

THE DEVELOPMENT OF LOCAL GOVERNMENT IN IRELAND.

By JOHN J. HORGAN.

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Although I am only a new recruit to the ranks of this Society I have noticed that your proceedings are, as a rule, more concerned with the first rather than the second object of your title. I propose this evening to make some attempt to redress the balance in a paper which deals with an important social problem without reference to statistics.

It may, I think, be said without exaggeration that national government is, in the last analysis, based on a sound system of local government. In this field we in Ireland have, since the establishment of the Irish State, made several fruitful experiments, and further developments may be expected as we mature politically. I propose in this paper to discuss the scope and effect of these changes and their future development.

Speaking to an assembly such as this it is only necessary for me to briefly indicate the historical background. The premature arrest and destruction of our civilisation by the Danish and Norman invasions prevented the growth of a native system of local government. In the Norman towns of the eastern seaboard, whose government was modelled on that of the English chartered borough, the first municipal life developed. Based on principles of civic freedom these units, eventually permeated by Irish life and custom, might have become the nursery of local liberty. This possible development was, as you know, prevented by the jealous statecraft of the Tudor Kings, and, after the plantation of the Ulster counties in the reign of James I, the very wells of municipal life were poisoned, the government of the Irish towns being vested in small select bodies of the colonists who were quite irresponsible and often corrupt. This state of things continued for a century and a half and, by the system of Grand Jury government, was later extended to the administration of the counties as well. These strange bodies, hand-picked by an alien government, appointed the local officials and raised the revenue required for local services. They met once a year in the county town, and the novels of Maria Edgeworth, now almost forgotten, give us a vivid picture, not only of their misdeeds and malversations, but also of their pomp and circumstance.

The Municipal Corporation Act of 1840 marked the beginning of the end of this regime. This Act swept away the closed boroughs and transferred the control of municipal affairs in the towns from a small carefully selected clique to the general body of the inhabitants, though on a restricted franchise. Other laws in succession extended and improved the machinery of municipal administration until finally, in 1898, the sweeping Local Government Act of that year, which is still the basis of our local government system, set up a completely democratic local administration on English lines. Unhappily, and probably for political reasons, it did not set up parish councils which are the broad basis of the English local government system. To that omission I shall recur. Shortly after the Act of 1898 became law a shrewd French observer, M. Paul Dubois, pointed out that England would eventually find herself compelled, either to take back from us the complete control

of local affairs or to concede what she had for a century refused, national self-government. The Local Government Act of 1898 was thus the legislative parent of our modern State.

The organs of local administration constituted by the Act were—county councils, entrusted with the management of the administrative and financial business of each county; city councils, charged with a similar duty for each city; urban district councils, dealing with public health and housing in urban districts; rural district councils dealing with the same problems in rural districts, and boards of guardians dealing with poor relief and medical charities.

Although in both rural and urban areas the Act established several spending authorities there was only one rating authority, the county council, but it had no power to veto expenditure. This resulted in extravagance because most of the spending authorities were not responsible for raising their own revenue. It also increased the number of elections although experience shows that the greater the number of elections the less interest is taken in them by the electors. In spite of the manifest handicaps caused by these limitations, and by ignorance and inexperience, the new councils from the start carried out their duties in a satisfactory manner as the reports of the somewhat critical Local Government Board bear witness.

In the disturbed period which preceded the establishment of the Irish State in 1921 the local government system was naturally dislocated. The claims of two conflicting governments, the paralysis of the central administration, and the general confusion which ensued, all contributed to this result. The government of the new Irish State, born amidst the tumult of civil war, had little time or inclination for constructive policies and was hard put to survive. It therefore adopted a policy of dealing with difficulties as they arose instead of seeking to apply new principles and methods. The local government system which it inherited had, for the most part, been imposed from without for purely political reasons, but always, no matter how well-meaning, without much regard for Irish conditions. Our people, engrossed in the struggle for national self-government, had, on the whole, been inclined to regard local government, not as the basis of national government but as a side issue of small importance. Moreover, the clan system, with its deep roots in Irish life, naturally inclined them to place the claims of the family before those of the community so far as public administration was concerned. Even the Anglo-Irish Grand Juries were subject to this failing, and I can remember a time in my youth when, under their sway, every post worth having in the County Cork was held by one family.

The refusal of local authorities to recognise the authority of the Local Government Board during the period 1920-21 led to lack of effective supervision and control, a great increase in the rates, and consequent discontent amongst the ratepayers. In many counties no rates at all were paid. The outbreak of the Civil War further increased the difficulties of local administration and in the counties of Kerry and Leitrim the rates went hopelessly into arrears, the councils ceased to function and chaos reigned. It was not possible, nor indeed desirable to hold elections under such conditions, and so the Government was forced to obtain power to appoint special commissioners to administer the affairs of these counties, and to establish order in local affairs. Thus, almost by accident, a new and far-reaching development in Irish local government began.

