

Ross is told of draconian terms of employment for airline pilots

BY JACK HORGAN-JONES

Minister for Transport Shane Ross has been warned that airline pilots are suffering under "atypical" terms of employment, including pay-to-fly training schemes and "bogus" self-employment.

Ross was told last June that airline pilots have been victims of the unintended consequences of air traffic deregulation across Europe.

According to the Irish Air Line Pilots Association (IAL-

PA), these reforms have resulted in a lacuna in employment legislation which only affects pilots and flight crew.

The association argues that young pilots are often forced to pay large sums of money to airlines in order to log enough flight hours to secure future employment.

IALPA also warned Ross that flight crew are forced into "bogus" self-employment, which it says is contrary to the norms of genuine self-employment. It wrote to Ross to

ask him to support a call by the Netherlands to increase scrutiny of the implications of atypical employment.

The Dutch transport minister has tabled a memo on the issue for the council of European transport ministers.

According to a report on atypical employment in aviation issued in 2015 by the European Commission, the practice is "increasingly prevalent within the aviation industry", and includes fixed-term work, work via tem-

porary agencies, zero-hour contracts and pay-to-fly schemes.

"There is rising concern that the application and usage thereof may be subject to potential abuse, to the detriment of the pilots and cabin crew members concerned," the report said.

"Unfortunately, some of these techniques have proven detrimental to both fair competition and workers' rights."

According to the study, the problem is more prevalent

among those flying for budget carriers.

Some 70 per cent of those reporting self-employment said that they work for low-fare airlines.

The respondents' replies indicated that there were more types of contracts offered by low-fare carriers, indicating greater need for flexibility.

The study found that the labour market for pilots is deeply segregated, with "a huge difference in labour market position between,

on the one hand, captains with a high number of flight hours, the right type-rating, and the willingness to work anywhere in the world on long-haul flights, and the other hand, those who prefer to work closer to home".

The report, which was written by researchers from the University of Ghent in Belgium, found that first officers are in an even weaker position, while "worst of all is the position of pilots entering the labour market".

Ronan to use gardener's evidence in fight with US fund in land row

BY TOM LYONS
BUSINESS EDITOR

Evidence from an experienced gardener is expected to prove crucial in a dispute between the developer Johnny Ronan and an investment fund over a 47 square metre portion of land which is essential to developing a multimillion apartment development in Foxrock, Co Dublin.

Ronan maintains his family has owned this land since the early 1980s.

He says he has evidence from his long-standing gardener and others that it formed part of the garden of his family home, Weston, for decades making it impossible for anyone to claim so-called "squatters rights" on the land. The land, known as the "hammerhead portion" because of its unusual shape, is vital to the development of high-end apartments on an adjacent site to Weston owned by Targeted Investment Opportunities (TIO), a subsidiary of the multibillion fund Oaktree.

TIO acquired the adjoining site, called Rockall, in Foxrock from businessman Joe Elias.

It then received planning permission to develop 35 luxury apartments on the site after representing that it had rights to the "hammerhead portion".

Ronan controls his interest in Weston through a company called Academy Geographic Ltd. Academy Geographic has told TIO that it owns the hammerhead portion and has no intention of giving up the vacant piece of land.

TIO has responded that Academy Geographic did not exercise full and exclusive rights and control, enjoyment and ownership of the Hammerhead portion over a 20-year period. It has produced some individuals to support this claim.

Academy has disputed TIO's claim and has in turn collected an array of evidence to prove that it at all times owned the hammerhead portion.



Brexit no-fault divorce turns ugly

The EU is punishing Britain viciously for the unthinkable act of leaving



Colin Murphy

The coincidence of the 20th anniversary of Diana's death with the conclusion of the latest round of the Brexit negotiations last week presumably passed the EU negotiators by; a pity, because they might have found something worth studying in it.

Like Brexit, the outpouring of grief for Diana caught Britain (and the world) by surprise: who knew such strong emotional currents ran beneath such an apparently stolid surface?

