Afri

TRANSIENT EVIL?

Remembering An Gorta Mór as a crime against humanity

On the occasion of the Afrl Walk,
Dubhloch, May 21st 2022

Afri

Climate Change and war and their twin progeny of forced migration and hunger are the central themes of Afri's work. We see An Gorta Mór as a pivotal moment in our history and one from which we can learn many important lessons for today. Colonialism, militarism, blind allegiance to 'free market capitalism' and over dependence on one variety of potato were the major causes of An Gorta Mór. Neo-colonialism, neo-liberal economics, the war and weapons industries and mono-culturism continue to cause havoc in our world today.

We work to raise awareness, to inform and to inspire action to tackle the causes of hunger and forced migration that impact on millions of people throughout our world.

We are delighted to publish this essay by Robbie McVeigh on the 175th Anniversary of Black '47 and to coincide with the Doolough Walk, May 21st 2022.

VISIT: WWW.AFRI.IE

I'll vanish again into air.

TOM GUERIN

[W]e think that we may render some service to the public by attempting thus early to review, with the calm temper of a future generation, the history of the great Irish famine of 1847. Unless we are much deceived, posterity will trace up to that famine the commencement of a salutary revolution in the habits of a nation long singularly unfortunate, and will acknowledge that on this, as on many other occasions, Supreme Wisdom has educed permanent good out of transient evil.

CHARLES TREVELYAN, THE IRISH CRISIS, 1848

[O]ne of the greatest transformations the political right underwent in the nineteenth century was [that]sovereignty's old right – to take life or let live – was … complemented by a new right … precisely the opposite right. It is the power to 'make' live and 'let' die.

MICHEL FOUCAULT, SOCIETY MUST BE DEFENDED, 1976

The law stands between food availability and food entitlement. Starvation deaths can reflect legality with a vengeance.

AMARTYA SEN, POVERTY AND FAMINES, 1981

I take as my point of departure something from Joe Murray – the notion that 'remembering is a revolutionary act'. But I want to emphasise that the flipside of this possibility is that misremembering is often a reactionary act – an act of self-hatred or imperial denial or colonial collusion. What happened in history is not a given and to misremember is just as dangerous as to forget. This is more true a fortiori in Ireland than perhaps anywhere else in the world because we have made a virtue of forgetting and repressing – not least as a direct consequence of An Gorta Mór. But it also bears emphasis that when we remember we are doing something new – something creative – and something fraught with danger. We are not just uncovering the past but also constructing the present. In this sense historiography is not archaeology but rather engineering. But it is engineering imbued with a profound moral dimension which is why it is so often essentially contested. We need to be clear about the ethics and politics of our remembering. Put all of this together and you realise that there is nothing simple or uncontested about remembering. I want to begin with that caveat.

So what are we here to remember? The Irish terms An Gorta Mór and An Drochshaol come closest to the perspective of most of those who lived and died. But partly as a direct consequence of An Gorta Mór most of us are not remembering in or through Irish – so we are already forced to confront the question of whether this is best described as 'a great hunger' or 'a bad life' – and which of these descriptions best frames what happened in Dubhloch as well as countless other unrecognised places across the four provinces and thirty-two counties of Ireland. Partly in consequence of this complexity many of us continue to remember this event as the 'Irish famine' – or further caricatured as the 'Irish Potato Famine'.

But we are constructing something different when we remember this as the 'Irish famine'? We are self-evidently framing this event as both 'Irish' and 'Famine'. We have, of course, done a fair bit of deconstruction on the second element of this notion over recent decades. It is increasingly accepted that there was no famine in Ireland in 1847 if we define famine simply as a scarcity of food – as Brian Keenan told an earlier iteration of this very walk 'Famine is a Lie'. [1] If we need more academic confirmation of this fact we can turn to Professor Gearóid Ó Tuathaigh:

> [A]part from a crucial period in the winter of 1846-7 when imports of Indian meal were slow in arriving, there was no absolute shortage of food in Ireland at any time during the famine. Indeed, during the period 1 September 1846 to 1 July 1847 Ireland imported five times as much grain as she exported. Clearly, the problem was not one of food shortage, but of ensuring that those in need had access to existing supplies.... (1990: 220)

Despite this concise repudiation of any notion of food shortage, however, Professor Ó Tuathaigh continues to use the term famine to describe the whole 1845-51 period. Thus, even when senior academics have told us 'the problem was not one of food shortage'[**2**], they can still repeat the mistake by using a term which unproblematically endorses the notion that the problem was one of food shortage. And this confirms that we all need to stop using the word. We should know by now that in this context famine is a lie and we need to stop reinforcing the lie. It has no explanatory value in terms of Ireland in 1847 – crucially it does not help us to remember. We might call this walk 'siúil na marbh' or something like that but, whatever it was, we know what it wasn't – it was definitively, categorically not a 'famine walk' – and this is confirmed by the destination of the original 'walkers'. We may reasonably surmise that Delphi Lodge on March 31, 1849 was a venue shamefully full of food.

