

REFORMING IRELAND? AN INQUIRY FROM THE STANDPOINT AFFORDED BY RIVAL TRADITIONS

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Commitments agreed upon internationally by Irish political representatives often escape scrutiny at home.¹ One outcome of this omission is evidenced in the debate regarding the family: Is it pivotal to the achievement of the common good, or does its unity act as an obstacle to full equality? This article examines this debate from the standpoint afforded by MacIntyre's formulation of tradition-constituted enquiries, asking whether current political trends entail a shift in the very basis on which the Irish reason practically.

Alasdair MacIntyre, following his formal address at Notre Dame Ethics and Policy Institute, characterized Ireland's recent transformation as "a very important act of cultural self-destruction."² Irony had tinged his preceding assertion that the Irish have shown it is possible to become American much faster than the Americans could do it.³

His address analyzed cultural change at the level where belief is constructed—in a community's everyday living out of shared moral and metaphysical understandings. Implicit in that judgement is MacIntyre's formulation of diverse socially embodied tradition-constituted enquiries into what is reasonable and therefore just. From that standpoint, distinctive ways of life such as the Irish and the American embody rival intellectual traditions.⁴

MacIntyre understands practical reasoning as arising within already-existing communities: It is only at a later stage of a community's history that such deliberations are expressed in writing and then developed within tradition-constituted enquires.⁵ If, as it follows, there exist no universal standards of practical reasoning to which all rational beings must submit, then moral confusion—with the cultural destruction that entails—will accompany any admixture of distinct socially embodied traditions. Political events in Ireland, where recent economic growth brought the designation Celtic Tiger, will be probed from this standpoint to disclose if a reorientation in how the Irish reason morally underlies what MacIntyre identifies as an act of cultural self-destruction.

The classical Thomistic tradition-constituted enquiry, with its enhanced Aristotelian-based understanding of morality and the virtues, found its social embodiment in Ireland during the period after

independence, particularly from the 1930s to the 1970s. Reason, for Aristotle, meant the ordering principle inherent in reality, and practical reasoning on the generally Aristotelian view that MacIntyre takes, is reasoning together with others, generally within some determinate set of social relations. By virtue is meant a quality, the exercise of which leads to human nature in its flourishing condition, the achievement of its *telos*—teleology being the view of man as having an essence which defines his true end. Within this framework moral sentences are used to make claims that are true or false.

The American way of life is the embodiment of an alternative tradition, the Enlightenment Liberal. The Enlightenment is loosely understood as a philosophical and cultural movement that attempted to rebuild the fragmented social order—in the wake of post-Reformation chaos—by identifying the need for people to be emancipated from tradition and by trying to found a new order built on a morality that all reasonable people could respect.⁶ The concern of the liberal order that emerged was to guarantee public peace by avoiding the kind of divisiveness that arises when ultimate questions are posed.

MacIntyre identifies the rejection of Aristotle's teleological understanding of human life as setting in motion the fragmentation of this tradition's moral reasoning. Reason, he clarifies, does not now comprehend essences or transitions from potentiality to act, concepts that belong to the despised conceptual scheme of scholasticism. What Nietzsche subsequently exposed, he contends, was not the irrationality at the core of morality *per se* but merely the futility of the Enlightenment's praiseworthy efforts; its project of establishing universally acceptable standards of reason had to be abandoned. The Enlightenment then took its place, no longer as a panacea, but as one tradition of enquiry among others.

This failure ushered in the dominance of its current moral offspring, the doctrine of emotivism, pragmatism's ally.⁷ Emotivism's content is “that all evaluative judgements and more specifically all moral judgements are *nothing but* the expressions of preference, expressions of attitude and feeling, insofar as they are moral or evaluative in character.”⁸

MacIntyre noted that the key to political life is that we owe our children a flourishing family life.⁹ Irish politicians are engaged in an opposing agenda, one that by re-casting family relationships will neutralize the family's crucial role in achieving the common good. By 2007, Martin Mansergh (elected representative and advisor to the former *Taoiseach*¹⁰) admitted that the marriage-based family is under threat from “an assertive radical liberalism.”¹¹

The Irish are under pressure to accept the Lisbon Treaty and with it the superiority of European Union (EU) law.¹² By tracking the source and implementation of this family agenda, we see how its integration heralds, not just a threat from radicals, but a deeper shift from classical Thomist to Enlightenment-inspired understandings as the basis for moral reasoning.