The first local government measure of the Irish Government, the Local Government Act of 1923, accordingly gave the Minister for Local

Government power to dissolve, after due inquiry, any local authority which did not properly discharge its duties or proved recalcitrant, and to appoint special commissioners in its place. It also abolished the Boards of Guardians and reorganised the administration of poor relief under Boards of Public Assistance with the county as the unit of administration. With this object in view one central County Home and Hospital was established in each county.

The power to dissolve local bodies was widely availed of, notably in the cases of the Borough Councils of Cork and Dublin. While the result of government by commissioners appointed by the national Government proved that one or two competent and disinterested persons could efficiently manage the affairs of a city or county, it also became obvious that the complete absence of local control and the abolition of civic ceremony, operated to prevent such a system becoming permanent, unless indeed local government, as such, was to cease. It became clear also that such a regime would compel the national Government to take full financial responsibility for local expenditure. These vital objections to a system of local government, carried on solely by Government officials, led, as we shall presently see, to the initiation of the manager system of local government.

The Act of 1923 was followed by the more important Local Government Act of 1925 which abolished the Rural District Councils. Their functions as regards public health and housing were transferred to Boards of Health elected by the county councils, and their functions concerning road maintenance to the county councils themselves. This Act also, very properly, provided for the payment of travelling expenses to the members of local councils, continued and extended the powers of dissolving local authorities, and gave any council that chose to do so, power to delegate its authority to a manager or commissioner, a power which, though never exercised, indicated the trend of affairs.

Two other early Acts of considerable importance must also be mentioned, namely, the Local Authorities (Combined Purchasing) Act of 1925 and the Local Authorities (Officers and Employees) Act of the same year. The first made provision for the purchase of commodities from official contractors appointed by a central body so that by buying on a large scale, goods might be obtained at the lowest possible price, the second was the revolutionary measure which established the Local Appointments Commission. This body was charged with the duty of selecting persons for appointment to situations in the employment of local authorities, if possible by competitive examination. These appointments had previously been made by the local authorities direct. The Act also empowered local authorities, or the Minister for Local Government, to suspend any public official whose conduct was unsatisfactory. This measure, which was at first extremely unpopular, removed one of the worst abuses of our local government system. It was an absolute reversal of the English practice in such matters. Before the Local Appointments Commission was set up a successful candidate for local office had not only to cut a path through a political jungle but to be proficient in climbing the right family tree. Local councils had, for obvious reasons, proved quite incapable of disregarding the claims of the "native son" no matter how badly qualified he might be. The Local Appointments Commission, though, like all human institutions, imperfect, was undoubtedly the first and most important step towards the establishment of a local government civil service based on merit and ability rather than on influence and incompetence. Although subject to bitter criticism

when established by one Government, their successors were soon forced to abandon an attempt to alter it for the worse. I venture to say that public opinion would now render such a step impossible.

Twenty-five years ago, after the termination of the last World War, few problems seemed more important than those concerning the development of local government. A community had, it was clear, everything to gain by a constantly improving standard of social life and such improvement depended mainly on a sound system of municipal government. We were passing into a period of tremendous uncertainty which called for experiment and change. Study of the principal European local government systems; the French with its Napoleonic emphasis on complete central control; the English, at the other extreme, with its almost complete local freedom; the German, largely bureaucratic and dominated by the rather forbidding figure of the burgomaster; yielded no models which seemed suitable to our conditions. In that great political laboratory, the United States of America, examples of real and notable improvement in local government were however to be found. The most successful of these improvisations seemed to be the system of city government by an elected commission with its development, the city manager plan.*

The government of a modern city, with its complicated problems, demands concentrated authority and efficient management both, however, subject to democratic control. It was this result that these American systems of city government aimed at securing. They embodied both a protest and a policy; a protest against the old and out-of-date methods of city administration and a policy which aimed at fixing definite responsibility on a few people.

Commission government started at Washington, the federal capital, in 1878. But this arrangement grew out of the peculiar relation of the national government to this particular city and it was not extended elsewhere. Its modern development began at Galveston, Texas, in 1901. There corrupt local administration was brought to a climax by the intervention of nature in the shape of a tidal wave. This cataclysm swept away, not only one-third of the city, but also its system of government. On the initiative of the citizens a commission of five members was elected by the people, each commissioner being made responsible for a definite department of municipal affairs. This experiment was a complete success. The plan quickly spread throughout the United States and is now operating in practically every state of the Union.

