The Commission on the Status of Women**

In 1967 the publication of the report of the UN Commission on the Status of Women inspired a group of Irish women to investigate the status of women in Ireland. Meeting in the rooms of the Women Graduates Association in TCD the group spent several months investigating and debating the question of status and then, in October 1968, issued a memorandum to the Taoiseach, Jack Lynch, requesting him to establish a National Commission on the Status of Women.<sup>67</sup> The government was well aware of the importance of the issue but were determined to avoid it as long as possible. It was estimated that the full cost of equal pay in the public sector would be over £5 million a year. It was Patrick Hillery, Minister for Labour at the time, who urged Lynch to address the issue, saying that the failure of the government to adopt international standards on women's rights was becoming an embarrassment and that discrimination in the public sector was indefensible. In order to move the issue to the margins at a time when it seemed Northern Ireland was spiralling into civil war, and recognising that a commission of inquiry into the status of women would fend off the issue of equal pay for the moment, Lynch agreed with Haughey in Finance that the government would appoint such a commission.<sup>68</sup>

The Commission on the Status of Women first met in April 1970. Its brief was to 'examine and report on the status of women in Irish society, to make recommendations on the steps necessary to ensure the participation of women on equal terms and conditions with men in the political, social, cultural and economic life of the country and to indicate...the estimated cost of such recommendations'. Composed of equal numbers of men and women and drawn from business, the trade unions and various women's organisations, the Commission was strongly led by its chairman, and its most significant member, Thekla June Beere. Thekla Beere was the former secretary general of the Department of Transport and Power from 1959 to

1966. A formidable presence, she had to deal with the constant frustrations that attended a woman of intelligence in a world dominated by men of a lesser calibre. A distinguished TCD student she graduated with the LL.B degree and a first class honours degree in Legal and Political Science, she was congratulated at her civil service interview on her excellent handwriting! Fortunately John Hooper, director of the statistics branch, recognised her brilliance and brought her into his section in the Department of Industry and Commerce.<sup>69</sup>

The Commission put advertisements in the daily newspapers inviting submission from interested parties. The IPCS submission had considerable statistical data on the sex differential across various departments and its eccentricities, which would be instantly familiar to Thekla Beere as civil servant, a woman and as a statistician. The report summarised the Institute view;

That there is no justification for offering a lower salary to people with equal qualifications carrying out the same duties. We proceed on the assumption that our members are paid for the work they do and not for the accident of birth which determined their sex. We are constrained at Conciliation and Arbitration to prove the levels and details of work which are being done by our members, in order to have their salaries adjusted, we therefore believe the assumption that pay is related to work performed to be correct. On this basis where it can be shown, as it can in all our grades, that the work being done is identical as between men and women in the same grade, we can see no reasonable reason why the rates of salary should not also be identical.<sup>70</sup>

On 23 September 1970 the Commission met with IPCS representatives where it concentrated on the equal pay for equal work issue, reserving the question of the marriage bar, promotion opportunities and other social aspects of the Commission's inquiry to a later stage.

### **Equal Pay for Work of Equal Value**

The Congress statement to the commission on the Status of Women was prepared jointly by the Public Services Committee and the Women's Advisory Committee. The Public Services Committee was chaired by Harold O'Sullivan of the ILGOU. It included Dan Murphy of the Executive and Higher Officers' Association, Patrick Cosgrave of the POWU, W.A. Lynch of the Civil Service Clerical Association, Hollingworth of the PO Management Staffs' Association, Helen Burke of the ILGOU, D. Crowley of the Medical Union, J. Foster of the WUI, P. Murphy of the Federation of Rural Workers, S. O Murchú of the ITGWU, Donal Nevin of Congress and Ralph Pares of the IPCS. The Women's Advisory Committee included Anna O'Farrell, Jacqueline Doyle and Caroline Colclough of the IPCS.

The IPCS had been actively engaged on the question of equal pay. Female staff were surveyed in late 1970 asking for their views on the marriage bar, access to civil service posts for married women and whether the salaries paid to all-women posts were depressed salaries. The reply rate of 48 per cent was considered disappointing and was thought to reflect the lack of pressure being exerted by women members on the Council on the issue of equality. However it also possible that women members considered the questions to be patronising and the answers obvious, which is apparent if 'men' was substituted for 'women' in the survey.<sup>71</sup>

In 1969 the IPCS was party to a Staff Side claim for equal pay which, by January 1971, had arrived at arbitration. The claim was that 'one salary scale be applied to every person in each grade, the scale to be, in the case of grades with sex-differentiated scales, the Man scale and in the case of grades with staff marriage-differentiated scales the 'B' scale'.<sup>72</sup> The Interim Report of the Commission on the Status of Women was therefore making recommendations very similar to that of the Staff Side. The Official Side, while sympathetic to the



philosophy of the claim, argued that as it had wide implications for the community generally, could not be dealt with in the public service in isolation. The official estimate of the full cost of equal pay in the public service was now over £8 million which was an immense sum. In the private sector those companies that relied on female labour in the main operated in a highly competitive market and any change would have to be scrutinised very carefully. Furthermore such a dramatic redistribution of income would require changes in the taxation structure. Accordingly it was urged that the claim await the report of the Commission, and after that was delivered, that it await the deliberations of the ELC.

The Staff Side objected to the issue being effectively diverted away from the conciliation and arbitration process into, firstly, the Commission over which they had no control, and then, latterly the Employer Labour Conference. Nevertheless, with the Official side refusing to move until the Commission reported there was little could be done. In May 1971 Aer Lingus unilaterally offered equal pay for its female employees, anticipating the findings of the commission. It was the first public service employer to concede equal pay and set the benchmark by this action.

In October 1971 the Interim report of the Commission recommended that women should receive the same pay as men when they are doing similar work or work of equal value and that the marriage bar, or any requirement that a woman resign her job on marriage, should be made illegal.<sup>73</sup> Work of equal value was a nuanced term designed to avoid the sort of pointless and wasteful arguments on what exactly 'equal work' meant which had hampered the advance of equal pay in Great Britain.. Many men, and women, at the time equated work with physical labour and therefore deemed it obvious that women could never equal men in work. Equal

value shifted the argument towards an assessment of worth. In the civil service the value of work was generally accepted to equate with responsibility; posts that carried the same level of responsibility were accepted to be of equal value.<sup>74</sup> The Interim Report recommended that in the public services the rate for the job was the 'man' rate or, where the marriage scale was applied, the married man's scale. Equal pay in the public service was to be achieved by phased steps to be completed by the end of 1977. The Interim Report on Equal Pay also recommended that the Labour Court should have Equal Pay Commissioners to adjudicate any disagreement concerning equal pay, its decision to be enforceable.

### **Government and Unions respond on EPEW**

The government immediately passed the Interim Report to the Employer Labour Conference, suggesting thereby that it might be included in the wage round negotiations that were to begin in January 1972. Although this was in line with the recommendation of the Commission, in truth the ELC was being used to shelf the claim for equal pay as the government used the ELC to explain a suspiciously long silence on the question of implementation of the Interim Report. In short, the government decision was to accept equal pay in theory but resist its application in reality. This was confirmed in the April 1972 budget statement when Minister Colley confirmed that equal pay for work of equal value was accepted in principle by the government, and was in fact a 'National Aim', but it awaited the outcome of the national agreement negotiations then under way within the ELC.<sup>75</sup> As 'National Aims' included ending partition, restoring the Irish language as the language of the people and draining the Shannon, the question was how the trade union movement would respond to the addition of equal pay for work of equal value to this list.

The then current National Wage Agreement closed the door on special claims in the public service until July 1973. The negotiations on the successor agreement opened in January 1972 and it was clear that the question of delivery on equal pay was going to be decisive for the public service unions. The IPCS wanted the current agreement amended to permit implementation of equal pay during its course but the general view in Congress was to accept the Commission proposal for a phased implementation to arrive at equality by December 1977.<sup>76</sup> however the vagueness of the Dáil statement on the issue by Colley in the Budget of April 1972 (which introduced current deficits as budget policy for the first time), with no indication of a system for phasing in equality was worrying. The IPCS was prepared to accept that equal pay would have a serious effect on both the public and the private sector, but now regarded it as a an issue of status and dignity rather than money. It wanted equality phased in with a shorter time span of completion by November 1976.<sup>77</sup> Nonetheless the fact was that EPEW was inevitably going to prove expensive. It was only by addressing it as a moral and not an economic question that progress was going to be made.

The Minister for Labour in the coalition government with responsibility for equal pay and legislation against discrimination in the workplace was Michael O'Leary of the Labour Party. As he struggled with the impact of the Oil Crisis and recession, along with the alarming threat to the security of the State, the equality agenda gathered dust. The trade union movement maintained some pressure but it was clear that it was not a priority. The 1972 National Wage Agreement maintained gendered-unequal lump sum increases. The issue was finally won by women workers taking the government to the European Commission and asking the Commission to compel the Irish government to apply the directive. It was richly

ironic that it was the former Fianna Fáil minister Patrick Hillery who, as European Commissioner for Social Affairs, compelled the government to comply with European law and concede full equal pay in 1977. Perhaps the distance that gender equality had to travel in Irish society and the trade union movement is best illustrated by the response of the IPCS sub-committee to the Commission's request for an opinion on non-pay barriers to full equality. Genuinely puzzled, the sub-committee had to confess that it had no idea what the Commission meant by 'cultural barriers to equality for women'!

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- <sup>1</sup> John Fitzgerald, 'From Economic Development to St Andrews: half a century of economic and social policy-making' in Michael Mulreany (ed) *Serving the State: the public sector in Ireland* (2009), pp 29-45.
- <sup>2</sup> IPCS, NEC minutes, 13, 21 Jan., 10 Feb., 26 Apr. 1972; IPCS News, vol.1, no.4, Feb 1972, vol. no.5., Mar-Apr 1972; vol.1, no.8, Aug 1972.
- <sup>3</sup> IPCS, NEC, report of meeting with secretary dept of agriculture, 5 Nov 1973.
- <sup>4</sup> IPCS, NEC minutes, 30 Aug 1972.
- <sup>5</sup> *IPCS News*, vol.1, no.8, August 1972.
- <sup>6</sup> IPCS, NEC minutes,
- <sup>7</sup> No.14/1973: Ministers and Secretaries (Amendment) Act, 1973.
- <sup>8</sup> *Dáil Debates*, vol.267, cols 51-60, 3 July 1973; cols 603-23, 10 July 1973.
- <sup>9</sup> *UPTCS Newsletter*, vol.2, no.2, July 1979.
- <sup>10</sup> O Gráda, *A Rocky Road*, p69.
- <sup>11</sup> Keogh, *Twentieth-Century Ireland*, pp335-6.
- <sup>12</sup> O Gráda, *A Rocky Road*, p78.
- <sup>13</sup> Henry Patterson, *Ireland Since 1939*, p271.
- <sup>14</sup> Keogh, *Twentieth-Century Ireland*, pp363-4.
- <sup>15</sup> IPCS, NEC minutes, 22 Mar., 1976 'report of institute staffing sub-committee'.
- <sup>16</sup> *Ibid.*, 13 Jan. 1972.
- <sup>17</sup> *Ibid.*, 7 June 1972.
- <sup>18</sup> See e.g., IPCS, ADC minutes, 6-7 May 1977.
- <sup>19</sup> Education and Training sub-committee reports, Oct., 1973; Oct., Dec., 1975; Feb., 1976.

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- <sup>20</sup> IPCS, 'The structure and negotiating machinery of the Institute of Professional Civil Servants, a paper read to the GVO on 17<sup>th</sup> December 1971 by Peter Conlon'.
- <sup>21</sup> IPCS, ADC 1977, 'report of the 1976-77 NEC'.
- <sup>22</sup> *IPCS Newsletter*, vol.1, no.1, Jan.1978.
- <sup>23</sup> UPTCS, council minutes, 5 Nov 1979.
- <sup>24</sup> IPCS council, 1 May 1978.
- <sup>25</sup> *IPCS Newsletter*, vol.4, no.2, Feb. 1975; AHCS, council report 1974-5.
- <sup>26</sup> IPCS, NEC minutes, 1 Nov 1976.
- <sup>27</sup> Terry Cradden, *The Making of NIPSA* (1998).
- <sup>28</sup> *UPTCS NEWS*, vol.4, no.2 (Sept/Oct 1984); vol.5, no.1 (May 1985) 'Interview with Mick Downes'.
- <sup>29</sup> IPCS, NEC minutes, 25 July, 10 Nov., 5 Dec., 1977.
- <sup>30</sup> IPCS, council minutes, 9 Jan. 1978, 5 Mar 1979.
- <sup>31</sup> UPTCS, 'Report of joint Council/NEC working party on the role of Council' (Nov. 1980).
- <sup>32</sup> *IPCS News*, vol.2, no.7, Oct-Nov 1972.
- <sup>33</sup> *Ibid.*, vol.3, no.4, May 1974.
- <sup>34</sup> Michael McGinley, 'Pay negotiation in the public service, 1976-86' *Administration* vol.34, no.4.
- <sup>35</sup> Sweeney, *In Public Service*, p203.
- <sup>36</sup> IPCS, council minutes, 14 Jan. 1980.
- <sup>37</sup> Patterson, *Ireland Since 1939*, p273.
- <sup>38</sup> McGinley, 'Pay negotiation in the public service, 1976-86' p478.
- <sup>39</sup> IPCS, letter dept public service to Duffy, general secretary, 6 Feb 1976.