Ireland between Independence and 1960

After Partition in 1921, southern Ireland was granted autonomy by the British in 1922. The destructive turmoil of the post-partition period stabilized from the 1930s, and the political leadership passed to *Fianna Fáil* (Soldiers of Destiny) Party. Between 1932-62 (with only two interruptions) Éamon de Valera was its *Taoiseach*, and after, Ireland's President.

Since 1937 the democratic process in this predominantly Catholic country has been guided by a written constitution, *Bunreacht na hÉireann*—hereafter the Constitution—the basic law of the land.¹³ Independent after centuries of foreign domination during which fidelity to the Catholic faith often came at a high price, the Irish people agreed to lay the foundations of their new state in the name of the Most Holy Trinity committing themselves to “seeking to promote the common good, with due observance of Prudence, Justice and Charity, so that the dignity and freedom of the individual may be assured.”¹⁴

It established Ireland as a sovereign, independent, and democratic state. That its reasoning is grounded in the classical Thomistic understanding of the natural law was affirmed by Pius XII when in 1957 he stated that the prerogatives it assures are grounded on that “bedrock”.¹⁵ Natural law is minimally understood here in the sense of the objective moral order grasped by practical human reason. Trinity College's Regius Professor of Laws, William Binchy, reaffirms that its rights language is based on a “universalist philosophy of human rights drawn from the natural law tradition.”¹⁶

On Church-State relations Dermot Keogh, history professor at Cork University, affirms Ireland was not a member of the world of Catholic authoritarianism in Europe but a democracy in which the Catholic Church enjoyed a “special position” and extensive power and influence.¹⁷ Former *Taoiseach* Bertie Ahearn, in a measured acknowledgement of Catholicism's role in shaping that way of life, reminds us that alongside the authority it wielded, the Catholic Church has been a teacher, a nurse, a doctor, and a friend to the poor.¹⁸

Within an economic strategy of (largely rural-based) self-sufficiency, the constitution acknowledges the pivotal role of women as wives and mothers and the family “as a moral institution, possessing inalienable and imprescriptible rights antecedent and superior to all positive law.” and “as indispensable to the welfare of the Nation and the State.”¹⁹ Its articles thus formally acknowledge the contribution of the virtue-requiring and virtue-engendering practice of making and sustaining a family in achieving the common good, a practice MacIntyre defines as “a typical undertaking in which the goods to be possessed depend for their acquisition on the inner development of the capabilities and character traits of the person engaged in the enterprise.”²⁰

That MacIntyre’s judgement of Ireland’s transformation does not resonate in today’s Ireland is hardly surprising. Finola O’Kennedy’s definitive 2001 account of twentieth-century change in family patterns acknowledges an earlier consensus on values yet broadly welcomes such change as liberating individual family members from subordination to the group.²¹ Her interpretation of economic influences as the motor for that change—and her loose characterization of pragmatism merely trumping ideology—affirms MacIntyre’s opinion that *academia* is itself engaged in neglecting Ireland’s distinctive culture.²²

With social change since the 1970s generally regarded as a progression from idealism, De Valera has been variously criticized as part of an elite keeping Ireland poor, and the society he led as “introspective and sclerotic.”²³ A more rounded assessment is now emerging as European and Irish historians acknowledge his 1937 Constitution as a lesson in democratic accountability.²⁴ Recent events bore this out when, alone in Europe, law obliged the Irish government to consult the people via a referendum before ratifying the Lisbon Treaty.