But repudiation of the notion of 'famine' is the easy side of my critique of misremembering. The other element is the harder, more contentious deconstruction. Because we all think that, even if it was not a famine, it was Irish. Trevelyan, of course, agreed – he framed it as an 'Irish Crisis' even though he was a senior civil servant of the British Government. It is this bit of the remembering that I want to speak to in more depth. Of course, at one level, the remembering is and must be about Irishness. The 1841 Irish census recorded a population of 8,175,124. The census conducted in the last phase of the starvation in 1851 counted 6,552,385 – a drop of over 1.5 million in 10 years. The census commissioners estimated that, at the normal rate of population increase, the population in 1851 should have grown to just over 9 million if the famine had not occurred. There is always a danger of hyperbole with figures like this – a kind of shame inflation. Equally, however, there is a terrible denial in underestimating even one death.[**3**] We know that the 1841 Irish census figure was an underestimate (Moroney 2015). Moreover, the population was increasing exponentially at that time so it had substantially increased by 1847. In other words, the Irish population was closer to 10 million than 8 million on the eve of An Gorta Mór. So somewhere between one and a half and three and a half million Irish people were 'lost' to starvation or disease or emigration. And further millions were lost to reduced fertility rates and emigration afterwards. The Irish population has not recovered even two hundred years later.

This reality is truly shocking. It invites us to contemplate a profoundly alternative Irish (and British) world. The 1841 census counted for England and Wales 15.9 million, for Ireland 8.2 million and for Scotland 2.6 million. In other words, Ireland had more than half the population of the England and Wales and around 45% of the UK as a whole. If these ratios had held constant, Ireland would now have a population of 30 million (if the ratio with England and Wales had held) or a population of 22 million (if the ratio with Scotland had held). If the trajectory before 1847 had continued we contemplate an even more remarkable possibility. The Irish population formed 35% of the population of the UK at the time of the Act of Union. Ireland formed 45% of population of the UK in 1847. In other words, before 1847 Irishness was on a trajectory to form the plurality ethnic/national identity in the UK.

This is almost unimaginable to us today. Now Irishness forms 5% of the population of the sameand mass. This gives an appropriate sense of the way in which Ireland and Irishness was reduced by An Gorta Mór. Remembering this catastrophe involves not only those who we 'lost' but also recognition of those generations who were never born because of the catastrophe. Many millions of Irish people died – in Ireland or in coffin ships or on Grosse Isle – or were exiled because of An Gorta Mór but even that number pales in the face of the numbers of those who would have otherwise existed. Their stories are rarely told and more rarely recorded – to paraphrase one survivor, they have 'vanished into air'.

As a three-year-old Tom Guerin was assumed dead and buried in a mass grave during An Gorta Mór. He revived as gravediggers broke his legs in order to fit more bodies in the grave. He lived until 1910. Guerin became a well-known character in West Cork as an itinerant poet and beggar, self-styled 'the boy who rose from the dead'. He famously applied for boots from the Guardians of the Workhouse with one of his poems (cited in Kearney and O'Regan 2015):

> I rose from the dead in the year '48 / When a grave at the Abbey had near been my fate, Since then for subsistence I have done all my best / Though one shoe points east and the other points west. I roam o'er the world admiring each scene / And a tax on the ratepayers I have never been, I only appeal to you now for a pair / Of brogues, and I'll vanish again into air.

So, as Irish people, we must start the process of remembering from the perspective of Tom Guerin rather than Charles Trevelyan. But any remembering must also be about more than Irishness. Because – as we have already implied – the people who died and emigrated were not Irish citizens but rather subjects of the United Kingdom and the British Empire. Now, of course, I'm not suggesting that this catastrophe didn't happen to Irish people – that bit of the story is uncontested. But I am challenging how we understand and frame the constitutional and political context for this event. From this perspective the framing of An Gorta Mór should not be its Irishness but rather its Britishness. In this sense, it wasn't an Irish event at all but an imperial British one that happened to take place in Ireland. In terms of the government and policy and law that caused and administered it, this was a British crisis, a crisis of and for the British State. In this sense it was a British and imperial catastrophe. It took place within imperial structures and – equally importantly – it took place within the Union. It occurred inside the two most powerful political and economic configurations in the world at that time – and both of these were proudly and self-consciously British. Crucially, if we are trying to remember why it happened, the starvation is to be understood by its Britishness. So what are the implications of this notion that An Gorta Mór should be remembered as a British event? The first point is that this example provides a classic example of misremembering in the way I

lalluded at the start. This event – which involved a literal decimation of the population of the UK – is rarely remembered as having anything at all to do with either the United Kingdom or the British empire. This reality was brought home very starkly at the start of the Covid pandemic as the British media were searching for ways in which to make sense of the scale of the crisis. They finally decided – with only a hint of hyperbole – that there had been nothing like this since the 'Black Death' of 1347-51. (It bears emphasis that this was already a starkly Eurocentric view – the best estimates of the genocide of the Americas are that more than 50 million people died – many as a direct consequence of pandemics introduced by European colonialists.) But in the British case there was a more immediate catastrophe that seemed to evade comparison. An Gorta Mór had happened less than two hundred years ago and it happened a day's journey from London. So if you were looking for catastrophic antecedents to Covid, it was arguably hard to look past this one, not least because of the deadliness of 'famine fever'. More crucially, in terms of the politics of remembering, it was catastrophe within the British Empire and it was a catastrophe within the Union of Great Britain and Ireland. In other words, from a British perspective it was something that happened to us not to somebody else and for which our government was responsible and not somebody else's.