The commission manager or city manager plan was a further development which aimed at securing an even greater concentration of executive and administrative responsibility. It originated on a large scale at Dayton, Ohio, in 1914, under somewhat similar conditions. Under its provisions a city is governed by a commission of five members elected by the people. This commission appoints the city manager who holds office during the will and pleasure of the commission and who is responsible for the execution of the commission's policy and the administration of the city. The American city manager thus differs from the French prefect and the German burgomaster, who are the masters rather than the servants of the local councils. The city manager plan has now been widely adopted

* See my articles in *Studies: City Management in America*, March, 1920; *City Administration in Ireland*, September, 1923; and *Local Government Developments at Home and Abroad*, December, 1926.

in the small and medium-sized cities of the United States and is a permanent feature of American local government. It was largely from this experiment that the citizens of Cork found inspiration for the Cork City Management Act of 1929 which set a new headline for local government in Ireland.

The story of how that Act came to be passed is not without interest, and constitutes a very definite milestone in the history of Irish local government. In 1925 the Irish Government, acting under its newly-acquired powers, dissolved the Cork Corporation and appointed a Commissioner to manage the affairs of the city. Outside the parties immediately affected, there was little criticism of this drastic step. Most people seemed to be apathetic or to look upon the ultimate reinstatement of the mayor and council system as a foregone conclusion. A few Cork citizens felt, however, that while the government of their city by a Commissioner might, under the circumstances, be justified as a temporary measure, it should not, and indeed could not, be a permanent solution. A return to the old inefficient methods seemed equally undesirable. Cork, they felt, had a chance to set a headline for the whole country by initiating a new form of municipal government which would embody the best feature of the old system, the local control of local taxation, with the best feature of the new, the delegation of executive responsibility and administration to semi-independent expert management. A committee representing commercial and industrial interests determined to draft a scheme on these lines and, after much discussion and amendment, this draft finally took shape as an agreed proposal for the future government of Cork, and was presented to the Government in the form of a Bill. This draft, although undoubtedly influenced to a considerable extent by American experience and example, only took from this source what was considered useful and applicable. Finally, in 1928, General Richard Mulcahy, the recently-appointed Minister for Local Government, agreed to introduce, as a Government measure, a Bill substantially based on the Cork proposals, and this measure, in spite of vehement opposition, was finally passed into law in 1929.

Under this important Act, as since amended, the local government of Cork is carried on by a council and city manager. The council, or corporation, is elected by the citizens every three years voting as one electoral area under proportional representation. It has the following major powers and functions, namely: the making of any rate or the borrowing of any money; the making, amending, or revoking of by-laws; the making or revoking of any order or resolution applying an Act of Parliament; the promoting or opposing of legislation; the prosecution and defence of legal proceedings; the appointment or election of any person to any other local body; the supervision of elections; the admission of persons to the freedom of the city; the suspension or removal of the city manager. The removal of the city manager requires a two-thirds majority of the council and must be sanctioned by the Minister for Local Government. The Minister has also power to further extend by order the powers, functions and duties of the council on an application made by two-thirds of its members. All other powers, functions and duties of the corporation are vested in the city manager who holds office until he dies, resigns or is removed. His principal duties are to advise the council and attend its meetings, to furnish any information required by its members, to control the officers and servants of the corporation and to decide such questions as may arise in relation to their service, remuneration, privileges and super-

annuation. He also prepares the annual budget or rates estimate for adoption or alteration by the council.

The subsequent history of this Cork experiment may be briefly told. In 1930 it was, in a slightly modified form, extended to Dublin and Dunleary, in 1934 to Limerick, and in 1939 to Waterford. Galway alone, when created a municipality in 1937, preferred the old mayor and council system. By the County Management Act of 1940, which did not come into operation till August, 1942, the manager system, with certain necessary adjustments, was applied to the county councils and to the whole system of local government outside the cities. The Boards of Health were dissolved and their functions transferred to the county councils. The county manager is thus, in effect, the executive officer for the local government of each county.

The manager system has, therefore, after ten years been applied to virtually our entire system of local government. Moreover, as imitation is said to be the sincerest form of flattery, it may perhaps be mentioned that the Belfast Administration Act of 1942 is in fact a more drastic version of the Cork plan. The vital difference is that the three administrators who control the government of Belfast have also the power to make rates and raise loans. They thus resemble the Commissioners who govern Washington where a similar problem, arising from the clash of Government and civic interests, exists. One of the Belfast administrators is a paid civil servant who is a whole-time official and is in effect the city manager, the other two are leading citizens of wide public experience, appointed *ad hoc* by the Northern Government. They are not whole-time officers and are unpaid. The Belfast Act in fact vests the municipal government of Belfast in the Government nominees, leaving the city council little more than an empty symbol. There are already very definite signs that the citizens of the Northern capital, who are not wanting in civic pride, are not likely to long tolerate this state of affairs, and the Act, which only applies for an experimental period, is unlikely to be renewed. The only material change that has been made in the manager system since its establishment here is the provision which enables a council by resolution to require the manager to do some particular act not within its ordinary powers so long as it is not of general application and does not affect the Council's employees.