That grief was not merely for the person, but for the institution she had begun to transform. In the age of New Labour and Cool Britannia, Diana held out the possibility of a monarchy that might not be anachronistic. Her death seemed likely to mark the end of that possibility – and, with it, a further nail in the coffin of empire. That grief was not merely for Diana, or even for the tabloid-stoked ideal of Diana – it was fear for the future of Britain.

Twenty years later, that fear is the driving force behind Brexit. Forget the liars, the braggarts, the racists: their impact was marginal.

Yes, in tight contests, marginal forces can be decisive; but even if they explain the swing, they don't explain the silent majority.

Trump wasn't elected by white supremacists: he was elected by ordinary Republicans.

Brexit was won by ordinary people – voters for Labour and the Lib Dems as well as the Tories and UKIP – who pined after a lost, 'great' Britain, and wanted a little bit more control over their country (and therefore, symbolically, their lives).

Many of them saw the primary need for this control manifest in immigration – with some justice. Upon accession in 2004, most of the rich countries closed their doors to the Poles and their neighbours: just Britain, Ireland and Sweden lived up to the European ideal of free movement of labour.

By late 2008, more than a million accession-country workers had moved to Britain (official estimates had anticipated 13,000 per year).

There are now three and a half million EU nationals living in Britain. There are 750,000 EU nationals in London – effectively a whole city within a city.

Then, in the wake of the euro crisis, Britain gave jobs and homes to another wave of economic refugees from Europe.

At two key moments in recent European history, thus, Britain provided the safety valve to European migratory pressures (as Germany did last year in response to the Mediterranean crisis). Yet when David Cameron went to Brussels seeking concessions on free movement, he met a wall of hostility.

Hostility has been the consistent tone from the EU since. And that hostility has been absorbed by and echoed in the press. Anonymous EU briefings are taken as gospel; those from the British side are treated as delusional.

The ubiquitous narrative now is that the Brits are

badly prepared, don't know how Europe works and don't know what they want.

Yet if these negotiations are foundering at the first stage, over disagreement on the structure and process of the negotiations, the primary responsibility for that lies with the EU, not with Britain (Britain, of course, bears a share of that responsibility as an EU member): the original sin here is not Britain's decision to leave the EU, but the EU's failure to provide for that possibility.

In Article 50, the EU established the right of a member state to withdraw from the union; but the means to realise that right were left underdeveloped and uncertain.

Article 50 says the exit agreement should set out the arrangements for the member state's withdrawal, "taking account of the framework for its future relationship with the union" – it does not say these should be negotiated separately, in sequence.

The sequence of talks – withdrawal terms first, trade talks later – has been decided by the EU for strategic effect, to discomfit Britain, yet has been elevated to a point of apparent principle; the real principle they should be operating under is the age-old one that nothing is agreed till everything is agreed.

The fact that the Irish border cuts across the separate rounds of the talks illustrates how bogus the separation of the issues is.

None of this should be surprising: the EU has form. In its negotiations with Cameron and in those with Greece and Ireland on our respective bailouts, EU negotiators proved to be intransigent and inflexible, far more concerned with the realpolitik of Brussels than with the democratic imperatives of individual member states. This is self-destructive: in seeking to protect the union, they perpetuate its image as anti-democratic and unreasonable.

The similarities between these negotiations and those on our bailout are striking. In each, the EU has perceived the opposite side as the author of its own misfortunes, and duly arrived at the table with a punitive intent.

In each, the EU has been willing to call the other's bluff, risking mutual damage in the interest of what it perceives as its own integrity. In each, the EU has taken decisions based on strategic self-interest (that bondholders should not be burned, for example) and elevated them to points of immutable principle.

But there is a fundamental difference between the negotiations. We entered ours, effectively, as mendicants; Britain enters as a party exercising a fundamental right.

The European attitude to Britain, and that of the European and Irish press, has been shaped by the idea that what Britain is doing is both irrational and somehow illegitimate. It may be the former – but who are we to judge another nation's identity crisis?

And it is certainly not the latter. This is a no-fault divorce – but the EU treats Britain as if she were an adulterer (and wants to punish her by withholding access to the kids).