Why does this matter? It is because any hunger, any starvation takes place within a particular political and economic structure. If we want to know, first, why it happened and, second, how it might be prevented from happening again, we start and end with this political context. What makes this so important in terms of An Gorta Mór is that the starvation involved was an act of power not a consequence of powerlessness. It marked the emergence of a new sovereignty embedded in a globalised, industrialised world system exemplified by the British Empire. At the heart of this system was a modern, powerful state apparatus with a novel capacity for supporting the welfare of its populace. It is in this context that we come to understand the Union and the empire as political systems through the decision to let people die. To understand this, we have to make a digression into the realm of state theory. All this is worked out in the ambit of what the social theorist Michel Foucault identified as biopolitics – the ability of the state to control the life and death of its citizenry. For him this ability is crucially framed by the nineteenth century shift from traditional to contemporary sovereignty – the transition from when states 'make die and let live' to when they 'make live and let die'. [**4**]

Thus An Gorta Mór becomes perhaps the first instance of a new sovereignty in action – when we can ask why does the modern state not stop people dying? Not so much why are they killing people but why are they letting them die? And again we must remember that with An Gorta Mór we are talking about the conjoined regimes of union and empire. Both of these are anchored in the imperial parliament at Westminster – by the middle of the nineteenth century easily the most powerful political formation the world had ever seen. This was at the centre of a globalised, industrialised system capable of moving food – as well as people and goods and facilities and services – to and from anywhere in the world. From this perspective, the key question is much less about intent than capacity. Could these powerful,

globalised political and economic systems have prevented Irish starvation if they had wanted to? The answer is – both tragically and shockingly – an unequivocal yes. This immensely powerful and rich political and economic system chose to let its Irish subjects die.

In this context, the word subject suddenly appears definitive. This suggests we need to remember the victims of this catastrophe as subjects of union and empire. And we have to understand what happened in the context of Foucault's new dispensation – the ability of the state to make live and let die. Because this was a remarkable moment in history – the first instance in which a state had the capacity to 'make live' and yet chose to 'let die'. This needs to be remembered not only because it was a catastrophe for Ireland but also because it was a defining moment in world history that continues to haunt the present. The question has been repeated again and again since 1847: Why do some governments – and political systems like empires and unions – let people die of hunger when they clearly, unequivocally have the capacity to prevent such death?

The answer to this question is found in the way in which people are constructed as 'subjects' of empire and union – not citizens with civil and political and social rights. I think this is true in terms of contemporary starvation. But I think this is even clearer with An Gorta Mór – because this was the first time it happened in quite this way. And the waters were less muddied in those days – there was no EU or NATO or United Nations confusing the question of responsibility at that time. With the Act of Union in 1800, the UK and British Empire had declared monopoly political control of the Irish people who were starving. In this respect the value placed upon the lives of these subjects by union and empire should be brutally and starkly exposed by our remembering. This approach was infamously encapsulated by British economist and government advisor Nassau Senior when he, 'feared that famine in Ireland would not kill more than a million people, and that would scarcely be enough to do any good' (cited in Gallagher 1988: 85). In this one callous observation, we expose the moral void between starvation as an instrument of government policy and the value placed on the lives of those to be starved.

With An Gorta Mór, this aspect of remembering can be uniquely tied to the 'Gregory Clause'. This clause was gratuitously tacked on the 1847 Poor Law Amendment Act. It ensured that anyone holding more than a quarter acre of land was excluded from relief from starvation. We have to remind ourselves of just how tiny that plot of land would be – smaller than the tennis court or fernery at any 'Big House'. For a whole family to be eking out a living off less than an acre is almost unthinkable to start with. But the point was this was to be final confiscation of even that tiny proportion of land from the poorest Irish people. Here we see colonial theft – a land grab under the threat of starvation – in all its venal obscenity.

Property relations in Ireland had been embedded by the long process of colonial expropriation. But the administration of starvation was framed, sanctioned, enacted by Westminster. It created the vicious legal matrix that ensnared the Irish population

– the Gregory clause to force people off the land, the Vagrancy Act to deny relief, the poor law amendment to absolve empire and union of any cost. As Sen observes:

> 'The law stands between food availability and food entitlement. Starvation deaths can reflect legality with a vengeance.' (1981: 166)

If there was any agency left to these British subjects, it was the choice between emigration and death. Here was the notion of 'clearance' at it most brutal, even surpassing the Cromwellian phase. Here there was no choice at all – only a journey 'from Connacht to Hell'. And it bears repetition that we must remember this as a product of empire and union. It was passed by the Westminster Parliament – it was a very British piece of legislation. And if we are therefore charged with remembering what was wrong with 'empire', it is defined in this cruel history to make people subject and then let them die and all 'in a legal manner'.