The difficulty of applying the manager system to the county councils owing to the lack of a corps of trained managers was ingeniously surmounted by providing that the existing county secretaries should in most cases be appointed to the position of county manager. This expedient provided at once for these positions a body of men not only trained in public administration but also fully in touch with local affairs. In time, no doubt, a local government civil service will develop, and managers who prove their worth should be able to secure promotion from one county to another, thus ensuring not only growth and vitality in administration but freedom from local influences. In America civil engineers have proved the best managers, and it is therefore possible that our county surveyors may eventually fill these positions, for the efficient administration of large local government areas is likely to become increasingly an engineering problem.

The criticism is sometimes made that the manager system of local government is undemocratic. This statement does not bear scrutiny and seems due to a confusion of ideas. A system of local government, established by our national Parliament after full discussion, which vests in elected local representatives the power of legislation and taxation

cannot be called undemocratic. In fact it is based on the same principles as our national Government itself; for while the Oireachtas decides questions of policy and taxation, their execution and administration are carried out by the Government, each member being responsible for the management of a separate department.

At the best, government by the people means, and in the national sphere can only mean, representative and responsible government. Democracy as we know it, in its political aspect, is representative government. A city or county manager is an executive official who must accept and carry out the policy of the council to whom he is responsible. He is a free agent only in the execution and administration thereof, but even there he is subject to the vigilant supervision of the Local Government Department, representing the national Government. A more pertinent criticism of the manager system is, I think, that by limiting the functions of the elected council it may reduce local interest in municipal affairs. There is also a real danger that, as has happened in America, the more responsible element in the community may be inclined to rely on the manager to control policy and expenditure and cease themselves to take an active interest in local affairs. Such a tendency would lead eventually to a deterioration in the personnel of local bodies. On the other hand, the reduction in the time and number of council and committee meetings, which the manager system has made possible, should enable men of ability and standing to take their share of public responsibility without neglecting their own affairs.

All systems of government, however, are imperfect and all should be dynamic. The manager system, like the rest, can and will be improved as the result of experience. But it must not be forgotten that it was devised originally for urban conditions. In a city a manager can keep in touch with local representatives and with public opinion. He is accessible to all. He can observe and remedy defects of administration. In a large rural area, like a county, this is much more difficult, if not impossible. I greatly fear that the manager system was applied *holus-bolus* to our counties by some unimaginative civil servant who had little experience of rural life. If it is to succeed in this wider field I think it will be necessary to establish closer connections between the county manager and his wide domain. The parish is the natural and historic unit in rural Ireland, and it was most unfortunate that the Local Government Act of 1898 did not follow the English precedent and set up parish councils. I suspect the reason may be found in the provision of the same Act which disqualified clergymen of any denomination from being elected as members of a local body, a disqualification which in fact still exists. It is time we faced and conquered this inferiority complex. It is quite true that parish councils are vaguely provided for, on a voluntary basis, in the Local Government Act of 1941 which empowers a county council to recognise voluntary local committees or councils and to provide suitable accommodation for their use. In my view there is no hope that this scheme will ever lead to anything. A few parish councils have, it is true, been set up, but there has not been, and will not be, any real progress on such a basis. Parish councils should be definitely established on an elective basis in rural districts as a permanent part of our local government system. They should be given power to provide halls suitable for recreation, meetings and libraries; to supervise local burial grounds and water supplies; and have the right to make representations direct to the county manager concerning local government matters. It would, I think, be also desirable to provide

that the chairmen of these parish councils should *ex officio* constitute the county council. In this way direct and effective liaison would be maintained between a county manager and each district in the county. Such parish councils could also be given supervisory powers in regard to such social security matters as national insurance, unemployment, and old age pension administration.

But the real strength of any system of government is derived from an informed and sensitive public opinion. The county and city managers must, therefore, if they are to succeed in their task, keep the public fully informed, listen patiently to complaints and secure the approval of their councils to changes in policy or administration. They must, in short, seek to lead rather than to drive, to persuade rather than to compel. But there is something even more important to remember. As the most perfect machine is useless in the hands of a fool, so no system of government is any better than the people who operate it. What we need therefore above all is a wide policy of adult education designed to produce an educated democracy. As some of you perhaps know, I have during the last two winters acted as Barrington Lecturer in Munster on economic and social questions under the ægis of this society. I found that in our small towns and rural areas there is a great fund of unsatisfied and undeveloped intelligence.

“ The hungry sheep look up and are not fed.”