As early as 1927, De Valera, responding to a journalist, had clearly differentiated the country’s ethos from the European. Asked whether economic self-sufficiency might bring about a lower standard of living he reframed that question in terms of a *less costly*—and therefore more desirable—standard, thus echoing today’s sustainable developers/environmentalists. His far-seeing assessment was that neither the standard nor the mode of living in Western Europe “is a right or proper one.”²⁵ No absolute isolationist however, his later contributions to the League of Nations did not go unnoticed.

When, in 1943, De Valera described the dream of the Irish to live in happiness “the life that God desires that men should live,” it is generally agreed that he was expressing the vision of his predominantly Catholic compatriots.²⁶ Ireland would be the home of a people, he continued, in language that has since often been mercilessly pilloried, “who valued material wealth only as a basis for right living.”²⁷

MacIntyre would not exclude the difficult life involved in nurturing an inter-generational family on a small farm from his sketch of an Aristotelian-inspired local society achieving some relatively self-sufficient form of participatory practice-based community. Ireland was close to embodying that form of life he sees as offering the conditions in which man might flourish, in which participants pursued their own goods rationally and critically without having to protect themselves from the corrosive effects of capitalism and the depredations of state power.²⁸ MacIntyre's sympathy with Marxism found no echo there; the Irish had been all too recently released from land-starvation.

This was no utopia. Its global context was the wider world engulfed in the horror unleashed by the clashing worldviews of Nazism and Communism; material poverty was a scourge; and, holding on to these values came at a high cost—the soul was so important that the body tended to get lost.²⁹ Dissent was not encouraged.

In the Ireland of the 1930s-1960s a way of life was embodied in which people, however imperfectly, aimed to live virtuous lives. This accorded with their belief that moral judgements were governed by objective standards and justified by a shared conception of the common good, the family being central to the achievement of that good.

The Transition

While post-war Western Europe, aided by the Marshall Plan, embarked on recovery, in the late 1950s unsustainable levels of emigration prompted De Valera's successor, Sean Lemass, to open up the country to foreign investment. Seeking wider recognition and markets, this reorientation was followed by commitments made to multilateralism on Ireland's joining the United Nations (UN) in 1955 and by membership in the EU (Common Market) in 1973. Family reform is high on the agenda of both the UN and the EU. The latter, despite its restricted mandate, intervenes, for example, through workplace/health regulations, resulting in demands for fine tuning anti-discrimination legislation. From the 1970s, Ireland's powerful women's movement became active on both stages.

Despite Vatican II's (1962-1965) definitive restatement of Catholic doctrine, MacIntyre affirms that distortion and error ensured that its effect was one of theological confusion.³⁰ Irish Sunday Mass attendance dropped from 90% in 1960s to below 62% from 1995 onwards.³¹ As the pace of economic change accelerated Ireland changed from a country of emigration to a land that Census 2006 shows is home to 181 nationalities.

Given such multi-layered change, what was the impact on the marriage-based family? When relevant constitutional amendments were put to the people they showed no desire for radical change; an article (1983) to copperfasten the right to life of the unborn child was comprehensively accepted; a 1986 referendum on introducing divorce was resolutely rejected and ten years later accepted by a margin of less than one percent.

But such a coming together of previously distinctive ways of life would demand a conscious re-formulation of the community's beliefs and a re-making of its practices. For, as MacIntyre alerts us, a multiplicity of such traditions affords a "multiplicity of antagonistic commitments, between which only conflict, rational or non-rational, is possible."³² When the principles of rationality are thus questioned, a tradition can vindicate itself only when it can enrich its own conceptual resources sufficiently to explain the errors of its rivals. As a relevant example of how this rethinking can be accomplished, he points us to Aquinas' unsurpassed achievement in coherently combining the two major traditions of philosophical enquiry—Augustinianism and Aristotelianism—that confronted each other in medieval Europe.³³

Mechanisms Through which the Equality Agenda is Carried – 1

Alongside many European countries where Defamilialization (when the ruling welfare regime takes over the burden of family care)³⁴ is advancing, the moral bearings of plain (as distinct from academic) Irish parents are disoriented as they are hedged in by a plethora of reforming legislation. Plain persons, MacIntyre argues, are generally and to a significant degree proto-Aristotelians.³⁵ Such reform entails the separation of the family into autonomous and even competing components in the name of equality.