But, once again, this bit of my argument is the safest one. You have to be pretty unreconstructed to want to defend or excuse empire these days – although the present British Government is having a pretty good go at it. For example, the UN recently unveiled the Fourth International Decade for the Eradication of Colonialism. Its resolution on decolonisation was adopted by a huge majority of the General Assembly. There were abstentions – mostly from the West. But it was telling that only three countries – UK, USA and Israel – voted no. [**5**] In other words, we can take it for granted that the world now remembers empire – whether British or Spanish or French or Dutch – as something to be 'eradicated' rather than celebrated. It was in fact an evil exploitative system that caused starvation more often than it relieved hunger. But the Union is a different matter – it remains 'precious' to many people. And in this context we Irish are on our own: people from India to Australia starved within the empire but only the Irish starved within the Union. We therefore have a specific responsibility to remember the alternative history of that particular social construction. The sequencing bears repeating. In 1800 the British state forcibly incorporated Ireland into the Union – a process in which Irish people had no democratic voice whatsoever that was characterised as an 'act of power and corruption' (Geoghegan 2000). Although thousands of older people died in An Gorta Mór, we can safely assume that not one of the people who voted for the Union died in 1847. The cruel irony in all of this is that the people who did deliver union for the British state represented the very political class that was to be blamed for the starvation a generation later – the 'Irish property' that was supposed to pay for 'Irish poverty'. The Union made the Irish people subjects of a new political formation that within a generation saw perhaps a third of them killed or exiled.

This has obvious contemporary ramifications. If you want to rehabilitate and celebrate the Union – a political formation that has been constructed and celebrated as 'our precious union' by both Boris Johnson and Teresa May – you have

to explain why this decimation happened within the Union. Since it was this 'precious' political formation that administered the loss of perhaps a third of our people, why should we be expected to accept this contemporary reality? What shamelessness to remember this as 'precious'. For those Irish who remain trapped within the Union, there is some onus on unionists to explain why they think this is such a great thing for them. This is increasingly a less and less tendentious point as contemporary conversations turn to how we may reunify the island of Ireland and hence finally bring to an end the Union – the polity that administered An Gorta Mór. If we are to be presented with a choice in this matter – for reunification and a republic and against partition and union – then the choice remains framed by the constitutional status so cruelly exposed by An Gorta Mór – are we to be citizens of Ireland or subjects of the UK?

But An Gorta Mór should also provoke a wider question for British people. It should be remembered as a British event particularly by the British state and the British people. As I have been at pains to emphasise, the Union was a political formation that – from its own perspective – administered the decimation of its own population. In this sense, An Gorta Mór framed the birth of the modern UK with the historical failure of the British State to modernise and democratise and to treat its subjects as citizens. This remains a legacy for the British as much as the Irish today. It is striking that this very year the British government is fighting an ongoing battle with Westminster Council to build a holocaust memorial beside the Westminster Parliament. This is obviously a laudable project – whatever the rights and wrongs of inner city planning in London. But in this context the silence concerning An Gorta Mór is truly shocking. Here we observe an event for which Westminster was directly responsible; an event that from our experience involved the loss of a third of the Irish population; and an event from a British perspective that involved the decimation of the UK population. Yet there is neither memory nor memorial of this at all in Westminster. Along with Tom Guerin it has 'vanished into air'.

In this context, it appears that the heavy lifting of remembering this aspect of the Union will remain with us as Irish people – at least for the foreseeable future. Although I have suggested that this must be understood as a British starvation with global implications, our first responsibility is to remember that this happened to us as Irish people. We cannot really be expected to remember as British people – an identity that few of us ever wanted and fewer played any part in constructing. All this reminds us that An Gorta Mór had profoundly negative consequences for Irishness – across language, culture, economy and politics. One startling example suffices to illustrate just how profound these changes were. In 1841 the six counties that became 'Northern Ireland' had an Irish and Catholic majority. In other words, the very idea of a 'Protestant State for a Protestant People' – the novel formation that allowed the reconstitution of the Union in 1921 - only became possible because of the disproportionate sectarian demographic impact of An Gorta Mór. So there can be no overestimating the devastating, negative impact that this catastrophe had on Ireland and Irishness in terms of demography alone. Or the legacy with which we still live. But those who continue to think like Trevelyan may well believe that this reflects

some kind of 'permanent good'. Either way, this history is – and should be – essentially contested and the way in which it is remembered continues to frame our understanding of the present – in Ireland and around the world.