Europe is pursuing Brexit as a zero-sum game, in which it can only win if Britain loses. That is in nobody's interest, least of all ours.

Aercap boss pushes for high earner tax break to draw more business to Ireland

• Aviation chief executive expresses concerns to minister

BY ROÍSÍN BURKE

Gus Kelly, the chief executive of \$8 billion aviation leasing firm Aercap, has engaged with finance minister Paschal Donohue's department seeking more enhancements on a tax break scheme for high earners coming to work in Ireland.

Introduced in 2012, the Special Assignee Relief Plan (SARP) tax relief was already boosted in the last budget, with the aim of making Ire-

land more competitive when touting for Brexit relocation business.

In Kelly's view, executives availing of SARP should be allowed to do so way beyond the current five-year span. "It should be increased to ten, and it shouldn't be limited," he said.

"It's very narrow at the moment, very limited. It's hard to get people into it. Whereas the Dutch one is more open."

In the Netherlands, 10,000 people a year avail of that ju-

risdiction's tax relief scheme for relocators. "We have [just] hundreds, because it's not as attractive," he said.

The number of executives availing of the Irish scheme was 586 according to the latest available figures, at a cost to the exchequer of around €9.5 million a year. It is due to end in 2020.

Kelly said that Aercap, which employs over 160 people on average salaries of €225,000, only chose Ireland as a destination to relocate 50 staff last year because of the improvement in the SARP offering.

The tax break exempts 30 per cent of an employee's income above €75,000 from tax

for five years. It is subject to conditions, including that the staff member was employed abroad by the same employer. This was going to become problematic, he said.

"Currently in Ireland if you haven't worked for your employer overseas you can't avail of it, so if the company wants to hire talent from overseas and bring them in, they can't. And that's going to become an issue in relation to Brexit, for example."

He acknowledged that it was very hard to explain the justification for the tax break in a situation where others were paying substantially more.

"I understand that. And

they'll say, 'Why should someone coming in earning a million a year pay a lower rate?' Well, the answer is because they're not coming otherwise."

"All jobs are good, don't get me wrong, but – this is hard to say, but if you have a job where someone is earning €40,000 a year, predominantly in a back-office function – IT, pharma, financial services – the tax rate they pay is relatively low on €40,000 anyway."

"[Whereas] if you've someone earning a million a year, not only do you get a big chunk of the million, but you get a huge amount of spin-off business, because that person

is their own economic engine, generally.

"So many small Irish companies depend on big multinationals. That's the link that people miss – just how many people depend on people like Aercap, as an example."

Kelly said Aercap had had engagement with the Department of Finance on the matter.

"I think the government is very keen to try and make the country as attractive as possible, but clearly there are certain politicians that do not want us to have those high-value jobs."

"But if you're going to just be the lowest-cost producer economy, you get competed away sooner or later."

Stranger Holdings in talks to buy Alchemy

BY IAN GUIDER

A Dublin-based renewable energy company set up just months ago is in talks to be acquired by a London-listed investment firm.

Alchemy Utilities was officially launched in March and is involved in developing technology to generate sus-

tainable energy from waste and also clean drinking water. Last week the London firm Stranger Holdings said it was in discussions that could see it acquire Alchemy. Alchemy was founded by a number of British executives but has its headquarters in Ireland.

No figure was put on the deal, but Stranger Holdings

has been targeting acquisitions of companies worth about £20 million (€22 million). Stranger Holdings has requested that its shares be suspended temporarily from trading as it begins due diligence on Alchemy's finances.

The suspension of trading is normal during takeovers of small companies.

Should the deal emerge it would result in Alchemy owning the bulk of the combined company, effectively meaning a reverse takeover by Alchemy Utilities investors.

"Alchemy fits with our investment criteria of being in the renewable power generation arena, is cash generative and would benefit from a list-

ing on the London Stock Exchange. We are now conducting extensive due diligence, which we hope will lead to a fast and seamless acquisition that would be mutually beneficial for both parties," Stranger Holdings chairman James Longley said.