The equality agenda gained ground with its strategically-placed proponents ensuring government funding for the permanent institutional structures through which it was to be channelled. Academically-backed, sheltered from political change or direct accountability to the electorate, the authority of bodies such as the National Women's Council of Ireland (NWC), was legitimized by Ireland's 1985 ratification of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Functioning as a conduit for state and philanthropic funding aimed at community development/consciousness-raising, such lobbies have acted as springboards for policy change from the late 1970s onwards. *Fianna Fáil's* declared foreign policy of emphasising the very positive involvement of such groups in human rights bodies under the umbrella term "civil society"³⁶

facilitated another such lobby—concerned with the UN Convention on Rights of the Child (CRC)—in generating a parallel and interlinked bureaucracy.³⁷

Included within government delegations and grouped within an internationally gathered network, civil society has a formal input into the UN process of drafting consensus documents and transferring their substance into more legally binding human rights conventions. MacIntyre clarifies that the price paid for emancipation from the external authority of traditional morality, was the loss of any authoritative content from the would-be moral utterances of the newly autonomous agent. Embedding the doctrine of emotivism in practices and institutions serves, he observes, to obscure the gap between the meaning of moral expressions and the use to which they are put.³⁸ The language of these commitments often needs decoding; diversity refers not to a diversity of opinion but a *diversity* of categorized interest groups; a right to access abortion is resolutely sought under a right to reproductive health services; and institutionalizing the autonomy of children from their parents is subsumed under child protection.

MacIntyre identifies the central liberal conceptions informing thought about human relations within civil society as those of such competing moral idioms as utility, contract, and individual rights.³⁹ He pinpoints how, since the 1949 declaration on human rights, the normal UN practice of not giving any good reasons for *any* assertion whatsoever is followed with great rigor.⁴⁰

If Irish people accept the Lisbon Treaty with its Charter of Fundamental Rights—and a European Court to uphold them—how will their pre-eminence be interpreted legally in relation to the natural-law based family rights of the Irish Constitution? This Charter, for instance, specifically removes mention of a man and a women in relation to marriage. Internationally, this mere assertion of rationally unanchored human rights as the ethical substratum of our world is of growing concern. Jakob Cornides, in the *International Journal of Human Rights*, notes the increasing estrangement “between a new voluntaristic doctrine of human rights and the most basic precepts of ethical reason.”⁴¹

In 1994, Social Affairs Minister Dr Michael Woods announced—launching the UN Year of the Family—that Irish welfare services now embrace the UN definition of the family as:

...any combination of two or more persons who are bound together by ties of mutual consent, birth and/or adoption or placement and who, together, assume responsibility for, *inter alia*, the care and maintenance of group members, the addition

of new members through procreation or adoption, the socialisation of children and the social control of members.

With governmental acquiescence, the full brunt of “the doctrine of emotivism” is clearly infiltrating the institutions and practices embedded in the Irish way of life.

From the standpoint of tradition-constituted enquiry, the strategy of using international forums as a channel for reforms that would be more liable to political/constitutional challenge if legislated for locally, signals an unacknowledged transition from one stance of theoretical interpretation to another. With libraries of reports testifying to Ireland’s exemplary implementation of international commitments, we now turn to how the local bureaucracy is involved in recalibrating institutions and practice in line with the enlightened vision of equality.

Mechanisms Through which the Equality Agenda is Carried – 2

Compensating for what is widely recognised as their democratic deficit, both the UN and the EU work ever more extensively alongside civil society. The Irish bureaucracy is attuned to their vision of equality, and a commitment to the widest participation in economic and social life is claimed as a fundamental requirement in releasing the Celtic Tiger.⁴²

When Ireland took the lead in Europe by incorporating civil society into the political decision-making process, it added what is termed a participatory dimension to the core of its representative democracy. In the Social Partnership (SP) elected politicians come together with the main interest groups in society to discuss and agree on national plans consensually.

