

1922-2022

100 Bliain de
Sheanad Éireann

1922-2022: 100 Years
of Seanad Éireann

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Seanad 100
Éireann

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Is ó fhioraoisí faoi bhainistiú inchothaithe an páipéar a úsáidtear san fhoilseachán seo.

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Preface

Is ar an gcéad bliain ó bunaíodh Seanad Éireann go dtí an lá atá inniu ann atá an leabhar seo bunaithe. Tríd is tríd, is scéal é faoi chórás an dá sheomra sa daonlathas parlaiminte. Go sonrach, baineann an scéal leis an gcaoi ar chumasaigh bunaitheoirí ár stáit ionadaíocht do ghuthanna mionlaigh.

Edited by the Institute of Public Administration, this commemorative publication draws together contributions from current senators and office holders, a former senator, academics and researchers. As such, it gives the reader a valuable frame of reference on the first 100 years of Seanad Éireann.

The publication of this book is the final initiative in a year-long programme of commemoration for the centenary of Seanad Éireann. Since its first meeting in Leinster House on 11 December 1922, the Seanad has played an effective and essential role in our bicameral system of parliamentary democracy. Our commemorative programme captured the diverse perspectives of Seanad Éireann through the theme ‘Minority Voices, Major Changes’. Over the past year, we have enjoyed a wide range of initiatives including a series of exhibitions, a two-part TV documentary, a newspaper supplement, a Seanad na nÓg event in the Seanad chamber and a special ceremonial sitting held in the Dáil chamber on 12 December 2022. I would like to acknowledge the work of Senator Mark Daly, who as Cathaoirleach of the Seanad for most of the anniversary year, led the commemorative programme with energy and enthusiasm. I also extend my thanks to the wider team at the Houses of the Oireachtas Service who worked hard to deliver an ambitious and successful centenary celebration.

This publication brings our commemorative programme to its conclusion by giving us a detailed history of the Seanad in one accessible volume. It outlines the function and purpose of the Seanad and examines how it has fulfilled that function over the past 100 years. I welcome the publication of this book as an important contribution to the existing literature on Seanad

Éireann. I hope you enjoy reading it and learning more about the Seanad, and I have no doubt that this will be a useful reference work for scholars in years to come.

Senator Jerry Buttiner
Cathaoirleach of Seanad Éireann
11 January 2023

Acknowledgements

This book has been produced to commemorate and celebrate the centenary of Seanad Éireann. The Houses of the Oireachtas are grateful to all authors and contributors to this publication, and extend special thanks to Gabriel Doherty, lecturer in history, University College Cork, and Richard Boyle, independent researcher and former head of research and publishing at the Institute of Public Administration. Thanks are also extended to all organisations and individuals who have kindly provided us with permission to reproduce their images in this publication.

We thank the team at the Institute of Public Administration for their publishing expertise, and their commitment to quality.

The Houses of the Oireachtas wish to express their appreciation for the cooperation of Martin Groves, Clerk of Seanad, and the team in the Seanad Office, especially Bridget Doody, Deputy Clerk of the Seanad. Our thanks also to Lorraine West and Ciarán McGann from the Public Engagement team, who compiled the listing of former senators and sourced the images. And our final thanks go to our colleagues in Rannóg an Aistriúcháin (the Translation Section), the Print Facility team and the Communications Unit.

Introductory remarks

As we marked the centenary of Seanad Éireann over the past year, we, at the Seanad, have been glancing back, while also looking forward to the next 100 years.

Established in the midst of a bitter, tragic and divisive civil war in which many families, including my own, lost loved ones, the Seanad played an important role in creating and consolidating the democratic institutions of our state.

The first Seanad has been described as having the most diverse group of politicians in our country's history. The creators of the Seanad ensured it was diverse in order to give a platform to the Unionist, Protestant and minority communities which found themselves within the new state. Over time, the Seanad evolved to give different minorities and communities a forum to ensure that their views, voices and calls for change – change that society was not yet ready or willing to make – were heard.

Of the sixty members of the first Seanad, twenty were Protestant, three were Quaker and one was Jewish. Its members included, famously, W. B. Yeats, renowned poet and dramatist, as well as Michael Duffy, a road worker from County Meath; Eileen Costello, a civil rights campaigner; Bryan Mahon, the Commander-in-chief of the British Forces in Ireland between 1916 and 1918; Jennie Wyse Power, President of Cumann na mBan; and Thomas Henry Grattan Esmonde, the great-grandson of Henry Grattan, of Grattan's Parliament.

The Seanad's role in advocating for minority issues and communities suggested the main theme for the Seanad 100 commemoration: 'Minority Voices, Major Changes'. This theme celebrated the advancement of marginalised causes by harnessing the influence of representation in our national parliament.

While we celebrate the positive change achieved, we acknowledge that many people remain on the margins of our society. It is a signal of the progress made on gender balance that the 26th Seanad had the highest

number of women members ever to serve (twenty-four), making up 40 per cent of the total. In 1922, there were just four women senators.

Since its first meeting in Leinster House on 11 December 1922, the Seanad has reflected a broad range of views. More than 830 individuals have taken up their seats in Seanad Éireann since 1922. Collectively they have represented a broad spectrum of Irish society.

Professor Diarmaid Ferriter has noted that ‘A healthy democracy requires a forum for dissent, constructive opposition, quality deliberation, oversight and amendment’.¹ The Seanad has attempted to play this role over its first 100 years, adapting as the times and its membership have changed. It is my intention and that of my fellow senators that the Seanad will continue in this role. I hope that this book will act both as a reminder of past lessons learned and as a guide to future change and reform as the Seanad enters its next century.

One hundred years ago, this state, through its struggle for independence, was the only country to gain self-determination from one of the victorious powers of the First World War. Ireland is also in a distinguished and small group of countries that have been continuous democracies for the last 100 years. Seanad Éireann has played its part in ensuring the strength of democracy in our state.

A tribute to the state and its democratic institutions is that Ireland is ranked in the top ten in the world in the United Nations Human Development Index,² in terms of health, education and income. This is due in no small part to the economic strides which took shape nationally under a former senator.

T. K. Whitaker, born in Rostrevor, County Down, served in the Seanad from 1977 to 1982. In 2001, Mr Whitaker was voted ‘Irish person of the 20th century’ by public vote. This was a fitting tribute to the man who, in his 1958 paper entitled ‘Economic Development’, was the chief architect of the policy which brought economic and societal prosperity to the state with his revolutionary economic policies.

While we are glancing back on the first 100 years of the Seanad, we are also looking forward, and in that context, the Seanad’s Public Consultation on the Constitutional Future of the Island of Ireland provided an opportunity, particularly to young people to have their voices heard on what they envision

¹ Ferriter, D. (2013), ‘Proposal to abolish Seanad is an “awesome admission of failure”’, History Hub, Seanad Special, History and Policy Opinion No. 2, School of History and Archives, University College Dublin. Available at: <http://historyhub.ie/seanad-proposal-admission-of-failure> (accessed 16 January 2023).

² <https://www.irishtimes.com/life-style/2022/09/10/irelands-quality-of-life-how-do-we-score-in-the-uns-new-rankings/>

for the next 100 years of this island. Owing to its unique structure, Seanad Éireann has been able to include voices from Northern Ireland, from both traditions, in this consultation. Voices which would not normally be heard in the Republic.

T. K. Whitaker, was not just an economic visionary; in 1968 he referred to the constitutional future of the island of Ireland in a note to then Taoiseach Seán Lemass. His opinion could have been viewed as a minority voice at the time: ‘We were, therefore, left with only one choice’ he said, ‘Of its nature this is a long-term policy, requiring patience, understanding and forbearance and resolute resistance to emotionalism and opportunism. It is none the less patriotic for that.’³

We should listen to those words, now more than ever.

Senator Mark Daly
Leas-Chathaoirleach of Seanad Éireann

*Senator Mark Daly was Cathaoirleach of Seanad Éireann
from 29 June 2020 to 15 December 2022.*

³ T. K. Whitaker, ‘A Note on North–South Border Policy’, 11 November 1968.

Introduction

From the date of its inaugural meeting, on 11 December 1922, Seanad Éireann has performed a distinct and significant role in the structure of the independent Irish state. Unlike the Dáil, it has had to struggle for public recognition of the duties it has performed since the revolutionary period. Even prior to its first sitting, when the results of the election to the first Seanad were announced on 8 December 1922, the attention of the morning press in Ireland was not drawn to the outcome of that election. Instead, newspaper reports focused on the shooting dead of Seán Hales, TD, and the decision of the Northern Ireland parliament to opt out of the Irish Free State, both of which had happened the day before. The evening press on 8 December 1922 reported on that morning's execution of four prisoners as a reprisal for the death of Deputy Hales. In both cases, the news from the Seanad was overshadowed, understandably. It was, however, an indication of the struggle for public attention that would follow.

It is important to remember that a lengthy tradition of second chambers long predates the creation of the Irish Free State. And a number of the debates, and the occasional controversy, that have characterised the first 100 years of the Upper House of the independent Irish state found echoes in the experiences of similar bodies that predated the Seanad. The House of Lords in the Irish parliament was created following the establishment of the Kingdom of Ireland under Henry VIII in 1542. This body remained in existence until the creation of the United Kingdom following the British and Irish Acts of Union of 1800 which were passed with the assent of the Irish House of Lords.

For the following 122 years, the Irish Lords sat in the House of Lords at Westminster and participated in many of the great parliamentary occasions of that era. This included the discussions on the second and third Home Rule Bills, both of which measures provided for the inclusion of an Upper House in the proposed Irish parliaments. The first Home Rule Bill also provided for this, but it was voted down by the House of Commons in 1886. The

comprehensive defeat of the second bill in the British House of Lords on 8 September 1893 (by 419 votes to 41, with Irish voices heard, and votes cast on both sides of the divide) seemed to close the door indefinitely on any prospect of Irish self-government. But it was the rejection of the People's Budget of 1909 by that same upper chamber that ultimately led to the removal of its veto over legislation, and this opened the door for the introduction of the third Home Rule Bill.

The Government of Ireland Act of 1920 also provided for senates in the parliaments of both Northern and Southern Ireland, even if it was only the former that became fully functional. Detailed provisions were made in the Act regarding the composition of a second chamber intended for Dublin, including bishops from both the Catholic and Church of Ireland traditions, nominated representatives 'of Commerce ..., Labour, and the Scientific and Learned Professions'¹ and representatives of county councils, among others. In practice, however, the opposition of Nationalists to the operation of the 'Partition Act' in all its respects meant neither the Commons nor the Senate could operate. Some of the southern Unionists who had obtained positions in the latter subsequently served in the Seanad in an independent Ireland. And so to Seanad Éireann.

In Chapter 2 of this publication, Dr Elaine A. Byrne reflects on the context and contribution of the early years of the Seanad from 1922 to 1928. She outlines how it performed a critical role in inaugurating and legitimising many of the institutions of government. Dr Byrne demonstrates how W. T. Cosgrave's government relied so heavily on the Senate because of the parliamentary experience and understanding of policy of its senators, together with their skill in drafting documents.

In contrast to the Dáil, there has been opposition to the very existence of the body since its first meeting 100 years ago. On at least two occasions, concrete steps have been taken to seek its abolition, by means of constitutional revision. The most recent was the 2013 referendum on the proposed thirty-second amendment to Bunreacht na hÉireann. Nearly eighty years before, however, in 1936, the Upper House of the then prevailing Irish Free State Constitution was actually abolished, by a simple Act of the Oireachtas. It was passed without the Seanad's assent, but in accordance with the mechanism provided by the Free State Constitution. On both occasions, the sequel to the drama was instructive. No sooner had the Second House been abolished than it was reinstated the following year. This was as a result of the recommendations of the distinguished Second House Commission. It was reinstated as an integral feature of Bunreacht na hÉireann, and the 2013

¹ *Hansard*, vol. 42, 6 December 1920.

referendum to remove it a second time from the foundational text of the state was defeated.

In Chapter 3, former senator and academic Maurice Manning and independent researcher Richard Boyle, former head of research and publishing at the Institute of Public Administration, examine the origins, role and fate of the Free State Senate and its successors. They outline the difficulties encountered in finding an acceptable electoral system and a distinct political role for the House. This is a wide-ranging analysis which outlines the powers and procedures of the Seanad and brings us through to the modern day. The authors analyse the steps taken by the current Seanad to implement reforms within its power, as well as its work with the government to ensure that the Seanad would play a role in the scrutiny of EU legislation.

In the eyes of the public and many experienced politicians, lawyers and academics, it would seem that there is, and always has been, a greater appreciation of the contribution that an upper chamber can make to a thriving Irish democracy. If the Seanad did not exist, as it were, it would be necessary to invent it. But exist it does.

Given this, two issues have arisen that have been discussed extensively over the course of its existence, in academic literature, in the media and by the Seanad itself: what functions should it discharge, and how should its membership be comprised in order to best perform these functions? With regard to the first of these two points, much thought has been given to the nature of the relationship with Dáil Éireann. The Dáil is clearly understood to be the ‘primary’ chamber, particularly due to its control over public finance, but also in the field of legislation. It has usually been the case that the government of the day commands majorities in both houses, assisted in the case of the Seanad by the system of nominations by the sitting Taoiseach. But, during the period between 1932 and 1936 in particular, and on rare occasions since then, governments have had measures passed by the Dáil subsequently rejected by the Seanad.

The debate on the functions of the Seanad can be summarised as follows: where the functions of the Seanad are deemed to be too similar to those of the Dáil, it has been suggested that there is duplication and confusion of roles between the two Houses. Where the functions of both Houses are deemed to be too dissimilar, the value of the Seanad’s role has been questioned. The dilemma was expressed by the Abbé Emmanuel Sieyes, when he observed that ‘if a second chamber dissents from the first, it is mischievous, if it agrees with it, it is superfluous’. This is a dilemma that confronts all bicameral legislatures, and it is fair to say that to date, a resolution to this conundrum has not been arrived at, in Ireland or elsewhere.

The second question, regarding the composition of the Seanad, has been answered in different ways over the course of the last 100 years. For the first Free State Seanad, special arrangements were put in place to honour the promise made by Arthur Griffith immediately after the Treaty had been signed. This was that particular, and favourable, consideration would be given to representatives of the southern Unionist community when it came to the membership of that first body. It was provided that candidates (who had to be over thirty-five years of age) would ‘be proposed on the grounds that they have done honour to the Nation by reason of useful public service or that, because of special qualifications or attainments, they represent important aspects of the Nation’s life.² The bizarre circumstances of the 1925 Seanad election, which was the only one contested on a popular franchise, with a single, state-wide constituency, saw seventy-six candidates listed in alphabetical order on a ballot paper several feet in length. The fallout from the election led to substantial changes. The most important of which was that the electorate for the Seanad was reduced in size, from the general adult population to the members of the Oireachtas, with new arrangements to ensure that the ‘single constituency’ model of the 1925 election was not repeated.

In Bunreacht na hÉireann, ratified in 1937, another new model was again chosen, which retained some element of nomination. This model, which has persisted to the present day, sought to rectify the problems that can arise from electoral constituencies that are solely based on geographical location. It created new ‘vocational’ panels, covering culture and education, agriculture, labour, industry and commerce, and public administration. For its time, the thinking behind this structure was original, even ground-breaking. Its practical operation is open to legitimate criticism; most obviously in the way in which the same political parties that dominate the Dáil can ensure that their candidates fare well in the contests to be elected to the panels. However, it should be acknowledged that senators elected to vocational panels must meet a qualification threshold. Each panel relates to a grouping of professions or ‘vocations’, for which candidates must have knowledge and practical experience. The Seanad returning officer maintains a list of nominating bodies for each of the five panels and candidates may be nominated either by four members of the Oireachtas or by a nominating body. More than 70 per cent (43 out of 60) of the members of each Seanad are elected from vocational panels and this brings a level of knowledge and practical experience to deliberations in the House. The vocational nature of the Seanad enables a less partisan atmosphere, which leads to greater independent

² Irish Free State Constitution, 1922, Article 30.

debate and better opportunities for scrutiny. As with so much else related to the Seanad's activities, there remains untapped potential in the framework.

In Chapter 4, Dr Catherine Lynch, senior researcher at the Library & Research Service in the Houses of the Oireachtas, evaluates the distinctive role of the Seanad. Dr Lynch looks at how the Seanad performs its role in reviewing and reflecting on legislation and she examines the type of representation the Seanad brings to this process. She argues that in spite of congruence in representation between the two Houses, the Seanad brings distinctive representation to parliament.

The ultimate test of any system for the selection and election of candidates to elected office, is the calibre of those who have been successful, and judged on this criterion, there is every reason to compliment the Seanad. Since its first meeting in Leinster House on 11 December 1922, the Seanad has reflected a broad range of views. More than 830 individuals have taken their seats in Seanad Éireann since 1922 and collectively, they have represented a broad spectrum of Irish society.

For, among its ranks over the last 100 years have been some of the most significant and inspiring public figures that the country has produced. A roll call of just some of the distinguished names, in no particular order, will suffice to indicate the general trend:

- Douglas Hyde, founder of the Gaelic League and subsequently first President elected under Bunreacht na hÉireann;
- W. B. Yeats, Nobel prize winner for literature and one of the greatest English-language poets of the twentieth century;
- Oliver St John Gogarty, athlete, surgeon, poet, author and celebrated wit;
- Alice Stopford Green, arguably the most influential historian of Ireland of her generation, whose work exercised a huge influence over thinkers such as James Connolly, Pádraig Pearse and Terence MacSwiney;
- Kathleen Clarke, republican activist, leading member of Cumann na mBan, and first female Lord Mayor of Dublin;
- Séán Moylan, O/C Cork no 2 Brigade IRA during the War of Independence, and, at varying times, Minister for Lands, Education and Agriculture.

In addition to the members who hail from the twenty-six counties, some of the most impressive performers in the chamber over the years have been northern voices, many of whom in their time made valuable contributions to the cause of peace and reconciliation on the island of Ireland. The names of Bríd Rodgers, Gordon Wilson, Maurice Hayes and Séamus Mallon are just four of many. The participation by those from the northern Unionist

tradition has been particularly important in ensuring a pluralist atmosphere to discussions in the House, and not just in debates on Northern Ireland.

One of the most important aspects of membership of the Seanad has been that it has given a platform to public intellectuals and others who might have found it difficult to make, or in some cases continue with, their contribution to public life. The names of Mary Robinson and Michael D. Higgins – both future presidents of course – spring to mind, as do those of John A. Murphy and J. J. Lee, both professors of history in University College Cork, and both of whom, in different ways, brought their historical literacy to bear when dealing with modern problems. Looking more broadly at members of the Seanad who were elected from the vocational panels shows how the knowledge and practical experience of senators has enabled valuable contributions to political and public life. Garret Fitzgerald – the only Taoiseach to have ever served in the Seanad – started his career as a senator on the Industrial and Commercial Panel of which he was a member from 1965 to 1969. Evelyn Owens, a senator from 1969 to 1973 sat on the Labour Panel and was committed to the advancement of women in the workplace and in society. Tras Honan – the first, and, to date, only woman Cathaoirleach – served on the Administrative Panel from 1977 to 1992. Labhrás Ó Murchú, a senator from 1997 to 2016 served on the Cultural and Education Panel, and championed the cause of the arts, culture and the Irish language.

Given the consistently high quality of the membership of the Seanad the question that might reasonably be asked is not whether the membership has been fit for purpose, but rather has the purpose been fit for the membership.

Looking to the next century, there is no reason to be fearful for the Seanad's future. The interests of a rapidly growing, and increasingly diverse, population will need to be accommodated in a variety of ways by the state. The Upper House offers an ideal vehicle for such engagement. Externally, the state will continue to become ever more engaged with international issues and agencies and here the expertise contained within the second chamber can only be of service to the public. Even as this publication is in the final stages of production, a new Seanad committee to consider European Union-originated legislation is being created, and the members of that committee will manifest the same constructive, progressive outlook they have shown in the other committees that have been created in recent years. The future of the chamber will, in this and in so many other ways, be a rational continuation of the past, and the Irish State. And the Irish people will be all the better for it.