The company said Alchemy was in advanced stages of

appointing a worldwide distribution network to delivery of its products.

Alchemy would be Stranger Holdings first takeover since it listed on the London market back in January. In July Stranger said that it had looked at number of potential deals this year but had not found the right target.

Beware the speed and sting of the hive mind in the heat of a major crisis



Colin Murphy Contrary to popular political and media opinion, the cervical cancer debacle has nothing to do with the state's longstanding problem with Irish women

The Irish state has a historical problem with women. Repeatedly, it has been shown to be indifferent or hostile to their rights and welfare: on its good days, it has been paternalistic; on its bad days, misogynistic. But the cervical cancer crisis is not a case in point.

This could be a surprise to anyone following the crisis as it has played out in the media or on social media. It has been one of the worst crises to affect

the health service in living memory, long-standing commentators have said. The service has been accused of a conspiracy of silence, an aggressive approach to court proceedings, a neo-liberal outsourcing of vital services to American capital, the creation of a climate of fear among the women of Ireland, and, at the core of the crisis, an endangering of those women.

The problem is that none of this is necessarily true. The silence (the failure to tell cancer-afflicted women that signs of their cancer could have been detected earlier) looks more like cock-

up than conspiracy: the "smoking gun" memos released on Thursday are about how to manage that disclosure (too slowly, admittedly, but with reasonable concern for the possibility of media and public misunderstanding), not about how to withhold the information.

The aggressive legal approach was primarily the fault of the American laboratory, not the HSE or the State Claims Agency. The outsourcing of testing to American labs was a crucial part of the creation of the screening process: according to Tony O'Brien,

who quit as HSE chief on Thursday, Ireland did not have the capacity and the American companies involved have consistently met international standards.

The climate of fear has been created by politicians and media (facilitated by poor communications from the health authorities). And, crucially, there is as yet no evidence that a substandard screening programme endangered women. Cervical cancer screening is not 100 per cent accurate - anywhere in the world. There will always be cases of missed cancers. It may yet prove to be the case that the error rate was unacceptably high, but the health service has insisted that its data has not highlighted any serious flaws.

This much was largely clear by the evening of Wednesday, May 2, as O'Brien, accompanied by the chief medical officer, Tomy Holohan, and various other health officials, finished up a five-hour session before the Oireachtas health committee. The questioning had been good, if repeti-

tive: the answers had been detailed, if often complex.

Yet RTE's Six One News zoned in on the theatrics, not the substance: an irate Kate O'Connell telling O'Brien "this is not about you"; Alan Kelly calling the saga "a cover-up, or the worst case of incompetence". O'Brien's careful account of the workings (and failings) of the screening and audit processes was reduced to one line - and a clunky line, at that.

By Thursday, when O'Brien found himself again before a phalanx of TDs, this time at the Public Accounts Committee, the discussion had degenerated and the theatrics heightened.

A group of TDs who knew less about the issue than their health committee colleagues, but were more angry, persisted in asking questions that had been answered at length a week earlier (or earlier in the same meeting), and interrupted the answers to accuse O'Brien of a lack of accountability (despite him spending seven hours being held accountable to the

Oireachtas), a lack of action (despite the litany of actions described), and of placing women in danger.

When Fianna Fáil confirmed later that day that they would back Sinn Féin's motion of no confidence in O'Brien, his position became politically untenable.

But the outcome is nihilistic: O'Brien was best placed to oversee the response to the crisis; the HSE is now without a leader at a time of crisis; and recruitment of his successor will be more difficult for the way in which he was forced out.

Why has this story been so persistent, and so riddled with misunderstanding and misinformation?

In the first place, at the story's core is the tragedy of Vicky Phelan and Emma Mhíic Mhathúna, who have told their stories of terminal cancer with extraordinary dignity and courage.

Their stories needed to be heard. But they also needed to be placed in context, and that the health and political systems spectacularly failed to do.