Casual lectures on economic and social questions, such as I delivered, and sporadic broadcast talks, can only scratch the surface of this untilled field. Far more is needed. If we are to have good government we must first have educated citizens, men and women trained to understand and lead. Adult education must penetrate the whole nation as it has done in the Scandinavian democracies. We should aim at establishing People's Colleges, like those in Sweden and Denmark, to which both our urban and agricultural adult population could resort. These popular universities, if they followed the Scandinavian example, should be residential, initiated by various public organisations, and, while independent of State control, supervised and assisted by the State and local authorities, grants being made on the basis of a required and designed standard. They should teach through the living word rather than through books, develop interest and appreciation rather than the faculty of higher criticism, and lay emphasis on the development of the individual as a member of the community. The aim of the Swedish People's Colleges, as laid down in a recent order, is “ to give the young adult general and civic training in which special emphasis is laid on such instructions as will awaken independent thought and action and make the pupils acquainted with their native district and country, its historical development and present social conditions, its spiritual and material resources.” While there are no tests or examinations a certificate of attendance at each course is given. The colleges are supported in part by private or public subscription, in part by State and local grants which are dependent on the observance of certain standards, and in part by the very modest fees paid by the students themselves. Here is a work varied in character, most valuable in results, and wide in scope, in which our various national organisations could each pull their weight and prove their vitality by deeds not words. Such colleges could, for instance, be established by bodies like the Gaelic League, Muintir na Tíre, the Trade Unions, and even the large political parties whose followers might benefit considerably by such training. Sweden with its population of six and a

half millions has sixty such colleges ; Denmark with a population of three and a half millions, fifty-seven. We should certainly be able to find ample work for twenty here. I am satisfied that some such system of adult education is the only solid foundation upon which we can build a sound and satisfactory system of democratic government. No one is now foolish enough to believe that the world can be made ' safe for democracy,' for democracy, as Chesterton wisely said, is ' a dangerous trade.' Its preservation in the local, as in the national sphere, demands continual struggle, constant sacrifice, and eternal vigilance.

DISCUSSION ON MR. HORGAN'S PAPER.

Mr. Collins : In a short paper it would not have been possible to do more than sketch the development of local government in the last century. Much that is of interest and importance had, no doubt, to be omitted in order to bring the narrative within the limits set. Nevertheless, I think there were a number of factors that affected profoundly the development of local government which deserved mention.

First there is the doctrine invented by lawyers which goes under the name of *ultra vires*. Local bodies were told by the Courts about a century ago that they could only expend money on purposes expressly authorized by statute. This doctrine was unknown to the old close corporations that existed prior to 1840 and the Municipal Corporation Acts give it no countenance. It was a restraint on the initiative of local bodies and was first formulated when the question of the powers of railway companies arose and was extended later to local bodies. I am not going to discuss here whether it was a proper restraint or not but it obviously made a considerable difference to future development. It marks a fundamental difference between local authorities here and those in the United States. Over there although the legal position is that they have only such powers as are delegated to them by charter, nevertheless, in fact, they are independent city governments. The prevailing conception in the States is that local authorities should be allowed to look after their own business. They are not supervised by any superior authority. It was this freedom that enabled the Town Council of Staunton in Virginia to initiate the council-manager plan in the United States.

Another factor which influenced the development of local government profoundly was the improvement of roads and transport during the XIXth and the present century. By shortening the time taken to get to and from meetings members of local bodies were enabled to attend meetings held at centres far from their homes. This made the enlargement of administrative areas possible. Apparently we have not yet come to the end of that process.

The third influence is the increasing financial participation of the State in the work of the local authorities. Grants in the aggregate now exceed five million a year. In the counties the State has become the largest ratepayer as it now pays almost two millions of rates that would otherwise fall on the occupiers of land. Obviously, if the State is providing almost half the income of county council it has some interest in the manner in which the millions handed over are spent. Subvention carries with it intervention.

The Poor Relief Act of 1838 marked the real beginning of representative

local government in this country, and has had more influence on subsequent developments than any other statute. It set up a central authority armed with power to see the local bodies carried out their duties. Under the Act the local body—that is the Board of Guardians—could be dissolved and paid officers or Commissioners as they are now called-put in their place. It is not necessary to seek in the United States for the origin of Commissioners. It is to be found here in the Act of 1838 which was repealed only in 1939. Obviously, it is from the Act of 1838 that the provisions in the Act of 1923 in regard to the dissolution of recalcitrant local bodies are copied.

The Municipal Corporations Act of 1840 was at the time it was passed regarded as the great charter of liberty for the boroughs. It embodied the Whig idea of liberty. It abolished the close corporations and ended the exclusion of Catholics but the Act permitted the Councils to do very little. It restricted the rate and if a Council wanted to do more than pave, light and clean the streets and pay borough constables they had to go to Parliament and at enormous legal expense get a local Act. The cardinal defect was that the Act did not bring the borough into relation to the community as a whole. It was left to the local electors to see that the Council did their duty. There was no inspection and the auditors were elective.