**Senator Jerry Buttmer
Cathaoirleach of Seanad Éireann**

1

A unique experiment in idealism: Irish Senate, 1922–8¹

Elaine A. Byrne

Introduction

The names of Senator James G. Douglas and Senator Jennie Wyse Power do not register when the founding men and women of the Irish state are recalled. Yet, the Senate of 1922–8 performed a critical role in inaugurating and legitimising many of the institutions of government. The consolidation of minority political traditions to a new independent state in the context of a contested democracy was no small achievement. This democratic accomplishment is remarkable when considered against the background of the emergence of other new states. At a time when democracies were routinely collapsing between two world wars, the Irish Free State was established.

The Senate of 1922–8 was the de-facto opposition to the government for unprecedented reasons. The policy of abstentionism adopted by the Anti-Treaty parliamentarians and a weak Labour Party provided little resistance to government policy in the Dáil. The quality of the Senate's membership, the rules underpinning its establishment, and the ways in which senators exercised those rules may have enabled it to be particularly persuasive in amending legislation. The willingness of the new government to keep those with Unionist sympathies within the fold as part of the state-building exercise was also important. The formation of the Senate coincided with the distraction of civil war, institutional flux, and political instability. Into that breach entered an inimitable second chamber.

¹This is an abbreviated version of a chapter which appeared in Byrne, E. (2015), 'A Unique Experiment in Idealism: Irish Senate 1922–28', in M. Farrell, J. Knirck & C. Meehan (eds), *A Formative Decade: Ireland in the 1920s*, Dublin: Irish Academic Press, pp. 59–85. It is used here with the permission of the publisher.

W. T. Cosgrave, President of the Executive (1922–32), directly appointed thirty individuals to the first Senate of 1922–5. His nominees numbered sixteen former Southern Unionists. Aside from engineering the political and symbolic reconciliation of the *ancien régime* with the new Free State, the Upper House had the significant purpose of bringing political and administrative expertise into the legislature, noticeably absent within Dáil membership. This inaugural Senate consisted of thirty-six Catholics, twenty Protestants, three Society of Friends (Quakers), and one member of the Jewish faith, making it the most religiously diverse parliamentary body since the birth of Irish independence.

Cosgrave's government relied enormously on the Senate. Most of the new ministers were 'young men with very little experience of the world, or knowledge of the conduct of public affairs'.² At fifty-five years of age, Eoin MacNeill, TD, was the oldest member of the 1922 government, followed by Cosgrave who was forty-two. No minister had ever served in parliament, never mind at ministerial level. Just 2 of the 128 parliamentarians elected in 1922, Alfred Byrne, TD, and Laurence Ginnell, TD, had actual experience of parliamentary life.

Senators had the parliamentary experience and intimate understanding of policy and draftsmanship skills that the ministers simply did not. The Leas Cathaoirleach (Vice-Chair) of the first Senate was James G. Douglas, a Quaker. Although Douglas was from a business background and without formal legal training, he was recognised as an authority on constitutional law. He assumed the technical role of drafting standing orders and taking charge of private bills for both the Dáil and Senate because 'no one in Ireland knew very much about it'.³ Douglas's improvised legal skills were in high demand given the notable absence of lawyers in the Dáil.⁴ The Senate fulfilled historian Nicholas Mansergh's contention that the task of providing the machinery of administration in a modern state is as important as the structure of the Constitution itself.⁵

Policy discussion was facilitated in a non-party atmosphere without the distraction of sharp party lines. According to Douglas, senators 'pledged to

² (1925), 'The Irish Free State: An Ex-Unionist View', *The Round Table: The Commonwealth Journal of International Affairs*, vol. 16, no. 61, p. 30.

³ Gaughan, J. A. (1998), *Memoirs of Senator James G. Douglas (1887–1954): Concerned Citizen*, Dublin: University College Dublin Press, p. 110.

⁴ Garvin, T. (1969), *The Irish Senate*, Dublin: Institute of Public Administration, p. 159.

⁵ Mansergh, N. (1934), *The Irish Free State: its Government and Politics*, London: Allen and Unwin, p. 80.

support the government on all issues affecting the maintenance of the Treaty, but not in matters relating to internal politics or affairs.⁶

Contribution of the Senate

The extent of the Senate's contribution to the development of the state is particularly illustrated by the amendments it made to primary legislation between 1922 and 1928. A prodigious 238 bills (other than money bills) came before the Senate in this period. These included laws which went to the very heart of the new legislative infrastructure of the Free State, including the Garda Síochána Act, 1924, Ministers and Secretaries Act, 1924, Courts of Justice Act, 1924, and the Local Government Act, 1925.

The Senate substantially amended 93 bills before they became law. Of the 954 amendments made to primary legislation, the Dáil agreed to 910. Subsequent to the amendment of the original amendment, the Dáil, in fact, only rejected twenty-seven of the Senate's amendments in those six years. In all, the Dáil accepted 98 per cent of all Senate amendments.⁷ Unlike its successor, the Senate had the right to initiate legislation, and thirty private bills and provisional order confirmation bills subsequently became legislation. The Senate's record on money bills, which laid out anything connected with taxation or public finances, was more contentious. Unlike ordinary bills, the Senate could only delay a money bill for twenty-one days. In all, thirty-four of its recommendations were accepted by the Dáil and twenty-one were rejected.⁸

An examination of the passage of the Courts of Justice Act, 1924, reveals the influence of the Senate. The Senate proved particularly effective in ensuring that the principle of judicial independence was robust within the act, thereby mitigating the disreputable British judicial legacy in Ireland. For example, Senator John T. O'Farrell's amendment warranted that the Central Fund, and not the Appropriation Act, provided for judicial remuneration.⁹ This distinction was crucial as the Department of Justice had initially sought responsibility for fixing the salaries of the district judges. Senators successfully argued for full-time, paid and legally qualified district judges

⁶ Gaughan, J. A. (1998), *Memoirs of Senator James G. Douglas (1887–1954): Concerned Citizen*, Dublin: University College Dublin Press, p. 126.

⁷ O'Sullivan, D. (1972), *The Irish Free State and its Senate: A Study in Contemporary Politics*, New York: Arno Press, p. 605.

⁸ Hugh Kennedy Papers, Return as to Recommendations of the Seanad in regard to Money Bills during the period 1922 to 1936. P4 1277.

⁹ 'Courts of Justice Bill, 1923: Report Stage Resumed', *Seanad Debates*, vol. 2, no. 25, 20 March 1924.

who were insulated against locally vested interests and financial pressures. Such district judges were in stark contrast to their immediate predecessors, the resident magistrates of the petty session courts, who were the citadels of the corruptible.

The Senate prevented the government from exercising a permanent discretionary power to appoint temporary judges. Senator Samuel L. Brown feared that such a policy was a return to the British judicial legacy in Ireland where ‘certain magistrates in this country … were described and denounced as removable’.¹⁰ Judges appointed in this manner ‘would find it very difficult to be independent’ he asserted. Senator Brown, a barrister of forty years’ experience and former leader of the Irish Bar, also successfully objected to the Executive’s discretionary power to extend a judge’s tenure. Brown believed that ‘any period of extension at the mercy of the Executive’ could potentially be used as a political tool to retire judges whose judgements caused the government discomfort. The very existence of this power could be used as leverage. Brown’s proposal for a fixed retirement age was agreed upon.

The consensual method of opposition employed by the Senate was more conducive to the acceptance of amendments by the Executive. Many of the suggested amendments made to the Courts of Justice Bill were initially rejected in the Dáil and subsequently accepted in the Senate.¹¹

Whereas Dáil opposition was easily neutered, Cosgrave was obliged to listen more carefully to the Senate argument as it held the power of delay in its grasp. The President of the Executive was also less inclined to disregard proposed revisions in the Senate. To do so would reflect badly on him given that he had personally nominated half its members. The Senate was apt in amending legislation because of the tremendous strain the Attorney-General Hugh Kennedy and parliamentary draftsman Arthur Matheson were under in the state’s early years.¹² The demanding workload of creating new legislative machinery was such that sixty-two acts were enacted in 1924, a legislative achievement that was only surpassed some ninety-one years later in 2015.

The Senate had the power to suggest amendments and delay legislation up to 270 days but could not veto bills. These suspensory powers were used on three occasions before 1928, most notably with regard to the Civil Service

¹⁰ Samuel L. Brown, ‘Courts of Justice Bill, 1923: Second Stage’, *Seanad Debates*, vol. 2, no. 11, 16 January 1924.

¹¹ Dougherty, J. I. (2009), *From the Ashes Arose Justice: The Creation of an Irish Judiciary, 1922–1924*, Pittsburgh: Dietrich College of Humanities and Social Sciences, Carnegie Mellon University.

¹² Arthur Matheson diaries, National Archives, 2001/49/68–2001/49/88.

Regulation (Amendment) Bill of 1925. Senator Eileen Costello and Senator Jennie Wyse Power, former President of Cumann na mBan, an organisation for Republican women set up in 1914, were successful in convincing their Senate colleagues that the provision for competitive examinations for civil service positions discriminated against women because it was confined to those ‘qualified in respect of sex, age, health, character, knowledge and ability’.¹³ The delay had no effect and the legislation was passed a year later. It was met with no opposition in the Dáil and indeed the sister of Michael Collins, Margaret Collins O’Driscoll, TD, refuted any suggestion ‘that it infringes our [women’s] rights’.¹⁴

Costello and Wyse Power had limited success in their campaign to thwart the efforts of Minister for Home Affairs, Kevin O’Higgins, to exclude women from serving on juries in the Jury Act, 1927. Women were able to apply to have their names kept on the state’s jury rolls although men would continue to be automatically included, ultimately reducing the number of women jurors. The interventions by Costello and Wyse Power were characteristic of a Senate which was prepared to oppose government, in this case over feminist issues.¹⁵ Indeed, the 4 female senators contrasted sharply with the presence of just 1 woman out of 128 seats in the 1922 Dáil.¹⁶ Of the 2 female Dáil representatives between 1922 and 1928, 1 was a widow and the other a sister of a prominent leader in the revolutionary period.¹⁷ Female surrogates for the male members of their families did not exist in the Senate. The Upper House represented not just minority interests, but was a means, albeit limited, of advancing women’s issues.

Conclusion

The Senate was an intriguing institution born from a sense of idealism that accompanied the birth of the state but the practicality of which was short-lived. It was of its time.

¹³ ‘Civil Service Regulation (Amendment) Bill 1925: Second Stage’, *Dáil Debates*, vol. 13, no. 6, 18 November 1925.

¹⁴ Margaret Collins O’Driscoll, *ibid.*

¹⁵ Clancy, M. (1990), ‘Aspects of Women’s Contribution to the Oireachtas Debate in the Irish Free State, 1922–1937’, in M. Luddy and C. Murphy (eds), *Women Surviving: Studies in Irish Women’s History in the Nineteenth and Twentieth Centuries*, Dublin: Poolbeg, pp. 209–210.

¹⁶ Alice Stopford Green (topped the poll) and Eileen Costello were elected. The Countess of Desart and Jennie Wyse Power were nominated. ‘Result of Elections to Seanad’, *Dáil Debates*, vol. 2, no. 3, 8 December 1922.

¹⁷ Five other women followed the Sinn Féin abstentionist policy and did not take their seats. Of those five, two were widows and one a sister of prominent leaders in the revolutionary period.

The Senate's configuration inevitably mirrored the conservative character of the Pro-Treaty Dáil majority. The energy of senators reflected, for the most part, that conventional outlook with attention brought to bear on the establishment of the legislative infrastructure of the state, the organisation of law and order, the protection of property, and the regulation of land, agriculture and transport.

Just as revealing, however, is what did not dominate the Senate's agenda. 'Famine-like conditions' were reported in parts of Connemara in the early 1920s.¹⁸ Although poverty was an acute problem in the west of Ireland and the Dublin tenements, it was only referenced in twenty-two debates during the six-year period of 1922–8.

The Senate strove to consolidate minority political traditions in a new independent state. This acute awareness of marrying the old and new regimes together was an underlying theme of the Upper House. Formalities such as an agreed prayer to be read in English and Irish before the opening of Senate proceedings were handled with discrete sensitivity. The Earl of Wicklow took it upon himself to personally interview both the Catholic and the Protestant Archbishops of Dublin to secure an agreed text.¹⁹

The context of the senators contribution to the foundation of the state was remarkable. During the Civil War, Liam Lynch, Chief of Staff of the Irish Republican Army, issued a notice on 30 November 1922 identifying fourteen categories of persons as legitimate targets to be 'shot at sight'. They included senators and a list of the 'residences of senators to be destroyed'. The Anti-Treatyites attacked senators through a campaign of intimidation, kidnappings, attempts on their lives and the destruction of their houses. Thirty-seven senators' homes were burnt to the ground between November 1922 and February 1923.

Referring to their 'fine exhibition of citizenship', Cosgrave paid tribute to the 'extraordinary courage and perseverance of the senators who were marked out for special attention'.²⁰ As a response to this challenging period, Senator Alice Stopford Green commissioned the design of a wrought metal casket as 'a perpetual memorial of the foundation of this body [the Senate], and a witness in later times of its increasing service to the country'. The casket contained a vellum roll with the signature of every senator who served in the 1922 Senate. The vellum roll was accompanied by a written message which

¹⁸ Newell, U. (2014), *The West Must Wait: County Galway and the Irish Free State 1922–1932*, Manchester: Manchester University Press.

¹⁹ 'Report of the Committee on Standing Orders', *Seanad Debates*, vol. 2, no. 5, 14 November 1923.

²⁰ W. T. Cosgrave, 'Damage to Property (Amendment) Bill 1923', *Seanad Debates*, vol. 1, no. 41, 9 August 1923.

offered a *précis* of its recent history: ‘Whether we are of an ancient Irish descent, or of later Irish birth, we are united in one people, and we are bound by one lofty obligation to complete the building of our common nation’. The casket was placed on the Cathaoirleach’s desk immediately prior to every session of the Senate from 26 November 1924 until its final sitting on 19 May 1936.

Fianna Fáil had a long-held hostility towards an ‘elitist body that sought to preserve Unionist hegemony’ and was ‘hostile to the interests of Irish nationalism’²¹ as Seán Lemass described it. Cosgrave’s own patience with the Senate was wearing thin by the end of the 1920s. This unique experiment in idealism would always have had a limited outing.

The Senate’s contribution to the establishment of the new state became lost in the perception that it was a temporary compromise to the leftovers of empire. On the centenary of its establishment, it is timely to reassess the Senate’s role in consolidating Irish democracy.

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¹² Seán Lemass, ‘Seanad Eireann: Constitution and Powers of, and Methods of Election’, *Dáil Debates*, vol. 22, no. 2, 22 February 1928.

2

Seanad Éireann¹

Maurice Manning and Richard Boyle

The first meeting

The first meeting of the Senate of the Irish Free State took place in Leinster House on 11 December 1922. It was a short meeting lasting less than an hour but it had been preceded by ten days of frenetic activity. It came at a rare moment in the country's history when so many new starts were being made, simultaneously but separately, as the institutions and political structures of the new state were being shaped. A new state meant new institutions and new rules – a new constitution, new departments of state, new houses of parliament, a new judicial system, new defence forces, a new police force.

In normal times any one of these would be a major undertaking, but 1922, with civil war still waging, was not a normal time. There was neither time nor space for public debate or consultation; improvisation and decisiveness were the order of the day and decisions which would – or would not – have lasting consequences had to be taken under extreme pressure and with no guarantee of success.

Indeed the very location of the new parliament had not been decided as the Senate prepared for its first meeting. Many had assumed that when the new state came into being, its parliament would meet in the building on Dame Street which had housed Grattan's Parliament but which was now owned and occupied by the Bank of Ireland, but dislodging the powerful bank would have been a major task and in any event the venue was deemed too small. President William T. Cosgrave favoured the Royal Hospital in Kilmainham, close both to his own birthplace and to Dublin's major railway

¹ The middle section of this paper, from 'The Free State Senate – origins and operation' through to 'Seanad reform', is adapted from Manning, M. (2010), 'The Senate', in M. MacCarthaigh and M. Manning (eds), *The Houses of the Oireachtas*, Dublin: Institute of Public Administration. It is used here with the permission of the publisher.

station and there were those who argued for Dublin Castle. After the Treaty debates in University College Dublin's (UCD's) Earlsfort Terrace, the Dáil had moved to temporary residence in the Royal Dublin Society (RDS) owned Leinster House on Kildare Street on the strict understanding that the stay would be a temporary one.

A committee of TDs and senators had been appointed to examine the matter. It found the cost of adapting the Royal Hospital to be 'unconscionably' high at £70,000 and rejected it as an option.² Dublin Castle was then eliminated since the courts had already taken up residence there after the destruction of the Four Courts – which left only Leinster House. With the Civil War as background, the government simply informed the RDS that the occupation of Leinster House would continue for a number of years until a new venue was found. What started as a 'temporary little arrangement' soon became permanent, much to the annoyance of the RDS.

And so it was that the senators were invited by the Governor General to the first meeting of Seanad Éireann which was to take place in the Lecture Theatre of the RDS, which is now the Dáil chamber.

The new Constitution of the Free State came into force on 6 December 1922 and on that day W. T. Cosgrave was elected President of the Executive Council. One of his first tasks was to nominate thirty members of the new sixty-seat Senate. Since one of the main purposes envisaged for the Senate was to ensure significant political representation for the Unionist community, his list included those such as Lord Glenavy; The Earls of Granard, Dunraven, Mayo and Kerry; the Marquess of Headford; members of both the Guinness and Jameson families; and General Sir Bryan Mahon and Sir John Keane, the latter who became the de facto leader.

The list also included representatives of the old Irish Party, Sir Thomas Grattan Esmonde; leading literary and academic figures, W. B. Yeats, Oliver St John Gogarty; the academic George Sigerson; and one woman, the strongly nationalistic Jenny Wyse Power.

The remaining thirty members of the Senate were elected by the Dáil. That election took place on the following day – 7 December.

It was a bizarre election. The electorate consisted of the 81 TDs who had taken the Oath of Allegiance; there were 113 candidates of whom 80 got no vote at all. Many candidates were elected with just two votes – and some less than that. The Labour Party was the only party to contest as such and won five seats, while representatives of farming interests won eight seats. And two

² Committee on Temporary Accommodation of the Oireachtas (1924), *Report of the Joint Committee on the temporary accommodation of the Oireachtas*, Dublin: Houses of the Oireachtas.

women were elected – the distinguished historian, Alice Stopford Green and writer, teacher and folklorist Eileen Costello.

The election results were announced on 8 December, and, three days later, the first Senate met. The first Clerk of the Senate was General Emmet Dalton, a close and trusted confidant of Michael Collins. He soon lost interest in the position and was succeeded as clerk by Donal O'Sullivan who was to have great influence on shaping the practices and procedures of the new House.

The first business that day was to appoint a temporary chair ‘until we can decide among ourselves who is to become our permanent presiding officer’.³ Dr George Sigerson, now eighty-six years of age, a man of imposing physical stature and of distinguished medical and literary standing (and after whom the university’s football cup ‘the Sigerson’ is named) was chosen unanimously. The first and only business that day was to appoint a committee to draw up standing orders and until then, the Dáil standing orders would operate. That first meeting lasted just fifty-five minutes.

The second meeting of the Seanad took place the following day, 12 December – with George Sigerson in the Chair. The meeting began in an unusual way. Sir William Hutchenson Poë, one of the nominated senators, proposed ‘that the correspondents of the Press withdraw for a quarter hour or twenty minutes in order that we may have a little private discussion in relation to the names of candidates who are to be submitted for the Chair’⁴

The proposal drew strong opposition from Labour but was passed on a show of hands 26 to 12. The Press then meekly withdrew but the precedent thus set was never afterwards repeated.

Hutchenson Poë then explained his move. He wanted to ensure no ‘old recriminations’ would define the debate and they should have a clear idea of the qualities required in the person they chose:

‘In my opinion there are three essentials for any man who fills the post. The first is he should be a man of recognised position, social and otherwise. The second is he should be, if possible, possessed of parliamentary experience, versed in constitutional procedure and able to keep this Seanad, in the early days of its birth, on right lines. The third, and perhaps most important, requirement of all is that he should be a man having leisure time to devote to the duties of the office ... must be of an exacting and arduous nature. The very last essential ... greatly limits the choice of candidates.’

³ *Seanad Debates*, vol. 1, no. 1, 11 December 1922.

⁴ *Seanad Debates*, vol. 1, no. 2, 12 December 1922.

Hutchenson Poë then called on senators to forget old recriminations and prejudices; ‘the sooner we forget those, bury the past, and recognise that we are here, all Irishmen, united in a determination to loyally support the Free State government and to carry out the Constitution … the better for the country’.