Inextricable from that tragedy - but not, as has been often implied, identical with it - was the gross failure to disclose to these women that their earlier screening had failed, that their smear tests had been "false negatives".

As the story broke on the back of Phelan's settlement, catching the HSE bizarrely unprepared, its response was led by car-crash interviews with key spokespeople, Jerome Coffey and Gráinne Flannelly (who later resigned as clinical director of CervicalCheck).

The government panicked. Health minister Simon Harris said he had confidence in the screening programme but not in its management (which can only have undermined confidence in the programme) and offered free repeat smear tests (further undermining confidence).

The opposition spotted weakness.

"Women's lives were put in jeopardy," claimed Sinn Féin leader Mary Lou McDonald last week. Fianna Fáil's Marc MacSharry, at the Public Accounts Committee, said there was

"gross systemic failure . . . people are dying". The impression given was that people were dying because of systemic failure. There is no evidence of that yet.

Throughout, the HSE and Department of Health failed to respond with clarity and transparency. O'Brien told the Health Committee smear testing was "70 per cent accurate". It was four hours into the meeting before Holohan thought to clarify that the false negative rate was actually less than 1 per cent. "Seventy per cent accuracy" means that 70 per cent of cervical cancers (or incipient cancers) are correctly identified in testing; this means that 30 per cent of cancers are missed (about a hundred a year), he explained, not that 30 per cent of tests are wrong.

The HSE's official line on the reliability of screening remains the generic statement that it is "safe and effective", but has an (unspecified) "margin of error". Such blandishments are paternalistic and dangerous: in an untrusting age, this promotes unne-

cessary scepticism.

And, consistently, reporting has elided the linked but distinct issues at the heart of the story, equating failures of disclosure with failures of clinical care, and a state of generalised confusion with a state of objective, substantive risk.

The resulting "scandal" could be simply the outcome of this unique set of circumstances, but it feels symptomatic of the age.

"At any given moment, there is an orthodoxy, a body of ideas which it is assumed that all right-thinking people will accept without question," wrote George Orwell. "Anyone who challenges the prevailing orthodoxy finds himself silenced with surprising effectiveness."

The old orthodoxy was that women's lives should take them from dancing at the crossroads to rearing children; that the individual and state were answerable to the Church on moral and social issues; and that public discourse was a polite affair domi-

nated by those qualified to partake.

The new orthodoxy is that both Church and state are hostile to women; that authority cannot be trusted; and that speaking our minds, quickly, loudly, and often aggressively, is a vital part of public discourse.

Orwell described the workings of orthodoxy as "the gramophone mind" - we all hum along to the same song. Today, we have the "hive mind": the speed and anger of social media trammels our thoughts and feelings towards the same end, colonising political debate and suffocating policy-making.

As Susan Mitchell writes elsewhere today, there remain significant questions to be answered and policy failings to be rectified in order for the cervical cancer crisis to be redressed. But there will remain outstanding another aspect of the crisis: that of the failure or inability of the political and media spheres to address a difficult issue with rigour and balance. That may return to haunt us.

Liberalism has won in a mature, functioning democracy



Colin Murphy The pro-life movement has strengths that liberal Ireland would do well to respect, but its high communal standards are harsh on individuals

Liberalism has won. Yesterday's victory is the latest in a series of victories (on contraception, homosexuality, divorce, children's rights, gender recognition, marriage) that, together, amount to a slow-burning revolution. (The battle on the secularisation of education is, admittedly, ongoing, but liberalism is in the ascendant.)

Some swagger would be understandable: this victory was hard won. But along the way damage was done. Traumatized by the setbacks of the 1980s and by the indignities of its own oppressed youth, liberal Ireland grew blind to the virtues of its opponents and deaf to their arguments. The result is a creed that, at times, replicates some of the characteristics of that which it replaced: arrogance; condescension; intolerance.

A great civic movement

The pro-life campaign has been one of the great civic movements of the modern era. A minority faction within Irish Catholicism succeeded in bringing its cause mainstream. It correctly identified the threat from the liberalising of

abortion laws abroad and made a pre-emptive strike against such encroachment here.