It is also worth recalling in connection with the history of the management system as set out in the paper that before that system was adopted for any city or county it was recommended by two commissions of inquiry both of which sat before the system was introduced in Cork. It was the Greater Dublin Commission of 1926 that brought the system out of the realm of speculation into the realm of practical politics. The recommendation that managers be appointed for the boards of public assistance was made by the Commission on Poor Relief of 1927. I do not know what is the origin of Mr. Horgan's fear that the application of the system to the counties was the work of some unimaginative civil servant.

With regard to the proposal for elective parish councils—the advocates of parish councils fall into two groups. One group wants voluntary bodies that will be free of official control but eligible for assistance from the county council. The Local Government Act of 1941 makes provision for this assistance being granted to local councils of which the county council approve. The other group wants statutory bodies such as they have in England. The idea underlying the English Act of 1894 was to establish a popular form of administration for minor local matters. English Parish Councils cannot levy rates. Their expenditure is met by precepts on the rating authority. There are over 2,000 civil parishes in Ireland and the Catholic ecclesiastical parishes number over a thousand. The proposal of the second group is, therefore, for the creation of statutory bodies of an unprecedented number, presumably with powers of demanding money from the county council. It would be a complete reversal of policy if having abolished the Unions and the rural districts as administrative units the legislature made the parish an area of administration.

Commander Coote said he only wished to add a few words to what a previous speaker had said regarding the need for stimulating interest amongst ordinary people, who seemed to be completely ignorant on the subject of local government.

It was quite possible in a city, such as Dublin, to divide it into Communities for this purpose, and appoint Community Advisers to educate

the people to appreciate their responsibilities. These Advisers would have to be carefully trained for such work, but there was no difficulty in training them.

Personally, he believed this form of education could best be done through the children, who enjoyed being educated through recreation and the cultural activities of leisure, and whose parents were equally interested in being educated when the right approach was made to them.

Parents' Committees were easily formed through the machinery of the children's leisure programme. He had proved what could be done through parents being interested in the activities of their children. A course of discussion talks had been successfully tried out in Cabra in connection with the children's playground in that district.

The Parish Hall, opened for one night a week, or sometimes only once a month ; the football ground, the library, or the handball court were only for adults, and only a very few took advantage of such amenities ; children gained nothing by their provision.

His advice was, concentrate on the children and you can do anything with the parents. Every householder would respond to such an approach, and it wouldn't take long to educate them as to their responsibility as citizens.

Mr. R. J. P. Mortished wrote :--

During the last twenty years we have witnessed very drastic changes in our system of local government. It is, I frankly admit, beyond my competence to discuss in detail the measures that have been taken, and I am more concerned to examine the policy which appears to have inspired them and to consider how far they have contributed to, or have hampered, the development of democracy.

The general purpose of the changes appears to have been to secure efficiency and honesty in the administration of local affairs. There is, I think, no question but that the extension of the scale of local services and, in particular, the development of transport have rendered necessary an extension of the area required for the efficient administration of many services. For electricity supply we treat the whole country as a unit, since transmission lines cannot be stopped at county or municipal boundaries any more than telegraph lines can. We have made the county the unit for road services, and have recognised that even county boundaries must not be allowed to cut main roads into unrelated segments. We have organised hospital accommodation and health services on a county basis and thereby on a scale which would be impracticable in the smaller area of the old rural districts. Such changes are inevitable, and indeed a good case can be made for a further extension of the areas of administration of many services from counties to regions.

The appointment of county and city managers and the concentration on them of responsibility for the actual administration of local services has also, I do not doubt, meant a gain in efficiency and the closing down of certain possibilities of corruption.

But an enlargement of the unit of administration and the concentration of responsibility for administration can be combined with the maintenance of smaller units of representation and of a wide diffusion of responsibility for policy. What has been wrong in the trend of the last

twenty years has been that we have pursued efficiency at the expense of democracy.

Democratic government is *self-government*. It does not mean merely the casting of a vote every few years. It means the active and continuous co-operation of all citizens—or at any rate of all of them who can be induced or stimulated into being active—in deciding what are their collective interests and how they shall be served. It does not mean that every citizen should meddle in the actual work of administration, for that is a task requiring specialised-competence. But it does mean that every citizen should be able to give effective expression to his needs and views, should know what is being done on his behalf, and should be able to pass judgment on the way in which it is done.

For democracy in this sense a high degree of community feeling is indispensable, and I believe that feeling cannot be effectively fostered and developed save on the basis of a small unit. In the rural areas of our country (and, indeed, of others) the historic and natural primary unit of local life is the parish. In small towns the whole town may feel a sense of a life of its own. In the larger towns and cities, the "cell" might be a parish or a district congregating round a shopping centre. Such small areas, where everybody has at least a nodding acquaintance with everybody else, emerged as the natural unit of organisation for the voluntary Parish Councils and the official A.R.P. organisation which came into being in the emergency war-time; but they are quite unrecognised for local government purposes.