But this raises the final issue. Our invocation of the name Gregory has all sorts of additional resonance for us in Ireland – this illustrates the complexity of remembering and misremembering. Because we do remember the name 'Gregory' – we know the name from the centrality of Lady Gregory to the Irish renaissance – 'the old woman who says no'. We know it from Yeats' poem An Irish Airman Foresees His Death, and we should know it from another of Yeats' most powerful poems Reprisals (albeit that this one was suppressed by Lady Gregory). Gregory is the same family name forever shamed by the 'Gregory Clause'. This refocuses our attention on the process of remembering. In the middle of Reprisals, Yeats tells us: "Men that revere your father yet/ Are shot on the open plain…". If that was true, it was a bizarre state of affairs – because nobody should revere Gregory – least of all his tenants.[**6**] Yet, he was the father of the 'Irish Airman' (and the person to whom Reprisals is also addressed) involving a history that the whole world does remember. Lady Gregory was the partner of the man who was most immediately responsible for the annihilation of the very peasant culture she attempted to reconstruct in an idealised fashion a generation later. Here we cut to the hardest, cruellest remembering of all from an Irish perspective. Arguably there would have been no need for the Abbey project if the destruction of Irish peasant culture had not been settled by the Gregory Clause. So it's not just the English who have to be careful with the 'we' that is to be remembered. As Fintan Lalor made clear during An Gorta Mór, starvation is always as much about class as race.

In that sense the dead of 1847 have more in common with the dead of Bengal in 1943 than they do with any variety of Irishness from 2022. (This commonality is a further reason for remembering these events as crimes against humanity discussed further below.) The cruellest jibe of all from 1847 was the notion that 'Irish property' – not union or empire – should pay for 'Irish poverty'. For the previous 500 years the whole process of colonial expropriation had ensured that Irish property – and specifically Irish land – had been placed in the hands of a selfish, lazy, sectarian colonial class. Moreover, with the Gregory Clause, a member of that same privileged, entitled colonial class removed the final, tiny, piece of property that had been left to the starving. So there is no easy retreat into Irishness as a defence against the challenges of remembering – blaming the Union and the empire and the British is a different thing from absolving the Irish.

With this juxtaposition of the British state and the Irish people, we turn to the most contested aspect of remembering these kinds of catastrophes. This is the often-distasteful jostling to insist that our own experience was somehow worse than – or at least as bad as – those of other peoples. So, how are events like this – and the Shoah, the Nakba, the Porajmos, Rwanda, the Armenia genocide – to be remembered without national chauvinism? How is the uniqueness of each to be recognised in the process of remembering? I suggested earlier that remembering is not archaeology

but rather engineering. But when we remember a catastrophe that specifically impacted a people, what we are doing is also *genealogy* – and that makes it personal and fraught with danger. It also raises the question of the uniqueness of our experience as a people. For example, if you agree with the reasonable proposition that colonial history is one long catastrophe – a genocide upon genocide – then how do we prevent a slide into relativism?

After the second world war this question was given jurisprudential effect with the evolution of the twin notions of *genocide* and *crimes against humanity*. The synergy between these two different crimes is brilliantly evoked by Phillipe Sands in his book *East West Street* (which focused on the city of Lviv which has tragically returned to our consciousness over recent months). The legal differences between these state crimes are well beyond the scope of this analysis. But we can signal some significant elements that bear on how we remember An Gorta Mór. First, this was mechanism for international law to trump state law: no longer would a state be free to treat its people – whether citizens or subjects – entirely as it wished. Secondly, these new crimes were not war crimes – they recognised that such egregious crimes could also take place in a time of peace and 'normality' as well as during conflict. Finally, there was always a degree of tension between these new state crimes. As Phillipe Sands reminds us, Hersch Lauterpacht, the driving force behind the acceptance of crimes against humanity, remained unconvinced of the utility of the crime of genocide: 'if one emphasises too much that it is a crime to kill a whole people, it may weaken the conviction that it is already a crime to kill one individual' (Sands 113). This tension both helps in understanding what kinds of crimes the 'transient evil' of An Gorta Mór may have involved as well as helping us to decide how we might want to remember them. [7]

There is, of course, already an extensive debate on this issue. Indeed, many people have gone out of their way to insist that what happened here between 1845 and 1851 was *not* a genocide. This argument has focused on the notion of *intent*. I turn again to Professor ó Tuathaigh who insists:

> Enough has been said to show that to describe official policies during the famine as being genocidal in intention is simply incompatible with the evidence. (218)

In other words, the professor tells us, however we remember this catastrophe, it is *not* to be remembered as a genocide. There is, of course, good reason for caution on this issue. We don't want to trivialise other people's experience of oppression by insisting that ours was the same. Nor do we want to relativise catastrophe with loose hyperbolic assertion. But An Gorta Mór *was* a catastrophe of genocidal proportions – it killed or made refugees of one third of the Irish population. Moreover, it decimated the population of the UK. So it bears emphasis that it isn't silly or trivial (or indeed sectarian or anti-British) to ask if this might constitute genocide. At this point it becomes important to ask – with the benefit of what we have learned from Foucault – what is being suggested with all this emphasis on intent. We note that Ó Tuathaigh doesn't suggest that the famine wasn't genocidal in effect.