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- <sup>40</sup> For a succinct and well-researched analysis see UPTCS, ‘report of the pay policy sub-committee’ compiled in response to motions at the 1977 and 1979 ADC.
- <sup>41</sup> IPCS, NEC minutes, 28 June 1972.
- <sup>42</sup> *IPCS News*, vol.3, no.8 Nov. 1974.
- <sup>43</sup> IPCS, NEC minutes, 4 Oct. 1972.
- <sup>44</sup> *IPCS News*, vol.4, no.7 Aug. 1975; Dáil debates, 26 June 1975.
- <sup>45</sup> IPCS, council minutes, 7 Nov. 1977.
- <sup>46</sup> UPTCS, council minutes, 7 May, 23 July 1979; UPTCS Newsletter, vol.2, no.4, Dec 1979.
- <sup>47</sup> *UPTCS Newsletter*, vol.3, no.3, Oct-Nov 1980.
- <sup>48</sup> *IPCS News*, vol.1, no.5, Mar-Apr 1972.
- <sup>49</sup> *Ibid.*, vol.1, no.10, Oct-Nov 1972.
- <sup>50</sup> *Ibid.*, vol.3, no.2, Feb 1974.
- <sup>51</sup> IPCS, council minutes, 26 June, 6 Nov 1978; 8 Jan 1979; IPCS Newsletter, vol.1, no.4 Sept. 1978.
- <sup>52</sup> *UPTCS News*, vol.5, no.1, Apr 1981.
- <sup>53</sup> *Ibid.*, vol.1, no.5, April 1982; McGinley, ‘Pay negotiation in the public service 1976-86’ p481.
- <sup>54</sup> Sweeney, *In Public Service*, p61.
- <sup>55</sup> *Scientific Service*, vol.4, no.2, Dec 1956 ‘conciliation results’
- <sup>56</sup> Neans De Paor, ‘Women in the civil service’ *Administration*.
- <sup>57</sup> *Ibid.*, 3 Sept., 11 Oct. 1948.
- <sup>58</sup> *Ibid.*, council minutes, 6 May 1949.
- <sup>59</sup> *Ibid.*, council minutes, 4 Apr. 1952.
- <sup>60</sup> AHCS, Council Report 1949-50.

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- <sup>61</sup> IPCS, ADC minutes, 24 Jan 1953; standing committee minutes, 6 Nov 1953; council minutes, 5 Mar., 4 June 1954; ADC minutes, 23 Jan 1955.
- <sup>62</sup> IPCS, council minutes, 7 Nov 1958; *Civil Service Review*, vol.15, no.12, Aug. 1958; Sweeney, *In Public Service*, pp182-6; *Scientific Service*, vol.4, no.6 Jan 1959.
- <sup>63</sup> IPCS, ADC minutes, 21 May 1966.
- <sup>64</sup> Maguire, 'Servants to the Public' pp 172-9.
- <sup>65</sup> Sweeney, *In Public Service*, pp182-6.
- <sup>66</sup> *Scientific Service*, vol.14, no.3, Autumn 1970.
- <sup>67</sup> Anna Bryson, *No Coward Soul a biography of Thekla Beere* (2009), pp133-65.
- <sup>68</sup> *Ibid.*, pp138-9; *Dáil Debates*, vol.244, cols 1820-1, 26 Feb. 1970; vol.250, col.627, 10 Dec. 1970
- <sup>69</sup> Bryson, *Thekla Beere*, pp 17-28.
- <sup>70</sup> *Scientific Service*, vol.14, no.3, Autumn 1970.
- <sup>71</sup> *IPCS News*, vol.1, no.3, Jan. 1972.
- <sup>72</sup> *Scientific Service*, vol.15, no.1 Spring 1971.
- <sup>73</sup> *Dáil Debates*, vol.256, col., 28 Oct. 1971; *IPCS News*, vol.1, no.2, Dec 1971.
- <sup>74</sup> Evelyn Owens, 'a trade union viewpoint' paper read at the symposium on the interim report on equal pay of the commission on the status of women (read before the Social and Statistical Inquiry Society of Ireland, 3 march 1972)  
<http://hdl.handle.net/2262/6618>
- <sup>75</sup> *Dáil Debates*, vol.260, col 576, 19 Apr. 1972.
- <sup>76</sup> IPCS, NEC minutes, 13 Jan 1972.
- <sup>77</sup> *Ibid.*, 27 July, 23 Aug. 1972.



## **From confrontation to consensus: 1982-1990**

### **Introduction**

During the 1980s a culture of confrontation, born of political and social fragmentation and economic recession, was displaced slowly and painfully by a culture of consensus. In politics, a series of general elections saw the electorate rejecting incumbent governments but with no clear majority emerging. Social confrontation expressed itself in an assertion of traditional conservative values focussed on banning abortion by a constitutional referendum and on preventing the introduction of divorce. Economic confrontation expressed itself in a struggle on wages and disagreement on the root causes of inflation. The system of conciliation and arbitration with which the civil service were familiar required careful, methodical preparation and a convincing submission. Cases were won by argument and UPTCS had been very successful in arbitration. When conciliation and arbitration came under attack by government UPTCS had to turn to industrial action, where success depended on militancy. A trend emerged in the Union for militancy in certain areas that expressed itself in an informal alliance of members with a strong trade union

rather than professional identity. The collapse of centralised bargaining in 1981 led to a wages free-for-all in which the public sector lost out badly as the trade union movement failed to keep wages ahead of inflation. As both public finances and unemployment spiralled out of control there was no consensus on the way out of the mounting difficulties that threatened national sovereignty. The 1987 Programme for National Recovery offered the first clear direction out of economic chaos as the government, employers and trade unions moved from a process of bargaining to searching for a consensus on the problem.

### **UPTCS in the 1980s**

The NEC of UPTCS of the 1980s faced a continual struggle as the public service faced a hostile media and governments that, whatever their political complexion, were determined to drive down public service numbers, pay and conditions. The Union was led by a remarkably cohesive team that learned from other workers and non-civil service trade unionists and showed that UPTCS was prepared to fight hard in defence of its membership. Brian McCurtain of the Placenames branch of the Ordnance Survey (1982-3); Alan Craig of the Architects Branch of the OPW (1984-5); Paul Doyle of the National Museum Branch (1986-7); Noreen Cunningham of the Agricultural officers Branch (1988) and John Prior of the Foresters Branch (1989-1990) all gave the leadership that enabled the union fight all the way through the most difficult decade it had faced. The Union also moved into the mainstream of the wider trade union movement as the general secretary Greg Maxwell chaired the Public Services Committee of Congress.

### **The economy**

The fundamental difficulty in the 1980s were economic. That there was a grave economic crisis developing was evident. What was not evident was why the crisis had arisen and what should be done about it. The neo-conservatives argued that the problem was the expanding state absorbing more and more resources and stifling initiative. Those of a more social-democratic view argued that the problem was a narrow tax net which excluded farmers, encouraged the wealthy to evade tax, and tolerated a flourishing 'black economy'. Inflation, unemployment and emigration soared. The numbers of registered unemployed jumped from 91,000 in 1980 to 226,000 in 1985. This was 19 per cent nationally with close to 100 per cent in some working class areas. National debt stood at £24 billion in 1986, absorbing almost all the revenues derived from income tax to service it. Marginal income tax levels rose with the average worker paying close to 57 per cent in income tax. A spiral of economic constriction threatened to strangle the economy as taxes, debt and unemployment climber higher and higher. A generation voted with its feet as emigration once again climbed to reach figures not seen since the 1950s. Those emigrating were different to the earlier generations in that they were skilled, highly educated professionals transferring the benefits of their education to other economies.<sup>1</sup> Just as in the 1950s, it was feared that an independent Ireland was not viable. By 1986 the London *Times* was confidently reporting that the IMF was about to descend on Ireland.

### **Changes in government**

The June 1981 Fine Gael-Labour coalition under Garret Fitzgerald was elected with the help of the independents. Fianna Fáil had 78 seats, the coalition 80. The election of the Taoiseach therefore lay with the independents. John O'Connell, who had stood as an Independent Labour candidate against Frank Cluskey and had defeated him, was neutralised by being voted Ceann Comhairle. Jim Kenny, the Limerick Socialist Party TD, voted for Fitzgerald as Taoiseach. Noel Browne, founder of the Socialist Labour Party and the parties only TD, voted against Haughey for Taoiseach but abstained on the vote for Fitzgerald. Joe Sherlock of the Workers Party did likewise. Clearly Fitzgerald was elected Taoiseach because Haughey was unacceptable and coalition was seen as the lesser evil. When the extent of the fiscal crisis that faced the state became apparent Fitzgerald may well have wished he had not been successful. A supplementary budget was introduced in July 1981 as an immediate corrective to a borrowing requirement that was in danger of running out of control. Spending cuts were imposed along with increases in taxation.<sup>2</sup>

In January 1982 the imposition of VAT on children's shoes by the Minister of Finance John Bruton, and justified by the Taoiseach as preventing tax evasion by women with small feet, was too much for Jim Kemmy. He voted the budget down and the coalition fell. Haughey tried to smooth his return to power and avoid an election by exerting pressure on President Hillery to refuse a dissolution and invite him to form a government. Quite properly Hillery refused to facilitate an unsavoury stroke and granted the dissolution of the Dáil.<sup>3</sup> The February 1982 general election left Fianna Fáil three seats short of a majority. With the support of Tony Gregory, secured by a £50 million deal for his inner-city constituency, and the three Workers Party TDs, placated by promises of an economic strategy less right-wing than that of the former coalition, Haughey was elected Taoiseach 9 March 1982. His government

was emasculated by bitter faction fighting within Fianna Fáil as his style of leadership alienated many and his failure to control spiralling public debt brought his economic policies into question. In November, following the publication of the Fianna Fáil economic policy document, *The Way Forward*, the Workers Party TDs along with Tony Gregory withdrew their support and the government that was only eight months in office fell.

The election of November 1982 brought Fitzgerald back to power at the head of a coalition with Labour, led by Dick Spring. This coalition was sufficiently stable to last to 1987, sending Fianna Fáil into opposition for five years where the party was free to concentrate on its internal struggle to remove, or retain, Haughey as leader. As a result of this power struggle the Progressive Democrats was formed in January 1986 as a new political party determined to ‘break the mould’ of Irish politics; liberal on social issues and unapologetically neo-conservative on economic issues

Haughey returned to power in February 1987 without an overall majority but offered a Dáil consensus for budgetary cutbacks by the new leader of Fine Gael, Alan Dukes, in the grandiosely named ‘Tallaght Strategy’, supported by the Progressive Democrats. This consensus of the right was an attempt to exclude the left-wing parties and the trade union movement from economic policy-making. It set the context for the discussions between Congress and Fianna Fáil that led to the emergence of a shared view on Ireland’s economic difficulties and also on the strategy to escape those difficulties agreed in the Programme for National Recovery.<sup>4</sup>

### **Responsibilities, promotions and top level appointments**

The departments of government had been remarkably stable for the first fifty years of the State. In response to new responsibilities and new expectations the late 1960s and

the 1970s saw an increasing tendency to break with traditional departments and experiment with new responsibilities. In 1966 the Department of labour was created, reflecting the centrality of labour relations to the programmes for economic development. In 1977 the new Department of Economic Planning and Development was established, to be later abolished by Haughey. The abolition of the Department of Economic Planning and Development brought a transfer of economists to the Department of the Taoiseach, and not Finance, as the Department of the Taoiseach began to acquire a new supervisory and often intrusive role over economic, social, international, legal and cultural affairs.<sup>5</sup> In response to the second oil crisis 'Energy' was added to the Department of Industry and Commerce. It became a separate and autonomous department of state from 1982. The Department of the Public Service was established as a separate department by the 1982 coalition, with John Boland appointed as Minister. Originally conceived by the Devlin Review Group as an engine of strategic thinking and reform on the public service it acted in reality as a buffer between the civil service and the Department of Finance in wage negotiations. John Boland was an enthusiastic fan of boxing and brought a combative style to negotiations.<sup>6</sup>