Colonel Maurice Moore, a veteran Nationalist reminded his new colleagues that the Senate ‘has not very much actual power, but whatever influence it is going to have … will depend entirely on its own virtues and its own abilities and the way in which we here in the Seanad tackle every subject … and also it will depend very much upon what confidence the people of Ireland place in us’.

W. B. Yeats too looked to a difficult path ahead: ‘We have thorny legal questions in this Seanad on every side of us, and, of course, we will have thorny political questions. The past is dead, not only for us but for this country. … I suggest we are assembled here no longer in a Nationalist or Unionist sense, but merely as members of the Seanad’. Yeats went on to say ‘I think it is … very important to this Senate because of the very nature of its constitution, that we should show ourselves as interested as the Dáil is in every person in this country. We do not represent constituencies; we are drawn together to represent certain forms of special knowledge, certain special interests, but we are just as much passionately concerned in these great questions as the Dáil’.

At this point, the Press was readmitted and the business of electing the first Chairman or *Cathaoirleach* proceeded.

Only one candidate was nominated and by any measure Lord Glenavy was a surprising choice. He had been a life-long Unionist and had been Edward Carson’s right-hand man in the campaign against Home Rule. He was proposed by John MacLoughlin, an Ulsterman and a Nationalist: ‘we are prepared to treat every man as a brother Irishman, irrespective of what his politics were in the past or his religion is in the present’. Sir Thomas Esmonde of the old Irish Parliamentary Party agreed: ‘whatever has happened in the past, however much we may have differed, there is only one thing before us now, and that is our common country’. The Labour Party too agreed. Thomas McPartlin was unequivocal: ‘What we are interested in is the ability of the man whom we select and for whom we are going to vote … We will vote for the best man, and we do not want to know whether he is a Colonel, a Lord or a road worker’. Other speakers that day stressed that Glenavy’s position as Chair of the Senate would impress Unionists and help towards achieving national unity.

The Senate was not however unanimous in its support for Glenavy. Colonel Maurice Moore opposed the choice of Glenavy and hinted that many

other members were opposed to Glenavy because of his past roles with the Ulster Volunteers and his relationship with Carson. Jenny Wyse Power was more blunt in her opposition. She did not believe that the election of Glenavy would help to realise her two great ambitions – the quest for unity and the formation of a truly Gaelic state.

However no vote was called and Glenavy was elected as the first Cathaoirleach, a post he held with distinction for the next decade without his impartiality or commitment ever being seriously questioned.

Two footnotes can be added to the first meetings of the new Senate. The destruction of the Four Courts had destroyed centuries of invaluable historic manuscripts. Under the leadership of Yeats and Alice Stopford Green, the Senate set up a committee to ensure that existing manuscripts could be indexed and published and steps taken to promote the preservation of early Irish scholarship. It was an act of foresight which led to the establishment of the Irish Manuscripts Commission a few years later.

And finally it was on the third day of sitting that the question of senators' expenses was first raised. The person who raised it was the Earl of Mayo. They would be very meagre he was told.

The Free State Senate – origins and operation

When the Constitution of the Irish Free State was debated in 1922, there was no controversy about the provision of a second House. In so far as the matter was discussed publicly, there was almost general agreement that second Houses were not just useful in themselves in ensuring full legislative deliberation but, in the case of the Free State, provided a mechanism to ensure adequate representation for the Unionist minority in the political life of the new state.

The proposals for Home Rule had envisaged a bicameral system. The Government of Ireland Bill, which was due to become law in 1914, proposed a House of Commons and a Senate. There would be forty members of this all-Ireland body, elected from the four provinces as separate constituencies – fourteen from Ulster; eleven from Leinster, nine from Munster and six from Connacht. The electoral system was to be the single transferrable vote system of proportional representation. The lifetime of each Senate would be five years, not coterminous with the life of the Commons. It would have the power to reject, or to hold up bills for the duration of a parliamentary session. If the Senate persisted in its opposition in the next session, differences would be resolved by vote in a joint session of both Houses.⁵

⁵ O'Sullivan, D. (1940), *The Irish Free State and its Senate: A Study in Contemporary Politics*, London: Faber, pp. 83–98.

The ill-fated Irish Convention in 1919 proposed a Senate of sixty-four members with powers similar to those in the Government of Ireland Bill. The new Senate proposal was altogether more elaborate, comprising the lord chancellor; four Roman Catholic bishops; two Church of Ireland bishops; a member of the Presbyterian general assembly; the lord mayors of Dublin, Cork and Limerick; four privy councillors; three members from the ‘learned’ institutions; fifteen representatives of commerce and industry; four representatives of Labour and eight county councillors.⁶

When the Constitutional Committee established by the Provisional Government to draw up a draft Constitution met in the Shelbourne Hotel in January 1922, there was unanimity on the need for a Senate. In part, this was founded on a fairly general consensus around the value of a second House but was also based on promises, or at least understandings, given to the leaders of Southern Unionism before the signing of the Treaty. The establishment of a Senate and proportional representation had been two major safeguards sought by Unionists. The Unionists did have a significant influence on the shaping of the Senate, though not all of their demands were conceded – for example, they sought a property qualification for voting for the elected part of the Senate. This was rejected, but, as a compromise, the vote was restricted to those over thirty. The Provisional Government wanted a Senate of forty members, the Unionists a larger House, with eventual agreement on sixty members. Substantively, the Unionists wanted a delaying power of twelve months on legislation and if Senate opposition persisted, the matter was to be resolved by a joint sitting of both Houses. The eventual compromise was a delay of nine months on all non-money bills.

The Free State Senate lasted just fourteen years. During that time, it carved out a distinctive, if at times lethargic, existence, but from the outset was confronted by two persistent problems. The first was the composition of its membership and its electorate; the second its relationship with the Dáil.

As to what should be distinctive about Senate membership, the Constitution offered only headline guidance. Article 30 of the Free State Constitution said the Senate would be ‘composed of citizens who shall be proposed on the grounds that they have done honour to the Nation by reason of useful public service or that, because of special qualifications or attainments, they represent important aspects of the Nation’s life’.⁷ Specifically there was a minimum age for membership – thirty-five years – and the normal term of membership would be twelve years. It was proposed that one-quarter of the membership would resign every three years. This was an important point,

⁶ *Ibid*, pp. 40–1.

⁷ Constitution of the Irish Free State (Saorstát Éireann) Act, 1922, Article 30.

ensuring that political changes in the Dáil would not be reflected in the Senate, or at the very least there would be a lengthy time lag. Interestingly, the question of university representation, a strong feature of the later Seanad Éireann, was dropped when the Constitution Committee accepted a proposal for six university seats in the Dáil, three each from Trinity College and the National University of Ireland.

The election of the first Senate has already been covered but one further point needs to be made and that is the length of time senators would serve. It was far from straightforward and changed during the lifetime of the body. Fifteen of the original nominees would serve for twelve years and fifteen for six years. Those elected from the Dáil would serve for three and nine years. It was complicated, but the significant point is that Seanad elections were independent of Dáil elections and this remained the case during the lifetime of the first Senate.

As to its powers, the Senate had no authority over money bills, reflecting a key principle that only the popularly elected Dáil could control the raising and spending of monies. It could make recommendations to money bills but was obliged to return the bill to the Dáil within twenty-one days. On other bills it had the power to suspend a bill for a period of nine months (later extended to eighteen) after which it became law, and, under Article 47, it could, with a three-fifths majority, have a bill submitted to referendum. This power was never used. The Senate had the right also to initiate bills.

There were some distinctive features of the first Senate. While some members were supporters of the government, most members saw themselves as genuinely independent. There was no formal Leader of the House to organise and lead its business, nor was there a government whip. The business of the House was ordered by the Speaker. This often led to a chaotic or disorganised approach with long idle periods followed by rushed legislation at the end of parliamentary sessions. In spite of this, a significant number of senators took their legislating role seriously. In the first few years, over 500 amendments were made to legislation, most of which were accepted. There were occasional signs of ministerial impatience but no accusations from the government of the Senate behaving in a partisan way. In both organisational and procedural respects, the Dáil and Senate occupied very separate spaces with little or no interaction.

The first popular election to the Senate took place in 1925. The election was from a single national constituency, with all over thirty-five entitled to vote.

For the first time, party lines began to emerge though most candidates in this election ran as independents. But, by now, there were some consistent pro-government senators some, but not all, of whom were members of the

Cumann na nGaedheal party, Farmers party and Labour. Apart from Labour no official whipping system operated in the House.

Fianna Fáil was absent from this election, having yet to enter Free State politics. Seventy-six candidates went forward; the turnout was 25 per cent (except in Monaghan where it was 80 per cent) and the count took over a week to complete. The election was significant both for the lack of public engagement and the emergence of some party-based voting.

The relationship between government and Senate in the post-1925 period was ambivalent. Ministers increasingly found it inconvenient to attend the Senate and were increasingly tetchy when legislation was not dealt with as speedily as they would have liked. The use of closure on debates was invoked more and more often, with the chair seemingly over-anxious to facilitate the government.

Yet the Senate did show signs of sturdy independence. The only opposition to the introduction of divorce came from that House and two important bills – one which would have restricted admission to civil service exams to men and another which would have excluded women from jury service – were defeated, the first becoming law nine months later (September 1926), the other resulting in compromise. Over 300 Senate amendments were accepted during this period.⁸

The political landscape changed with the entry of Fianna Fáil to the Dáil in 1927. That party lost no time in making clear its views on the Free State Constitution and, within it, the place of the Senate. Eamon de Valera told the Dáil: ‘We think the proper thing to do is to end the Senate and not to attempt to mend it. It is costly, and we do not see any useful function that it really serves’.⁹

Seán Lemass made clear that the extent of ex-Unionist representation was a major source of objection. He also raised the question of the possibility of the Senate obstructing the Dáil: ‘if there is to be a Second House let it be a Second House under our thumb’.¹⁰

A new electoral system was put in place for the 1928 election. Instead of being nationwide, the electorate now consisted only of members of Dáil and Senate. The system used was proportional representation with a secret postal vote and a term of office of nine years.

This election saw the first serious sign of a party contest. Initially, only Labour and some independents had any semblance of organisation in the House. Cumann na nGaedheal supporters had no formal organisation and

⁸ O’Sullivan, *The Irish Free State and its Senate*, p. 19, seq.

⁹ *Dáil Debates*, vol. 22, col. 140, 22 February 1928.

¹⁰ *Dáil Debates*, vol. 24, col. 614, 14 June 1928.

no whip or leader. Fianna Fáil had a Senate leader and whip from the outset, and with the arrival of six Fianna Fáil senators in November 1928 other parties had to follow suit – though not with any sense of urgency. The other feature of the 1928 election, and soon to be an embedded feature of all Senates, was the election of defeated TDs and Dáil candidates. This trend was even more pronounced in the 1931 election, which saw further Fianna Fáil gains, even if the party was still very much in the minority.

The arrival in office of Fianna Fáil in 1932 had seismic implications for the Senate. The new government was strongly hostile to the Senate, but this did not prevent de Valera from appointing Senator Joseph Connolly to the Cabinet as Minister for Posts and Telegraphs – the only such appointment during the lifetime of that Senate.

More significantly, the Senate was in a position to delay and frustrate the radical and urgent legislative programme of the government and specifically its constitutional reforms. The first test was the bill to remove the Oath of Allegiance from the Constitution in April 1932. The bill passed in the Senate but with significant amendments. These were rejected by the Dáil but insisted on by the Senate in July. This meant that legislation regarded by the government as a priority would not become law until late 1933.

For the Senate, it was a bruising encounter and may have tempered its attitude to the second major proposal – the Land Annuities Bill, which in effect meant economic war with Britain. The Senate passed this bill despite strong misgivings and in general the work of revision continued through 1933 with many amendments being made and accepted. In fact, two further bills were rejected – one extending the local government franchise and the other curtailing the Senate's delaying power from eighteen to three months, which did not become law until late 1934.

The attitude of government was uncompromising. De Valera described the attempt to reduce the Senate's suspensory period as a first step – it was still intended to abolish the Senate. He hinted he was not ruling out a possible substitute but was not clear what that might be.¹¹

An attempt by the Senate to have a Joint Committee to examine the role and powers of the Senate was rejected, in spite of Senator Douglas's assertion that 'the considered opinion of the civilised world is in favour of bicameral legislatures'.¹²

It was now clear that the Senate was living on borrowed time. This was made explicit by de Valera: 'I did not hear a single good argument which

¹¹ *Dáil Debates*, vol. 27, cols 783–4, 23 November 1928.

¹² *Seanad Debates*, vol. 17, no. 1, 11 July 1933.

would convince me that, if we were starting here a new Constitution, a Second Cmber was either necessary or fundamentally useful.¹³

The crunch moment came with the introduction of the Wearing of Uniforms (Restrictions) Bill in March 1934. The purpose of the bill was effectively to outlaw the Blue Shirt movement. It passed after one of the most bitter debates in the history of the Dáil but was rejected by the Senate by thirty votes to eighteen, which meant there would be a suspensory eighteen-month period. In fact, the Blue Shirt movement had faded before it ever became law but the action of the Senate was seen as a rejection of a bill deemed by the government as urgent.

On the very next morning, Mr de Valera introduced a bill to abolish the Senate. That bill passed in the Dáil in late May but was rejected by the Senate by thirty-three votes to fifteen on 2 June, which meant the bill would also not be enacted for at least eighteen months.

There were occasional hints from de Valera during this suspensory period that he might conceivably look at the possibility of a radically new Senate, but there would be no reprieve for the existing House. De Valera was not going to tolerate any further delaying of his programme of constitutional change.

Meanwhile, the Senate went on with its work, rejecting a bill to abolish university representation in the Senate and continuing to make amendments to legislation, many of which were accepted. It even held elections to fill twenty-three seats in November 1934: the two significant features of this election were the small number of candidates and the continuing party politicisation of the House.

The suspension of the Senate Abolition Bill expired in late November 1935 with the House finally ceasing to exist on 29 May 1936.

The only comforting note for those who believed in bicameralism was the valedictory words of Eamon de Valera in the Dáil a day earlier: ‘If it can be shown how we can constitute a Seanad which, practically, will be of value, then certainly we will give such a proposition most careful consideration.’¹⁴

In retrospect it can be seen that the Senate had taken its role seriously, if imperfectly, and left behind it a considerable body of achievement in its thirteen years of existence. It received 489 bills from the Dáil (other than money bills) and of these 182 were amended by it, with virtually all of its 1,831 amendments being accepted by the Dáil. The power of suspension had been exercised in only nine cases and in two of those cases the government refrained from passing the bills into law when the period of suspension had

¹³ *Dáil Debates*, vol. 51, col. 2109, 19 April 1934.

¹⁴ *Dáil Debates*, vol. 62, col. 1600, 28 May 1936.

expired and had succeeded in its initial purpose of providing a strong voice and sense of belonging to leaders of the Unionist community though this had waned somewhat in its later years due to the hostility of some Fianna Fáil members.

Yet, for all of its achievements, the Free State Senate lacked a coherent *raison d'être*. It sought to be non-party political, to be above partisan strife but this was simply not possible in the bitter, divided politics of the period. Fianna Fáil was a party with a popular mandate for change and it was not going to tolerate any obstruction, especially when it doubted the bona fides of the Senate majority.

It never managed to find a satisfactory system of election, swinging from the hugely impractical model of a single national constituency to the 'rotten borough' concept of an electorate restricted to members of Dáil and Senate. It never managed to persuade a hostile government that it could be reformed, that a new role could be found, because ultimately the government disliked its origins, distrusted much of its composition and resented its independence. In a moment of candour in 1938 after the Senate's demise Mr de Valera put it bluntly: 'It had proved, by its attitude to decisions taken by the people, that it had a wrong idea of what its functions should be, and it deserved to be got rid of for that reason, if for no other'.¹⁵ The simple fact was that in a situation of conflict between the popularly elected Lower House and the indirectly elected Upper House, and where no will to compromise existed, there could only be one winner.

Seanad Éireann

By 1936 de Valera was well advanced in drawing up a new draft constitution, and, two weeks after the end of the Free State Senate, he appointed a twenty-three-member commission to 'make recommendations as to what should be the functions and powers of the Second Chamber of the Legislature in the event of its being decided to make provision in the Constitution for such Second Chamber ...'.¹⁶ The commission was boycotted by the opposition parties on the basis that no understanding was given that a second chamber would be established. The outcome of the commission indicated the complexity of the problems involved, and the wide diversity of views on the subject. It produced ten separate reports or reservations but the final report did at least provide some options for the drafters.

¹⁵ *Dáil Debates*, vol. 69, col. 1626, 2 December 1937.

¹⁶ Dáil Éireann Commission (concerning) the Second House of the Oireachtas (1936), *Report of the Commission (concerning) the Second House of the Oireachtas*, Dublin: Houses of the Oireachtas.

The draft constitution published on 30 April 1937 proposed the restoration of bicameralism with the Second House now officially known as Seanad Éireann. The new body would have sixty members, not the forty-five suggested earlier by de Valera. Its members would be elected in three ways – eleven nominated directly by the Taoiseach of the day, three each elected by the graduates of the National University of Ireland and the University of Dublin, and forty-three on the basis of vocational representation. The life of the Senate would be virtually coterminous with the life of the Dáil, the method of election determined by law. As for powers, the power over money bills was essentially the same as in the old Senate, while the suspensory power over legislation was reduced to ninety days.

The most striking immediate feature of the proposed new chamber was its creator's lack of enthusiasm or ambition for it. Mr de Valera did not want a strong Second House capable of challenging the government as the old one had. He declared 'it would pass the wit of man to devise a really satisfactory Second Chamber.'¹⁷ He was adamant it should neither duplicate nor impede the Dáil and had come to the view that certain limited powers might be given to a Second House and that as long as they were limited and the:

'Second House could not be much more than a revising Chamber – taking up measures, criticising them from an independent standpoint and with as great a variety of viewpoints as possible – a Second House might be of some value. I worked on the basis ... [that] even if we cannot get an ideal Seanad, then a bad Seanad is better than no Seanad.'¹⁸

The one novel feature of the Seanad was the introduction of the concept of vocational representation. The idea had been in vogue for some time and as a conspicuous feature of Catholic social thinking since the 1920s, it was strongly espoused by Catholic social theorists in Ireland.¹⁹ The problem was that nobody had much idea how it would work in practice and in particular how the electoral system would function. One proposal was that the vocational bodies would themselves nominate candidates directly to the Senate.

¹⁷ *Dáil Debates*, vol. 69, col. 1607, 2 December 1937.

¹⁸ *Dáil Debates*, vol. 69, col. 1611, 2 December 1937.

¹⁹ Whyte, J. H. (1971), *Church and State in Modern Ireland, 1923–1970*, Dublin: Gill & Macmillan, *passim*.

However, as Seán Lemass pointed out in Ireland there did not exist ‘the basis of vocational organisations which would enable a Seanad to be elected’.²⁰

Despite the absence of any very clear idea of what it would mean in practice, all parties in 1937–1938 declared their support for a non-party political Seanad and strong vocational representation. The system of election adopted however ensured the certainty that the new House would be dominated by the political parties.

Powers of the Seanad

Like its predecessor, the Seanad may not initiate money bills nor hold them up for longer than twenty-one days. It does have the right to appeal to a committee of privileges, through the president, against the Ceann Comhairle’s certification of a particular bill as a money bill. Neither of these powers has ever been used.

The Seanad’s suspensory power over ordinary bills is 90 days, after which, on a resolution of the Dáil, a bill is deemed to have passed after 180 days. Moreover, the period of 90 days may be abridged if a bill is declared urgent by the government, but in that case the act remains in force for 90 days only, unless before the expiration of that time, both Houses agree to keep it in force for a longer period.

The most that the Seanad can do in the event of disagreement with the Dáil is to petition the president not to sign the bill in dispute, and even that it cannot do alone. A majority of the Senate and one-third of the Dáil may present a joint petition to the president requesting the president not to sign the bill, other than a constitutional amendment, on the grounds that the bill contains a proposal of such national importance that the will of the people ought to be ascertained. If the president accedes to the petition, either a referendum or a general election must be held.