In 1993 SP was extended to incorporate a “social inclusion” dimension with the establishment of a statutory body the National Economic and Social Forum (NESF). A Community and Voluntary Pillar was then added to the SP. With groups gathered under categories such as the NWC, Society of Saint Vincent de Paul, Focus on Children, and the Gay and Lesbian Equality Network, the issue of equality moved to the centre of political decision-making.⁴³

Reaching consensus by horse-trading was inappropriate within this new framework, and the SP demanded new forms of bargaining. A process emerged characterised by a problem-solving approach designed to produce consensus.⁴⁴ This is a central aspect of the partnership process that “allows people to leave their visions at the door (although that is not to say visions are abandoned).”⁴⁵ It is anticipated that this

process can reshape “understanding, identity and preferences,” for “consensus is not a precondition for partnership, consensus and shared understanding are more like an outcome.”⁴⁶

Practical reasoning by its nature, in MacIntyre’s view, is reasoning together with others—especially those with whom one disagrees—generally within some determinate set of social relations. The claim, then, that the SP is an expression of a Catholic commitment to subsidiarity—that decision-making should be devolved to the lowest practicable level—might appear to have a certain plausibility.⁴⁷ Yet there is a difference between the mode of social and political practice presupposed by Aristotelian theory and this mode.

The enlightened liberal solution of adopting an (apparently) pragmatic approach to moral disagreement is not consistent with the classical Thomist commitment—until now intelligible in terms of the Irish context of practical beliefs and of supporting habits of thought and feeling—in which moral judgements are understood as governed by rationally defensible impersonal standards and justified by a shared conception of the common good. That pragmatism and emotivism might inspire the institutional practices for achieving consensus among the diverse interests of the SP is an indication that there cannot be sufficient agreement about “goods” to provide shared standards for rational deliberation on both moral and political questions.⁴⁸ When disagreements are encountered, rather than learning to distinguish—through further rational deliberation—genuine goods from other objects of desire, participants in the SP process become the kind of people to whom it appears normal that there is no overall good supplying any overall unity to life. This SP approach to consensus echoes the dominant concern of the minimal liberal order to avoid divisiveness.

The Family: Central to the Common Good or Obstacle to Equality

Reports set the NESF agenda, and activate the consensus process. Report 23 (1997) outlines a comprehensive framework for achieving a new vision of equality. Its demands range from appointments at cabinet level to political initiatives to address the power relations within the family.⁴⁹ Private spheres “should be of central concern to policy makers” and action to be taken here⁵⁰ “... involves the potential to shape policy in relation to sexual relations between adults, [and] care relations between children and parents....⁵¹

This report celebrates diversity and the freeing of married women and children from the lack of autonomy they endure because

they do not have an income independent of their husbands or parents: “the State does not guarantee them [children] control of the child care benefit paid to parents on their behalf.”⁵² Their poverty is attributable to their “... relative powerlessness as a political force in society, a powerlessness that is enshrined in law and in the Constitution.”⁵³

What the *caring* ethos of this report obscures, MacIntyre illumines when he integrates the *animality* of our human nature into his Thomistic Aristotelian-based defence of the claim that human beings need the virtues.⁵⁴ To fragment the family into autonomous and even competing components is to dissolve the glue nature offers to bind us into life and then community; it is to ignore our utter dependency on a mother’s and a father’s virtuous response of unconditional care to our newborn vulnerability. As natural mediators they ease the passage toward the threshold of reasoning—toward our humanity—implicit in our first transcending the immediate satisfaction of desire. The substratum of security enveloping our readiness for participation in the practices of the wider community is formed by their closeness. All these are essential steps to our flourishing as dependant rational animals.

Ignoring the practice-based, virtue-dependent, natural law understanding of the family in the Irish Constitution, and its indispensability to the achievement of the human good, the full integration of this report’s recommendations into law, policy, and provision would effectively shift the caring role from the family to the State, which would then both provide and pay for it.