In other words, for those who want to deny genocide, there is misguided emphasis on the expressed intentions of those who might be party to genocide. But that begs the question – how do we know what a given state 'intends' – how might we ever judge that? Let's assume that those who commit genocide usually know that what they are doing is wrong. Even Trevelyan knew that what he was involved in was a 'transient evil' – so let's not afford them the tired old 'things were different in those days' excuse. At every point in human history at which egregious criminal acts have been committed – including genocide and enslavement – people have contemporaneously made it clear that these acts were morally wrong. In other words, we can assume that those who intend to commit genocide already know that what they are doing is immoral. So we shouldn't expect them to signal their intent. Rather, we should expect to see it disguised as something like 'Supreme Wisdom' – and expect to find them getting their retaliation in first. We should remember Trevelyan wrote his defence in 1848 in the middle of the starvation – a year before the people of Duchloch died – already insisting that it was over.

So, we shouldn't get diverted into relativism and whataboutery. That does a disservice to all sorts of remembering. But for all those apologists who rely on intent, I do want to reference the Wannsee conference – which is the prelude to the genocide which led to the term being used in the first place and the one that continues to haunt European consciousness. In the minutes of that meeting, Nazi intent is reduced to the notion of 'ridding the German living space of Jews in a legal manner'. This was a room full of lawyers and they tried to embed the 'legality' of their genocidal plan from the first.[**8**] So we can assume that those who plan genocide don't usually make clear their intent – they don't gift-wrap their criminality in order to make it easy to prosecute them after the event. As with Wannsee, they must be judged by what they do and not by what they say. So from that perspective I don't think we need to agonise about whether Charles Wood or Trevelyan were decent chaps or what they intended. What they did was to administer death and exile to millions of their own subjects and excuse it as a 'transient evil'.

Thus the genocide question becomes one of agency more than expressed intent. Did those we might accuse of genocide have the capacity to prevent death? In the British case, during An Gorta Mór they palpably did have that capacity. Let's remind ourselves – this was the most powerful empire that had ever been seen. Moreover, they responded to the arrival of the potato blight in a way that made it clear that they could prevent death. Peel's interventions in 1845-6 meant that nobody died of starvation. This was all pretty simple stuff – by the summer of 1847 perhaps 3 million people were dependent on soup kitchens provided by the state – it was an example of what a powerful and affluent government could do to support its population in such circumstances.

And then – by political choice – the soup kitchens were closed. The new government that made that decision was also generated through a political choice – far from democratic – but nevertheless a choice of the British political system. The subsequent decision of the Whigs to respond to the failure of a single crop with laissez faire and private enterprise was a choice.

The commitment of Lord John Russell as British Prime Minister and Sir Charles Wood as Chancellor of the Exchequer and Trevelyan as permanent secretary at the Treasury to hidden hand economics was a political choice. The decision to utilise employment and relief works rather than feeding people through outdoor relief was a political choice. The notion that 'Irish Property should pay for Irish poverty' was a political choice. Their decision to deny relief in order to ensure that their own subjects would not become a permanent cost on the British state was a political choice. The introduction of a Poor Law Amendment Act in June 1847 to institute this principle was a political choice. It was a choice made in the parliament of the richest country in the world which governed the richest empire in the world. This all carried the imprimatur of Westminster – the 'imperial parliament' – and it was done in the name of the British people against a people who had themselves been forced to become 'British'.

In other words, once we strip it bare the facts are fairly straightforward. In 1847 the British state had a successful, proven methodology to save its own subjects from starvation – it had the resources and the infrastructure to prevent anyone in Ireland dying from hunger. And it chose not to follow that path. So from that perspective, I think that we all have a right to agree with Canon John O'Rourke, writing in 1874 of the 'the never-to-be-forgotten quarter-acre Gregory clause', that 'a more complete engine for the slaughter and expatriation of a people was never designed'. What Trevelyan characterised as 'transient evil' might with sound logic be characterised as a genocide. Moreover, there appears little ambiguity around the intent to close the soup kitchens nor any sense of how else the three million starving Irish who depended on them might otherwise feed themselves.

Nevertheless, there is a cause for a caveat at this point. Not least because accusations of genocide are becoming increasingly commonplace. It bears emphasis that there is nothing unusual about 'slaughter and expatriation' in the history of empire. If we aggregate the crimes of various empires – Portuguese, Spanish, British, French, Dutch and so on – genocide was routine. From the Taínos to the Chagossians, it is neither trite nor hyperbolic to suggest that there has been a genocide for every year since 1492. But categorising this litany of horror only matters in the sense that some people still want to rehabilitate empire – despite the genocide and enslavement and criminality. If you really want to do that you have to remember this side of empire. It follows that if your particular passion is the British Empire you have to remember An Gorta Mór – you have to explain why this happened within your empire and remain comfortable with how any defence of empire can survive the brutal truths of Dubhloch and Skibbereen.