Only two bills have been rejected by the Senate. One was highly significant – a proposal by the government in 1959 to amend the Constitution by replacing proportional representation with the first-past-the-post system method of Dáil election. The Seanad defeat was a major embarrassment for the government and even though the Dáil rejected the Seanad decision, the proposal was eventually defeated in referendum. The other was the 1963 Pawnbrokers Bill: however, its rejection was due principally to poor whipping of government members which allowed the opposition to outvote the

²⁰ *Dáil Debates*, vol. 69, col. 1630, 2 December 1937.

government's legislation. The Seanad's rejection of this bill was also overturned by the Dáil. The other powers have never been used.

The Constitution also authorised the introduction of legislation to allow any functional or vocational group or council to elect directly a number of senators in substitution for an equal number from the corresponding panel. However, no such legislation has ever been contemplated.

Election to the Seanad

Under the new arrangement twenty-two of the forty-three vocational senators would be nominated by members of the Dáil and outgoing Seanad, twenty-one would be nominated by certified vocational bodies, thus creating 'inside' and 'outside' panels. The electorate for both panels however would be TDs, senators and members of city and county councils – an almost entirely party electorate. This was a defining decision in the development of the Seanad but it was almost certainly unrealistic to expect otherwise. The Labour leader William Norton said as much when the matter was being debated: 'It is absurd to imagine that you can ever get a Seanad, here or elsewhere, which will not, because of the nature of its work, be a political body. It is inevitable that the Seanad will be a political body'.²¹ And so it proved.

The Dáil debate on the nature of the electoral system for the 43 vocational seats centred on 3 proposals: (i) a Labour view that the Dáil alone should be the electorate; (ii) a Fine Gael proposal for a non-political electoral college; and finally (iii) a Fianna Fáil proposal, which was the one adopted. The electoral college comprised the members of the new Dáil and 7 representatives of the then 31 city and county councils – who were elected by their councils – all in all, a total of 355 electors. Candidates could be nominated either by members of the Dáil or by accredited vocational bodies from the 5 vocational panels: Culture and Education, Agriculture, Industry and Commerce, Administration, and Labour. This is the system that still exists, though now with an enlarged electorate and nomination of candidates by members of the Seanad as well as the Dáil.

There was an element of the bizarre about the first election, held in early 1938. The status of some of the nominating bodies was called into question, with the Labour Party boycotting the election because it disagreed with the decision to allow the Ballingarry Cottage Tenants and Rural Workers the right to nominate a candidate.

²¹ *Dáil Debates*, vol. 69, col. 1579, 2 December 1937.

Otherwise the patterns laid down were to persist. Nineteen of those elected were former TDs and senators and most others elected had ties to the major parties. Few of the genuinely ‘vocational’ candidates were successful. Even at this early stage, the largely political electorate voted on party political lines. The second Seanad election which followed shortly, in August 1938, confirmed this pattern, with Labour now participating and with even more former members being elected, and even fewer genuinely vocational senators gaining seats. The last such senator elected was in the 1970s.

The small size of the electorate produced its own problems. Suspicion that some voters were behaving corruptly were confirmed with the prosecution, conviction and jailing of an offender after the 1944 Senate election.²² On the basis of this, and of rumours of wider corruption, a bill was introduced in 1947 altering the method of nominating and electing the panel members. The most significant change was to increase the size of the Seanad electorate which would now consist of the members of the newly elected Dáil, the outgoing Seanad and all county and borough councillors, making a total of over 900 electors. The change made corruption more difficult but it also emphasised the party political domination of the Seanad.

Taoiseach’s nominees

The power to allow the Taoiseach in his or her own discretion to nominate eleven senators has two main purposes in mind. The first and ostensible reason is to give a voice in parliament to distinguished citizens who have brought honour to the state and who may have a special contribution to make to public life. The second and more prosaic reason is to ensure the government has a secure majority. Most Taoisigh have sought to include a small number of distinguished public figures among their nominees, and over the years many of these people, such as T. K. Whitaker, Maurice Hayes, John Robb, Seamus Mallon, Brid Rogers, Gordon Wilson, Éamon de Buitléar, have made significant contributions. Indeed the presence of strong North of Ireland voices from different traditions gave Senate debates an immediacy and an insight not always found in the Dáil during some of the most traumatic days of the Northern Troubles.

But the vast bulk of those nominated over the years, however, have been for party political reasons – to compensate defeated TDs and to groom potential candidates for the next Dáil election. There has never been any attempt to disguise this reality and in fact all coalitions since 1948 have allocated seats on a proportionate party basis.

²² McCracken, J. L. (1958), *Representative Government in Ireland: A Study of Dáil Éireann 1919–48*, London: Oxford University Press, p. 150.

Nomination of ministers from the Seanad

The first Senate had sought unsuccessfully to have ministers nominated from its numbers. The intention in 1937 was to allow an injection of outside expertise to the Cabinet. This has happened on two occasions, first in 1954 when the former Fianna Fáil Minister Sean Moylan lost his Dáil seat and was nominated to the Seanad and then appointed to the Cabinet in de Valera's last government, and in 1981 when Garret FitzGerald nominated Senator Jim Dooge as Minister for Foreign Affairs. Dooge was regarded as an extremely able minister but was not reappointed to FitzGerald's second government, partly at least because of the hostile reaction of many of the party's TDs to his original appointment.

University representation

The original inclusion of six university senators was to compensate for the abolition of such representation in the Dáil in 1937 and, initially at any rate, to ensure a voice for the ex-Unionist minority through the three Trinity seats. The existence of the university seats has come under sustained attack in recent years, partly on the principle that the enfranchising of university graduates over non-graduates lacks any democratic justification and on the practical grounds that it discriminates against graduates of the country's new universities and institutes of technology. The defence of the university senators concentrates on their consistently high quality, the disproportionate contribution they make and that they do meet one of de Valera's criteria by providing a diversity of views not normally represented in the House. In fact, it is the sheer quality of so many of those elected from the universities – Mary Robinson, Feargal Quinn, James Dooge, Joe O'Toole and David Norris to name but a few – and the major contributions they make to the work of the Seanad which has distracted from the anomaly of university representation especially when that representation excludes thousands of graduates from the newer universities.

Organisation of the Seanad

After each election, the Seanad elects a chairperson or 'Cathaoirleach' who remains in office for the lifetime of the Seanad. The Cathaoirleach votes only in the event of a tied vote and by convention does not attend parliamentary party meetings. A Cathaoirleach may be removed from office by a vote of no confidence, though only one such (unsuccessful) vote has ever taken place. The Cathaoirleach is ex officio a member of the Council of State and chairs the Seanad Committee on Parliamentary Privileges and Oversight. Unlike

the Ceann Comhairle, the Cathaoirleach is not automatically returned at election time.

Throughout the lifetime of Seanad Éireann, government business has been organised by the Leader of the House, a member of the major government party appointed by the party leader – and removable by the leader. Each of the opposition parties has its own leader with the leader of the main opposition group serving as leader of the opposition. All groups – including Independents – have whips, who with the leaders liaise with the Leader of the Seanad on the business of the House.

Revision of legislation continues to be at the core of the Seanad's work. Under the Constitution, all bills must be taken to the Seanad but in recent years the number of government bills initiated in the House has increased significantly. The House sat on 102 occasions in 2019. One hundred and eight bills were initiated, twenty-eight of which originated in the Seanad. The reasons for the increase in Senate-originated bills may be due to the increased influence with government of some recent leaders of the House and a realisation by ministers that the Seanad offers a better opportunity to tease out the details and implications of a bill than in the more combative Dáil. Essentially, however, the Seanad lacks the capacity to insist on non-government amendments and is largely dependent on the willingness or otherwise of ministers to accept amendments. Like in the Dáil, the Seanad goes through long periods with very little legislation to consider and then finds itself having to deal with considerable numbers of bills which government departments seek to rush through in the closing days of each parliamentary session – something which was also a feature of life in the Free State Senate. One principal difference between Dáil and Seanad is that the guillotining or curtailing of debate rarely happens in the Seanad.

Other aspects of the Seanad's workload include the order of business, matters on the commencement of sittings, private members' time, statements on major matters of controversy or public concern, addresses from invited distinguished figures, the initiation of private members' bills and the processing of private bills. In addition, members of the Seanad serve on all Oireachtas joint committees.

The order of business at the commencement of each day's sitting was initially intended merely as a brief discussion of that day's agenda but in recent years has assumed the format of a discussion on the major political issues of the particular day, local issues and indeed issues of little apparent relevance. It is the area of Seanad activity which is most likely to receive media attention.

Matters on the commencement, of which there can be four at the start of each day's sitting, afford members the opportunity to raise issues (sometimes of local relevance) on which they can get a ministerial reply.

The Seanad plays a major part in dealing with private bills. Private bills are 'bills for the particular interest or benefit of any person or persons'.²³ In the Free State Senate, a private bill was needed to obtain a divorce, and it was the presentation of such a bill that led the government to outlaw divorce. In general, private bills originate from outside interests who must promote the bill. In recent years such bills have dealt with attempts by charter-based bodies, notably Trinity College Dublin and the Royal College of Surgeons of Ireland, to amend aspects of their charters. Private bills have also been promoted by individuals, and essentially the process can be traced back to the medieval practice of petitions presented to parliament for specific relief.

The most striking feature of the work of the Seanad however is the realisation of de Valera's very specific determination that it should always be subservient to the government of the day and not be in a position to obstruct legislation. On only very rare occasions has the Seanad defeated the government on substantive issues, and while these instances caused annoyance and embarrassment to the government, they were quickly reversed by the Dáil. The other few government defeats were usually either on matters of procedure or minor amendment and were the result of indiscipline and bad whipping.

One period when the government did not have a Seanad majority was in 1994 when the government changed without a general election. A Fianna Fáil–Labour coalition was replaced by a Fine Gael–Labour–Democratic Left government. The new government did not have a Seanad majority but, in spite of this, negotiated all of its legislation through the House. What this unusual situation did mean was that the government did have to pay attention to the Seanad and on a number of occasions had to make amendments it would not otherwise have considered. This was particularly the case in relation to the Universities Bill, 1997.

Seanad reform

For long periods of its early life, the Seanad was a backwater, enlivened occasionally by the university senators and by the dedication to detailed legislative scrutiny of a minority of members of all parties. During all of this

²³ May, E. (2019), *Treatise on the Law, Privileges, Proceedings and Usage of Parliament* (25th edition), para. 26.2, available at: <https://erskinemay.parliament.uk/> (accessed 28 September 2022).

time, and with varying intensity, the role and existence of the Seanad has been questioned. It is not the case, however, that many senators are not alive to these questions or have not sought some answers to them. Many special committees have examined various aspects of the workings of Seanad Éireann, and to date there have been fourteen reports focused on Seanad reform. One of the more ambitious of such reviews was the Report on Seanad Reform published by the Seanad Éireann Committee on Procedures and Privileges Sub-Committee on Seanad Reform in 2004, chaired by Senator Mary O'Rourke.²⁴ The report had no difficulty in defining what it saw as the key problems facing the Seanad:

1. It has no distinctive role in the Irish political system, and
2. Its arcane and outdated system of nomination and election diminishes senators' public legitimacy.²⁵

The report also identified the issue of university representation as seriously problematic given that it privileged some citizens with a voting right solely on the basis of educational achievement.

The report recommended radical change. Its main finding amounted to a comprehensive rejection of the concept of vocational representation, which was at the heart of the 1937 model. The new Seanad would have sixty-five members, twenty-six elected directly from one national constituency using a list system of proportional representation, the election to be held independently of Dáil elections and on the same day as European and local elections; a higher education constituency of six members, with a single constituency of all third-level graduates and an electoral college of TDs, senators and councillors to elect twenty members from a single constituency. This election would be held within ninety days of a general election. In addition, the Taoiseach would nominate twelve members, including two from Northern Ireland.

In terms of legislation and other functions, the report proposed that the Seanad should not be in a position to obstruct the government, but should have an enhanced committee role, engage in public consultation on legislation, have a new role in EU affairs, be the 'principal policy reviewer in the Houses of the Oireachtas'²⁶ scrutinise senior public appointments and allow the leader of the Seanad to attend cabinet.

²⁴ Seanad Éireann Committee on Procedures and Privileges Sub-Committee on Seanad Reform (2004), *Report on Seanad Reform*, Dublin: Houses of the Oireachtas.

²⁵ Ibid, p. 26.

²⁶ Ibid, p. 59.

Following the financial crisis of 2008, the debate moved on from reform to abolition. Previously, the Progressive Democrats had proposed abolition in the 1980s, but having participated in the Seanad became strong supporters. In 2009, the Fine Gael party adopted abolition rather than reform as official party policy. By the time of the general election in 2011, with the demand for political reform and cost saving high following the impact of the global financial crisis on Ireland, all the main political parties had taken a stance that the Seanad should be abolished. Not surprisingly therefore, the programme for government of the new Fine Gael–Labour coalition government incorporated a commitment to abolish Seanad Éireann.

The Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill, 2013, completed its passage through the Houses of the Oireachtas on 23 July 2013, and the referendum to decide on whether or not to abolish the Seanad was set for 4 October 2013. The Referendum Commission, set up by the State to provide independent information on referenda, was established four months before polling day. Professors Muiris MacCarthaigh and Shane Martin note that the Commission

‘estimated that abolition of the Seanad would require 40 changes to the text of the Constitution, ranging from simple deletions to more substantive re-engineering. Its guide identified 14 major changes, of which all but one would result in a transfer of powers to Dáil Éireann’²⁷

While most political parties maintained their stance on abolition, Fianna Fáil subsequently changed its position and, in 2013, published a policy document calling for Seanad reform and a reduction in the number of members rather than abolition.

Those campaigning in favour of abolition focused on a small number of issues. Prominent amongst them was the argument that abolition would lead to cost saving and fewer politicians. A figure of annual savings of €20 million was put forward by Fine Gael. This was strongly contested by those opposed to abolition. Other arguments in favour of abolition put forward include:

‘[M]uch was made of the upper chamber’s ineffectiveness since its re-establishment in 1937, with the “crèche” and “retirement home” monikers featuring prominently. The constitutional provision for

²⁷ MacCarthaigh, M. and Martin, S. (2019), ‘Precarious Bicameralism? Senates in Ireland from the Late Middle Ages to the Present’, in N. Bijleveld, C. Grittner, D. E. Smith and W. Verstegen (eds), *Reforming Senates: Upper Legislative Houses in North Atlantic Small Powers 1800–Present*, Routledge Studies in Modern History, London and New York: Routledge, pp. 239–54.

university seats was deemed archaic if not illegal, given that the constitutional amendment approved in the late 1970s to extend the franchise to all third-level institutions outside of the colleges of the University of Dublin and National University of Ireland had never been acted upon. Equally, the original concept of vocational representation by means of the five vocational panels in the Senate was pointed to as redundant given the reality of parliamentary party control of the chamber.²⁸

Political science expert Professor Eoin O’Malley (2013) took issue with those who proposed retention rather than abolition:

‘More problematic for the retentionists is that they say they want a reformed Seanad which is democratically elected. Yet the only reason the type of people we saw in the Seanad are in the Seanad is precisely because they are either nominated or elected by a small elite. A reformed Seanad would resemble the Dáil they complain about, but lack its potential bite. They are promising a fantasy Seanad, that not only will not exist, but cannot exist’²⁹

Those campaigning in favour of retention put particular stress on what they saw as the democratic deficits of abolition, and increasing centralisation of power in the hands of the executive. They proposed reform rather than abolition. These arguments for retention are well summed up by Irish historian, Professor Diarmaid Ferriter:

‘The proposal to abolish the Seanad, without even considering its reform will, if successful, inevitably result in the concentration of governance in the hands of fewer, without any chance of meaningful oversight and scrutiny of what they are doing ... The proposal to abolish checks, revisions and the rectifying of mistakes, is the very opposite of reform and a “democratic revolution”. It is aggressively anti-democratic and a populist but dangerous deflection from the hard work of real reform’³⁰

²⁸ Ibid.

²⁹ O’Malley, E. (2013), ‘Seanad Abolition is No Threat to Our Democracy – More an Opportunity’, History Hub, Seanad Special, History and Policy Opinion No. 1, School of History and Archives, University College Dublin. Available at: <http://historyhub.ie/seanad-abolition-no-threat-to-democracy> (accessed 17 August 2022).

³⁰ Ferriter, D. (2013), ‘Proposal to Abolish Seanad is an “Awesome Admission of Failure”’, History Hub, Seanad Special, History and Policy Opinion No. 2, School of History and Archives, University College Dublin. Available at: <http://historyhub.ie/seanad-proposal-admission-of-failure> (accessed 17 August 2022).

The Democracy Matters group, which included a number of sitting and former senators and leading members from law, business and academia, accused the government of a ‘power grab’. The group’s founders were serving Senators Katherine Zappone and Feargal Quinn, former Minister and Senator Michael McDowell, former Senator Joe O’Toole, and political analyst Noel Whelan. The group argued that the Seanad should be reformed to provide adequate checks and balances on the government, along with a home for new political voices of people who had been shut out of the system.

The proposal to abolish the Seanad was defeated by a narrow margin. Voters rejected abolition by 51.7 per cent to 48.3 per cent, a margin of almost 42,500 votes, on a low turnout of 39.7 per cent. In research carried out after the referendum, the Referendum Commission found that of those who voted, 49 per cent said they understood the issue very well or quite well, with 18 per cent saying they understood it to some extent and 32 per cent said they did not understand it particularly well or did not understand it at all. Of those who did not vote, 32 per cent said they had no interest in it and weren’t bothered to vote, and 35 per cent felt uninformed.³¹

In response to the referendum result, the government established a Working Group on Seanad Reform, chaired by Maurice Manning, which included politicians and representatives from academia and civil society.³² The group’s terms of reference noted that the focus was to be on: (i) possible reforms of the Seanad electoral system; and (ii) exploring ways of reforming Seanad Éireann generally and the manner in which it carries out its business. Importantly, the terms of reference also noted that all this must be done within the existing constitutional parameters. This last point was of crucial importance in determining the approach of the Group greatly limiting its freedom of action and obliging it to deal with organisational details which were now constitutional imperatives.

The Working Group defined three fundamental principles which must underpin any meaningful reform:

1. Popular legitimacy – a reformed Seanad must be seen by Irish citizens as having a legitimate voice and role in the political process

³¹ Referendum Commission (2013), *Report on the Referendums on the Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013 and Thirty-third Amendment of the Constitution (Court of Appeal) Bill 2013*, Dublin: Referendum Commission. Available at: www.refcom.ie/previous-referendums/abolition-of-seanad/abolition-of-seanad-eireann-and-court-of-appeal-referendums.pdf (accessed 17 August 2022).

³² Working Group on Seanad Reform (2015), *Report of the Working Group on Seanad Reform*, Dublin: Houses of the Oireachtas.

2. Adequate powers and functions – a reformed Seanad should have distinctive and adequate powers and functions to make a discernible contribution to the parliamentary process
3. Distinct composition – a reformed Seanad should be distinct in its composition and its electoral process should be designed accordingly.

In line with these principles, the group recommended a number of reforms, including that:

- a majority (thirty) of the panel seats be elected by popular vote on the principle of one person, one vote (making use of technological developments to keep the costs down)
- thirty-six of the sixty seats be directly elected from five vocational panels and from the university constituency
- on the basis of the principle of one person, one vote, citizens who are eligible to vote in the university constituency must opt to vote either in that constituency or in one of the five panels available to all citizens
- the principle of one person, one vote be extended to include Irish citizens in Northern Ireland and to holders of Irish passports living overseas
- thirteen of the sixty seats be indirectly elected from an electoral college of all elected county and city councillors, members of Dáil Éireann and outgoing senators
- the Seanad to be given distinct roles in areas such as EU secondary legislation, North–South Ministerial Council proposals, and investigating on matters of public policy interest.

Another recommendation was that an implementation group be set up to oversee and ensure action on the recommendations. This was eventually established, though it took until April 2018 for the government to agree to establish a group of Oireachtas members to be known as the Seanad Reform Implementation Group (SRIG), chaired by Senator Michael McDowell. The Group was charged with considering and reporting on the implementation of the recommendations of the Working Group on Seanad Reform, again with the stipulation that it do so within the present terms of the Constitution.

A report and draft bill from the SRIG was published in December 2018.³³ While accepting most of the recommendations of the 2015 report, the Implementation Group did not accept everything proposed in the Working

³³ Seanad Reform Implementation Group (2018), *Report of the Seanad Reform Implementation Group*, Dublin: Houses of the Oireachtas.