The Mechanisms in Place – the Conflict Surfaces

To read reports of the UN Human Rights Commission’s—now Council—Geneva-based monitoring bodies affords an insight into how effectively human rights are used to overreach the democratic process and marginalize Ireland’s constitutional protections. From the standpoint of tradition-constituted enquiries, Ireland’s foreign policy commitment to civil society’s involvement in the UNCHR had the unintended effect of further trapping the community in the cultural self-destruction to which MacIntyre alluded.

Mounting international (and local) pressure to remove constitutional obstacles to full implementation of UN Conventions issued in the demand for change in the Constitution’s family articles. By aligning these with already existing legislation and protecting against threats to its constitutionality, a wider definition of the family would extend protection and provision to diversity, i.e. to categorized groups such as those of autonomous men, women and children.⁵⁵

In 2006, the parliamentary committee reviewing the Constitution invited submissions from the public on redefining the family. The response of plain people ensured their conclusion that such an amendment “would cause deep and lasting division in our society” and that it would not necessarily be passed.⁵⁶ The committee alternatively sought article changes relating to children that would remove obstacles to implementation of CRC, which would thereby serve as a substitute carrier for the equality agenda. To succinctly highlight the change that CRC augurs, the UN’s publication catalogue describes its new concept of children’s rights, “as protecting children from the power of parents.”⁵⁷

With legislative infrastructure in place, judicial and education systems deployed as re-educators and generous philanthropic funding released in the wake of child abuse scandals, De Valera’s 1937 Constitution still demands that the people be consulted.⁵⁸ The standpoint of tradition-constituted enquiries allows us to see the dilemma of plain people caught in the collision between moral universes. Porous human rights instruments are being used to reduce parents’ constitutionally assured primacy in relation to their children to that of “carers,” their role restricted to serving the state by providing “... appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.”⁵⁹

The Supreme Court intervened by clarifying the standing of children under the 1937 constitution when Justice Hardiman stated that its articles specifically affirm the “natural and imprescriptible rights” of the child. He stressed that the preference the constitution expresses is not for parents over children but for parents over third parties as “the enablers and guardians of the child’s rights.”⁶⁰

The voice of plain people in support of the constitutional family had been heard. To the chagrin of civil society, government is now legislating to deal with the child-related issues at hand.

The parliamentary hearings following rejection of the Lisbon Treaty place MacIntyre’s judgement of the Irish as engaged in an act of cultural self-destruction in context.⁶¹ Under the Lisbon Treaty, the European Charter on Fundamental Rights has primacy over the Irish Constitution. Given the utilitarian dynamics of the EU, these hearings were infused with apprehension about preserving the Constitution’s family-related articles and an appreciation of their incompatibility with that ethos. William Binchy and Maureen Junker Kenny, one a Professor of Laws and the other of Theology, characterized the conflict this would entail—of which Irish people are largely unaware—as between empirical and utilitarian arguments and the deontological tradition that

does not simply judge by consequences but has a sense of moral obligation from the outset. A conflict, that is, in practical reasoning.⁶²

Conclusion

By examining aspects of the political process, through the lens that MacIntyre has honed, the undertow of the demand for change in family patterns has surfaced. Ireland's distinctive way of life, its ethos governed by the practice of virtue, is being reformed by the authority of institutions whose practice is shaped by porous human rights instruments—the progeny of pragmatic liberalism and emotivist doctrines. The ultimate form of that way of life as a pilgrimage toward eternal life is “earthed” by a vision of equality.⁶³

Inadequately scrutinized decisions taken internationally confront Irish people with antagonistic commitments. When the principles of rationality are thus questioned, a tradition can vindicate itself only when it can enrich its own conceptual resources sufficiently to explain the errors of its rivals. The need for a conscious reformulation of the Irish community's classical Thomist-inspired beliefs is now acknowledged.