More generally, however, it bears emphasis that there was nothing specifically or exclusively Irish about any of this, save that it happened within the Union itself. Starvation was a routine feature of empire from the first to the last. In fact, perhaps the worst of all – the Bengal starvation of 1943 – emerged right at the formal end of the British empire. It occurred when apologists of empire are telling us that empire has finally ended up on the right side of history when empire was 'doing

good' by saving people from Nazism. But being imperial subjects did not save millions of starved Bengalis. As in Ireland, it made them subjects and then let them die. So we need to raise any discussion of genocide with great caution. It arguably does a great disservice to those who died in An Gorta Mór – as well as those who died in other exterminations – to begin to erect hierarchies of oppression out of these mass deaths. The wider history reminds us that we in Ireland were not particularly special – the English didn't hate us any more than the Africans or Asians or South Americans that it had also made subject. And we know in Bengal – at the very end of empire – the same empire and the same logic allowed millions more to die. There was an arbitrariness to the obscenity of starvation that means we should resist any temptation to regard this as our own 'unique' suffering. We might paraphrase Hersch Lauterpacht and suggest that in Ireland at least a distasteful debate around genocide may weaken the conviction that it is already a crime that anyone died of starvation at all. For that reason alone, we might pass on the genocide question and suggest that we should all – Ireland, Britain and the rest of the world – remember An Gorta Mór alternatively as a crime against humanity.

From this perspective, given what we have learned about the new capacity of states in the industrial age to let people die, An Gorta Mór marks a profound turning point in human history. Rather than the last famine of the pre-industrial age, it was the first starvation of modernity. It should be the epoch-defining moment at which any starvation becomes understood as a crime against humanity, precisely because humanity now had the capacity to prevent such death. Both empire and union were political and economic formations that could have 'made us live', yet they chose to let us die. This is a moment of intense clarity in terms of what it means to constructed as subject. We are to be stripped of everything before we are offered relief – we are not allowed to own or even occupy more than one quarter of an acre. And we are left with a choice – emigrate or die or do useless work for inadequate food. Our subject status removes every scintilla of agency, every traditional community defence, every possibility of solidarity. So, if there is any virtue in re-examining a political killing of this magnitude retrospectively with the tools of twentieth century jurisprudence – then it was indeed a crime against humanity. And it might be most helpfully remembered in that way. Crucially, of course, the lessons need to be learned. And the principal lesson is obviously that this crime against humanity should not be repeated against any other part of humanity.

This brings me towards a conclusion of sorts that reconnects the world of 1849 and the world of 2022. Most importantly, as Irish people and as citizens of the world, we need to remember. In so far as we Irish have a specific responsibility to remember because of An Gorta Mór – it should be that we remember for the rest of the world as well as ourselves. Forgiveness may become our revenge but there is no liberationin forgetting. But we must also remember from below – to remember with Tom Guerin and not with Charles Trevelyan. This means remembering not just through books or texts but through our béaloideas and dinnseanchas and by actively by walking and talking as we do today in Dubhloch. Ours should be the memory of those who were killed and exiled and dispossessed by starvation not those who prospered from it.

If we do that I have suggested that what we should not remember is straightforward. An Gorta Mór was not an 'Irish famine' and we should not remember – and name – our national catastrophe in that way. Rather we should remember it as a British starvation visited upon the Irish people in a way that constituted a crime against humanity. As we enter a new phase of intense reflection on the value of the Union, An Gorta Mór should always frame our analysis. It bears emphasis that this political formation – that many still want to construct as 'precious' – had within fifty years of its creation administered the disappearance of at least a third of the Irish population as well as a literal decimation of its own subjects.

Finally, it bears emphasis that this remembering from below also helps to frame our understanding of the wider contemporary policy implications. Once we remember from below the lessons are self-evident. Here we can do little more than echo the insights of Amartya Sen (1981). He was right to emphasise the key difference between food availability and food entitlement. In a globalised world, in which there is no issue with food availability, to fail to recognise the entitlement of every citizen of the world to food remains a crime against humanity – just as it was in 1847. Sen was also right when he suggested an inverse relationship between starvation and democracy and a free press. Both of these factors were key during An Gorta Mór.[9] Most importantly, neither the Union nor empire were democratic – indeed they were the very antithesis of democracy. If we wish to resist hunger and starvation in the present, we need to resist these kinds of anti-democratic forces. If we look for contemporary resonance, we should be equally wary of present-day unions and empires that still find ways to operate outside of democratic accountability and still convince themselves that the 'transient evil' they perform on the world will somehow lead to permanent good.

ROBBIE MCVEIGH

Co-author (with Bill Rolston) of Anois ar Theacht an tSamhraidh: Ireland, Colonialism and the Unfinished Revolution, Beyond the Pale Books, Belfast 2021

SOURCES:

Foucault, Michel. 2003. '*Society Must Be Defended': Lectures at the Collège de France1975-6* [Translated by David Macey] New York: Picador.