During the 1980s this willingness to create networks of responsibility within single departments was increased by the formation of coalition governments in which each party required a significant presence in key areas of responsibility whilst restrained by the constitutional limit of fifteen seats at cabinet.<sup>7</sup> The networks of departmental responsibilities almost meant that whole sections were transferred from one department to another with little or no consultation and often with no apparent rationale. The Union had to adapt quickly to the new structures and new conciliation schemes with new personnel in the new composite departments.<sup>8</sup> The Union was also

anxious about the function of the independent authorities that were being established by the government in increasing numbers and the future status of the civil servants transferred to them. For UPTCS the establishment of new bodies to perform functions previously performed by civil servants implied a want of efficiency in those civil servants. The establishment of An Bord Pleanála to deal with planning appeals in a system mired in corruption was actually directed at the political rather than the official side of the planning process. However the National Agricultural Advisory and Research Authority, or the National Board for Science and Technology, despite the assurances of the Department of the Public Service, did seem implicitly to criticise the professional civil service. The Union faced its greatest cultural challenge when the postal and communications service was transformed into semi-state corporations in 1984. 30,000 staff, including several hundred members of UPTCS, ceased to be civil servants as they were transferred to An Post and to An Bord Telecom. The terms of their transfer to the new commercial environment allowed for the continued representation of the professional and technical officers by UPTCS. Following the creation of ACOT, An Post and Telecom Éireann the Union now organised members outside the civil service. This meant finding a balance between the opportunities offered by the new companies and the loss of security.<sup>9</sup>

In line with more complex departmental structures, the number of senior level civil servants increased and promotions to these new vacancies became an important issue within the Union. In 1973 the government established the Civil Service Advisory Council to drive change and advance a more managerial and functional civil service. In response the IPCS began to debate a policy on promotion. This was at a time when the impact of membership of the EEC was demanding a more sophisticated level of policy formation and delivery from the Irish government. The Institute was

inhibited in developing a promotions policy by the heterogeneous character of the membership with many levels of professional and technical grades being represented. The questions that a Union policy on promotion would have to address included whether promotion should follow seniority or should it seek out the best candidate for the job, should academic qualification be preferred to experience, should promotion be kept within a department or should it be offered to outsiders? It was also believed that the administrative grades had secured control of promotions and used it to further the generalist grades. The Institute remained suspicious that promotion was being kept within the administrative grades as 'jobs for the boys' but recognised that its policy would have to be coherent, reasonable and capable of being defended by logical argument against the administratively-dominated official side.<sup>10</sup>

Resistance to any agreement on all-grade service-wide promotion also came from the AHCS and from the Department of the Public Service as any expansion of the field of candidates would lessen opportunity on the one hand whilst also increasing the complexity of promotion on the other.<sup>11</sup> The establishment of the Top Level Appointments Commission (TLAC) in 1984 by the coalition government enforced a more open and competitive system for appointments at the most senior levels of Assistant Secretary level and above, including professional posts, to all government departments. Made up of the Secretary Generals of a range of departments and including non-civil service members, the TLAC was established as an independent assessor for promotions whose recommendations are accepted by the ministers of each department. UPTCS welcomed the TLAC and the promise that ability alone would count in competitions for promotions. The UPTCS conference of 1984 was probably unique in welcoming John Boland with enthusiasm, such was the



resentment at the restrictions on opportunities previously suffered by the professional civil service.<sup>12</sup>

A lateral mobility scheme for the civil service was introduced in 1977 to provide civil servants with opportunities for broadening their skills and acquiring new experiences that they could bring back to their departments by encouraging movement across the public service.<sup>13</sup> However the exclusion of the professional grades from this scheme was a great disappointment to the UPTCS as it might help answer the argument that the lack of general experience limited the possibilities for promotion that might be available to the professional grade. In fact the lateral mobility scheme failed miserably as few in the senior administrative grades were willing to move out of their own departments for fear of losing out in the pecking order. John Boland, as Minister for the Public Service, attempted to force movement by setting quotas but this also failed as the senior managers remained opposed to the scheme, fearing the loss of experienced staff at a time when all departments were under pressure due to staff reductions. The failure to engage with the civil service trade unions and the private sector, along with the exclusion of the professional grades who were most willing and who would be more likely to find worthwhile positions in the private sector, doomed a worthwhile initiative.<sup>14</sup>

Another innovation was the appointment by ministers of special advisers in the 1982-7 coalition. Brought in from outside the civil service, which by definition was the primary advisor to ministers, often with no obviously relevant background, the role of these special advisers was never too clear. It was suspected by some that their brief was to maintain a watching eye on the departmental civil service rather than on political partners in cabinet. These special advisers was a central issue for UPTCS. A key role of the senior civil service, especially in the professional grades,

was to offer dispassionate advice on policy questions, laying out the likely consequences of any course of action. These special advisors seemed to acquire the role of offering political advice contradicting the professional advice being offered by the civil service in those same discussions. Establishing the Office of the Ombudsman in 1984 and a new system of Dáil committees in the 1980s added to the pressure on policy-advising levels in the departments. Michael Mills, the Ombudsman, found a public service characterised by brusqueness at best and often wilful obstruction of the public whose interest it purported to serve.<sup>15</sup>

In 1985 John Boland published the government White Paper *Serving the Country Better*.<sup>16</sup> The White Paper aimed to improve the management of the public service by freeing ministers and departments from purely routine work allowing them to concentrate on important policy issues.<sup>17</sup> Departments would be obliged to produce clear statements of aims and objectives, set clear targets, decentralise decision-making and deliver prompt service to the public. *Serving the Country Better* did succeed in creating a less hostile and anonymous style to the public service. It got rid of the ‘serving hatch’ style of welfare delivery and required that all public servants identify themselves to the public. However, despite the rhetoric on the public service the White Paper was very much about the civil service only and despite also the fashionable emphasis on management systems, ‘reform’ was mainly about cutting the size of the civil service.<sup>18</sup> This policy of deep cuts, mainly at the senior levels, inflicted long-term damage on the operational efficiency of the civil service.

### **We know about this**

UPTCS welcomed the proposals to delegate more authority to local managers. It had long been a complaint of the membership that the professional civil servant had to constantly defer to technically ignorant administrative officers. The Union encouraged the membership to use their expertise to explore innovative approaches to their fields, often supplying the strategic thinking lacking in the Department of Finance and in the senior administrative grades of the civil service generally. In 1973 the National Museum branch researched and published a report on the museum service suggesting that a National Museum Council be established to formulate policy and administer the museum service. The report recommended the decentralisation of the museum with new centres throughout the country to which collections should be transferred, thus anticipating by many years the transfer of the Folklife Collection to Castlebar.

In 1986 the Architectural Branch of UPTCS in the OPW researched and published a report on a public architectural service that would be substantially less costly than contracting out the service to the private sector. In response to the designation of 1987-8 as the European Year of the Environment UPTCS sponsored a policy document on nature conservation in Ireland by the Union's members in the field of heritage and natural history. This was many years before it became apparent that the Irish government was neglecting its legal requirements under the European Directives on Environmental Impact Assessment and that irreplaceable natural sites were being destroyed. UPTCS members were not afraid to suggest better ways of running their own areas of concern. The members in the Patents Office researched and published a proposal for an independent review body for the Irish patent law system.

One of the most important policy papers published by UPTCS was *Irish Forestry-A Review* in 1984. Researched by the technical workers in the forestry service the review was a response to the neglect which had overtaken the afforestation programme. The Irish forestry policy originally envisaged planting 10,000 hectares a year to achieve a national forest of 470,000 hectares by 1990. This was recognised as the size required for its efficient management and to develop a forestry industry. By the 1980s it was clear that forestry was not getting the long-term strategic thinking to ensure that its future exploitation would not suffer from uneven production. An industry that anticipated planting at a rate of 10,000 hectares an year could not survive a shortage of supply that would follow any reduction in planting below that rate. During the 1970s the rate of planting had fallen off and there was a significant risk that the state forestry programme would simply wither away. The UPTCS report made the radical suggestion that the development of the forests should be taken out of the civil service and transferred to a commercial semi-state body to ensure its efficient management, although this would necessarily mean that the technical and professional officers would lose their civil service status. In time the sense of this policy was accepted, leading to the establishment of Coillte as a commercial enterprise, thus ensuring the viability of the forestry industry of today.

The members of the professional and technical civil service who worked on these policy reports did so in their own time, putting many hours into research and discussion. These were 'bottom-up' initiatives by professionals who felt that, they as professionals, should inform the debate on policy. Their inspiration was the frustration at seeing neglect and mishandling in policy areas in which they offered considerable expertise. They saw problems and in response offered expert analysis and viable solutions. The National Museum report was a response to the inadequacies

of the accommodation and display space, poor communication with the public, the danger of damage to artefacts housed in unsafe conditions within the museum and the threat that this neglect posed to the national heritage. The report on natural heritage responded to the threat posed by the EEC-driven intensification of agriculture which was causing the loss of a wide variety of grassland, wetland, moorland and bog habitats. The lack of strategic thinking in the senior policy-making levels meant it was only the professional civil servants with expertise in nature conservation recognised the problem. The traditions of the civil service regarded the formulation of policy as the preserve of the administrative elite, with professional civil servants offering advice only. That some professional civil servants were not only engaged in suggesting policy but were actually publishing their advice, was regarded as highly audacious at least, in some cases as subversive of the natural order of things. UPTCS provided cover for those branches daring to publish these reports but it was made clear to members that the senior administrative levels of the departments regarded these reports as an unwise trespass by subordinates into their territory. Some of those who worked on these reports found themselves being invited by their administrative seniors to explain how this sort of work could be reconciled with their role as civil servants. The Museum staff who worked on the policy document in 1973 were very careful to ensure that they could not be individually identified. The value of these sorts of initiatives were not lost on the politicians however. UPTCS discovered that the senior civil servants in the Department of Fisheries and Forestry had strongly argued against Paddy O'Toole, the Minister, officially launching the review into the forest service. O'Toole resisted the pressure and did make the launch, though it was noted that he was not accompanied by many of his senior officials. An Taoiseach Charles J. Haughey agreed to launch the report on the architectural services and

commended the report on natural heritage. The difficulty for UPTCS members was that they were not immersed in the culture of the civil service, their natural loyalty was to the truth of their professional and technical training and they were uncomfortable at acceding to the arcane restrictions of an overly rigid hierarchy that seemed often incapable of strategic thinking.

The Union also welcomed the commitment to promotion by merit, on which Minister Boland seemed to be genuine. Problems that could be anticipated lay in the proposed 'Merit Pay' whereby 'outstanding performance' by an individual civil servant would be awarded by additional pay. What 'outstanding performance' was, how it would be measured, and who would measure it, were all areas of difficulty. The Union therefore declared that it was available for negotiation and consultation on the White Paper, but privately remained sceptical as to whether it would produce any real reforms.<sup>19</sup> The Union did co-operate with the introduction of a system of performance appraisal, a then fashionable instrument of management science. The Union saw it as an important advance in career development, promotion and job satisfaction which would benefit members. The scheme provided a framework in which staff and management could work together in a structured process of self-assessment, appraisal and forward planning of each public servant.<sup>20</sup> UPTCS may well have been more welcoming to the White Paper had it not been published in the middle of the most serious confrontation between the state and the civil service for a generation.

### **The economy and the neo-conservative analysis**

In the 1980s economists acquired a new status as experts in government and as commentators on Ireland's situation. Government strategy in the 1970s had been

dominated by the TCD economist Dr Martin O'Donoghue who promoted the policy of the state using deficit budgeting to overcome the effects of the oil crisis and subsequent recession. This was a generally accepted counter-cyclical strategy in periods of economic downturn. The 1980s in turn was dominated by a *commentariat* grouped around the UCD economist Brendan Walsh that included the consultant Colm McCarthy and the Irish Times journalist Paul Tansey. This coterie was known as the 'Doheny and Nesbitt School' in reference to their usual meeting place. Much of the economic commentary they inspired was not academic and amounted to nothing more valuable than opinions fuelled by pints. Consciously or unconsciously influenced by Thatcherism and Reaganomics and the rise of the Chicago school of monetarism, these commentators encouraged an apocalyptic tone in their warnings of the dangers that the rising public debt posed for the State.