The group won a brilliantly opportunistic political victory in 1982 by securing election commitments from both Charles Haughey and Garret FitzGerald to hold a referendum, and then won that referendum against the advocacy of the then-taoiseach, Garret FitzGerald, and his attorney general, Peter Sutherland.

They then kept the issue alive for 35 years, making strategic concessions or retreats when under pressure (first, on the right to travel and information; later, and with misgivings, on the threat to the life of the mother), but succeeding in defending their core position.

They lobbied assiduously, wielding disproportionate influence in the Oireachtas, despite declining influence in the media. They combined strategic nous with civic commitment to devastating political effect, making the issue practically untouchable for most of that time.

They may have been wrong on the law - the Eighth Amendment was crudely wrought - but they were right on social trends: the Eighth succeeded in its principal purpose, as a bulwark against the encroachment from abroad of

liberalising abortion trends.

This is a political assessment, not a moral one. I disagree with them on the core issue. But in values, too, the pro-life movement has strengths that liberal Ireland would do well to respect.

In an age when opinion seems to herd to a kind of social common denominator, the pro-lifers are willing to stand against the crowd. This takes courage and independence of mind.

In doing so, they are prepared to be awkward. Maurice McCabe was awkward; Marie Collins was awkward; Morgan Kelly was awkward. Most of us want to get on with our lives and be left in peace, but a healthy democracy needs people who are prepared not just to stand against the crowd but to rail against them, and shout out.

The pro-lifers have great clarity of principle, and the commitment to follow through on it. I lack such clarity. I think most principles are muddy. I don't envy them their clarity, but I respect it.

I think the pro-lifers are wrong on the sanctity of life from conception, and wrong that the protection of that life should trump the autonomy of women over their bodies.

But I recognise that my view is the easier one to hold today. Mine is the view that imposes less on my neighbours and demands less of our laws.

The pro-life position is an austere one in an age of permissiveness, an absolutist one in an age of relativism. It seeks to impose a high communal standard in an age when standards are largely held to be individual.

High communal standards are harsh on individuals. The pro-lifers will never satisfy liberals

on the "hard cases" because the essence of the pro-life argument is that the greater good (of more lives saved) necessarily trumps hard cases.

This is a value judgment. It is not inherently uncompassionate or cruel, any more than any other public policy in which the greater good (as they see it) is served by a measure that may be unfair on individuals.

Running through the liberal movement is an intellectual intolerance that is unwilling to accept the pro-lifers as honest adversaries. Rather than debate their ideas, it seeks to delegitimise them as opponents.

Thus, pro-lifers are "cruel" or "uncompassionate" for not supporting the hard cases; or are "hypocrites" for seeking to ban women travelling for abortions, or to ban the morning-after pill; or are "disgusting" for pointing out abortion trends in Britain, such as those related to Down syndrome; or "don't care about children" because they are a single-issue movement focused on unborn children.

This, broadly, was the strategy many liberals deployed against Trump and against the Brexiters, declaring their concerns about immigration to be "racist" and therefore not worth debating. That the liberals won this time doesn't mean that the tactics are sound. A robust liberalism needs to be able to argue on the merits, and to tolerate dissent, not shout it down.

Both sides at it

This was a campaign in which both sides avoided the hard questions, fudged issues, drew help from abroad, had foot soldiers trolling online, and called the other side liars. For

all that, there can hardly have been a person in the country who was not aware of the fundamental issue at stake, and the fundamental difference between the sides.

For if there were flaws in the campaign, there were great strengths in the process that led to it. The issues were well aired at the innovative Citizens' Assembly and then at the Oireachtas committee, and the result was one which is rare in politics: people changed their minds.

The government could have run the referendum purely on the issue of the Eighth, kicking to touch on the legislation that would follow. Instead, it brought forward the general scheme of their intended bill: this was honest, but risky.

The two main parties allowed a free vote. Micheál Martin, in particular, took a risk and showed leadership. So, too, did Mary Lou McDonald. Meanwhile, Peadar Kirby and other Sinn Féin members showed courage in standing against their party line.