Gallagher, Thomas. 1988. *Paddy's Lament: Ireland 1846-1847: Prelude to Hatred* Dublin: Poolbeg.

Geoghegan, Patrick. 2000. 'An Act of Power & Corruption?' *History Ireland* Issue 2, Volume 8.

Kearney, Terri and Philip O'Regan. 2015. *Skibbereen: The Famine Story* Skibbereen Heritage Centre.

McVeigh, Robbie. 2018. 'Dirty Water: "Nuremberg" and Film' *International Journal of Transitional Justice*, Volume 12, Issue 1, March 2018, pages 168–181.

Moroney, Michael. 2015. 'The 1841 census— do the numbers add up?' *History Ireland* Issue 3, Volume 23.

Ó Tuathaigh,Gearóid. 1990. *Ireland before the Famine* Dublin: Gill and Macmillan.

Sen, Amartya. 1981. *Poverty and Famines: An Essay on Entitlement and Deprivation* Oxford: Clarendon Press.

REFERENCES:

[**1**] As Sen (1981) reminds us, this distinction took its classic literary formulation in George Bernard Shaw's Man and Superman: Malone: 'Me father died of starvation in the black 47. Maybe you've heard of it?' Violet: 'The Famine?' Malone: 'No, the starvation. When a country is full o food and exporting it, there can be no famine. Me father was starved dead; and I was starved out to America in me mother's arms.'

[**2**] Indeed, Ó Tuathaigh's book is still entitled 'Ireland before the Famine'.

[**3**] For example, the official British imperial *Famine Inquiry Commission* reporting on the Bengal starvation of 1943 put its death toll at 'about 1.5 million' but Sen estimated some three million (1981: 52) and other, more recent, estimates are even higher. There is a grisly calculus in trying to estimate accurately deaths in these contexts but at the same time the casual erasure of millions of people through underestimation reflects the imperial ideologies that let people die in the first place.

[**4**] As Foucault writes in Society Must Be Defended: '[O]ne of the greatest transformations political right underwent in the nineteenth century was precisely that … sovereignty's old right – to take life or let live – … came to be complemented by a new right which does not erase the old right but which does penetrate it, permeate it. This is … precisely the opposite right. It is the power to 'make' live and 'let' die. The right of sovereignty was the right to take life or let live. And then this new right is established: the right to make live and to let die' (2003:241, emphasis added).

[**5**] Fourth International Decade for the Eradication of Colonialism: resolution adopted by the UN General Assembly 2020.

[**6**] The Irish Times reminds us: '"Mr Gregory's name entered Irish history as a curse," wrote the Famine historian John Kelly. "By his conduct throughout the spring of 1847 Gregory had made his name one of the most detested in Ireland," agreed biographer Brian Jenkins'. Irish Times 'Sir William Gregory was detested for his role during the Irish Famine' Mon, Apr 6, 2020.

[**7**] On the development of the notion of 'crimes against humanity' at UN level see United Nations *Office on Genocide Prevention and the Responsibility to Protect* and the work of the UN International Law Commission on *Crimes against humanity – Analytical Guide to the Work of the International Law Commission.* The ILC recently adopted the *Draft articles on Prevention and Punishment of Crimes Against Humanity 2019.* In this definition, '"crime against humanity" means acts committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack and includes: extermination; deportation or forcible transfer of population; persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender … [and] other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.'

[**8**] See Robbie McVeigh 2018.

[**9**] On the free press issue during An Gorta Mór, we should note in passing that much of the British press, including The Times, acted as cheerleaders for starvation. Contrariwise, we might not even remember the events of Duchloch at all if it wasn't for the 'letter from a ratepayer' printed in the Mayo Constitution in 1849 that first recorded the terrible event.

ROBBIE MCVEIGH

is a researcher and writer, born in Antrim, raised in Tyrone and now based in Edinburgh. He has extensive experience of working with statutory and community organisations across Ireland. He also has a specific interest in Irish Protestant identity. He has published extensively, with a particular focus on human rights and equality. His work includes theoretical and policy-oriented research and has focused on racism and sectarianism in Ireland, north and south. He also has extensive experience of working internationally on issues of race, equality, peace and self-determination. His most recent book is Anois ar theacht an tSamhraidh: Ireland, Colonialism and the Unfinished Revolution (with Bill Rolston, Beyond the Pale 2021).

AFRI

WORKING FOR JUSTICE, PEACE, HUMAN RIGHTS & SUSTAINABILITY

8 Cabra Road, Phibsborough, Dublin 7, D07 T1W2
T: 01 838 4204
E: admin@afri.ie
WEB: www.afri.ie

TWITTER: @AfriPeace
FACEBOOK.com/afriireland
YOUTUBE.com/user/Afriireland

Working for Justice, Peace, Human Rights & Sustainability
Charity Regulatory Authority No. 20017262