Group report. In a slight variation, the Group suggests that the new composition of the Seanad should be eleven senators appointed by the Taoiseach, fifteen senators elected by TDs, senators, county and city councillors, thirty-four senators directly elected from five vocational panels, and another including graduates of all universities. The Group decided against trying to hold elections to the Dáil and Seanad on the same day, finding this would be neither practical nor desirable. In draft legislation, included as an annex to the report, the Implementation Group called for the creation of a Seanad Electoral Commission to establish and maintain the register of voters.

To date, the recommendations of the Implementation Group in relation to electoral reform have not been acted on, nor have they the support of significant members of the Seanad itself. The challenges with securing government commitment to act are illustrated by the response of the Taoiseach, by way of written answer, to a question as to plans to reform Seanad Éireann within the lifetime of the 33rd Dáil. Referring to the Implementation Group report, the Taoiseach, Micheál Martin, replied:

‘The report’s recommendations were not unanimously endorsed by the group’s members. While there was some brief consideration of that report by the Houses in late 2019, if further examination of its proposals by the current members of the Houses were to lead to a consensus around some of the report’s recommendations, such a consensus would provide a basis for their implementation.’³⁴

In the absence of government commitment to Seanad reform, the Seanad itself has been taking steps to implement changes recommended in the various reports on reform that are within its remit. With the support of all leaders and groups in the Seanad, the Cathaoirleach’s office has set about implementing the relevant reforms. Amongst the reforms advanced are:

- The Seanad may now invite the Chair of a committee who is a member of the Dáil to speak on a motion to note a report of a committee. Where such a motion has been agreed, a subsequent motion to review progress on the implementation of the report’s recommendations may be debated after a further six months.
- A new category of motion allows senators who have been elected for particular vocational panels or university constituencies to table

³⁴ Martin, M. (2020), Written answer to question on Seanad reform. Available at: www.kildarestreet.com/wrans/?id=2020-09-22a.207&s=%22seanad+reform+implementation+group%22#g209.r (accessed 17 August 2022).

motions related to the interests of those panels or universities. Speaking rights prioritise the senators elected for the relevant panel or university. The Cathaoirleach, in selecting motions for debate, gives preference to senators whose proposals have been informed by engagement with relevant bodies. This reform is intended to help give greater prominence in debate to the special knowledge and experience of senators who have been elected for the panels and universities, and to strengthen the relationship between the Seanad and civic society.

- On a European constituency basis, Irish members of the European Parliament are invited to debate and engage with senators on European developments through an audience in the House.
- Following agreement with the Government, a Seanad Select Committee on EU Scrutiny is now being established to consider draft statutory instruments which will transpose EU directives into national law. The Committee will identify matters that may require more detailed scrutiny and refer them to the relevant joint committees. Until now, draft statutory instruments of this kind were not scrutinised by the Oireachtas whose powers were confined to annulment of such instruments after they had been signed into law.

Ultimately, it is the total failure of all governments since 1937 to take the Seanad seriously, to accept that the role and functions assigned to it are inadequate and anachronistic which is at the root of the current impasse with regard to reform. There is little sign of this situation changing. In the 2020 general election, none of the Fianna Fáil, Fine Gael, Labour or Social Democrat manifestos committed to Seanad reform, though those of Sinn Féin and the Green Party did. The programme for government made no reference to it.

It is likely that the most significant changes with regard to the Seanad in coming years will be a continuation of recent trends regarding the electorate and composition of the Seanad. As political researcher Claire McGing notes ‘The Seanad electorate has changed considerably from earlier elections. Notable has been the decline in the combined strength of what were formerly Ireland’s major political parties, Fianna Fáil, Fine Gael and Labour, and an increase in support for independent and other particular causes, suggesting a reduction in dominance of the traditional main political parties’³⁵

³⁵ McGing, C. (2021), ‘The Seanad Election: Voting in Unprecedented Times’, in M. Gallagher, M. Marsh and T. Reidy (eds), *How Ireland Voted 2020: The End of an Era*, London: Palgrave MacMillan, pp. 275–95.

In fact, probably the biggest change in the Seanad in recent years has been this relative breakdown of unquestioned major party dominance. The Free State Senate rightly prided itself on the strong role given to minority voices – even if minority historically largely meant ex-Unionist rather than other interests. In theory, the vocational structure of the present body should have led to a diversity of interests – agricultural, cultural and educational, labour, industrial and commercial, and administrative – being elected, but the nature of the electorate meant this never happened. In practice, as was intended by its founder, all Seanads since 1937 have been dominated by the party or parties in power, with the exceptions of the 1994–7 Seanad when the composition of the government changed in mid-term and the 2016–20 Seanad when it had conditional support under a confidence and supply arrangement with Fianna Fáil.

This dominance still persists but is changing. This change is due in part to the willingness of successive Taoisigh to dilute the ‘party’ aspect of their nominees to include genuine independents and special interest representatives in their eleven nominees and to the electoral success of independents, Sinn Féin and the Green Party in successive local elections which has enabled them make significant gains.

Conclusion

Seanad Éireann is now in a more secure place than it has been for many years. The threat of abolition is gone – settled definitively if precariously by the 2013 referendum. The parties who earlier called for its abolition have now accepted the outcome of the referendum and have turned their focus – without great enthusiasm it must be said – to reform.

But there is also a new sense of realism. The mood has changed from a situation where the Seanad was mindlessly blamed for not doing things it never had the power to do, to looking creatively at the positive and realistic things a Second House can do in an increasingly complex and vulnerable modern democracy. How can it enhance and enrich the entire parliamentary process? How can it be meaningfully inclusive in an increasingly multi-cultural and multi-racial society? How can it shape and lead public thinking on great social and political questions or provide a forum where these issues can be discussed? How can it ensure genuine scrutiny of legislation and help in ensuring real public accountability of large public institutions who feel themselves above such scrutiny?

It is clear that nobody in the current Senate wants to go back to those long years when the House was a quiet, if comfortable, backwater. It has shown a vitality in recent years and an ambition to make itself as relevant as any

subordinate democratic chamber can be. Unfortunately, it is not a free agent. Its freedom of action is greatly circumscribed by the fact that Bunreacht na hÉireann has raised what should be organisational details into constitutional imperatives which means all reform must be within existing structures.

One hundred years on, Seanad Éireann is a sturdy and resilient institution. There is much in its past to be proud of and much more from which lessons can be learnt. And its future lies, most of all, within itself.

3

The Seanad: evaluating its distinctive role

Catherine Lynch

Upper Houses in democratic states have several purposes. The International Institute for Democracy and Electoral Assistance (International IDEA) identifies four such purposes noting that they are not mutually exclusive:

- to enable different principles of representation to be applied (e.g. they may represent territorial units or specific communities or under-represented groups);
- to improve the scrutiny and review of legislation;
- to provide additional democratic checks and balances;
- to continue a historical legacy.¹

Seanad Éireann is, first and foremost, a chamber of reflection and revision. Éamon de Valera, the chief architect of the 1937 Constitution, saw benefits in the Upper House's revisionary work on legislation provided that it did not frustrate the will of the executive.² The Seanad is also assigned functions under the Constitution designed to circumvent the prospect of an overly powerful executive – to prevent the tyranny of the majority.³

Before looking more closely at how the Seanad performs its role in reviewing and reflecting on legislation, the type of representation it brings to this process should be considered.

¹ Bulmer, E. (2017), *Bicameralism: Constitution-building Primer*, Stockholm: International Institute for Democracy and Electoral Assistance (IDEA).

² Hogan, G. (2012), *The Origins of the Irish Constitution 1928–1941*, Dublin: Royal Irish Academy, p. 198.

³ Bulmer, *Bicameralism*, p. 6.

Representation: congruent and distinct?

Many constitutional theorists argue that for a bicameral parliament to be effective – whether it is in a federal or a unitary state – each chamber should provide a different type of representation.⁴ For these constitutional theorists, if the two chambers are approaching congruence (i.e. are similarly composed), the need for a second chamber is questionable.⁵ If both chambers are controlled by the same partisan interests, is it necessary to have a second one? Others argue that congruence does not render bicameralism futile, in particular, where the main function of the Upper House is to act as a chamber of reflection and revision with a view to enhancing the quality of legislation.⁶ It is argued that the quality control brought by a second airing of the legislation brings informational advantages and can produce better, more considered, legislation regardless of congruence.⁷ Whether or not these benefits occur arguably depends on the type of representation that senators bring to the legislative process.

Looking at Ireland's bicameral system, the Seanad and the Dáil are frequently congruent – in that the same parties dominate both houses. In 2002, there appeared to be almost perfect congruence in terms of party representation between the two Houses, and the situation in 2007 was similar (Fig. 1).

Indeed, the Seanad's dominance by parties, and by government parties particularly, has been lamented by some commentators over the years. The earlier days of the Free State Seanad (see Byrne's chapter in this volume) when independents dominated and challenged the government on many policy issues are sometimes idealised. Interestingly, congruence reduced as a result of the dramatic changes to the party system in 2011, and of the fragmentation of the party system since 2016 (Fig. 2).

The fact that senators are indirectly elected, and primarily by local councillors, means that the Seanad reflects the party system at the time of local elections (which take place at a different time to general elections). Therefore, while the Seanad election takes place within ninety days of a general election, only 160 or 13.6 per cent of the electorate for the Seanad reflects the position of the parties at the time of the general election (160 of the 1,169 electorate: 949 councillors (elected in 2019), 60 senators elected or appointed in 2016, 160 TDs elected in Dáil elections). This explains why

⁴ Rogers, J. R. (2001), 'An Informational Rationale for Congruent Bicameralism'. *Journal of Theoretical Politics*, vol. 13, no. 2.

⁵ *Ibid*, p. 126–7.

⁶ Rogers, 'An Informational Rationale for Congruent Bicameralism'.

⁷ Tsebelis, G. and Money J. (1997), *Bicameralism*, Cambridge: Cambridge University Press, pp. 15–6, 35–42.

Figure 1: Congruence in representation between the Seanad and the Dáil, 2002 and 2007

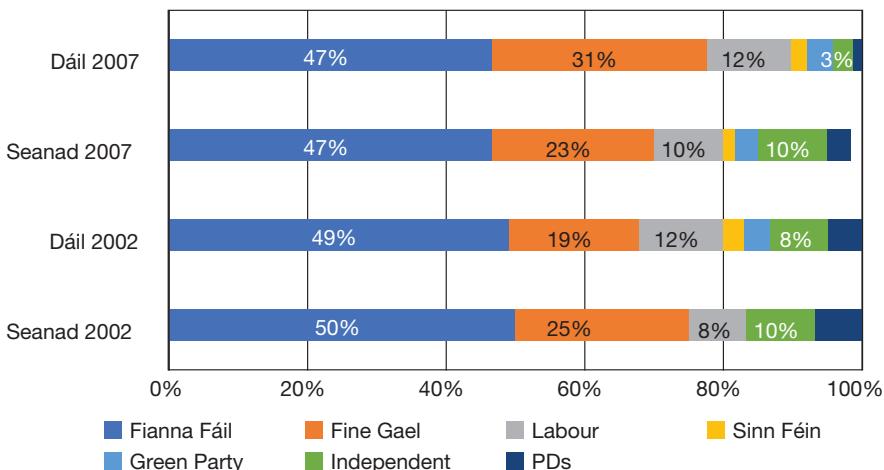
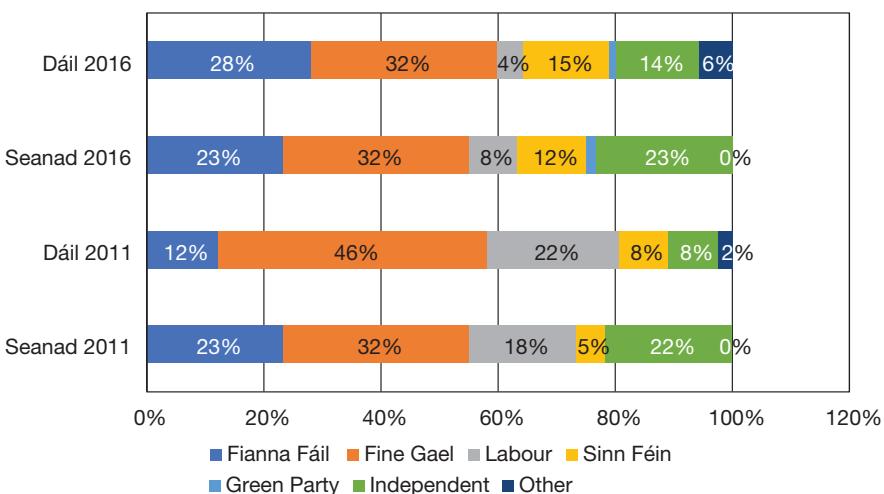
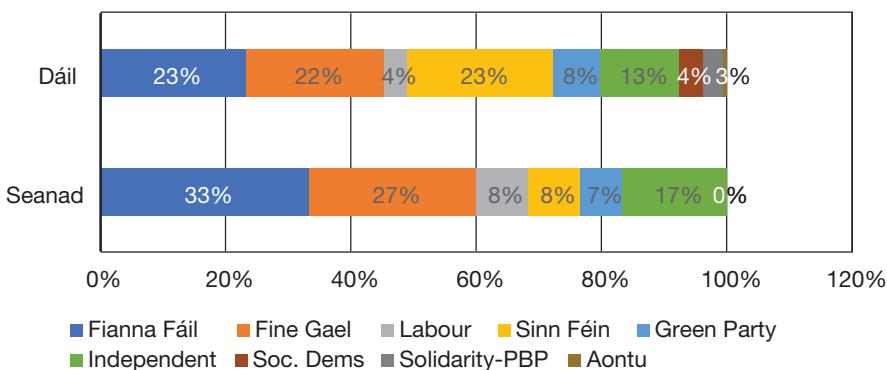


Figure 2: Congruence in representation between the Seanad and the Dáil, 2011 and 2016



congruence reduced with the destabilisation of the party system after 2011. However, it remains the case that the Seanad tends to be controlled by government parties and this is to a large extent explained by the Taoiseach's eleven nominees (see Fig. 3 overleaf).

Figure 3: Congruence in representation between the Seanad and the Dáil, 2020



Yet in spite of the dominance of parties and the congruence described above, the Seanad brings distinctive representation to parliament. How?

Tom Garvin explained this as the outcome of three factors, all of which still hold today:⁸

- the unique system of electing senators and the influence, however limited, of the vocational panels;⁹
- the strong independent performance of university senators¹⁰ and of a number of independently minded Taoiseach's nominees;
- the Seanad's place in the constitutional framework.

As such, senators – whether independent or representing a party – do not represent geographical constituencies and most are elected from a vocational or a university panel. While partisanship certainly is a feature in debates, it is not always the predominant one. In part because the Seanad is not a confidence house – the government is not responsible to the Seanad and does

⁸ Garvin, T. (1969), *The Irish Senate*, Dublin: Institute for Public Affairs.

⁹ The electorate for the vocational panels is political (local councillors, incoming TDs and outgoing senators), and elected politicians nominate approximately one-third of the candidates for election.

¹⁰ See also Murphy, M. C. (2016), 'Seanad Election: Second Chamber, Second Chance', in M. Gallagher and M. Marsh (eds), *How Ireland Voted 2016: The Election that Nobody Won*, London: Palgrave Macmillan; Gallagher, M. (2018), 'The Oireachtas: President and Parliament', in J. Coakley and M. Gallagher (eds), *Politics in the Republic of Ireland*, London: Routledge and McGing, C. (2021), 'The Seanad Election: Voting in Unprecedented Times', in M. Gallagher, M. Marsh and T. Reidy (eds), *How Ireland Voted 2020*, Heidelberg: Springer International Publishing.

not have to retain its confidence to survive – senators (even party senators) have more space to express an independent voice and debate is less partisan and exaggerated. On the one hand, the Taoiseach's power to nominate eleven senators means that the executive almost always has a majority. While on the other hand, recent Taoisigh have used this as an opportunity to bring minority voices to parliament, representatives who may not be suitable to the small, geographical constituencies used for election to the Dáil.¹¹

How then does the Seanad bring this representation to bear when it performs its key functions:

- (a) to review and scrutinise legislation
- (b) to provide additional checks and balances on executive power?

The Seanad's core role: reviewing and scrutinising legislation

Under the Constitution, all legislation must be considered by the Seanad. The primary function of the Seanad is to debate, comment on and propose amendments to proposed legislation.

The significance of the Seanad's role in the creation of legislation was very apparent in 2020 when parliament was unable to enact legislation because the Seanad had yet to be fully constituted. Forty-nine senators (the forty-three panels and six university senators) had been elected, but, because the government had not yet been formed, there was no newly-elected Taoiseach to nominate the eleven remaining senators.¹²

Once approved by one House, a bill is referred to and begins the legislative process in the other House. The practice of initiating government bills in the Seanad, unheard of before 1948 and used rarely for many years, has become quite usual. Between 1997 and 2021, 330 government bills were Seanad bills.¹³ Research conducted in 2010 quoted former ministers who favoured the type of legislative scrutiny undertaken by the Seanad.¹⁴ Former Taoisigh

¹¹ Groves, M. and Lynch C. (2022), 'Seanad Éireann: 100 Years of Ireland's Upper House', *Administration*, vol. 70, no. 4.

¹² See Oireachtas Library and Research Service (2020). Caretaker Governments and Caretaker Conventions. Available at https://data.oireachtas.ie/ie/oireachtas/libraryResearch/2021/2021-03-23_1-rs-note-caretaker-governments-and-caretaker-conventions_en.pdf [accessed on 8 December 2022]. A High Court ruling in June 2020 brought some clarity to this issue. The case was taken by senators (elected in March 2020), four of whom argued that the new Seanad should meet and take legislation in the absence of the eleven Taoiseach's nominees. See High Court Case Senator Bacik vs An Taoiseach (29 June 2020). Case reference: HD [2020] IEHC 313.

¹³ Groves and Lynch, 'Seanad Éireann: 100 Years of Ireland's Upper House'.

¹⁴ Hunt, B. (2010), *The Role of the Houses of the Oireachtas in the scrutiny of legislation*, Dublin: Houses of the Oireachtas Parliamentary Fellowship, p. 61.

have remarked that legislative scrutiny in the Seanad is thorough and less partisan (Garrett Fitzgerald), and less adversarial than in the lower house (Bertie Ahern).¹⁵ It has been noted that senators bring ‘new and important perspectives to legislation that might not be heard in the more pressurised Dáil chamber’.¹⁶

Government bills are almost never defeated in the Seanad.¹⁷ This is partly because governments tend to have the support of the majority of senators. However, it is also because the Seanad only has delaying powers, and therefore a bill may eventually be enacted even if the Seanad has rejected it. The chamber will have more influence over a bill if it convinces the government to accept amendments to it, than if it defeats it. If the Seanad completely rejects a government bill, any Seanad amendments accepted by the government during the legislative process will fail.¹⁸

The Seanad does, of course, consider rejecting government’s legislation. Senators Catherine McGuinness, Michael D. Higgins, Mary Robinson and others urged the Seanad to reject the Eighth Amendment of the Constitution Bill 1982. Senator McGuinness argued that while this would not prevent the referendum on abortion from going ahead, it would affect public opinion in the referendum – as she believed that the Seanad’s rejection of the Third Amendment of the Constitution Bill to replace proportional representation-single transferrable vote (PR-STV) with the first-past-the-post electoral system had done.¹⁹ And governments do, on occasion, withdraw bills or have allowed them to lapse when the issues identified during Seanad debates expose flaws. The Wildlife Amendment Bill 2016 and Judicial Appointments Commission Bill 2017 underwent rigorous debate (and amendment) in the Seanad and were subsequently allowed to lapse. The Adoption Information and Tracing Bill 2017 was eventually withdrawn after then Minister Katherine Zappone debated it in detail on several occasions with senators.²⁰

More frequently, however, the Seanad influences government legislation in the following two ways. Firstly, senators raise an argument or a point about a bill which is accepted by the minister in principle, who goes back to the Attorney General and returns at the next stage of the legislative process with

¹⁵ Groves and Lynch, ‘Seanad Éireann: 100 Years of Ireland’s Upper House’.

¹⁶ MacCarthaigh, M. (2005), *Accountability in Irish Parliamentary Politics*, Dublin: Institute of Public Administration.