This is what a mature, functioning democracy looks like. That gives yesterday's result even greater authority.

Personal stories

If the pro-life movement is now an under-appreciated force in Irish public life, the pro-choice movement was long in that position. They fought the long, hard fight against majority opinion and powerful institutions. They did so with selflessness, tenacity and courage.

The greatest courage was shown by those women who, silenced for so long, emerged to tell their personal stories. They were the key factor. This is their day.

Clergy's silence on Eighth speaks volumes

The Catholic hierarchy's reticence in the referendum debate would have been unthinkable in the 1980s



Michael Brennan
Political Editor

During the 1983 referendum to insert the Eighth Amendment into the Constitution, clerics like Bishop Eamonn Casey and Fr Michael Cleary were in full flight.

There is archive footage of Cleary in the audience of RTE's Today Tonight programme, demanding to know if a female panellist supported abortion.

But the Catholic Church's authority was undermined in the 1990s by the

revelation that Casey and Cleary had both secretly fathered children. Then its credibility was devastated by the revelations of clerical sexual abuse and the cover-up by senior members of the hierarchy.

The Church's effective absence from the national stage during the 2018 referendum campaign on the Eighth Amendment has shown just how much its power has declined since 1983.

During the live studio referendum debate on RTE's Claire Byrne show, there were politicians, medics and lawyers, but not a clergyman in sight.

It turns out that the Catholic Communications Office never even received a request for a bishop or priest to take part in the debate. There were more international media requests for interviews than national requests. In some ways, that sums up how much the Church's



A nun and a priest enjoy a chat during a Love Both rally earlier this month: this time, the waning influence of the Church saw clergy take a back seat in the campaign

attendances have been dropping for the past three decades, but clerics say that decline has accelerated in the past year or two. Churches that used to be full now only have a scattering of people at Sunday Mass - and many of them are elderly.

Flannery said the Catholic Church was in a sorry state: "It's in a state of very rapid decline."

Due to the shortage of parish priests, parishes have been clustered together, with one priest now responsible for two or three each. This means they have to perform Masses, baptisms and funerals across large areas. Given that many priests are now in their 60s and 70s, with others working past retirement into their 80s, Flannery said this extra workload was tantamount to "abuse of the elderly".

It has been a sobering experience for the Church to realise that abortion is now another area where its teaching is no longer automatically accepted. This is not a new phenomenon. Church members have long been ignoring its prohibition on contraception and divorce, as well as disagreeing with its attitude towards gay and lesbian people.

There is also a huge shift coming in terms of control of the education system. Back in 1951, the head of a delegation from the Knights of St Columbanus to Rome reported that "the Catholic Church in Ireland had almost complete control of education, explaining that this was one of the reasons why the Irish parliament was almost 100 per cent Catholic in thought and action".

But during the middle of the referendum campaign, Minister for Education Richard Bruton showed just how much had changed in both the school system and the Dáil since 1951. He announced the end of the 'baptismal barrier', which allows schools under Catholic patronage to give preference to Catholic children in their admissions policies.

Bruton's move was designed to get his long-delayed school admissions bill moving before the Dáil broke for the summer recess, rather than to influence the referendum as one of the ministers backing the Yes side. (His brother, former taoiseach John Bruton, was a strong advocate for No.)

But apart from the Catholic Primary School Management Association, there was barely a whimper of protest at the move. That would have been unimaginable during the 1983 referendum on the Eighth Amendment.

It has been bewildering for many elderly priests, who were ordained at a time when the Church was at the height of its power, to see how societal attitudes have changed over the past three decades. "There's almost a sense that [from] the world they lived in, the anchors have drifted," said one priest.

There is some hope within the Church that the visit of Pope Francis may help it find a new direction and purpose. But one visit is not going to achieve much in itself. The Eighth Amendment referendum campaign is another warning sign for the hierarchy that all the red lights are flashing. It could once be safely presumed that Irish people would always vote against the introduction of abortion here, in line with the Church's teaching. But, as one experienced cleric put it to me, "what we are presuming can no longer be presumed".