The fundamental problem that they identified; the impossibility of indefinitely funding state expansion by borrowing; was being generally accepted by the early 1980s as the core problem in the Irish economy. Levels of taxation, both direct and indirect, were stifling economic activity and cutting personal consumption and therefore feeding recessionary forces. Current budget deficits were so out of control that they were becoming unpredictable as the underestimation of the real deficits varied from 81 per cent in 1979 to 46 per cent in 1982, making the whole budget exercise meaningless.<sup>21</sup> How to deal with that problem was not so clear however, with arguments around whether the government ought to increase taxation even further or reduce public services, or a mix of both.<sup>22</sup> In the background to this political-economic struggle, and keenly watched by all the protagonists, was the defeat of the British trade union movement, especially in the public sector, by the Thatcher-led Conservative government.

### **The 1981-82 Coalition**

In July 1981 the new Minister for Finance of the coalition, John Bruton, introduced a supplementary budget that began to tackle the fiscal deficit through cuts in public sector pay and increasing taxation. He imposed an embargo on new jobs in the public sector and on special pay increases, whilst increasing excise duties, VAT rates and extracting a £50 million levy from the banking sector. Bruton identified inflation and the heavy level of national debt as the key problems threatening Irish economic sovereignty. Failure to deal with the problem would lead inevitably to the arrival of the IMF. The budget was based on the hope that reducing the national debt and controlling inflation would lead to a growth in employment.<sup>23</sup> The implication was that the coalition government was moving towards a pay freeze in the public sector, by agreement if possible and by legislation if necessary. The private sector was expected to follow the lead set by the government.

The National Understanding of 1980 came to an end and the government signalled that it was not convinced of the value of centralised bargaining by allowing the talks for a successor agreement to fail. The employer-government demand for a long pay pause followed by low pay increases was unacceptable to Congress. A ‘free-for-all’ period of wage bargaining in the context of rising unemployment was in prospect. In October Congress recorded the breakdown of the national pay negotiations and advised individual unions to put in claims that would maintain their members living standards.<sup>24</sup>

In response to the July budget the UPTCS general council asked the NEC to call a special delegate conference to oppose the pay and jobs cuts. So far as the Union was concerned the issue was simply one of the government breaching the conciliation



process and the terms of the National Understanding by an unilateral action. The government circularised the civil service arbitrator with a copy of the budget statement and requested that in any decision the board should take would comply with the budget strategy. The Chairman of the civil service arbitration board, Peter Maguire, replied publicly that the board ‘would not have any regard to the Minister’s statement’ as the availability of public funds was not relevant to arbitration arguments and was a matter for the Minister for Finance and not the arbitrator. The conciliation and arbitration scheme and the public sector pay determination system was, it seemed, the main target of the government’s budget strategy.<sup>25</sup> However the government then confused matters by entering negotiations on a new agreement with the public service committee of Congress which offered terms more generous than offered in the failed National Understanding talks. The Public Service Pay Agreement demanded no pay pause and offered a three-phase increase of 2 per cent in December 1981, 6 per cent in March 1982 and a further 5 per cent in October 1982.<sup>26</sup> The employers refused an invitation from the government to accept the public service agreement as the basis for a new national agreement and the 1980s the private sector saw localised bargaining in which hard-won increases were rapidly overtaken by tax and inflation.<sup>27</sup> Then in January the attempt to extend VAT to children’s’ footwear in Bruton’s second budget brought down the coalition government.

### **Fianna Fáil: February-November 1982**

Ray McSharry, who succeeded Bruton as Minister for Finance had to find the money to fund the Gregory Deal. Rejecting the apocalyptic rhetoric of the previous government he promised that the ‘gloom and doom’ would be replaced by ‘boom and bloom’. However a net foreign debt of £5,114 million could not be brushed aside and

in July 1982 he announced the postponement of the 5 per cent final instalment of the agreed public service pay deal, no further pay increases in pay for 1982 and 1983, in effect an eighteen month pay freeze, and staffing restrictions in which two out of every three vacancies were to left unfilled, along with cutbacks of £75 million in government programmes. The Civil Service Staff Panel and the Public Services Committee of Congress rejected the embargo on new recruitment and called on the trade unions to participate in a campaign to defend existing agreements. UPTCS interpreted the government announcement as an attack on the industrial relations process within the public service. Settlements arrived at within the established procedures of conciliation and arbitration could not be swept aside. The NEC announced that UPTCS was in full agreement with Congress and recommended members to participate in a co-ordinated campaign of protests and work stoppages.<sup>28</sup> A special meeting of the Civil Service Staff Panel representing 60,000 civil servants also demanded that the government cease interfering with the conciliation and arbitration process and began to plan a series of public protests and rallies.<sup>29</sup> UPTCS and the other public service unions therefore interpreted the government action as an attack on the hard-won process of wage negotiation which had secured civil servants some measure of control over their conditions. Though the government publicly presented their action as being about pay only, it seemed clear to the public service unions that the main target was in fact the whole system of pay bargaining in the public service. This was confirmed when, after a series of protest meetings and a threatened stoppage, the public services committee of Congress and the government met to agree a revised public services pay agreement. The revised agreement offered no increase in pay until January 1983, with the amount forgone being paid in two instalments in February and in June 1983. Special grade claims which had already

reached arbitration would also be paid, implying that future arbitration awards would not. The embargo on recruitment would continue with no regard to the level of the post. UPTCS members rejected the revised agreement as it worsened the original agreement and depressed living standards, but bowed to the inevitable when a majority of the public service unions accepted it. It was clear that active opposition had little support across the public service and, in the context of frequent criticisms by commentators in the media of public service pay levels, a bad agreement was better than no agreement, so long as the government went through the motions of consultation.

In contrast to the outright opposition on pay, UPTCS welcomed the promise to review government priorities but remained sceptical, citing the lack of consultation with the specialist grades. Suspicion about the intentions of the administrative grades also clustered around the operation of the embargo on recruitment. Many members were convinced that the senior administrative officers in the departments were manipulating retirement dates to ensure that administrative posts would be filled by artificially qualifying as the third of the 'one in three' vacancies. This was done at the expense of the specialist posts which seemed to be often the first and second of the one in three.<sup>30</sup> With the publication of the Fianna Fáil economic policy *The Way Forward*, which promised more cutbacks in public services, the Workers Party and Tony Gregory withdrew support from the government and in a confidence motion on 4 November, voted with the opposition bringing down the government. The general election followed on 24 November.

### **The Second Coalition: 1982-87.**

The second Fine Gael and Labour coalition of the 1980s was united on Northern Ireland policy and on social questions but had a very difficult relationship on budget policy, as the memoir of the Minister for Education, Gemma Hussey, reveals.<sup>31</sup> Much time and energy was spent by Fine Gael and Labour on the abortion and divorce campaigns. These campaigns made little progress on the liberalisation of Irish society whilst galvanising the most intransigent traditionalists. Alan Dukes in Finance and his Fine Gael cabinet colleagues argued for reductions in expenditure financed by public sector pay cuts if possible but a pay standstill at least, along with cuts in public services. The fall in public service costs were matched by increases in taxation as the government concentrated on reducing the public debt. Labour found itself having to agree with the broad strategy whilst fighting on the details. Thus the coalition stumbled from budget to budget and crisis to crisis, its cohesion threatened by the strains caused by the rescue of the private business Dublin Gas contrasting with the failure to rescue the public enterprise Irish Shipping in 1983, the withdrawal of subsidies on food prices in 1984, and the closure of Carysfort Teacher Training College in 1986.

The government strategy for economic recovery was outlined in a policy document *Building On Reality 1985-1987* published in 1984, at the core of which was the aim of ending budget deficits by rigid control of public sector salaries.<sup>32</sup> The botched reshuffle of the cabinet in February 1986 brought John Bruton back to Finance and merged the Department of the Public Services with the Department of Labour under Ruairí Quinn, but the way the coalition would end was already apparent. A budget based on the policy of *Building On Reality* led to the withdrawal of the Labour Party and the end of the coalition. A brief period of Fine Gael minority government ended in a general election in February 1987.

## **The UPTCS Response**

UPTCS would have preferred a national approach to pay in 1983, with agreement of short duration offering a single phase increase that matched inflation but, recognising that a national agreement was unlikely, supported a new public service agreement or a civil service agreement. A national agreement would deflect the efforts that the government and media were making to single out public service pay as the main problem facing the economy. The Union also wanted the removal of the embargo on public service posts to be included in the discussion, whilst accepting that in fact the government would not lift the embargo. What was required was a guarantee that the embargo was not the prelude to the suppression of the vacant posts.<sup>33</sup> When, as expected, there was no national agreement, the Union suggested that the public service unions wait until pay trends had emerged in the private sector before putting in a claim. The Union wanted to concentrate its resources on the embargo. Branches were finding it difficult to implement the policy of opposing the embargo and wanted clear direction from the NEC on how they ought to respond.<sup>34</sup>

The negotiation of a public service pay agreement was now the province of the Department of the Public Services and the Minister, John Boland. In March the government announced that there would be a public service pay freeze until the Autumn to be followed by a single low percentage increase to last eighteen months. What the government wanted therefore was a two-year agreement with a significant pause and low percentage increases. At a meeting with the Public Services Committee of Congress Boland seemed to indicate that the government position was one that offered scope for negotiation. However when talks began it was soon clear that in fact the Minister was not going to depart from the stated government policy. The

negotiating committee decided therefore that there was no point in further discussions and the talks broke down. Some weeks later the minister revived the talks and in September the public service unions reluctantly accepted, recognising that it was the best deal could be done. UPTCS decided to accept the offer after considering and rejecting the alternatives of arbitration or industrial action. Arbitration was an uncertain and slow process whilst industrial action would not have received broad support across the Union and would have exposed internal divisions. The public service pay agreement for 1983 ran from the beginning of September 1983 to the end of May 1984. Thus the Minister got the pay pause the government had wanted. Pay increases were in two phases of 4.75 per cent from September 1983 and 3.25 per cent from February 1984, a total increase of 8 per cent.<sup>35</sup>

Following the conclusion of the pay negotiations the Union concentrated on seeking to break the embargo. This was part of a strategy by the Public Services Committee of Congress to publicise the importance of the public services to Irish society. A poster campaign highlighted the positive value of the public service and encouraged at least a questioning of the media hostility to the sector. Branches were requested to provide information on the posts that were suppressed in each government department and agency in order that a campaign could be made on how the embargo was reducing the provision of an effective service to the public.<sup>36</sup> Unfortunately the branches were very lax in their response and by the end of the year only five case studies could be presented by the NEC working party, despite the general recognition that only a dramatic exposé of diminishing public services would undermine the embargo.<sup>37</sup> The Union did not succeed in developing a successful response to the embargo. Members found it difficult to refuse additional duties where these were clearly appropriate to their grade and post. More significant was that the

public service unions were unable to show a common response except on pay. The civil service unions were too suspicious of each other and too protective of their own members' interests to find common ground on the embargo. Each post lost to one grade was one not lost to another grade. Each union was relieved to see the loss being endured by others.

In April 1984 John Boland announced two new schemes to reduce civil service numbers. The first offered 'career breaks' without pay of at least one and not more than three years to any public servant. It was hoped that some public servants would undertake further education or simply travel. The point was to achieve a temporary reduction in numbers that might become a more permanent one. The second scheme offered 'job-sharing' by dividing a full-time job into two half-time jobs with pro-rata pay and conditions. This was clearly aimed at women in the civil service who might be willing to job-share to cope with child-rearing.<sup>38</sup>

1984 to 1986 were testing years for the Union and the whole of the public service. A sustained attack on the conciliation and arbitration scheme by the government received support from media commentators who accepted the government line that the public service pay bill was the key economic problem facing the country. The background to these years was the unfolding attack on the British trade unions by the Thatcher government as the Cheltenham GCHQ civil servants were compelled to surrender their right to trade union representation and the full weight of the State was used to crush the miners' strike. The popularity of the new political party, the Progressive Democrats, suggested that there was significant electoral support for similar neo-conservative economic policies in Ireland.