¹⁷ Only two government bills have been defeated by the Seanad. See Manning, M. (2010), ‘The Seanad’, in M. MacCarthaigh and M. Manning (eds), *The Houses of the Oireachtas*, Dublin: Institute of Public Administration.

¹⁸ Garvin, *The Irish Senate*, pp. 43–4.

¹⁹ *Seanad Éireann Debates*, 11 May 1983.

²⁰ See *Seanad Éireann Debates*, 17 May and 12 June 2019.

amendments. T. J. O'Dowd refers to this as 'the government's responsiveness to Seanad debates' and he notes that rejecting an opposition amendment and reintroducing it as a government amendment is often motivated by the need to redraft the amendment to parliamentary-draftsman standards.²¹

Secondly, if a flaw is spotted in a Bill which has been approved by the Dáil, this flaw is addressed by way of amendments during the Seanad debates. For example, a proposal to ban opinion polls during the week coming up to elections was withdrawn from the Electoral Amendment Bill 2000 when a loophole was identified by the Seanad.²² In this way, the Seanad's legislative process can serve as a safeguard against rushed, ill-considered legislation, affording a second chance for the minister to improve the legislation. This is provided that legislation is not rushed through the Seanad.

One way of assessing how the Seanad performs its reviewing role is to consider how many government bills it has amended. Over its lifetime (1922–36) the Free State Seanad amended 37 per cent of government bills (182 of 489), virtually all of which were accepted by the Dáil.²³ Twenty-one per cent of government bills were amended in the Seanad between 1938 and 1966 (157 of 743 Bills).²⁴ Research undertaken by Laver and Coakley (and cited in the Report of the All Party Committee on the Constitution 1997)²⁵ extended this data up to 1995 and found that 18 per cent of bills were amended in the Seanad from its inception until 1995.²⁶ Research carried out recently found that between 2020 and 2021, a total of 110, or 34 per cent of, government bills initiated in the Seanad (Seanad bills) were amended by the Seanad.²⁷ These amendments vary from technical to substantial.

There are other ways that the Seanad brings its influence to bear on legislation. Senators play a significant role in the pre-legislative scrutiny of government legislation. Since 2013, the government has been expected to make proposed legislation available for scrutiny as a general scheme – before it has been fully drafted as a Bill. Pre-legislative scrutiny is where a Joint Committee of the Houses examines the general scheme, sometimes inviting

²¹ O'Dowd, T. J. (2010), 'Measuring the Impact of Parliamentary Scrutiny of Bills: Some Evidence from Ireland', in M. MacCarthaigh and M. Manning, *The Houses of the Oireachtas: Parliament in Ireland*, Dublin: Institute of Public Administration.

²² Laver, M. (2002), 'The Role and Future of the Upper House in Ireland', *Journal of Legislative Studies*, vol. 8, no. 3, pp. 49–66.

²³ Manning, 'The Seanad'.

²⁴ Garvin, *The Irish Senate*.

²⁵ Laver, 'The Role and Future of the Upper House in Ireland', 49–66; and Coakley, J. (2013), *Reforming Political Institutions: Ireland in Comparative Perspective*, Dublin: Institute of Public Administration.

²⁶ Hunt, *The Role of the Houses of the Oireachtas*.

²⁷ Groves and Lynch, 'Seanad Éireann: 100 years of Ireland's Upper House'.

submissions and holding hearings, and always sending a report with observations and recommendations to government, before the bill is fully drafted and signed off. A study conducted in 2017 found a high level of engagement by committees with general schemes and that, in terms of impact, 146 of 350 recommendations were taken on board by the minister in the subsequent bill.²⁸ Joint Committees are made up of senators and TDs. The increasingly prominent role of Joint Committees in the Houses of the Oireachtas would be hard to sustain without the sixty senators who are frequently active committee members.

Once a very small part of a senator's workload,²⁹ the volume of private members bills (PMBs) debated in the Seanad has increased dramatically since 2011. Of 281 PMBs introduced in the Seanad from its inception in 1922 until 2020, 179 were debated between 2011 and 2020.³⁰ Eleven PMBs were enacted between 2008 and 2022 and seven have been enacted during the twenty-fifth (2016–20) and twenty-sixth Seanads (2020–).

Oversight and check on executive power

The 1937 Constitution also assigns the Seanad a role in preserving the stability of the political system, this is another of the core roles for upper chambers identified by the International IDEA. Article 27 gives the Seanad a role (along with the president and one-third of the Dáil) in safeguarding the Constitution from an executive which tries to enact legislation that may contradict the Constitution or counter vital national interest.³¹ To date, it has not been necessary to exercise this power. The Seanad also plays a role in the process of impeaching a president or a judge for stated misbehaviour (Articles 12.10 and 35 of the Constitution, respectively). In the context of the 2013 referendum, (then) Senator Fergal Quinn argued that the abolition of the Seanad would ‘fundamentally alter the nature of parliamentary democracy … and the system of checks and balances upon which the Constitution is founded’. He called for a ‘proper debate’ for example, ‘on

²⁸ Lynch C. and Martin S. (2020), ‘Can Parliaments Be Strengthened? A Case Study of Pre-legislative Scrutiny’, *Irish Political Studies*, vol. 35, no. 1, pp. 138–57.

²⁹ Garvin, *The Irish Senate*.

³⁰ Data gleaned from Houses of the Oireachtas Database of Bills and Acts [retrieved March 2020].

³¹ Article 27 of the Constitution states that a referendum or a general election can be initiated where a majority of the Seanad, combined with one-third of the members of the Dáil, petition the president that a bill ‘contains a proposal of such national importance that the will of the people thereon ought to be ascertained’.

whether it is democratically proper for a transient Dáil majority to be able to impeach a President or a Judge.³²

Future role of the Seanad

The role, composition, electoral system and very existence of the Seanad have been questioned more frequently than those of any other Irish political institution.³³ Perhaps this is because bicameralism is not well understood. Or perhaps the complexity and indirect nature of the electoral system creates uncertainty about who it represents. While the many reviews of the Seanad have focused primarily on how to ‘fix’ its unique electoral system, what does seem to be clear is that the Seanad’s distinct role and its strengths stem, to a considerable extent, from its unusual composition.

It is uncertain if electoral reform will be part of the near future. Most recommendations for reform, including the most recent ones which are discussed by Boyle and Manning in this volume, retain the vocational nomination system (in line with the Constitution) and propose an element of popular voting but with a very different geographical basis than for Dáil elections. The latter would help to ensure that the Seanad continues to bring a distinct form of representation to that of the Dáil. Reform of the franchise for the election of the six university senators, while by no means certain, is perhaps more likely than a more fundamental reform of the electoral system.³⁴

The Seanad primarily influences through information and persuasion, rather than by exerting power. It has incrementally extended its reach and functions in particular since the bedding down of the Oireachtas Committee system. Reforms to the Seanad that have recently been adopted build on this strength. For example, the Seanad will establish a Select Committee on the scrutiny of secondary legislation for the transposition of European Union (EU) directives. The Select Committee will consider which statutory instruments that transpose EU directives into Irish law require closer scrutiny by a committee before they can be signed into law. The Seanad has established a formal mechanism to engage collectively with members of the

³² *Seanad Éireann Debates*, 3 July 2013.

³³ MacCarthaigh M. and Martin S. (2015), The Referendum to Abolish the Seanad. *Irish Political Studies*, vol. 31, no. 1, p. 292.

³⁴ A private members’ bill proposing to extend the franchise for the university seats to graduates of all universities, and to replace two three-seat constituencies with one six-seat constituency, was approved by the Seanad and referred to committee stage in October 2022. Another approach is to create one new two-seat constituency and to retain but reduce to two seats the existing University of Dublin and National University of Ireland constituencies.

European Parliament (MEPs are invited in three groups based on the constituency for which they were elected) on issues of most relevance to Ireland. And a new parliamentary instrument – vocational debates – which aims to bring some focus to the common expertise of panel members (which is a distinct feature of the Seanad's representation) was introduced as the institution enters its second century.

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Houses of the Oireachtas*

Réamhfhocal

Is ar an gcéad bliain ó bunaíodh Seanad Éireann go dtí an lá atá inniu ann atá an leabhar seo bunaithe. Tríd is tríd, is scéal é faoi chóras an dá sheomra sa daonlathas parlaiminte. Go sonrach, baineann an scéal leis an gcaoi ar chumasaigh bunaitheoirí ár stáit ionadaíocht do ghuthanna mionlaigh.

Leis an bhfoilseachán cuimhneacháin seo, arna chur in eagair ag an bhForas Riaracháin, tarraingítear le chéile píosaí a scríobh seanadóirí agus sealbhóirí oifige reatha, iarsheanadóir, daoine den lucht léinn agus taighdeoirí. Mar sin, cuirtear fráma tagartha luachmhar ar fáil don léitheoir maidir leis an gcéad 100 bliain de Sheanad Éireann.

Is ionann foilsíú an leabhair seo agus tionscnamh deiridh de chlár bliana cuimhneacháin agus Seanad Éireann céad bliain ar an bhfód. Ó tionóladh a chéad chruinní i dTeach Laighean ar an 11 Nollaig 1922, tá ról éifeachtach riachtanach ag an Seanad i ndaonlathas parlaiminte na tíre seo, a fheidhmítear trí chóras dhá sheomra. Tugadh léargas leis an gclár cuimhneacháin ar na dearctaí ilchineálacha a bhain le Seanad Éireann tríd an téama ‘Guthanna Mionlaigh, Athruithe Móra’. Bhaineamar sult agus tairbhe as raon leathan tionscnamh le bliain anuas, lena n-áirítear sraith taispeántas, clár faisnéise teilihíse dhá chuid, forlónadh nuachtáin, imeacht Sheanad na nÓg i seomra an tSeanaid agus suí speisialta searmanais a reáchtáladh i seomra na Dála ar an 12 Nollaig 2022. Ba mhaith liom aitheantas a thabhairt d’obair an tSeanadóra Mark Daly, a thug ceannaireacht fhuinniúil dhíograiseach i leith an chláir cuimhneacháin agus é ina Chathaoirléach ar an Seanad don chuid is mó den bhliain chuimhneacháin. Gabhaim buíochas freisin leis an bhfoireann i gcoitinne i Seirbhís Thithe an Oireachtais a d’oilbrighe go crua chun comóradh céad bliain uaillmhianach rathúil a thabhairt chun fire.

Tugtar clár cuimhneacháin an tSeanaid chun clabhsúr leis an bhfoilseachán seo trí stair mhionsonraithe an tSeanaid a chur ar fáil dúinn in aon imleabhar amháin a bhfuil teacht air go héasca. Tugtar achoimre ann

ar fheidhm agus cuspóir an tSeanaid agus scrúdaítear ann mar a comh-líonadh an fheidhm sin istigh sa Seanad le 100 bliain anuas. Fáiltím roimh fhoilisiú an leabhair seo a chuirfidh go mór leis an gcatalóg d'ábhar ar Sheanad Éireann atá amuigh ansin cheana féin. Tá súil agam go mbainfidh tú taitneamh as é a léamh agus as tuilleadh a fhoghlaim faoin Seanad, agus níl amhras ar bith orm ach go mbeidh sé ina shaothar tagartha úsáideach do scoláirí sna blianta atá amach romhainn.

**An Seanadóir Jerry Buttimer
Cathaoirleach Sheanad Éireann
11 Eanáir 2023**

Buíochas

Cuireadh an leabhar seo le chéile chun comóradh agus ceiliúradh a dhéanamh ar chothrom céad bliain Sheanad Éireann. Tá Tithe an Oireachtais buíoch de na húdair agus de na rannpháirtithe go léir as an bhfoilseachán seo, agus gabhann siad buíochas ar leith le Gabriel Doherty, léachtóir le stair i gColáiste na hOllscoile, Corcaigh, agus le Richard Boyle, taighdeoir neamhspleách agus iarcheannasaí taighde agus foilsitheoirreachta sa bhForas Riaracháin. Glactar buíochas freisin le gach eagraíocht agus gach duine a thug cead dúinn a n-íomhánna a atáirgeadh sa bhfoilseachán seo.

Gabhaimid buíochas leis an bhfoireann sa bhForas Riaracháin as a gcuid saineolais foilsitheoirreachta, agus as a dtiomantas do cháilíocht.

Is mian le Tithe an Oireachtais a mbuíochas a chur in iúl as comhoibriú Martin Groves, Cléireach Sheanad Éireann, agus na fairne in Oifig an tSeanaid, go háirithe Bridget Doody, Leas-Chléireach Sheanad Éireann. Tá ár mbuíochas ag dul freisin chuig Lorraine West agus Ciarán McGann ón bhfoireann Rannpháirtíochta Poiblí, a chuir liosta na n-iar-Sheanadóirí le chéile agus a fuair na híomhánna. Agus faoi dheireadh, gabhaimid buíochas lenár gcomhghleacaithe i Rannóg an Aistriúcháin, le foireann na Saoráide Priontála agus leis an Aonad Cumarsáide.

Nótaí réamhrá

De réir mar a bhí 100 bliain Sheanad Éireann á cheiliúradh againn le bliain anuas, bhí muidne, muintir an tSeanaid, ag breathnú siar agus ag féachaint chun cinn ar na chéad 100 bliain eile ag an am céanna.

Bhí ról tábhachtach ag an Seanad in institiúidí an Stáit seo a chruthú agus a chomhdhlúthú. Bunaíodh é i lár cogadh cathartha nimhneach tragóideach deighilteach inar chaill go leor teaghlaigh, mo theaghlaigh féin san áireamh, daoine muinteartha.

Tá sé ráite go raibh an grúpa polaiteoirí a bhí sa chéad Seanad ar an ngrúpa is ilchineálaí i stair na tire. Chinntigh bunaitheoirí an tSeanaid gur theach ilchineálach é d'fhonn ardán a thabhairt do na pobail Aontachtaithe, Protastúnach agus mionlaigh a bhí faoi mhíbhuntáiste sa stát nua. Le himeacht ama, d'fhorbair an Seanad chun fóram a thabhairt do ghrúpaí mionlaigh agus pobail éagsúla lena chinntíú go gcloisfí a gcuid tuairimí, glórtha agus éileamh ar athrú - athrú nach raibh an tsochaí réidh ná sásta glacadh leis go fóill.

Bhí seasca comhalta sa chéad Seanad, agus ina measc sin bhí fiche Protastúnach, triúr de Chumann na gCarad agus Giúdach amháin. Áiríodh ar chomhaltaí an tSeanaid W.B. Yeats, an file agus drámadóir mór le rá, mar aon le Michael Duffy, oibrí bóthair as Contae na Mí; Eileen Costello, feachtasóir ar son chearta an duine; Bryan Mahon, Ardcheannasaí Fhórsaí na Breataine in Éirinn idir na blianta 1916 agus 1918; Jennie Wyse Power, Uachtaráin Chumann na mBan; agus Thomas Henry Grattan Esmonde, arbh é Henry Grattan, polaiteoir mór Pharlaimint Grattan, a shin-sheanathair.

Ba é ról an tSeanaid i ndáil le bheith ag labhairt ar shaincheisteanna mionlaigh agus thar ceann pobail mhionlaigh a spreag príomhthéama chomóradh céad bliain an tSeanaid: ‘Guthanna Mionlaigh, Athruithe Móra’. Leis an téama seo rinneadh ceiliúradh ar an dul chun cinn a rinneadh ar chásanna imeallaithe trí thionchar na hionadaíochta i bparlaimint náisiúnta na tire a chur chun tairbhe.

Fad atáimid ag ceiliúradh an dea-athrú a rinneadh, aithnímid go bhfuil go leor daoine fós ar imeall na sochaí sa tir seo. Léiriú ar an dul chun cinn atá déanta ó thaobh cothromáiocht inscne de is ea an chaoi a raibh an lín is airde comhaltaí mná riamh sa 26ú Seanad, is é sin ceithre comhalta is fiche, nó 40% de líon iomlán na gcomhaltaí. Ní raibh ann sa bláthain 1922 ach ceathrar seanadóirí mná.

Ón am a reáchtáladh céad chruinniú an tSeanaid i dTeach Laighean ar an 11 Nollaig 1922, tá raon leathan tuairimí curtha chun cinn istigh sa Seanad. D'fhón breis is 830 duine in Seanad Éireann ón mbliain 1922 i leith. Tá ionadaíocht déanta acu ar fad in éineacht do raon leathan de shochaí na hÉireann.

Mar a luagh an tOllamh Diarmaid Ferriter, bíonn fóram le haghaidh easaontais, cur i gcoinne fiúntach, machnamh fóntha, maoirseachta agus leasaithe ag teastáil le go mbeadh daonlathas i riocht maith.¹ Tá an Seanad ag féachaint le bheith ag feidhmiú sa ról sin le céad bliain anuas, á chur fén in oiriúint de réir mar a d'athraigh an saol agus mar a d'athraigh a chomhaltaí. Is é mo rúnsa, agus rún mo chomhghleacaithe sa Seanad, go leanfar le ról sin an tSeanaid amach anseo. Tá síul agam go mbeidh an leabhar seo ina mheabhrú ar na ceachtanna a foghlaimíodh roimhe seo agus ina threoir i leith athraithe agus athchóirithe amach anseo agus an Seanad ag túis an dara céad ar an bhfód.

Céad bliain ó shin, ba é an stát seo, tríd an troid ar thug siad faoi ar son na saorise, an t-aon tir a bhain féinchnítiúchán amach ó cheann de náisiúin chaithréimeacha an Chéad Chogaidh Dhomhanda. Is ball de ghrúpa beag céimiúil í Éire chomh maith, agus í ar cheann de na tíortha atá ina ndaonlathas leanúnach le 100 bliain anuas. Bhí ról ag Seanad Éireann ó thaobh láidreacht an daonlathais sa stát a chinntiú.

Is dea-theist ar an stát agus ar a institiúidí daonlathais é go bhfuil Éire ar cheann de na deich thír is fearr ar domhan ar Innéacs na Náisiún Aontaithe um Fhorbairt Dhaonna,² ó thaobh sláinte, oideachais agus ioncaim de. Is mar gheall, go mór mór, ar dhul chun cinn suntasach na tíre ó thaobh cúrsaí eacnamaíochta de, ar tháinig cruth air go náisiúnta faoi stiúir iarsheanadóra.

Comhalta den Seanad ab ea T. K. Whitaker, a rugadh i Ros Treabhair, Contae an Dúin, ón mbliain 1977 go dtí an bláthain 1982. Vótáil muintir na hÉireann do Whitaker mar ‘Éireannach an 20ú haois’ sa bláthain 2001. Ómós

¹ Ferriter, D. (2013), ‘Proposal to abolish Seanad is an “awesome admission of failure”’, History Hub, Seanad Special, History and Policy Opinion No. 2, Scoil na Staire agus na Cartlannaíochta, An Coláiste Ollscoile, Baile Átha Cliath, atá ar fáil ar: <http://historyhub.ie/seanad-proposal-admission-of-failure> (arna fháil an 16 Eanáir 2023).

² <https://www.irishtimes.com/life-style/2022/09/10/irelands-quality-of-life-how-do-we-score-in-the-uns-new-rankings/>

cuí a bhí sa mhéid sin don fhear arbh é, tríd an bpáipéar ‘Economic Development’ a foilsíodh sa bhliain 1958, príomhúdar an bheartais a thug rath eacnamaíochta agus sóisialta don stát de bharr a chur chuige úrnua i ndáil le cúrsaí eacnamaíochta.

Fad atáimid ag breathnú siar ar an gcéad 100 bliain den Seanad, táimid ag féachaint chun cinn chomh maith, agus sa chomhthéacs sin, deis a bhí i gComhairliúchán Poiblí an tSeanaid ar Thodhchaí Bhunreachtúil Oileán na hÉireann, go háirithe do dhaoine óga cead cainte a bheith acu ar an méid lena bhfuil siad ag síul don chéad 100 bliain eile de shaol ar an oileán seo. Mar gheall ar struchtúr ar leith Sheanad Éireann, bhíothas ábalta tuairimí daoine as Tuaisceart Éireann, ón dá thraigisiún, a chur san áireamh sa chomhairliúchán seo. Is tuairimí iad seo nach gcloisfí go hiondúil sa Phoblacht.