Fine Gael Minister of State Catherine Byrne said there was a message for the Catholic Church in the resounding Yes vote. "The Catholic Church has to be more open to women. It's important that we look at what women are doing in the structures of the Church. For someone who has been involved in the Church all my life, I think this is an eye-opener," she said.

influence has waned.

This did not come as a surprise to Redemptorist priest Fr Tony Flannery, who has been officially banned from saying Mass for the past six years by the Vatican due to his liberal views on issues such as women priests, gay and lesbian people, and contraception. He said bishops and priests had not played a part in the public debate.

"The Church has backed away from active participation. That's a very interesting decision," he said.

Flannery said the authority of the Catholic Church had been severely undermined by the clerical abuse scandals. "It's inevitable that there would be a lack of confidence and a feeling that Church people don't have great credibility any more. It's such a different world and society now from 1983," he said.

Part of the thinking among Catholic bishops was that it was not their role to reach out to the wider electorate - that was for civil society groups such as Love Both and Save the Eighth. There was also one practical consideration which would not be immediately apparent to non-Catholics. Bishops have their 'confirmation season' from February to May, when they have to attend the confirmation ceremonies for every child in every church in their diocese.

But it is fair to say that the damage done to the Catholic Church's credibility was a key factor in the low profile of the hierarchy during the referendum campaign. There was at least one instance when the bishops were asked by RTE to contribute - which was the series of rapid-fire interviews done with Yes and No campaigners by the RTE Radio News at One programme. But the bishops declined on the grounds that it did not fit the approach they were taking.

One concern for the Church during the campaign was internal research by No campaign groups showing that around 20 per cent of occasional Mass-going Catholics intended to vote Yes in the referendum. There was even a Catholics Together for Yes group. So the bishops' pastoral letters to Catholics were aimed at shoring up their own base first. Bishops also put out their messages on social media, with staff in their offices sending out their messages on Facebook and Twitter.

But it is difficult for the Catholic Church to engage in the debate without facing hard questions about what Flannery said was "the oppression of women by the Catholic Church for centuries". Archbishop of Dublin Diarmuid Martin did speak about the debt the Church owed to single mothers who had brought up their children.

"For too long, a mentality was common in Ireland in which single mothers were ostracised and humiliated. This narrow moralistic culture was often sadly enhanced by the attitude of the Church,"



The Catholic Church is in a state of very rapid decline

he said, in his recent address on the referendum.

One area that got very little attention in the referendum debate was the role of fathers - including those who wretched on their responsibilities to their pregnant partner. One who did raise it during his referendum message was Bishop of Killybegs Fintan Monahan.

"Thankfully, the vast majority of fathers are caring and loving towards mother and baby alike. However, there can sometimes be an abdication of paternal responsibilities. On other occasions fathers can be left out of decision-making," he said.

The Association of Catholic Priests (ACP) took an even more low-key approach than the bishops, based on the first-hand experience of parish priests. Many massgoers were no longer prepared to listen to sermons about how they should vote. Indeed, at a time of growing anti-authoritarianism in society, it was more likely to provoke a backlash or make them not vote at all.

There was an angry reaction among some of the congregation at a First Communion ceremony in Louth when the priest started to talk about the referendum, with some parents walking out. The ACP's view was that nobody was in any doubt about the Catholic Church's opposition to abortion, so the most respectful approach was to let people make up their own minds. For this reason, it also urged priests not to bring in campaign speakers into churches.

One major speaker in the Church's armoury was Pope Francis. But since last year, it has been clear that he would be arriving in August for the World Meeting of Families Event in Dublin. By holding the referendum in advance of that, the government avoided the prospect of Francis restating his long-standing opposition to abortion. But even if he had arrived in the midst of the campaign, there are Church figures who doubt whether it would have had much of an influence.

That is because the Catholic Church's key power used to be centred on the large group of regular massgoers which it could get a message out to every week. In an increasingly secular society, it no longer has the same captive audience. Church

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