How the government was going to address pay negotiation became clear as the Public Services Pay Agreement expired on 1 June 1984. Despite the long established

practice of seeking agreements at either national or public service level, and despite the willingness of the unions to negotiate, the government simply refused to engage. The coalition's position on public service pay was revealed in a general statement in April and in the more detailed plan *Building On Reality 1985-87*, published in October. The April statement by Alan Dukes gave the government approach to pay in general. Noting that inflation was coming under control but unemployment continued to rise the government wanted a long pay pause followed by a pay increase of not more than a few percentage points, the pay agreements to run for at least eighteen months. It was generally accepted that the figure the government had in mind for increases was 3 percent. *Building On Reality* revealed a much hardened attitude on public service pay. Putting it to the public service that employees who have relatively secure jobs would have to accept that the national interest required a virtual standstill on wages, the national plan made it clear that there would be further cuts in public service numbers and further cuts in real pay for those who remained. The public service employees would have to bear the burden of solving national economic problems. The aloof and moralising tone in which much of the report was written further irritated the public service unions and made negotiations more difficult.<sup>39</sup>

In April Congress, in the absence of any centralised agreement, advised member unions to pursue claims that would protect living standards and to also seek a shorter working week. UPTCS put in a claim seeking 'a substantial increase' in pay and an additional two days annual leave with a forward date for grade increases which were not due to be paid until September the following year. The claim was brought to conciliation, with disagreement being recorded in June. In August a statement of the claim was lodged with the arbitration board. The term of office of the chairman of the arbitration board, Hugh Geoghegan, expired at the end of July. With the failure to



either re-appoint Geoghegan or propose someone different the government's tactics became evident. A wages freeze would be imposed by the expedient of leaving the chairmanship of the arbitration board vacant. Pay claims would line up as conciliation failed, but would remain sidelined for so long as the arbitration board could not meet. Public support for the government was courted by frequent government statements expressing its intent to deal with greedy public sector employees.<sup>40</sup> To UPTCS it seemed clear that much more than pay was at issue and the government was intent on undermining the whole conciliation and arbitration process for the public service.

The Public Service Committee of Congress, agreeing with the UPTCS analysis, began to mobilise for industrial action to secure the re-appointment of the Chairman. The threat of a national public service work stoppage scheduled for 3 October led to the re-appointment of Geoghegan on 24 September, just over a week before the threatened stoppage.<sup>41</sup> For the first time since 1952 a general pay claim for the public service went to arbitration as the government refused to engage in the conciliation stage and insisted that detailed figures for public pay as given in the national plan were non-negotiable. It was in this context that *Building On Reality* was published.

The official side to the arbitration hearing argued that the claim had to be considered in the context of the national plan *Building On Reality 1985-1987* and used the hearing to make a detailed presentation on the economic background to the plan, detailing the low level of growth, high unemployment, high levels of taxes and the dramatic increase in government deficits. The crux of the official side argument was that the government, as protector of the common good, in the prevailing economic climate had a duty to plead inability to pay, and the civil service had a duty

to act in the national interest and forego any increase in pay. The tradition on which civil service pay had always been determined, comparability with outside rates and compensation for rises in the cost of living, was ignored and a different basis 'the national interest' was introduced. The official side wanted the government to be no longer regarded as an employer but rather as the 'Government' that had to protect the common good. The arbitrator's decision, announced in January 1985, was a delicate balancing act that acknowledged the argument of the official side but noted that *Building On Reality* was political rather than economic in its origins and that whilst the arbitrator could not ignore the financial circumstances of the State it did not have to be bound by any particular statement of the Government. The national plan represented the policy of the government as 'Government' and the arbitrator had no view on the merits of government policy. Nor could the arbitration disregard outside settlements in determining pay. However it had to take into account the ability of the 'government as employer' to pay an award and the high level of borrowing that public pay already demanded. The arbitrator awarded an increase of 3 percent from January 1985 and a further 3 percent from July 1985, the agreement to last until the end of 1985.<sup>42</sup>

### **The pay freeze**

On the August Bank Holiday, 1985 the government announced that it was imposing a pay freeze in the public service which would last until January 1987 at the earliest. The freeze included any outstanding arbitration findings or Labour Court recommendations. The government announcement coincided with the termination

once again of the term of office of the chairman of the arbitration board. Bearing in mind the problems experienced in 1984 the General Staff Panel side had written to the Minister for the Public Service early in April on the reappointment of the arbitrator. The minister replied that he would consider the reappointment but before that he wished to have discussions on requiring the arbitrator take account of government policy and the economic position, the procedures of the conciliation and arbitration scheme and the possibility of a single public service conciliation and arbitration scheme. UPTCS was actually willing to enter discussions on revising the scheme as it had its own problems with the operations of conciliation and arbitration and was certainly open to new ideas. However the announcement of the freeze changed the agenda as the Congress general secretary stated that the government had made a 'declaration of war on the trade union movement' and called for industrial action by all public service unions with a one-day strike on 15 October.<sup>43</sup> A standoff then developed with the Minister for the Public Service insisted that the whole system of public pay determination, a new pay round, existing agreements and the arbitrator's re-appointment would have to be all up for negotiation as the public service unions, whilst not ruling out the minister's request, insisted on the prior re-appointment of the arbitrator.

UPTCS took the view that the attitude of the government meant that discussion on revising the scheme could not be meaningful.<sup>44</sup> The Union NEC was worried that the one-day strike might not get full support from the members. As Alan Craig the Union chairman regretted, UPTCS had grown from a collection of small branches and many branches still acted as if they were representing their own grades only, when what was required was for all the members to think, act and portray themselves as a 'Union' with a single interest.<sup>45</sup> The Union spent a great deal of

energy planning for the national stoppage and ensuring complete solidarity from the membership. The objectives were to protect the existing negotiation machinery through the reappointment of the arbitrator, to ensure the honouring of agreed awards, and to secure free negotiation of a new pay round within the current C&A scheme. The one-day stoppage, the first national strike by the public service in the history of the State, received complete support across the public sector unions, including UPTCS. Most civil and public servants had never been on strike or patrolled a picket line, so the enthusiasm of the 160,000 who came out was impressive. All government departments were closed as were the airports and public parks. The strike brought home the usefulness and ubiquity of the public service and its role in civil life. The strike was co-ordinated by the Public Services Committee of Congress.

### **Defending the arbitration scheme**

Buoyed up by the success of the one-day action UPTCS began to plan for gearing up the industrial action with selective action by sections of the Union. This was in line with action by the LGPSU and by the combined teacher unions, all designed to put pressure on the government to reinstate the arbitrator and honour the agreed awards. However the October one-day strike was the high point of public service unity. By year's end the government's strategy began to cause divisions and the united front began to disintegrate.

The government strategy was to link in a complex package several different issues on public service pay. These issues were the terms of the 1986 pay round, the treatment of outstanding arbitration awards, and the phasing of existing or new claims. The government insisted that these all be treated as a package, to be negotiated on an 'all or nothing' basis. The General Panel Staff Side, including

UPTCS, would not accept this and wished to separate the issue of the pay round from all other issues. The Union was more concerned than the other public service unions about the status of arbitration awards because almost all the outstanding awards were UPTCS cases. This was because of the heterogeneous nature of the membership. Most of the public service unions had single grade members or else dealt with a single employer side. UPTCS represented many different posts and grades which generated issues of pay and conditions not covered by national agreements. Much of the day-to-day activity of the Union officers centred on complex arbitration negotiations. In 1986 the Union had nine outstanding arbitration awards ranging from Air Traffic Control Officers to Foresters to Local Government Auditors. The government's policy of not implementing arbitration awards therefore had greater significance for UPTCS than for the other unions.

In November the government offered a two year agreement with 3 percent increase for the first year and 2 percent for the second year, conditional on agreement being reached on the phasing in of existing awards, on how existing claims would be processed and on the position of future claims, as well as meaningful discussions on the machinery for pay determination. The Public Services Committee of Congress in reply demanded the re-appointment of the arbitrator and suggested that discussions on the implementation of existing awards should be with the unions concerned in the awards rather than with the Congress committee. The NEC of the Union rejected the pay offer but offered to negotiate on pay if the arbitrator was re-appointed and if the government agreed that any meetings on outstanding awards affecting UPTCS members were with UPTCS directly. The Civil Service Staff Panel met in early December but decided to defer any consideration until the new year. Then the Local Authorities & Health Services Staff Panel broke ranks and agreed to

negotiate with the Minister. The Civil Service Staff Panel immediately decided to enter negotiations on the offer, despite the public objections of the UPTCS that it had no authority to change awards won by the Union. A special meeting of the Panel met to censure the UPTCS and to vote on a motion to exclude the Union from discussions. The UPTCS stood its ground and secured agreement that the Panel had no role in discussions on awards already made by the Arbitrator or the Labour Court and that such discussions must be held with the Union concerned.<sup>46</sup> However the splintering of the public service group of unions gave little grounds for optimism in the year ahead and the tough negotiations that both sides were gearing up for.

The talks that began in January 1986 quickly collapsed as it was apparent that the Minister, John Boland, was primarily focused on changing the arbitration awards and without these in the package was not interested in negotiating. Thus the arbitration awards, and these mainly UPTCS awards, became the breaking point. UPTCS urged the other public service unions on the Panel to stick to the agreed position that only UPTCS could discuss awards which were its concern, but with the minister refusing to discuss pay alone the pressure was relentless. At the Panel disagreements emerged as legal opinion suggested that the panel was empowered to decide on any arbitration award, even if the Union affected disagreed. However much of this discussion was becoming merely academic as the government, supported by the Progressive Democrats, secured a Dáil majority on a motion to amend the arbitration award made to the teachers. A similar motion on the professional and technical civil service arbitration awards would be far less contentious than the teachers and a government majority would be assured.<sup>47</sup>

### **The 1986 Strike**

With the government refusing to negotiate directly with UPTCS on the arbitration awards and with the other Panel unions failing to support the UPTCS position a decision was made to emulate the teachers and force the issue through strike action. It was vital that the government should not be allowed pick and choose which arbitration award it would honour. It was feared that inaction and subservience would encourage a defeatist attitude in the membership which would only encourage the government side.<sup>48</sup> Following an emergency motion and a fighting speech by the Chairman Paul Doyle of the Museums Branch at the April conference, it was agreed to take strike action using various groups in the Department of Agriculture as the shock troops.<sup>49</sup> Agricultural Officers (AO) had long-standing grievances on their pay and status. Their structure dated back to 1972 and over the years members had sought to re-align their grades to a higher level within the overall civil service grading system. In 1972 the AO grade had submitted a claim for re-grading within the terms of the 1972 National Wage Agreement, clause 18. The AOs wanted better pay, but also better opportunity for mobility, re-training and promotion. Working in often difficult conditions in meat factories their work in meat classification and grading was vital to the industry. Unusually for civil servants they worked alongside industrial workers, many of whom went home with a bigger wage than the average AO.<sup>50</sup>

The May-June strike by the agricultural officers was the most important engaged in by the Union in its history. The timing of the strike was of strategic importance. The teacher unions were locked in a protracted dispute on the same issue of the status of arbitration awards. It was argued that the union should not allow the government merge the teacher and UPTCS disputes as a single issue and therefore the union should wait until the teachers dispute had been resolved before acting. On the

other hand the decision to use the creameries as the site for the dispute was based not only on it being a major industry but also that its peak production was during the summer months. Severe disruption could be caused by as few as one hundred members on strike, there would be maximum impact by the minimum of strikers. There was no other class of member that presented such strategic strength, a strike by museum attendants or archivists would excite little notice. It was anticipated that within days this vital industry would be crippled and the government would be compelled to offer realistic negotiations.

Seven-day pickets were placed on the cold stores which processed the butter going into intervention. As this was the first strike by the union much had to be learned as the strike developed. Although there was good turn-out for the first day of picket duty, poor co-ordination and failure to draw up timetables for picket duty meant that there was a real danger that some creameries would not in fact be picketed. Members of the union drawn from other areas were rushed in to fill the gaps in picket duty, the foresters proving particularly willing. Some members were not correctly briefed on the meaning of a 'picket' and were unsure how to act. The members of the NEC themselves appeared to perform the picket duty in order to bolster morale and to provide a vivid media event. The intent was to use the farmers for leverage with the government. In response the government brought in the army to process the butter coming into the cold stores and thus break the strike. This mistake by the government was vital in gaining support and sympathy for the union. Other unions were outraged at this strike-breaking tactic and public comment became noticeably more sympathetic to the AOs. The army could not in fact do the job of the AOs and there was the possibility that the whole industry would suffer immeasurable damage to its reputation if incorrectly graded food products were released into the market. The



Union then escalated the strike to cover the beef and lamb stores. By now the government was spending more on breaking the strike than the arbitration awards, which were at the centre of the dispute, would have cost. The strike had become a political and not an industrial dispute.

By the end of May the unity and fighting spirit amongst the agricultural officers was breaking down and it was clear that the Union would have to settle, though this was hidden from the official side<sup>51</sup>. Agreement was reached on an interim settlement of the outstanding arbitration awards and on the original pay offer, which the NEC recognised was the best that was going to be offered. The objective of the strike had been to secure the full payment of the arbitration awards and to defend the integrity of the arbitration process. In this the Union could claim a success.

However, although the Union did secure some improvements in pay and in the payment dates of the arbitration awards, the result was at best a draw.<sup>52</sup> The public service unions had not maintained unity under pressure, unlike the government which had a clear objective and pursued it with determination and unity despite the fact that the cohesion of the coalition had been weakened in the wake of the botched reshuffle of February 1986 and it was clearly in its final term.