Notes

1. See Houses of *Oireachtas* [Parliament](27 Nov. 2008) "Ireland's Future in the European Union", Report of Sub-Committee appointed by Joint Committee on European Affairs Available at <http://www.oireachtas.ie/>
2. Ireland refers to the twenty-six counties of the Republic of Ireland.
3. Video of Alasdair MacIntyre's address "A Culture of Choice and Compartmentalization" delivered Notre Dame Centre for Ethics and Culture. October 2000, available at <http://ethicscenter.nd.edu/archives/videos.shtml>
4. MacIntyre, Alisdair: (1985) *After Virtue: A Study in Moral Theory*, 2nd corrected edition, Duckworth, London. (1988) *Whose Justice? Which Rationality?* Duckworth, London. (1992) 'Plain Persons and Moral Philosophy: Rules, Virtues and Goods' *American Catholic Philosophical Quarterly*, vol. 66, Winter, reproduced with permission in McKnight, K., (1998) *The MacIntyre Reader*, Polity Press, UK, 136-52. (1994) "The Thesis on Feuerbach: A Road Not Taken", op.cit. *Knight*, (1998) 223. (1995) *Marxism and Christianity*, second edition, Duckworth, UK. (1999a) *Dependent Rational Animals: Why Human Beings Need the Virtues*, Duckworth, London. (1999b) "Toleration and the goods of conflict" In Mendus, S., ed., *The Politics of Toleration*, Edinburgh University Press, 133-155. (2006) *Ethics and Politics: Selected Essays*, Vol. 2., Cambridge University Press
5. MacIntyre, (1988).
6. Fukuyama, F., (1999) *The Great Disruption: Human Nature and the Reconstitution of the Social Order*, Profile Books, UK.
7. MacIntyre (1985) 113.
8. MacIntyre, (1985) 11f.
9. See MacIntyre (2004) "The Only Vote Worth Casting in November", at <http://ethicscenter.nd.edu/archives/macintyre>
10. *Taoiseach*, the official title of the Irish Prime Minister, is the Gaelic term for leader.
11. Iona Institute (2007) *Domestic Partnerships: A response to recent proposals on civil unions*, Dublin, see Foreword.
12. The European Constitution, after its rejection by France and Netherlands, was reformatted as the Lisbon Treaty. A referendum on its adoption was defeated in Ireland June 2008 by 53.4% to 46.6%, on a turnout of 53.1%.
13. *Bunreacht na hÉireann, Constitution of Ireland*, Government Publications Office, Dublin.
14. Ibid. Preamble.

15. Keogh, D., (2005) *The Vatican, the Bishops and Irish Politics 1919-39*, Cambridge University Press, Appendix 11, 239.
16. Binchy, W., (2007) “Reconciling Children’s Rights and Children’s Welfare” speech at School of Law, Trinity College, Dublin.
17. Keogh (2005) op.cit., 103
18. Ahern, B., (7th July, 2005) “Meeting with the Pope “ *Irish Times*, Dublin.
19. Op.cit. Articles 41 & 42. That the family referred to in Article 41 is the family founded on the institution of marriage see Mr. Justice Walsh in case of the State v An Bord Uchtála [1966] IR 567, (Supreme Ct., 1965)
20. See Rowland, T., (1998) translator “The Reflections of a Romantic Thomist: Alasdair MacIntyre’s Interview with Dmitri Nikulin.” *Political Theory Newsletter* 9,1, 47-55 quoted in Rowland, T. (2003) *Culture and the Thomist Tradition*, Routledge, London and New York, 54.
21. Kennedy, F., (2001) *Cottage to Crèche, Family Change in Ireland*, Institute of Public Administration, Dublin, 258.
22. MacIntyre (2000).
23. Garvin, Tom., (2004) *Preventing the Future: Why Was Ireland So Poor for So Long?* Gill and Macmillan, Dublin and then Foreign Minister Dermot Ahern, (2006) “The Fiftieth Anniversary of Ireland’s Membership of the United Nations—Looking Forward”, *Irish Studies in International Affairs*, Vol. 17, 3 – 13.
24. Ferriter, D., (2007) *Judging De Valera: A reassessment of his life and legacy*, Royal Irish Academy, Dublin.
25. Foster, R.F., (2007) *Luck and the Irish*, Penguin, Allen Lane, 11.
26. See MacIntyre, (1999b) 143. His statement that “The principal harm...by the hegemony accorded to the Roman Catholic Church by regimes as different as those of Franco’s Spain and De Valera’s Ireland was...to the Roman Catholic religion.” calls for a wider review than is possible here.
27. *Radio Telefís Éireann* archives at <http://www.rte.ie/libraries>
28. MacIntyre, (1995) xxvff.
29. Hilliard B., (2003) “ The Catholic Church and Married Women’s Sexuality” *Irish Journal of Sociology*, Vol.12.2, 28-49
30. MacIntyre, (1995).
31. Figures are discussed by Eoin O’Mahony ‘Mind the Gap: Measuring religiosity in Ireland, *Studies* (2008) Issue 385, vol.97, spring.
32. MacIntyre (1988) 368.
33. MacIntyre (1988) 362f.
34. Epsing Anderson, G., (2000) *Social Foundations of Post Industrial Economies*, Oxford University Press, UK.