We have never had such a small primary unit of local government. Our system is the system that the English gave us, modelled on their own, but without the Parish Councils and Parish Meetings which the English have and which in many parts of rural England still fulfil a useful function, despite the centralisation of local government. We have made very considerable changes in the English system, but in one direction only—towards the centre. The result is that we have no small unit of representation in the rural areas and even a town of as many as a thousand inhabitants may have no representative organ of any kind of its own.

To secure real vitality in local government we ought, I think, to reverse the tendency of the last twenty years and give to every small community—the parish or quarter in a town—a representative organ of some kind. It might be quite a small body—a group of five or three persons or even a single "maire" of the commune—which could focus and express the feelings of the community. It should be the recognised spokesman of its community on every question affecting it—where a vocational school to be built by the county council should be located, whether the municipal street lighting or refuse-collecting services are satisfactory, where the bus stops should be and whether a shelter is necessary, whether a public convenience or a handball alley or a bathing pool is wanted. Service on such a body would confer a public dignity on the natural leaders of a community and would be a useful training for promotion to the higher dignity of county or municipal councillor. There might, indeed, be something to be said for replacing direct election to county and municipal councils by indirect election by these primary bodies.

It may be said that the functions suggested for parish councils or "maires" can be discharged by voluntary bodies or by the local county or municipal councillor. To some extent that is true and does already happen. But if we are really trying to foster the democratic spirit in

all our citizens this is not sufficient. Sporadic efforts by a self-appointed group of well-meaning individuals may, and very often do, produce excellent results ; but what we want is a permanent body with a definite responsibility and authority, which can be called to account by the community for which it acts and which can itself get things done—however small these things may seem to be—without being entirely dependent on the decisions of a higher authority. For that reason, I think these primary units of local government should have some, though a limited, power to levy their own rate for local purposes (to be collected, of course, with the county or municipal rates), though I should allow them to collect and administer voluntary funds as well.

Whether or not we should create these smaller units of local government, we ought to make a complete break with the English system in another respect and allow the fullest possible scope for local initiative. Under our present system, which is the English system and quite unlike, in this respect, the system of many Continental countries, local authorities—even the biggest and wealthiest of them—are compelled by statute to do many things and are allowed by statute to do some other things, but can do nothing that is not expressly authorised by an enactment of the national legislature. Whether the statute compels or allows them to act, they still can act only in the way prescribed by the statute or by regulations made thereunder by the Minister for Local Government and Public Health, whose Department exercises a rigorous control over almost every detail. It is true that an enterprising local authority can sometimes manage to make new uses of old statutes, as the Commissioner for County Dublin has shown by organising gramophone recitals in public libraries. It is true, also, that there are many things that local authorities must be required to do ; they must, for example, maintain adequate public health services. But why should we set a limit to the initiative of a local authority ? I suggest that every local authority should be allowed to undertake any public activity which the community it represents wants and is prepared to pay for. Galway and Birr should be allowed to subsidise their theatres ; Limerick to organise its regatta ; Sligo to have its municipal orchestra ; Killarney to manage its holiday hostels ; X, Y and Z to own their turbaries ; and so on. Some check on rashness and extravagance might be necessary ; it could be secured by giving a power of veto to some higher authority. But that authority, again I suggest, should not be too centralised ; it could be exercised by, say, a Regional or Provincial Commissioner, appointed by the Minister but allowed considerable discretion. A good Commissioner would be wise enough to allow the local authorities under his jurisdiction sometimes to make mistakes, contenting himself with pointing out the risks and difficulties and making sure that the local authority and those for whom it acts really do want to do what they propose to do. In our City and County Managers we are no doubt training a body of experienced men from whom such wise Regional Commissioners could be drawn.

A healthy local community life cannot, however, be secured, no matter what the administrative and representative arrangements may be, if the community is dwindling in numbers. That is what is happening now to too many of our towns, with a consequent deadening of the surrounding countryside as well. Meanwhile, Dublin grows in numbers and spreads farther and farther into the country, covering green fields and hillsides with houses and rendering still more acute the problems of housing and transport. What can be done to stop this process of centralisation and deterioration ? The Government has used its influence

to secure the establishment of new industries in various towns throughout the country. But it has done nothing in the one way in which it could take direct action.