The 1986 pay round included an agreement to hold ‘meaningful discussions on changes desired by either party’ to the conciliation and arbitration scheme for the civil service. The official side proposals for change, made at the first meeting in November, included a prohibition on public agitation and industrial action by groups on whose behalf claims were being processed; a requirement that account must be taken at all stages in the negotiation process of economic circumstances, government pay policy and the ability of the State to meet the costs of increases; that the grades coming under the C&A scheme would be restructured; that the proceedings of the

arbitration board would be confidential and that the provision requiring a motion of the Dáil to modify or reject an arbitration finding should be removed. The staff side wish list included the right for the Unions to bring any issue to the C&A process; that it should be possible that any issue raised at conciliation be carried to arbitration, including superannuation; where there is a failure to agree an arbitrator the Labour Court should be empowered to make a nomination which would have to be accepted by both sides; that deputy arbitrators should be appointed with varying terms of office to ensure continuity of the arbitration function; time limits should be set for the whole arbitration process with Departmental councils functioning more effectively and with more input by the Department of the Public Service and that that agreements reached should be adhered to. Further meetings were held in December and in January 1986. These two wish lists illustrate the frustrations and disappointments of both the official and staff side of the scheme, but also, in as much as the discussions took place within the process, its successes. That the civil service had a right to be consulted on its pay and conditions was now accepted without question, the disagreement was on the detail. In March the official side admitted that many of the issues raised required political decisions which were not forthcoming and so the revision of the Conciliation and Arbitration scheme ran into the sands as the coalition fell and Fianna Fáil returned to government.

### **Fianna Fáil 1987-1990**

Ray MacSharry was appointed Minister for Finance in the minority Fianna Fáil government elected in February 1987 and followed the previous government policy of cuts in public sector pay and services. Following the resignation of Garret Fitzgerald Alan Dukes became leader of the Fine Gael. Under the ‘Tallaght Strategy’

announced by Dukes in September 1987 Fine Gael voted with the government against Labour and the Workers' Party on economic issues.<sup>53</sup> These included cancelling a pay rise for civil servants and cuts in health, education and social welfare. This consensus on the Right was bolstered by the Progressive Democrats who were pressing for the sell-off of state assets and privatisation.<sup>54</sup> The increases in taxation and the fall in consumption was now leading to a socially catastrophic level of unemployment. Belatedly it began to be realised on all sides that the Irish State and Irish society was trapped in a contracting circle of mass unemployment, economic stagnation, rising taxation and exploding debt. The 1986 National Economic and Social Council policy paper '*A Strategy for Development 1986-1990: Growth, Employment and Fiscal Balance*' offered a neo-corporatist analysis of the crisis that had the virtue of being a consensus view of what was wrong and how it might be put right.<sup>55</sup> Agreed by the trade unions, the government, and the employer organisations it had to be formulated outside the political arena because it was recognised that consensus was impossible in the Dáil. Drawing on the NESC report and working within this new culture of consensus the Programme for National Recovery was shaped and the economy, and employment, began to recover.

### **The Programme for National Recovery**

The new cabinet saw the absorption of the Department of the Public Service back into the Department of Finance under Minister MacSharry. The Department of Labour, under Bertie Ahern, assumed a new importance as it became central to the government negotiations with the trade union movement. Minister MacSharry's first budget, published just three weeks after the formation of the government, made it clear that he would follow the coalition government in reducing the national debt and

the borrowing requirement. However, stating quite bluntly that the country could not afford the current level of public services he had decided to impose even greater cuts in all departments than proposed by the previous government. An immediate freeze on special increases to civil service pay would be added to at the end of the current pay round, due to end on June 30<sup>th</sup> by a general public service wages freeze that would last until the end of 1988, at least. In addition to the freeze in public service pay MacSharry announced a series of measures to reduce the size of the public service through staff reductions. He ordered with immediate effect that no vacancy in the civil service could be filled without his permission, no vacancy in the public service funded by the exchequer could be filled without his consent, and he would exercise his authority as Minister for Finance to redeploy civil servants as required across the government departments.<sup>56</sup> During the year the effect of this budget became apparent as vacancies that might ordinarily have led to promotions were left unfilled, the workload of the remaining staff increased and was simply ceased to be carried out. This was especially acute in the large public service departments of health and education. An *ad hoc* Alliance of Health Service Unions, which included UPTCS, staged protests and one-day stoppages to defend the health services but with little impact.<sup>57</sup>

Civil servants attempting to return after career breaks were told they would have to wait up to twelve months to get his or her job back whilst new applicants to begin a career break were refused by departments anxious at the prospect of staff shortages as replacement was forbidden by Finance loss. This was especially the case with specialist officers. A scheme that had originally been established to create employment was now being used to reduce employment. The immediate effect on the UPTCS was the closing of the Farm Tax office, set up by the coalition to tax farm

incomes, making the contract staff redundant. The permanent professional staff that had been on loan from the Department of Agriculture, found themselves in a precarious position as the department refused to implement the decision to redeploy them back, fearful of the impact on their overall numbers. They were also informed that promotions gained in the Farm Tax Office were to be withdrawn, unless they opted for redundancy. If they opted for voluntary redundancy however, then the higher earnings would be the basis for the severance package. This was in the context of the next phase of the government plan to reduce the civil service. UPTCS decided to fight back. The sixty civil servants who had been seconded to the Farm tax Office took an action in the High Court challenging the government's decision to cease the farm tax as the decision was not made by the Dáil and therefore the Farm Tax Office was not ended in law. They asked that the Farm Tax Commissioner be directed to continue their employment and that the decision to end their employment at a higher grade was *ultra vires*. Appearing for the civil servants was Mary Robinson S.C.<sup>58</sup> Justice Hamilton in his judgment ruled that the civil servants had no legal right to be continued in the higher grade in which they had been employed in an acting capacity. However as the abolition of the office had not been performed by vote of the Dáil equity demanded that they be compensated for the breach of legitimate expectations that their work would continue until completed or until the Farm Tax Office was ended in law. They were therefore entitled to compensation. This established that the action of the State in dealing with its civil servants would have to be 'equitable', the State could not deal with its civil service without regard to concepts of natural justice and fairness.<sup>59</sup>

In July the government announced measures to further cut back staff numbers through voluntary redundancies. The target set by the government was a reduction in

public and civil service numbers of 10,000. It was implied that if the voluntary scheme failed to achieve the level of reductions require then a compulsory scheme would be enforced. The permanent and pensionable status of established civil servants, which had been cited *ad nauseum* to justify low pay and poor working conditions was now revealed as a cynical pretence. It was soon recognised that the specialist civil service had been singled out and that the long-term implication was that the state was intent on withdrawing from key areas of activity.<sup>60</sup> The professional and technical staff targeted were in the OPW; the Land Commission; agricultural inspectors, officers and serological assistants in the Department of Agriculture; the staff of the drawing office of the Valuation Office and the architectural services in the Department of Education. UPTCS, noting that the administrative officers in these departments were not invited to apply for the redundancy package, were alarmed that the intent was to destroy the specialist infrastructure of skills and expertise that had been nurtured in the civil service. Nor were the professional and technical officers invited to apply for redeployment to vacancies in the administrative grades that might become available. The Union therefore strongly urged members not to apply for the redundancy package until it had achieved some clarification from the Department of Finance. A suggestion of having a common approach made by the Union to all the civil service unions was not successful as each organisation circled the wagons around its own membership.

Fianna Fáil had always enjoyed good relations with the trade union movement. Meetings had been held with trade union leaders whilst Fianna Fáil was in opposition at which a strategy for economic recovery began to be mapped out. In addition, the National Economic and Social Council (NESC) provide a forum in which trade unions, employers and government could talk freely and frankly about the economic

and social problems the country faced without fear that frankness might be used later against them. The trade union movement in the private sector admitted that the free-for-all in which wage demands had been chasing inflation through the 1980s had not delivered and members were probably worse off in 1986 than they were in 1981. The public sector unions were fragmented and weary, most of them unable or unwilling to match the militancy of the teacher unions that had to fight a long and bitter campaign to secure an arbitration award. Also, in a small open economy there was no escaping the fact that a generation was coming to adulthood with no prospects of a future in Ireland, regardless of how powerful their parents might be, as emigration rose to over 30,000 a year and unemployment continued its relentless growth, sapping morale. No one was immune to the sense of national failure.

Out of these discussions the NESC produced the policy paper '*A Strategy for Development 1986-1990: Growth, Employment and Fiscal Balance*'. The NESC paper was unique in that it was not arrived at in confrontational bargaining between unions, government and employers, but rather a consensus interpretation of the nature of the crisis the country faced and the way out of that crisis. At the heart of the policy was a new way of analysing the public finances which, instead of emphasising how large the public debt was in absolute figures, examined it in proportion to the Gross National Product (GNP). The national debt/GNP ratio could be reduced by either cutting the debt or by growing GNP, or by a combination of both. A recovery plan would have to deal simultaneously with fiscal policy, tax reform, social equity and economic development. The NESC policy paper then became the basis for discussion between the government and Congress on the three-year plan for national recovery that became the Programme For National Recovery (PNR).<sup>61</sup>

The trade union movement had also been doing its own thinking on the national crisis. Its response was the 1985 ICTU policy paper *Confronting the Jobs Crisis*. This policy paper was as much a challenge to the trade union movement as to the government to be creative in thinking on employment. Its authors realised that that the trade union movement had to work at being part of the solution rather than allowing media commentators portray them as the problem.

After initial meetings in April between the government and ICTU three joint working parties were established to deal with employment and development issues, taxation, and social policy. A further ministerial group, led by the Taoiseach and including Bertie Ahern and Ray MacSharry, dealt with the issue of pay. The Department of the Taoiseach, and not Finance, took charge of the negotiations. Meanwhile similar meetings were being held with what were now being called the ‘social partners’.<sup>62</sup> The Public Services Committee of Congress succeeded in persuading the wider trade union movement to widen its thinking about wages beyond money to a broader concept of a ‘social wage’.<sup>63</sup> The social wage included those state-provided services which led to a better quality of life for all citizens, such as a health or education service, clean safe neighbourhoods, and cultural institutions. It was argued that a high social wage could balance a lower cash wage.

The PNR was unveiled on 9 October 1987 as the joint agreement of the government, ICTU, the Federated Union of Employers, Confederation of Irish Industries, the Irish Farmer’s Association, the Irish Creamery Milk Supplier’s Association and the Irish Co-operative Organisation Society. It committed the social partners to achieving the stabilisation of the national debt at an exchequer borrowing requirement level of between 5 and 7 percent of GNP by 1990; greater equity and fairness on the tax system with income tax reductions to match wage restraint;



diminishing social inequities by maintaining the value of social welfare benefits and an overall intensification of efforts to generate jobs.<sup>64</sup>

### **Mac The Knife**

With the PNR secure Ray MacSharry revisited the book of estimates and announced a series of deep cuts across the entire civil and public service. Recognising that a pay pause and low increases alone would not achieve the targets set out in the PNR the government, he announced, was going to achieve a major rationalisation of the state by targeting the many state agencies and was seeking significant redundancies in the civil service.<sup>65</sup> These cuts, shaped by a report by the DKM Consultancy of Colm McCarthy, earned MacSharry the nickname of Mac The Knife. The UPTCS membership supported the PNR by an overwhelming majority, even though it offered only token increases until 1990.<sup>66</sup> For the UPTCS membership anxieties were still focused on the threatened redundancies. With more cuts in evidence, targeted at ‘surplus’ agencies and functions, the professional and technical officers were in the front line for redundancies. An important achievement therefore in the PNR negotiations was the assurance that all redundancies would be voluntary. It was agreed that there would be no compulsory redundancies, all posts that became vacant would be filled, there would be some element of promotion to encourage redeployment and that competitions for the vacant posts would be handled by the civil service commission.<sup>67</sup> In November the government opened up the voluntary redundancy scheme to all civil and public servants over the age of fifty and extended it to cover early retirement.<sup>68</sup> In the end the government secured the voluntary redundancy of 20,000 civil and public servants, which may be an index of the level of job dissatisfaction in the service after a decade of attack.

The UPTCS could then give full attention to the redeployment of those members who wished to stay in the service but whose specialist function was no longer required. Redeployment required agreement on complex judgements of qualifications, promotions, salary levels and seniority, all of which were bound to create problems within the departments to which members found themselves redeployed.<sup>69</sup> The question, on which future careers depended and on which many members in exposed areas were vulnerable, dominated the 1988 conference. Between 800 and 1,000 members were redeployed under the scheme, which was seen as an alternative to redundancy and a pragmatic response to the situation in which the Union found itself.<sup>70</sup> Members had sufficient confidence in the PNR and how the Union was responding to the challenges it posed, to vote for the Programme for Economic and Social Progress which succeeded it in 1991, negotiated by MacSharry's successor as Minister for Finance, Albert Reynolds. By then the UPTCS had also reassessed its future as a professional and technical civil service trade union and joined with the LGPSU to create a new public service union.