35. MacIntyre (1992) 138.
36. Larragy, J., (2001) "Civil Society versus Market in Irish Social Policy?" Irish Social Policy Association, TCD, Dublin. In this context, it is "a domain of secondary associations that mediate between primary domains of market, state and family."
37. Op.cit. Ahern, D. (2006)
38. MacIntyre (1985) 66.
39. MacIntyre (1994) 223.
40. MacIntyre (1985) 69.
41. Cornides, Jakob (2008) "Human Rights Pitted Against Man", *The International Journal of Human Rights*, 12:1,107 -134, Routledge.
42. See McCarthy, D., Secretary General, Department of Taoiseach "Reflections on Irish Partnership Experience." <http://www.taoiseach.gov.ie/index>
43. Larragy, J., (2006) "Origins and Significance of the Community-Voluntary Pillar's Entry to Irish Social Partnership." *Economic and Social Review*, December.
44. NESF Report No. 16 (1997) *A Framework for Partnership-Enriching Strategic Consensus through Participation*, Government Publications Office, Dublin.
45. See Professor Rory O'Donnell "Negotiated Governance -Theory and Practice", as reported (with his approval) at New Agenda Seminar, Belfast, February 1999, on the CAIN Web Service.
46. NESF (1997) op.cit. 33.
47. Ahern, B. (2005) op.cit.
48. MacIntyre (2006) 39f.
49. NESF Report 23 (2002) *A Strategic Policy Framework for Equality Issues*, NESF, Dublin, 67.
50. Ibid. 53, note 22.
51. Ibid. 24 and 53f., see summary NESF press release 10th April 2002.
52. Ibid. 63 Para. 4.70.
53. Ibid. 63, Para. 4.71.
54. MacIntyre (1999a).
55. See for instance UNCRC (1998) Committee on the Rights of the Child, CRC/C/SR.436-8.
56. All-Party Oireachtas Committee on the Constitution (2006) *Tenth Progress Report: the Family*, Government of Ireland, Dublin, 122ff.
57. Quoted in Hafen, B. and Hafen, J. (1996) "Abandoning Children to their Autonomy: the United Nations Convention on Rights of the Child." *Harvard International Law Journal*, Spring, Vol.37, No.2, 489.
58. CRC lobby, the Alliance for Children, acknowledges support from Atlantic Philanthropies.

59. Office of the United Nations High Commissioner for Human Rights, *Convention on the Rights of the Child*, see Article 5, <http://www.unhcr.ch/html/>
60. Supreme Court Record Number: 273 & 283/06, 13th November 2006. BAILII Databases
61. Houses of Oireachtas (2008) op. cit.
62. Ibid., 6f.
63. See Rowland (2005) op. cit., here I am indebted to the concepts Rowland develops but the uses to which I have put them are my own.