Bhí níos mó i gceist le T. K. Whitaker ná fear a raibh fíos aige i dtaoibh cúrsaí eacnamaíochta; thagair sé do thodhchaí bhunreachtúil oileán na hÉireann sa bhliain 1968 i nota chuit Seán Lemass, a bhí ina Thaoiseach ag an am. D’fhéadfai a rá gur ghuth mionlaigh a bhí i nguth Whitaker an t-am sin: ‘We were, therefore, left with only one choice’ a dúirt sé, ‘Of its nature this is a long-term policy, requiring patience, understanding and forbearance and resolute resistance to emotionalism and opportunism. It is none the less patriotic for that’.³

Ba cheart dúinn aird a thabhairt ar na focail sin anois níos mó ná riamh.

**An Seanadóir Mark Daly
Leas-Chathaoirleach Sheanad Éireann**

Bhí an Seanadóir Marcus Ó Dálaigh ina Chathaoirelach ar Sheanad Éireann ón 29 Meitheamh 2020 go dtí an 15 Nollaig 2022.

³ T. K. Whitaker, ‘A Note on North–South Border Policy’, 11 Samhain 1968.

Réamhrá

Ó dháta a chruinnithe tionscnaimh, an 11 Nollaig 1922, tá ról suntasach ar leith ag Seanad Éireann i struchtúr stát neamhspleách na hÉireann. Murab ionann agus an Dáil, b'éisgean dó streachaileadh le haitheantas poiblí a fháil as na dualgais a rinne sé ón tréimhse réabhlóideach. Fiú sula raibh an chéad suí ann, nuair a fógraíodh torthaí an toghcháin don chéad Seanad ar an 8 Nollaig 1922, níor tarraingíodh aird ar thoradh an toghcháin sin ná níor clúdaíodh sna meáin in Éirinn é an mhaidin sin. Ina áit sin, dhírigh tuairisci nuachtán ar Sheán Hales, TD, a scaoileadh chun bás, agus cinneadh pharlaimint Thuaisceart Éireann diúltú do Shaorstát Éireann, cé gur tharla an dá rud sin an lá roimhe sin. Tuairiscíodh i bpreas an tráthnóna ar an 8 Nollaig 1922 gur cuireadh ceathrar príosúnach chun bás an mhaidin sin mar dhíoltas ar bhás an Teachta Hales. Sa dá chás, tháinig na scéalta salach ar an nuacht ón Seanad, ní nach ionadh. Mar sin féin, léiriú a bhí ann ar an streachaileadh a bhainfeadh le haird an phobail a fháil ina dhiaidh sin.

Is tábhachtach cuimhneamh go maireann traidisiún fada an dara seomra tofa i bhfad roimh chruthú Shaorstát Éireann. Ba mhar a chéile roinnt de na díospóireachtaí, agus an chonspóid ó am go chéile a tharla le linn 100 bliain tosaigh Theach Uachtarach stáit neamhspleách Éireann agus eispéiris forais den chineál céanna a bhí i gceannas ar an Seanad. Cruthaíodh Teach na dTiarnaí i bpairlimint na hÉireann tar éis bhunú Ríocht na hÉireann faoi Anraí VIII in 1542. D'fhan an foras seo ar an bhfód go dtí gur cruthaíodh an Ríocht Aontaithe tar éis Achtanna Aontas na Breataine agus na hÉireann in 1800 a ritheadh le haontú Theach na dTiarnaí in Éirinn.

Ar feadh na 122 bliain ina dhiaidh sin, shuigh na Tiarnaí Éireannacha i dTeach na dTiarnaí in Westminster agus ghlac siad páirt i gcuid mhaith d'ócáidí móra parlaiminte na ré sin. Áiríodh leis sin an plé ar an dara agus ar an tríú Bille Rialtas Dúchais, agus rinneadh foráil sa dá bhille sin Teach Uachtarach a bheith sna parlaimintí a moladh in Éirinn. Rinne an chéad Bhille Rialtas Dúchais foráil dó sin freisin, ach vótáil Teach na dTeachtaí ina aghaidh in 1886. Ba chosúil gur chuir diultú an dara bille i dTeach na

dTiarnaí sa Bhreatain ar an 8 Meán Fómhair 1893 (ina raibh 419 vóta in aghaidh 41 vóta, agus deis á tabhaint d'Éireannaigh, agus vótaí á gcaitheadh ar dhá thaobh na deighilte) deireadh iomlán leis an smaoineamh ar feadh tréimhse fhada go mbeadh féinrialtas na hÉireann ann. Ach ba é diúltú Bhuiséad an Phobail in 1909, ón seomra uachtarach céanna sin, ba chúis leis an reachtaíocht a chrosadh sa deireadh, agus thug sé sin an deis an tríú Bille Rialtas Dúchais a thabhairt isteach.

Rinne Acht um Rialú na hÉireann 1920 foráil freisin do Sheanad i bpairlaimintí Thuaisceart agus Dheisceart Éireann araon, cé nár éirigh ach parlaimint Thuaisceart Éireann lánfheidhmiúil. Rinneadh forálacha mionsonraighe san Acht maidir le leagan amach an dara seomra tofa a beartaiodh do Bhaile Átha Cliath, lena n-áirítear easpaig ón Eaglais Chaitliceach agus Eaglais na hÉireann araon, ‘ionadaithe ainmnithe Tráchtála, Lucht Oibre, agus na nGairmeacha Eolaíochta agus Léinn’,¹ agus ionadaithe ó chomhairlí contae, i measc daoine eile. Ó thaobh na praiticiúl-achta de, áfach, mar gheall ar chur in aghaidh na Náisiúnaithe maidir le hoibríocht ‘Acht na Críochdheighilte’ ar gach slí, ní fhéadfadh na Teachtaí ná an Seanad feidhmiú. Thug cuid de na hAontachtaithe ó dheas, a d’fhan, a seirbhís do Sheanad in Éirinn neamhspleách. Agus mar sin, do Sheanad Éireann.

I gCaibidil 2 den fhoilseachán seo, déanann an Dr Elaine A. Byrne machnamh ar chomhthéacs agus ar thionchar bhlianta tosaigh an tSeanайд ó 1922 go 1928. Tugann sí cuntas ar an gcaoi ar éirigh leis ról criticiúil a ghlacadh i dtosú agus i ndlisteanú cuid mhaith d’instiúidí an rialtais. Léiríonn an Dr Byrne an chaoi a raibh rialtas W. T. Cosgrave ag brath chomh mór sin ar an Seanad mar gheall ar thaithí pharlaiminteach agus tuiscint ar pholasaí a sheanadóirí, mar aon lena scil maidir le cáipéisí a dhréachtú.

I gcodarsnacht leis an Dáil, cuireadh i gcoinne an fhoraí ón gcéad chruinniú 100 bliain ó shin. Ar dhá ócáid ar a laghad, glacadh céimeanna praiticiúla chun deireadh a chur leis, trí athbhreithniú bunreachtúil. Ba é reifreann 2013 an ceann is déanaí faoin dá leasú is tríocha a moladh ar Bhunreacht na hÉireann. Mar sin féin, beagnach ochtó bliain roimhe sin, in 1936, cuireadh deireadh i ndáiríre le Teach Uachtarach Bhunreacht Shaorstát Éireann a bhí i réim ag an am, le hAcht simplí den Oireachtas. Ritheadh é gan aontú an tSeanайд, ach de réir na meicníochta a chuir Bunreacht an tSaorstáit ar fáil. Ar an dá ócáid, bhí toradh na n-eachtraí oiliúnach. Níor thúsce a cuireadh deireadh leis an Dara Teach ná gur athbhunaíodh é an bhliain dár gcionn. Ba iad moltaí Choimisiún an Dara Teach mór le rá ba chúis leis sin. Cuireadh ar ais é mar ghné lárnach de Bhunreacht na hÉireann,

¹ *Hansard*, iml. 42, 6 Nollaig 1920.

agus níor éirigh le reifreann 2013 é a bhaint an dara huair ó bhuntéacs an stáit.

I gCaibidil 3, scrúdaíonn iar-sheanadóir Maurice Manning agus taighdeoir neamhspleách Richard Boyle, iar-cheannaire taighde agus foilsitheoireachta san Fhoras Riaracháin, bunús, ról agus cinniúint Sheanad an tSaorstáit agus a chomharbaí. Tugann siad breac-chuntas ar na deacrachaí a bhaineann le córas toghcháin inghlactha agus ról polaitiúil ar leith a bhunú don Teach. Is anailís fhorleathan í sin ina leagtar amach cumhactaí agus nósanna imeachta an tSeanaid agus a thugann go dtí an lá atá inniu ann muid. Déanann na húdair anailís ar na céimeanna a ghlaic an Seanad reatha chun leasuithe a chur i bhfeidhm laistigh dá chumhacht, chomh maith lena chuid oibre leis an rialtas chun a chinntiú go mbeadh ról ag an Seanad ingrinnscrúdú reachtaíocht an AE.

De réir an phobail agus go leor polaiteoirí, dlíodóirí agus lucht léinn a bhfuil taithí acu, is cosúil go bhfuil, agus go raibh i gcónai, níos mó measa ar an méid is féidir le seomra uachtarach a dhéanamh do dhaonlathas rathúil na hÉireann. Mura mbeadh an Seanad ann, bheadh sé riachtanach é a bhunú. Ach tá sé ann.

Mar sin, tháinig dhá cheist chun cinn a pléadh go forleathan le linn a shaolré, sa litríocht acadúil, sna meáin agus ag an Seanad fein: cad iad na feidhmeanna ba cheart dó a chomhlíonadh, agus cé mhéad ball ar cheart a bheith ann d'fhonn na feidhmeanna seo a chomhlíonadh ar an mbealach is fearr? Maidir leis an gcéad cheann den dá phointe sin, rinneadh go leor machnaimh ar an gcaidreamh le Dáil Éireann. Tuigtear go soiléir gurb í an Dáil an ‘príomhsheomra’ go háirithe mar gheall ar an smacht atá aici ar airgeadas poiblí, ach i réimse na reachtaíochta freisin. Is iondúil go mbíonn rialtas an lae i gceannas ar thromlach na hoibre sa dá theach, agus cúnamh aige i gcás an tSeanaid trí chóras na n-ainmniúchán ón Taoiseach reatha. Ach, le linn na tréimhse idir 1932 agus 1936 go háirithe, agus ar ócáidí neamhchoitianta ó shin i leith, rith an Dáil bearta ar dhiúltaigh an Seanad dóibh ina diaidh sin i rialtais.

Seo a leanas achoimre ar an díospóireacht maidir le feidhmeanna an tSeanaid: nuair a mheastar go bhfuil feidhmeanna an tSeanaid róchosúil le feidhmeanna na Dála, tugadh le fios go mbíonn dúbláil agus mearbhall maidir le róil idir an dá Theach. Sa chás go meastar go bhfuil feidhmeanna an dá Theach ró-éagsúil, ceistítear luach ról an tSeanaid. Chuir Abbé Emmanuel Sieyes an aincheist in iúl, nuair a thug sé faoi deara ‘if a second chamber dissents from the first, it is mischievous, if it agrees with it, it is superfluous’. Is cruachás é sin a thugann aghaidh ar gach reachtas dhá sheomra, agus is féidir a rá nár thíngthas ar réiteach ar an gcruacheist sin, in Éirinn ná in áiteanna eile, go dtí seo.

Freagraíodh an dara ceist, maidir le baill an tSeanaid, ar bhealaí éagsúla le 100 bliain anuas. Maidir le céad Seanad an tSaorstáit, cuireadh socruthie speisialta i bhfeidhm chun ómós a thabhairt don ghealltanás a thug Arthur Griffith díreach tar éis shíneadh an Chonartha. Ba é sin go ndéanfaí breithniú ar leith agus fabhrach, ar ionadaithe ó phobal Aontachtach an deisciú nuair a tháinig an chéad fhoras sin i bhfeidhm. Foráladh go ndéanfar iarrthóirí (arbh éigean dóibh a bheith os cionn cúig bliana is tríocha d'aois) 'a mholadh ar an mbonn go ndearna siad onóir don Náisiún trí sheirbhís phoiblí úsaideach nó, mar gheall ar chailíochtaí nó gnóthachtálacha speisialta, gur léirigh siad gnéithe tábhachtacha de shaol an Náisiúin'.² I gcúinsí aisteacha thoghchán Sheanad 1925, arbh é an t-aon ceann amháin é a bhí san iomaíocht le saincheadúnas móréilimh, ina raibh toghcheantar amháin, ar fud an stáit, liostáladh seisear iarrthóir is seachtó in ord aibítre ar pháipéar ballóide roinnt troithe ar fhad. Tháinig athruithe suntasacha i ndiaidh dhrochthoradh an toghcháin. An ceann ba thábhachtaí díobh gur laghdaíodh líon toghthóirí an tSeanaid, ón bpobal fásta i gcoitinne go baill an Oireachtas, agus cuireadh socruthie nua le chéile chun a chinntiú nach ndéanfaí samhail 'toghach aon suíochán amháin' ó thoghchán 1925 arís agus arís eile.

I mBunreacht na hÉireann, a daingníodh in 1937, roghnaíodh samhail nua arís, a choinnigh gné éigin den ainmniúchán. D'fhéach an tsamhail sin, atá fós ann inniu, leis na fadhbanna a d'fhéadfadh eascairt as togh-ghrúpaí atá bunaithe ar shuíomh geografach amháin a cheartú. Chruthaigh sé painéis nua 'gairme', a chlúdaíonn cultúr agus oideachas, talmhaíocht, saothar, tionscal agus tráchtáil, agus riarrachán poiblí. Ag an am sin, bhí an smaointeoireacht taobh thiar den struchtúr seo nua agus fiú ceannródaíoch. Is féidir a oibríocht phraiticiúil a cháineadh, mar a bheifeá ag súil leis; dar ndóigh is féidir leis na páirtithe polaitiúla céanna a bhíonn i gceannas ar an Dáil a chinntiú go n-éireoidh go maith lena n-iarrthóirí san iomaíocht ar thoghadh na bpainéil. Ba chóir a admháil, áfach, go gcaithfidh seanadóirí a thoghtar chuig painéis ghairme tairseach chailíochta a chomhlónadh. Baineann gach painéal le grúpa slite beatha nó 'gairmeacha', a gcaithfidh eolas agus taithí phraiticiúil a bheith ag iarrthóirí ina leith. Coinníonn ceann comhairimh an tSeanaid liosta de chomhlachtaí ainmniúcháin do gach ceann de na cúig phainéil agus féadfaidh ceathrar comhaltaí an Oireachtas nó ó chomhlacht ainmniúcháin iarrthóirí a ainmniú. Toghtar níos mó ná 70 faoin gcéad (43 as 60) de bhaill gach Seanad ó phainéil ghairme agus tugann sé seo leibhéal eolais agus taithí phraiticiúil do phlé sa Teach. Cuireann nádúr gairme an tSeanaid ar a chumas atmaisféar nach bhfuil chomh

² Bunreacht Shaorstáit Éireann, 1922, Airteagal 30.

claocephairteach sin a chur chun cinn, as a dtagann díospóireacht neamhspleách níos mó agus deiseanna níos fearr chun grinnscrúdú a dhéanamh. Dála go leor eile a bhaineann le gníomhaíochtaí an tSeanaid, tá féidearthachtaí nár baineadh triail astu fós sa chreat.

I gCaibidil 4, déanann an Dr Catherine Lynch, taighdeoir sinsearach leis an tSeirbhís Leabharlainne & Taighde i dTithe an Oireachtas, meastóireacht ar ról sainiúil an tSeanaid. Féachann an Dr Lynch ar an gcaoi a gcomhlíonann an Seanad a ról maidir le hathbhreithniú agus machnamh a dhéanamh ar reachtaíocht agus scrúdaíonn sí an cineál ionadaíochta a bhíonn ag an Seanad sa phróiseas sin. Maíonn sí go ndéanann an Seanad ionadaíocht shainiúil don pharaimint in ainneoin comhréiteach a bheith idir an dá Theach i dtaobh ionadaíochta.

Is é an tástáil deiridh ar aon chóras chun iarrthóirí a roghnú agus a thoghadh chun oifig tofa féachaint ar chaighdeán na ndaoine ar eirigh leo, agus má mheasann muid de réir an chritéir sin, is gá an Seanad a mholadh. Ón gcéad chruinniu i dTeach Laighean ar an 11 Nollaig 1922, léirigh an Seanad réimse leathan tuairimí. Tá os cionn 830 duine tar éis a suíochán a ghlacadh i Seanad Éireann ó 1922 agus i dteannta a chéile, tá réimse leathan de shochaí na hÉireann léirithe acu.

Is fíor é sin, de bhrí gur tháinig cuid de na daoine is suntasaí agus is spreagúla sa tir óna aicmí le 100 bliain anuas. Is leor liosta d'ainmneacha cuid de na daoine mór le rá, gan aon ord ar leith orthu, chun an treoche ghinearálta a léiriú:

- Dubhghlas de hÍde, bunaiteoir Chonradh na Gaeilge agus ina dhiaidh sin toghadh mar chéad Uachtaráin é faoi Bhunreacht na hÉireann;
- W. B. Yeats, buaiteoir dhuais Nobel na litríochta agus duine de na filí Béarla is mó san fhichiú haois;
- Oliver St John Gogarty, lúthchleasaí, máinlia, file, údar agus natháí iomráiteach;
- Alice Stopford Green, d'fhéadfá a rá gurb í an staráí is mó tionchair in Éirinn í le linn a hama, bhí tionchar mór ag a saothar ar smaointeoirí ar nós James Connolly, Pádraig Mac Piarsais agus Terence MacSwiney;
- Kathleen Clarke, gníomhaí poblachtach, príomhbhall de Chumann na mBan, agus an chéad Ardmhéara mná i mBaile Átha Cliath;
- Seán Moylan, O/C Corcaigh uimhir 2 Bhriogáid IRA le linn Chogadh na Saoirse, agus, ag amanna éagsúla, an tAire Tailte, Oideachais agus Talmhaíochta.

Chomh maith leis na baill arbh as na sé chontae is fiche dóibh, is daoine ó na sé chontae cuid de na daoine ba shuntasaí a bhí sa seomra thar na blianta,

agus chuir go leor acu go mór le cúis na síochána agus an athmhuintearais ar oiléán na hÉireann le linn a dtréimhse. Bríd Rodgers, Gordon Wilson, Maurice Hayes agus Séamus Mallon, gan ach cúpla duine a lua. Bhí tábhacht ar leith ag baint le rannpháirtíocht na ndaoine ó thraidiúin Aontachtach an Tuaiscirt chun atmaisféar iolraíoch a chinntiú do phlé sa Teach, agus ní hamháin i ndíospóireachtaí ar Thuaisceart Éireann.

Ceann de na gnéithe is tábhacthaí de bhallraíocht an tSeanaid go bhfuil ardán ag intleachtóirí poiblí agus daoine eile a mbeadh sé deacair orthu leanúint ar aghaidh leis an méid a chuireann siad leis an saol poiblí. Tagann na hainmneacha Mary Robinson agus Micheál D. Ó hUiginn chun cuimhne – beirt a bheadh ina n-uachtaráin amach anseo ar ndóigh – mar aon leis na hainmneacha John A. Murphy agus J. J. Lee, beirt ollúna staire i gColáiste na hOllscoile, Corcaigh, agus beirt a bhain feidhm, ar bhealaí éagsúla, as a litearthacht stairiúil agus iad ag dul i ngleic le fadhbanna nua-aimseartha. Trí bhreadhnú níos leithne ar bhail den Seanad a toghadh ó na painéis ghairme, léiritear conas a chuir eolas agus taithí phraiticiúil na seanadóirí ar a gcumas cur leis an saol polaitiúil agus poiblí ar bhealach luachmhar. Chuir Garret Fitzgerald – an t-aon Taoiseach riámh a rinne seirbhís sa Seanad – túis lena shlí bheatha ina sheanadóir ar an bPainéal Tionscail agus Tráchtála a raibh sé ina bhall de ó 1965 go 1969. Shuigh Evelyn Owens, seanadóir ó 1969 go 1973 ar Phainéal an Lucht Oibre agus bhí sí tiomanta do chur chun cinn na mban san ionad oibre agus sa tsochaí. Thug Tras Honan – an chéad bhean, agus, go dtí seo, an t-aon bhean a bhí ina Cathaoirleach – seirbhís ar an bPainéal Riarracháin ó 1977 go 1992. Bhí Labhrás Ó Murchú, seanadóir ó 1997 go 2016 ar an bPainéal Cultúrtha agus Oideachais, agus chuir sé chun cinn cúis na n-ealaíon, an chultúir agus na Gaeilge.