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- <sup>1</sup> Tim Hastings, Brian Sheehan & Pdraig Yeates, *Saving the Future how social partnership shaped Ireland's economic success* (2007), p2.
- <sup>2</sup> Garret Fitzgerald, *All In A Life An Autobiography* (1991) p367.
- <sup>3</sup> John Walsh, *Patrick Hillery the official biography* (2008), pp473-81.
- <sup>4</sup> Keogh, *Twentieth-Century Ireland*, pp364-91.
- <sup>5</sup> Lee, *Ireland 1912-1985*, p503.
- <sup>6</sup> Fitzgerald, *All In A Life*, p431.
- <sup>7</sup> Hussey, *At The Cutting Edge Cabinet Diaries 1982-1987* (1990), p22.
- <sup>8</sup> UPTCS, council minutes, 1 Sept. 1980 for the Dept of Industry, Commerce and Tourism; 3 Nov., 1980 for the Dept of Environment; 5 Jan.1981 for Dept of Education and 2 Mar. 1981 for the Depts of Agriculture, Labour, Fisheries and Forestry.
- <sup>9</sup> UPTCS annual report, 1983.
- <sup>10</sup> *IPCS News*, vol.3, no.6, Aug 1974.
- <sup>11</sup> IPCS, council minutes, 9 Jan. 1978.
- <sup>12</sup> UPTCS annual report 1983; *UPTCS News*, vol.4, no.1, July 1984.
- <sup>13</sup> Fitzgerald, *All In A Life*, pp454-5.
- <sup>14</sup> *UPTCS News*, vol.3, no.4 Dec. 1983; vol.4, no.2, Oct-Nov 1984.
- <sup>15</sup> *Irish Times*, 4 April 1985.
- <sup>16</sup> Government of Ireland, *Serving the Country Better, White Paper on the public service*, (1985) Stationary Office.
- <sup>17</sup> *Dáil Debates*, vol.370, col 1485, 4 Dec. 1986.
- <sup>18</sup> Maura Adshead & Jonathan Tonge, *Politics in Ireland convergence and divergence on a two-polity island* (2009), p57.

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- <sup>19</sup> *UPTCS News*, vol.5, no.3 Oct 1985; UPTCS council minutes, 3 Dec 1985.
- <sup>20</sup> *UPTCS News*, Dec 1987.
- <sup>21</sup> T.K. Whitaker, *Interests*, (1983) p112.
- <sup>22</sup> Ó Gráda, *A Rocky Road*, p31.
- <sup>23</sup> *Dáil Debates*, vol.329, cols.565-78, 21 July 1981.
- <sup>24</sup> *UPTCS News*, vol.1, no.4, Dec. 1981.
- <sup>25</sup> UPTCS, council minutes, 4 & 14 Sept 1981; *UPTCS News*, vol.1, no.3, Oct. 1981.
- <sup>26</sup> UPTCS annual report, 1982.
- <sup>27</sup> Hastings et.al., *Saving the Future*, pp 1-19.
- <sup>28</sup> UPTCS council minutes, 23 Aug 1982.
- <sup>29</sup> *UPTCS News*, vol.2, no.2, Aug. 1982.
- <sup>30</sup> UPTCS, council minutes, 21 June 1982; annual report 1982
- <sup>31</sup> Gemma Hussey, *At the Cutting Edge*.
- <sup>32</sup> Fitzgerald, *All In A Life*, pp 450-51.
- <sup>33</sup> UPTCS, council minutes, 17 Jan. 1983.
- <sup>34</sup> *Ibid.*, 21 Mar 1983.
- <sup>35</sup> UPTCS, annual report 1983; council minutes, 21 Mar. 18983; *UPTCS News* vol.3, no.2, Aug. 1983.
- <sup>36</sup> UPTCS, council minutes, 19 Sept. 1983.
- <sup>37</sup> *Ibid.*, 19 Dec. 1983.
- <sup>38</sup> *UPTCS News*, vol.3, no.6, April 1984.
- <sup>39</sup> Fitzgerald, *All In A Life*, pp 452-3.
- <sup>40</sup> UPTCS, council minutes, 3 Sept. 1984; annual report 1984.
- <sup>41</sup> UPTCS, council minutes, 18 Sept. 1984; *UPTCS News*, vol.4, no.2, Sept-Oct 1984.
- <sup>42</sup> UPTCS, annual report 1985, appendix 7 for the full text of the arbitration award.

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- <sup>43</sup> UPTCS, annual report 1985.
- <sup>44</sup> UPTCS, council minutes, 10 Sept. 1985.
- <sup>45</sup> *UPTCS News*, vol.5, no.1 May 1985.
- <sup>46</sup> UPTCS, annual report 1985.
- <sup>47</sup> UPTCS, council minutes, 3 Feb. 1986
- <sup>48</sup> *UPTCS News*, vol.6, no.6, Mar. 1986
- <sup>49</sup> *Ibid.*, vol.6, no.7, Apr 1986.
- <sup>50</sup> IPCS, council minutes, salary sub-committee report, 14 Aug 1972; minutes of meeting with minister for agriculture, 7 Mar., 1973.
- <sup>51</sup> See UPTCS, confidential report by the GS to the NEC on the May-June dispute’.
- <sup>52</sup> UPTCS, annual report 1986; *UPTCS News* vol.6, no.8 July 1986; Hussey, *At the Cutting Edge*, p195.
- <sup>53</sup> Fitzgerald, *All In A Life*, p.645.
- <sup>54</sup> *Dáil Debates*, vol.. 371, col.1633, 7 Apr 1987.
- <sup>55</sup> NESC, paper no.83, ‘A strategy for development 1986-1990: growth, employment and fiscal balance’ (1986).
- <sup>56</sup> *Dáil Debates*, vol.371, cols 777-91, 31 Mar. 1987.
- <sup>57</sup> UPTCS, council minutes, 15 June 1987.
- <sup>58</sup> *Irish Times*, 12 April 1988.
- <sup>59</sup> *Ibid.*, 12 April 1988; *UPTCS News*, vol.3, no.3 (June 1988).
- <sup>60</sup> *Irish Times*, 31 Aug., 1987.
- <sup>61</sup> Hastings, et.al., *Saving the Future*, pp25-42.
- <sup>62</sup> *Dáil Debates*, vol. 372, col. 1443, 12 May 1987.
- <sup>63</sup> See ICTU, annual report 1986-7 and proceedings of conference 1987, ‘speech by Phil Flynn’.

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<sup>64</sup> *Dáil Debates*, vol. 372, cols. 2853-4, 27 May 1987.

<sup>65</sup> *Ibid.*, vol. 374, 20 Oct-23 Oct. '1988 estimates-motion'

<sup>66</sup> UPTCS annual report 1987, appendix 6.

<sup>67</sup> UPTCS, council minutes, 25 Jan. 1988.

<sup>68</sup> UPTCS, council minutes, 21 Mar 1988; annual report, 1987.

<sup>69</sup> *UPTCS News*, vol.2, no.4, Dec. 1987.

<sup>70</sup> UPTCS, council minutes, 7 June 1988; annual report 1988; *UPTCS News* vol.3, no.3, June 1988.

## IMPACT

UPTCS had grown steadily through the 1980s. In 1983 it had 5,865 members organised in 65 branches. These branches varied widely in size, the largest was the Technical Agricultural Officers with 1,346 members, the smallest were the archivists with six members. The growth of the union in the 1980s was mainly through the merging of established associations who joined the UPTCS as new branches. In 1980 the Ordnance Survey Staff Association, formerly an affiliate of the Civil Service Alliance, left the Alliance and merged with the UPTCS. In 1982 the Aviation and Marine Radio Officers' Association amalgamated with the union. In 1983 the meteorological officers organised in the Cumann Lucht Meitéareolaíochta na hÉireann (CLME) joined the UPTCS. In 1984 the Technical Staff Association, Stationery Office was wound up and the technical grades transferred to the union. In later 1980s the merger with UPTCS with the Association of Inspectors of Taxes (AIT) and the Irish Tax Officials union (ITOU) brought the membership to 7,500. The merging of these established associations did not however result in a significant growth in the total membership due to the loss arising out of the government embargo on staff recruitment.

UPTCS still clung to its traditional structure of each professional and technical grade constituting itself as a branch. Attempts to rationalise the branch structure inevitably met with stout resistance. The influx of these new branches with high

membership led to the smaller branches fearing a loss of influence.<sup>1</sup> Whilst loyalty to the traditional branch structure, which both reflected and fostered a professional camaraderie, may have been seen as a source of strength it is arguable that it inhibited an understanding of the rapidly changing context for trade unionism in general and public service trade unionism in particular.

The 1980s had seen the triumph of the neo-conservative ideologies represented by Margaret Thatcher and Ronald Reagan. The collapse of the Soviet union and its satellite Communist regimes in eastern Europe 1989-1990 seemed to vindicate the anti-state and anti-welfare politics of the conservative Right. A new intelligentsia provided the academic validation for an attack on state provision of services. Market forces, they argued, would be cheaper and more efficient. A wave of privatisation swept away many state-owned enterprises. The state withdrew from direct provision of services to its citizens by a system of sub-contracting its obligations to 'service providers' and citizens became 'consumers'. In Ireland this new pro-competition, anti-state ideology was represented by the Progressive Democrat Party (PD), formed in 1985. In July 1989 the PD party entered government as the coalition partners of Fianna Fáil. It is highly unlikely that the social partnership model would have been successfully initiated had the PDs been part of the government in 1987. Nor was the survival of social partnership assured as the PDs had been at best sceptical of the concept.

Trade unions ultimately rely on the strength of numbers and solidarity to make gains for the membership; size matters. During the 1980s trade unions found themselves having to deal with complex industrial relations in which confrontation and militancy was of less importance than detailed research. If the employer side based its case on sophisticated numeric economic models, then trade unions had to



learn to talk the same language. They were also required to offer more and more complex services to the membership. In response to all these different forces of change trade unions went through a rapid period of merger in the 1980s. In 1988 Association of Scientific, Technical and Managerial Staff (ASTMS) and the Technical, Administrative, Supervisory Section (TASS) merged to form the Managerial, Science Finance (MSF) union with 30,000 members in Ireland. The former rivals ITGWU and FWUI merged to form SIPTU. In Northern Ireland the public service had united in a predominant powerful union; Northern Ireland Public Service union (NIPSA) alongside the UK mergers that created UNISON. NIPSA and UNISON together represented powerful examples of public service trade unionism.

The UPTCS had, through its membership of Congress, become more active in the broad trade union movement. The union had been particularly active on the ICTU women's committee and had a good record on women's representation. Women made up 19 percent of the membership, 14 percent of the NEC and 14 percent of the fulltime officials of the union by 1990, a very precise balance between membership and power. This contrasts with the ITGWU where women were 33 of the membership but only 11 percent of the executive and a mere 5 percent of the fulltime officers.<sup>2</sup> UPTCS representation on the ICTU Women's Committee, where Sheila Hanley was elected as vice-chairperson, made a significant contribution on issues that aimed to advance the position of women in the public service such as education and training, the appointment of equality officers in each department, health and safety for women, and procedures to deal with sexual harassment at the workplace. Greg Maxwell, as Chairman of the Public Services Committee had acted as an articulate and reasoned spokesman for the public sector in television and radio programmes and

in public debate. UPTCS was now a mainstream union with a culture of public engagement that was new in a civil service trade union.

The union with which UPTCS had a close affinity and a good working relationship in both Congress generally and in the Public Services Committee in particular was the local government officers' union, the LGPSU. In 1980 the two unions had co-ordinated their positions and strategies in negotiations in ACOT and other related work areas.<sup>3</sup> The tax campaign and the fight for arbitration of 1985-6 had further deepened relations between the two unions and their respective membership. Paradoxically, the sustained attacks on the 'public sector' served to create a consciousness across the whole of the civil and public service that may not have arisen otherwise. Also, there was a sobering realisation that the many public and civil service unions were all trooping in one after another to sit across the table opposite the same few Department of Finance officials who negotiated from a single and well-focussed point of view. It made sense for the staff side to do the same. Congress was also urging the trade union movement to examine rationalisation.