Switzerland is a small country, only about the size of Munster. The Federal Parliament and the Government Departments are in Berne; but the Supreme Court is in Lausanne, the Insurance Office in Lucerne, the National Bank in Zurich and the National Fair in Basel. The Union of South Africa has its Parliament in Cape Town, but its Government Departments in Pretoria hundreds of miles away. We ourselves may hope some day to have our national parliament meeting at Stormont, with Government Buildings still in Merrion Street. During the war British Government Departments have been able to operate quite well with Ministerial Secretariats in London and large sections of their staffs dispersed to Colwyn Bay, Blackpool, Southport and other places scores and hundreds of miles from London. This is the age of the motor-car, the telephone and the teleprinter; we do not need to concentrate every activity in the capital as if communication with the rest of the country (in normal times, of course) were as slow and difficult as it was twenty-five or fifty years ago. The main offices of the Electricity Supply Board might quite well have been in Limerick; the National Health Insurance Society might well have opened its new offices in, say, Mullingar. All new offices of this kind ought to be deliberately located outside Dublin, and a serious effort should be made to decentralise and disperse substantial sections, at least, of the existing Government Departments in Dublin. There would no doubt be some, even an appreciable, expense in the removal (but we shall have to find work for a great many of our returned fellow-citizens after the war) and a real inconvenience to the present staffs; there might be some additional permanent expense, though I believe it would be slight. And I am convinced that whatever expense and inconvenience were entailed would be far outweighed by the vivifying effect upon the trade and the social and cultural life of our smaller cities and towns of establishing in them a nucleus of relatively well-paid and educated office and professional workers.

Democracy is impossible without a vigorous local community life, and life means variety of every kind. It means colour and music, plays, sports and pageants, bands and banners. We pay far too little attention to the importance of pomp and ceremonial. We have one national holiday, St. Patrick's Day, and we celebrate it with a rather drab military parade in Dublin. In recent years there have been local L.D.F. parades, but again we seem to think almost wholly in military terms. Why can we not have civic celebrations all over the country on St. Patrick's Day and other days too—Easter Week, Labour Day, Constitution Day, the last day or the first day of the school year? The Sweepstake processions brought a touch of colour to the streets of Dublin; but surely a lottery is not the only occasion that justifies ceremonial display. Long ago the Corporation of Dublin used to have its Corpus Christi procession; why not revive it? We have seen the tonic effect of a Eucharistic Congress; let us have other congresses, on a smaller scale of course but no less colourful and stimulating, and not in Dublin only but in every part of the country, with the local authorities taking the initiative and organising the school children, and trade unions, the Chamber of Commerce, the bands and the choirs and the banners. It will be said that it rains in Ireland. Of course it does, but not on every day. For my part I would rather see a bedraggled flag than no flag at all, and rather march behind a band in the rain than not march at all; but a

great deal can be done indoors if we build ourselves proper public halls. Our climate may make it impossible to organise a *fête des fleurs* like those of towns on the Riviera (where also rain and, what is worse, a bitter wind are not unknown); but we need not therefore resign ourselves to nothing better than the radio and the cinema.

We ought to try to bring local colour not only into public ceremonies but into our daily lives as well. We have colours for county football and hurling teams. Let us also have county banners to fly with the national flag over our schools, to head local processions and local contingents to celebrations in other centres. Let us emphasize the distinctive character and special charm of our own districts in every way, so that the labourers' cottages and the farmhouses in our county look different from those in the next; let us popularize old local songs or write new ones for everyone to sing; let us revive, or invent, local costumes and dishes. Let us welcome the stranger with a bank of flowers outside the railway station or at the bus stop; let us put the Civic Guards on duty at Cobh and Dun Laoghaire, Foynes and Collinstown, into a ceremonial uniform with cocked hat and saffron-lined cloak. There is money in this for the tourist industry.

For ourselves there would be a mental and emotional stimulus, an outlet for artistic, creative energy, an opportunity for gaiety and rejoicing and proper pride in the way we manage our own affairs. And these things, especially for the younger generation, are essential to democracy.

Mr. Horgan in reply said that, within the time allowed, it was impossible for him to deal with every aspect of Irish Local Government. The American system gave more scope for experiment, not because the Americans ignored the legal doctrine of *ultra vires*, as Mr. Collins suggested, but because their local government system was looser in organisation than ours and gave more scope for improvisation. The city manager system developed here under exactly similar conditions to those in America; civil war taking the place of tidal waves.

It was not accurate to say that the motor car had made it possible to increase the area of local government units. The problem remained the same. The rural labourer had no motor car and unless he had local representatives to whom he could air his grievances they would be ignored. Parish councils such as he had suggested were the nerves of a rural local government system and without nerves the body could not function. No doubt they were annoying to permanent officials. "Parish councils merely agitate," as Mr. Collins said. Yet that was their proper function. No doubt there were two schools of thought on the matter, as Mr. Collins claimed, and they knew that one important organisation objected to elected councils. There was, however, no official thought on the matter but only a policy of drift. The Municipal Corporation Act of 1840 and the Local Government Act of 1898 were the charters of their local and national liberties. If he were Minister for Local Government he would experiment with elected parish councils in a few counties. He was disappointed that no one had referred to the question of adult education on broad lines, which, in his view, was the root of the matter and which was almost completely neglected here. Without a creative democracy they could not expect good government.