In 1986 the first tentative discussions were held on a possible merger of the two unions. UPTCS had 5,714 members organised in 64 branches that were based on workplace. The LGPSU had 15,533 members organised in 32 branches that were geographically based. Talks focused on the rationale for the merger and the possible structures for the new union.<sup>4</sup> By early 1988 it was agreed that the objective of the talks was to create a new union for the whole of the public and civil service. The obvious model was that of NIPSA, which Greg Maxwell had helped to shape. A visit by the executives of the two unions to Belfast confirmed the model. The new union would be organised by divisions related to the employer, each division would have its own executive and hold its own conference. There would also be a national executive

and conference to deal with matters of interest affecting the membership generally.<sup>5</sup> Though the proposed structures had implications for the UPTCS structure of myriad branches the 1988 conference massively approved the creation of the new union and mandated detailed discussions.<sup>6</sup>

A financial crisis in late 1988 gave added urgency to the talks. In the summer of 1988 it was discovered that £70,000 had been transferred from the union contingency fund to the current account without the sanction of the NEC. There was an immediate suspicion of fraud but an investigation by Cooper & Lybrand confirmed that there was no fraud, but also discovered that the union was in a severe financial crisis. The transfer to the current account had been to meet a deficit that was growing rapidly and would amount to £110,000 within a year if left uncorrected. This represented about 25 per cent of the union budget. Due to the rapid decline in membership following the agreement on voluntary redundancies and early retirement, its subscriptions had fallen and put the current account into the red. Income had fallen by £25,000 whilst expenditure had grown by £15,000. The union now found itself in the same situation as the country, income did not match expenditure and insolvency threatened if corrective action was not taken. A percentage levy on the membership restored the union finances, but clearly funding was becoming more difficult.<sup>7</sup>

The LGPSU was facing a similar loss of membership due to the government voluntary redundancy and early retirement programme. There was a loss of over four hundred members in the course of 1987 and by March 1988 a further 1,700 health service workers had applied for early retirement. In the local authorities nearly 3,000 early retirements and redundancies had been agreed by the end of 1988. The negotiations to form the new union took on an added urgency.<sup>8</sup>

Eoin de Buitléar of UPTCS was appointed by the two unions to act as co-ordinator of the discussions and to draft new rules and prepare discussion and information papers and to liaise with the Registrar of Friendly Societies.<sup>9</sup> As the talks progressed through 1989 anxieties began to emerge around the function of the divisional executives and the role of the branches. By mid-1989 the LGPSU membership were showing much more enthusiasm for the merger and were urging their executive to speed up talks. By now the Irish Municipal Employees Trade union was expressing an interest in also joining the new union.<sup>10</sup> By the end of the year the path to the new union was becoming clear. A document which detailed the organisational structure of the new union, its finances, and procedures was prepared and circulated to the membership and a Special Delegate Conference was called to discuss the document in detail. Various names were considered: UPS, United Public Services; PACT, Public and Civil Trade union; UPS, union of Public Services, ASP, Aontas Seirbhísí Poiblí and IMPACT, Irish Municipal, Public and Civil Trade union. At a joint meeting of the two union executives, by secret ballot it was agreed to that the name of the new union would be IMPACT, the Irish Municipal, Public And Civil Trade union. It was also agreed at the meeting that Greg Maxwell and Phil Flynn would be joint General Secretaries of the new union, the sharing of duties and responsibilities being by agreement between themselves.<sup>11</sup>

Members of the UPTCS generally greeted the new name with bemusement; corny but catchy, and with impact!<sup>12</sup> The SDC was deferred from April to June to allow branches time to discuss the proposal thoroughly. Difficulties centred around the question of cash flow problems for the branches, the 'buy-out' arrangements for members attending the conferences of IMPACT and whether the central funds or branch funds would carry the cost, and specific arrangements for the first IMPACT

conference.<sup>13</sup> At the heart of the difficulties may have been a reluctance finally to move away from a union that was unique in its membership and had developed an organic but very effective structure that commanded deep loyalties and affections in the membership. It was always going to be difficult to finally bring such an historic union to an end.

Special Delegate Conferences of both unions were held simultaneously on 29 June 1990 to approve the Instrument of Amalgamation, along with the new name and rules for the new union. The Registrar of Friendly Societies had made it clear that it would be necessary for each union to agree all amendments and to pass identical resolutions to enable the merger. It was agreed by the two executives therefore that where both executives agreed to an amendment it would be supported at the conferences but where they were not agreed the union executive would oppose it. At the special conferences the LGPSU delegates approved the resolutions to create the merger but, unexpectedly and against the recommendation of the executive, the UPTCS delegates carried six amendments to the Instrument of Amalgamation. As the two conferences had therefore failed to carry the same set of resolutions the formation of IMPACT union was now threatened. The chief difficulty for the UPTCS delegates was the question of annual conferences. The resolution agreed by the two union executives was for biennial conferences of the divisional sections and the whole union alternately. The reason for this arrangement was the danger that arranging the four divisional conferences and an annual conference of the whole union would overwhelm the officers and absorb resources better devoted to day to day needs. For some in UPTCS the annual conference was a guarantee that the members and not the executive and officers would set the agenda for the union. It was feared that a

biennial conference would make it difficult for ordinary members and smaller branches to assert their ownership of the new union.

A further question for the membership was the staffing of the divisional sections. Members wanted an assurance that the IMPACT staff would continue to deal with the interests of the Civil Service Division, which would be numerically the smallest of the divisions, and that the professional and technical civil service would not suffer neglect. There was also a fear that the status of professional, technical and specialist civil servants would be marginalised in the new union which would be dominated by general service grades. The members wanted an explicit statement within the objectives of IMPACT relating to the standards for these specialist grades.

The executive restarted negotiations with LGPSU to secure agreement on measures that would address these issues, give confidence to UPTCS members in the new union, and permit another conference to agree to the merger. The issues that were identified as key were the annual conference and the allocation of staffing. Agreement was reached that the annual conference would be held each year until 1994 and that the decision to continue with an annual conference or a biennial conference would be made at the 1994 conference. It was also agreed by both Greg Maxwell and Phil Flynn that 'it is the declared objective of IMPACT that the combined resources of both existing organisations be used to effectively and efficiently provide an enhanced service to all members. In this context and in the interest of members it is necessary that the union be in a position to plan and respond to changes in membership distribution and the developing needs of members. It is, in any event, jointly agreed that there will be no diminution in the present level of service, including staff resources, to members'.<sup>14</sup> The feeling of the executive was that with these two issues resolved the other issues could be raised in IMPACT and

dealt with there. After further talks and clarifications a second UPTCS conference in October finally agreed on the merger. This cleared the way for a national ballot of the full membership of both unions. On 7 December 1990 both unions held simultaneous conferences to vote on the merger, each voting and agreeing on precisely the same resolutions. UPTCS members endorsed IMPACT by 2,569 to 893 votes and on 1 January 1991 UPTCS ceased to exist and IMPACT came to life.<sup>15</sup>

UPTCS was a unique trade union, both within the wider labour movement and within the civil service. Formed in the midst of the revolution that created the independent state it evolved a federal structure that united the diversity of its membership, proved adaptable to the changes in the state and in the demands being made on the scientific civil service, whilst always seeking to defend the status of the professional and technical officers in the civil service and improve their pay and conditions of service. However trade unions are fighting organisations and not historic monuments and the arguments in favour of the new union were overwhelming. Problems remained of inadequate career and promotional opportunities for the professional and technical grades. Sustained but a ill-informed hostility to the public service was encouraged by politicians and fed by the media, although these attacks were never aimed at better provision of services but were simply about reducing its size and cost. Related to these attacks was the end to consensus on the role of the state and the growing view that public services were too costly, inefficient and a burden on the taxpayer. The erosion of ideas of equity and fairness marginalised the State in those areas of public policy in which expertise was valued; environmental protection, national development, ending poverty and encouraging social cohesion. That there would be continuing need for the professional, technical and scientific expertise that had organised in UPTCS and its

forerunners there could be no doubt. In the context of the rise of neo-conservative globalising forces and the increasing influence of the European Union the formation of IMPACT was, in truth, the necessary organisational advance to ensure the professional, technical and scientific civil service, in union with the rest of the public service, could move from merely reacting to change to themselves acting as agents of change in Ireland in the last decade of the twentieth century.



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- <sup>1</sup> UPTCS, annual report, 1983; *UPTCS News*, vol.2, no.4, Dec.1987.
- <sup>2</sup> *Ibid.*, vol.4, no.5, April 1990.
- <sup>3</sup> UPTCS, council minutes, 1 Sept 1980.
- <sup>4</sup> *Ibid.*, 17 Nov. 1986.
- <sup>5</sup> *Ibid.*, 25 Jan 1988.
- <sup>6</sup> *UPTCS News*, vol.3, no.2 & No. 3, Apr., June 1988.
- <sup>7</sup> UPTCS, council minutes, 19 Sept., 27 Oct. 1988, report on financial situation’.
- <sup>8</sup> Maguire, *Servants to the Public*, p265.
- <sup>9</sup> Register of Friendly Societies, file T588, UPTCS, ‘correspondence on merger’.
- <sup>10</sup> *UPTCS News*, vol.4, no.2, Aug 1989.
- <sup>11</sup> UPTCS, minutes of joint meeting, 8 Feb., 1990.
- <sup>12</sup> *UPTCS News*, vol.4, no.5, Apr. 1990.
- <sup>13</sup> UPTCS, council minutes, 30 Oct. 1990.
- <sup>14</sup> *UPTCS News*, vol.4, no.8, Oct/Nov 1990.
- <sup>15</sup> *Ibid.*, Final Edition, Dec. 1990.

## **MEMBERSHIP**

*The early Institute of Professional Civil Servants did not preserve any record of the overall membership, leaving that to the branches. The figures for membership are derived from occasional references in the preserved records, from UPTCS Annual Reports and from the Register of Friendly Societies file T. 588*

1920	438
1932	449
1949	1,000
1957	1,381
1963	1,888
1964	2,175
1966	2,566
1970	3,300
1971	3,500
1977	4,261
1979	4,369
1980	5,010
1981	5,184
1982	5,491
1983	5,865
1984	5,872
1985	6,000
1986	5,714
1987	6,035
1989	6,750

## PRESIDENT

*From 1950 to 1982 a President was nominated by the Executive Council. The President was a distinguished professional civil servant, chosen to raise the profile of the Institute, who gave an opening address to the annual conference but took little part in the day to day affairs of the organisation.*

1950-1	Dr H.A. Lafferty.	1962-66	J..M. McNicholl.
1952-4	J.A.K. Meldrum.	1967-69	H.A. DeLap.
1955-56	Dr Joseph Raftery.	1969-72	T. McEvoy.
1956-58	Patrick J. Murphy.	1973-78	Tim Shine.
1959-60	John O'Loan.	1978-80	Liam Condon.
1960-62	Donough O'Donovan.	1980-82	Frank McLean.
1962-63	Dr Arthur E.J. Went.	1982-86	Paddy Kenny.

## CHAIRMAN

*The Chairman of the executive council, who acted to give direction and focus to the organisation, was elected by the delegates at annual conference.*

1920-1	W. Allberry	1937-8	Creuss Callaghan.
1921-2	Maj. D.N. Brunicardi.	1938-40	T.M. O'Byrne.
1922-3	Dr.G. H. Pethybridge.	1940-41	D.J. Manning.
1923-4	C.E. Browne.	1941-3	J.M. O'Byrne.
1924-5	F.W. Warwick.	1943-5	J.O'Mahony.
1925-6	J.P. Irvine.	1945-7	C. O'Donovan.
1926-7	J.P. Irvine.	1947-49	T.P. O'Flynn.
1927-8	J. Ingram.	1949-51	J.J. O'Kelly.
1928-32	Maj. D.N. Brunicardi.	1951-55	Dr Arthur E.J. Went.
1932-4	M.J. Kenny.	1955-59	J.M. McNicholl
1934-5	Maj. D.N. Brunicardi.	1960-62	Tim. McEvoy.
1935-7	Stephen Huggard.	1963-65	T.A. O'Cuilleánáin

1965-68	R. Walsh	1980--81	Jacqui Doyle.
1968-71	Tim .F. .Shine	1982-83	Brian McCurtain.
1971-72	Austin. O'Carroll.	1984-5	Alan Craig.
1972-73	Desmond McHugh.	1986-87	Paul Doyle.
1974	Paddy Connolly.	1988	Noreen Cunningham.
1975-76	Anna O'Farrell..	1989-90	John Prior.
1977-79	John. Hennigan.		

#### **Honorary General Secretary**

1920-22	Wm. Power-Steele	1946-47	N. Cunningham
1922-25	J. McConnell & Co.	1947-48	L.J. McCarthy
1925-43	W.J. Adams	1948-51	T. O'Sullivan.
1943-44	T.M. O'Byrne	1951-55	J. Raftery
1944-46	P.B. Connolly	1955-67	Colm O'Sullivan.

**General Secretary**

1967-1975    Ralph Pares.

1975-77     John C. Duffy

1977-90     Greg Maxwell

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