I bhfianaise ardchaighdeán leanúnach bhallraíocht an tSeanaid ní hí an cheist ar chóir a chur an bhfuil an bhallraíocht oriúinach don fheidhm, ach an bhfuil an cuspóir oriúinach don bhallraíocht.

Agus muid ag féachaint ar an gcéad aois eile, níl cúis imní ar bith ann maidir le todhchaí an tSeanaid. Caithfidh an stát freastal ar leas an daonra atá ag fás go tapa, agus atá ag éirí níos éagsúla, ar bhealaí difriúla. Cuireann an Teach Uachtarach bealach iontach ar fáil don rannpháirtíocht sin. Go seachtrach, leanfaidh an stát air ag plé le saincheisteanna agus gníomh-aireachtaí idirnáisiúnta agus go hintreach, úsáidfear an saineolas sa teach uachtarach chun seirbhís a dhéanamh don phobal. Fiú agus an foilseachán seo sna céimeanna deiridh táirgeachta, tá coiste nua Seanaid á chruthú chun breithniú a dhéanamh ar reachtaíocht a tháinig ón Aontas Eorpach, agus léireoidh baill an choiste sin an dearcadh cuiditheach, forásach céanna a léirigh siad sna coistí eile a cruthaíodh le blianta beaga anuas. Beidh todhchaí an tseomra, sa mhéid seo agus ar an oiread sin bealaí eile, ina shíneadh ar

an am atá thart, agus ar Stát na hÉireann. Agus rachaidh sé sin chun leas mhuintir na hÉireann.

**An Seanadóir Jerry Buttiner
Cathaoirleach Sheanad Éireann**

1

Triail idéalachais ar leith: Seanad Éireann, 1922-8¹

Elaine A. Byrne

Réamhrá

Nuair a thugtar na bunaitheoirí fir agus mná Stát Éireann chun cuimhne, ní luaitear ainm an tSeanadóra James G. Douglas ná an tSeanadóra Jennie Wyse Power. Mar sin féin, bhí ról ríthábhachtach ag Seanad 1922-8 maidir le go leor d'instiúidí rialtais a bhunú agus a dhlísteannú. Éacht nach beag a bhí i gcomhdhlúthú ar thraigisiúin mhionlacha polaitíochta i stát neamhspleách nua i gcomhthéacs daonlathais a raibh iomaiocht ghéar i gceist ina leith. Is éacht daonlathach suntasach é seo nuair a chuirtear i gcomórtas le teacht chun cinn stát nua eile é. Bunaíodh Saorstát Éireann idir dhá chogadh domhanda, tráth a raibh daonlathais eile ag titim as a chéile.

Ba é Seanad na mblianta 1922-8 freasúra de facto an rialtais ar chuíseanna nach raibh aon choinne leo. Ní bhíodh mórán de chur in éadan i gceist i dtaca le beartas rialtais sa Dáil de bharr polasaí neamhfhreastalachais a ghlac na parlaiminteoirí a bhí in aghaidh an Chonartha, agus toisc chomh lag is a bhí Páirtí an Lucht Oibre. D'fhéadfadh gurbh iad caighdeán chomholtas an tSeanaid, na rialacha a bhí mar bhonn faoina bhunú agus na bealaí ar chuir na seanadóirí na rialacha sin i bhfeidhm a rinne foras chomh háititheach sin de ó thaobh reachtaíocht a leasú. Bhí tábhacht freisin le fonn an rialtais nua na daoine sin a raibh dáimh acu leis an Aontachas a thabhairt leo mar chuid den iarracht cothaithe stáit. Bunaíodh an Seanad fad a bhí an tír ina cíor thuathail ag Cogadh na gCarad, le linn tréimhse síorathraithe institiúidí agus míshocracha polaitíochta. Isteach sa bhearna sin a cuireadh dara teach ar leith ar bun.

¹ Is leagan giorraithe de chaibidil é seo a foilsíodh in Byrne, E. (2015), 'A Unique Experiment in Idealism: Irish Senate 1922–28', in M. Farrell, J. Knirck & C. Meehan (eag.), *A Formative Decade: Ireland in the 1920s*, Baile Átha Cliath: Irish Academic Press, lgh. 59–85. Úsáidtear anseo é le caoinchead an fhoilsitheora.

Rinne L.T. Mac Cosgair, Uachtarán na hArd-Chomhairle (1922-32), tríocha duine a cheapadh go díreach chuig an gcéad Seanad idir 1922-5. Bhí sé iar-Aontachtaí déag as deisceart na hÉireann i measc a chuid ainmnithe. Cé is moite de bheith ina spreagadh do réiteach polaitíochta agus siombalach an *ancien régime* leis an Saorstát nua, bhí sé de chuspóir ag an Teach Uachtarach, ar chuspóir nach beag é, saineolas polaitíochta agus riarracháin a thabhairt isteach sa reachtas, rud a bhí go mór in easnamh i measc chomhaltaí na Dála. Bhí sé Chaitliceach is tríocha, fiche Protastúnach, triúr ball de Chumann na gCarad agus Giúdach amháin sa chéad Seanad seo, a d'fhág gurbh é an comhlacht parlaiminteach is mó a raibh éagsúlacht creidimh i gceist leis ó thíos neamhspleáchas na hÉireann.

Bhí rialtas Mhic Cosgair ag brath go mór ar an Seanad. Fir óga a bhí sa chuid is mó de na hairí nua, nach raibh mórán taithí acu ar an saol, ná tuiscint acu ar mar a chuirtear gnóthaí poiblí i gcrích.² Ba é Eoin Mac Néill, T.D., an comhalta is sine de rialtas na bliana 1922, agus é cúig bliana is caoga d'aois, agus ba é Mac Cosgair, a bhí dhá bhliain is daichead d'aois, an dara comhalta is sine. Ní raibh aon duine de na hairí ina chomhalta parlaiminte roimhe seo, gan trácht ar bheith ina aire. Ní raibh taithí cheart ar pharlaimint ach ag beirt den 128 parlaiminteoir a toghadh sa bhliain 1922, ba iad sin Alfred Byrne, T.D., agus Laurence Ginnell, T.D.

Ó thaobh na taithí ar pharlaimint, na domhaintuisceana ar bheartas agus na scileanna dréachtaithe a bhí in easnamh ag na hairí, bhí na buntáistí sin ag na seanadóirí. Ba é James G. Douglas, ar bhall de Chumann na gCarad é, Leas-Chathaoirleach an Chéad Seanad. Cé go raibh cúlra gnó ag Douglas agus nach raibh oiliúint fhoirmiúil dlí air, aithníodh é ina údarás ar dhí bunreachtúil. Ghlac sé air féin an ról teicniúil a bhain le buanorduithe a dhréachtú agus ghlac sé cúram billí príobháideacha na Dála agus an tSeanad araon air féin, toisc nach raibh mórán ar eolas ag duine ar bith in Éirinn faoi, mar a d'áitigh sé féin.³ Bhí an-eileamh ar scileanna seiftithe dlí Douglas i bhfianaise a laghad dlíodóirí a bhí sa Dáil, ar díol suntais é sin.⁴ Bhí an Seanad ina léiriú ar mhaíomh an staraí Nicholas Mansergh go mbaineann tábhacht chomh mór céanna le meicníocht riarracháin a chur ar fáil i stát comhaimseartha ná mar a bhaineann le struchtúr na Bunreachtá é féin.⁵

² (1925), ‘The Irish Free State: An Ex-Unionist View’, *The Round Table: The Commonwealth Journal of International Affairs*, iml. 16, uimh. 61, lch. 30.

³ Gaughan, J. A. (1998), *Memoirs of Senator James G. Douglas (1887–1954): Concerned Citizen*, Baile Átha Cliath: Preas Choláiste Ollscoile Baile Átha Cliath, lch. 110.

⁴ Garvin, T. (1969), *The Irish Senate*, Baile Átha Cliath: An Foras Riaracháin, lch. 159.

⁵ Mansergh, N. (1934), *The Irish Free State: its Government and Politics*, Londain: Allen and Unwin, lch. 80.

Éascaíodh plé ar bheartas i dtimpeallacht nár bhain le páirtithe, gan aird a bheith bainte d'ábhar an phlé de dheasca idirdhealuithe géara idir seasamh na bpáirtithe. Dar le Douglas, gheall seanadóirí go dtacoidís leis an rialtas ar gach ceist a mbeadh tionchar aici ar chaomhnú an Chonartha, ach nach dtacoidís leis ar cheisteanna a bhainfeadh le cúrsaí polaitíochta ná gnóthaí inmheánacha.⁶

Cion Tairbhe an tSeanaid

Is léiriú ar leith ar an méid a chuir an Seanad le forbairt an stáit iad na leasuithe a rinne an Seanad ar reachtaíocht phríomha idir 1922 agus 1928. Cuireadh lín suntasach billí, 238 bille (nach billí airgid iad) faoi bhráid an tSeanaid sa tréimhse sin. Áiríodh orthu sin dlíthe a mbeadh áit lárnach i mbonneagar nua reachtaíocha an tSaorstáit acu, lena n-áirítear Acht an Gharda Síochána, 1924, an tAcht Airí agus Rúnaithe, 1924, an tAcht Cúirteanna Breithiúnais, 1924, agus an tAcht Rialtais Áitiúil, 1925.

Rinne an Seanad leasú suntasach ar 93 bille sula ndearnadh dlí díobh. D'aontaigh an Dáil le 910 leasú den 954 leasú a rinneadh ar reachtaíocht phríomha. Mar a tharlaíonn sé, tar éis an leasaithe a rinneadh ar an mbunleasú, níor dhiúltaigh an Dáil ach le seacht gcinn is fiche de leasuithe an tSeanaid i gcaitheamh na sé bliana sin. Ghlac an Dáil le 98 faoin gcéad de leasuithe an tSeanaid san iomlán.⁷ Murarbh ionann is an leagan de a cuireadh ar bun níos déanaí, bhí sé de cheart ag an Seanad seo reachtaíocht a thionscnamh, agus rinneadh reachtaíocht de thríocha bille dá réir sin, idir bhillí príobháideacha agus bhillí daingnithe orduithe sealadacha. Bhí gnóthachtáil an tSeanaid maidir le billí airgid, inar leagadh amach rud ar bith a bhain le cúrsaí cánach nó airgead poiblí, níos conspóidí. Murarbh ionann is gnáthbhillí, ní fhéadfadh an Seanad ach moill aon lá is fiche a chur ar bhille airgid. Ghlac an Dáil le ceithre mholadh is tríocha ón Seanad san iomlán, agus diúltáiodh le aon mholadh is fiche.⁸

Nochtar an tionchar a bhí ag an Seanad trí achtú Acht na gCúirteanna Breithiúnais, 1924, a scrúdú. Tharla sé go raibh scil ar leith ag an Seanad ó thaobh a chinntíú go raibh prionsabal neamhspleáchas na mbreithiúna láidir san acht, le go ndéanfaí leagáid bhrefthiúna na Breataine in Éirinn, a raibh droch-chlú uirthi, a mhaolú. Mar shampla, tugadh barántas le leasú an tSeanadóra John T. O'Farrell gur leis an bPríomh-Chiste seachas leis an Acht

⁶ Gaughan, J. A. (1998), *Memoirs of Senator James G. Douglas (1887–1954): Concerned Citizen*, Baile Átha Cliath: Preas Choláiste Ollscoile Baile Átha Cliath, Ich. 126.

⁷ O'Sullivan, D. (1972), *The Irish Free State and its Senate: A Study in Contemporary Politics*, Nua-Eabhrach: Arno Press, Ich. 605.

⁸ Hugh Kennedy Papers, Return as to Recommendations of the Seanad in regard to Money Bills during the period 1922 to 1936. P4 1277.

Leithreasa a d'fhorálfaí do thuarastal breithiúna.⁹ Bhí an t-idirdhealú seo thar a bheith tábhachtach mar gur fhéach an Roinn Dlí agus Cirt le freagracht a ghlacadh as tuarastail breithiúna dúiche i dtosach. Rinne Seanadóirí an cás ar son breithiúna lánaimseartha a bheadh cáilithe sa dlí agus a bhfaigheadh íocaíocht, a bheadh beag beann ar leasanna dílsithe agus ar bhrúnna polaitíochta, agus d'éirigh leo. Ba mhór idir na breithiúna seo agus na breithiúna a bhí ann díreach rompu, giúistísí cónaithe na cúirte giorra, a bhí mar a bheadh tearmann do dhaoine éilitheacha ann.

Chuir an Seanad bac ar an rialtas buanchumhacht lánroghnach a chur i bhfeidhm chun breithiúna sealadacha a cheapadh. Bhí imní ar an Seanadóir Samuel L. Brown go mba gheall le filleadh ar leagáid bhreithiúna na Breataine in Éirinn é, áit ar cuireadh síos ar ghiúistísí airithe ina ngiúistísí ar féidir a chur as oifig, a dúirt sé, agus ar cáineadh iad dá réir.¹⁰ Mhaigh Brown go mbeadh sé an-deacair ar bhreithiúna arna gceapadh ar an gcaoi sin a bheith neamhspleách. D'éirigh leis an Seanadóir Brown, arbh abhcóide é a raibh daichead bliain de thaithí aige agus a bhí ina cheannaire ar Bharra na hÉireann roimhe sin, cur i gcoinne chumhacht lánroghnach na hArd-Chomhairle chun síneadh a chur le tréimhse oifige breithimh. Chreid Brown go raibh seans ann go bhféadfaí tréimhse shínidh ar bith faoi thoil na hArd-Chomhairle, mar a deir sé féin, a úsáid ina uirlis pholaitíochta chun breithiúna a mbíodh a gcuid breithiúnas ina n-údar oilc don rialtas a chur ar scor. Dá mbeadh an chumhacht sin ann ar chor ar bith, d'fhéadfaí teacht i dtír uirthi chun tionchar a imirt. Aontaíodh ar mholadh Brown maidir le haois scoir socraithe.

Bhí an modh comhthoiliúil cur in éadan a d'úsáid an Seanad níos éifeachtaí ó thaobh glacadh na hArd-Chomhairle a fháil i leith leasuithe an tSeanaid. Diúltáiodh go leor de na leasuithe a moladh i dtaobh an Bhille Cúirteanna Cirt sa Dáil i dtosach, agus glacadh leo i ndiaidh sin sa Seanad.¹¹

Cé go raibh sé sách éasca cur in éadan sa Dáil a cheansú, bhí ar Mhac Cosgair cluas éisteachta níos géire a thabhairt d'argóint an tSeanaid mar go raibh cumhacht moillithe aige. Ní raibh claonadh rómhór ag Uachtaráin na hArd-Chomhairle neamháird a dhéanamh ar leasuithe molta sa Seanad ach oiread. Dá ndéanfadh sé amhlaidh, chuirfeadh sé droch-chuma air féin, ó tharla gurbh eisean é féin a d'ainmnigh leath de chomhaltaí an tSeanaid. Ba

⁹ 'Bille Cúirteanna Cirt, 1923: Atosú na Céime Tuarascála', *Díospóireachtaí an tSeanaid*, iml. 2, uimh. 25, 20 Mártá 1924.

¹⁰ Samuel L. Brown, 'Bille Cúirteanna Cirt, 1923: an Dara Céim', *Díospóireachtaí an tSeanaid*, iml. 2, uimh. 11, 16 Eanáir 1924.

¹¹ Dougherty, J. I. (2009), *From the Ashes Arose Justice: The Creation of an Irish Judiciary, 1922–1924*, Pittsburgh: Dietrich College of Humanities and Social Sciences, Ollscoil Carnegie Mellon.

mhinic an Seanad ag leasú reachtaíochta mar gheall ar an mbrú ollmhór a bhí ar an Ard-Aighne Hugh Kennedy agus ar an dréachtóir parlaiminteach Arthur Matheson sna blianta luatha den Stát.¹² Bhí an t-ualach oibre a bhain le meicníocht nua reachtaíochta a bhunú chomh mór sin gur achartaíodh dhá acht is seasca sa bláthain 1924. Béacht reachtaíochta é sin nár sáraíodh go ceann bliain is nócha eile, sa bláthain 2015.

Bhí an chumhacht ag an Seanad leasuithe a mholadh agus moill a chur ar reachtaíocht go ceann 270 lá ar a mhéad, ach ní raibh de chumhacht aige billí a chrosadh. Baineadh leas as na cumhachtaí fionraíochta seo trí huaire roimh 1928, agus ba é cás Bhille Rialuithe na Stát-Sheirbhís (Leasú), 1925, an cás ba shuntasaí dá n-úsáid. D'éisigh leis an Seanadóir Eileen Costello agus leis an Seanadóir Jennie Wyse Power, iar Uachtarán Chumann na mBan, eagraíocht do phoblaontaigh mná a bunaíodh sa bláthain 1914, a chur ina luí ar a gcomhghleacaithe sa Seanad go raibh leithcheal á dhéanamh ar mhná leis an bhforáil do scrúdúithe iomaíocha do phoist sa státseirbhís mar go raibh sí teoranta dóibhsean a bhí cáilithe 'ar bhonn inscne, aoise, sláinte, carachtair, eolais agus cumais'.¹³ Ní raibh eifeacht ar bith ag an moill agus ritheadh an reachtaíocht bliain ina dhiaidh sin. Níor cuireadh in aghaidh na reachtaíochta sa Dáil ar chor ar bith, agus go deimhin, bhréagnaigh deirfiúir Mhichíl Úí Choileáin, Margaret Collins O'Driscoll, T.D., moladh ar bith gur sháraigh sé cearta na mban.¹⁴

Ní raibh móran ratha ar fheachtas Costello agus Wyse Power i gcoinne iarrachtaí an Aire Gnóthaí Baile, Kevin O'Higgins, cosc a chur ar mhná suí ar ghiúiré le hAcht na nGíúirithe, 1927. Bhí mná in ann iarratas a dhéanamh chun go bhfágfaí a n-ainm ar rollaí giúiréithe an stáit, cé go leanfaí le fir a áireamh go huathoibríoch, rud a chuirfeadh laghdú mór ar líon na ngiúróirí mná ar deireadh. Bhí idirghabhálacha Costello agus Wyse Power ina saintréith de Sheanad a bhí sásta cur in aghaidh an rialtais, mar gheall ar cheisteanna feimineacha sa chás seo.¹⁵ Ba mhór an chodarsnacht, go deimhin, idir an ceathrar ban sa Seanad agus an t-aon bhean amháin a raibh suíochán sa Dáil aici sa bláthain 1922, as 128 suíochán san iomlán.¹⁶ As an

¹² Dialanna Arthur Matheson, An Chartlann Náisiúnta, 2001/49/68–2001/49/88.

¹³ 'Bille Rialuithe na Stát-Sheirbhís (Leasú) 1925: an Dara Céim', *Díospóireachtaí na Dála*, iml. 13, uimh. 6, 18 Samhain 1925.

¹⁴ Margaret Collins O'Driscoll, *ibid.*

¹⁵ Clancy, M. (1990), 'Aspects of Women's Contribution to the Oireachtas Debate in the Irish Free State, 1922–1937', in M. Luddy agus C. Murphy (eag.), *Women Surviving: Studies in Irish Women's History in the Nineteenth and Twentieth Centuries*, Baile Átha Cliath: Poolbeg, lgh. 209–210.

¹⁶ Toghadh Alice Stopford Green (a fuair an líon is airde vótáí) agus Eileen Costello. Ainmníodh Cuntas an Dísirt agus Jennie Wyse Power. 'Tortháí an Toghcháin chuig an Seanad', *Díospóireachtaí Dála*, iml. 2, uimh. 3, 8 Nollaig 1922.

mbeirt ionadaithe Dála mná idir na blianta 1922 agus 1928, ba bhaintreach í duine acu agus ba dheirfiúr cheannaire mór le rá sa tréimhse réabhlóideach í an duine eile.¹⁷ Ní raibh a leithéid de rud ann sa Seanad agus ionadaí mná do na fir ina dteaghlaach. Ní hamháin go ndearnadh ionadaíocht do leasanna na mionlach i dTeach Uachtaráin, ach anuas air sin, ba bhealach é, más teoranta féin é, saincheisteanna ban a chur chun cinn.

Conclúid

Institiúid fhíorspéisiúil ab ea an Seanad, a d'eadar as an idéalachas a bhí i gceist le bunú an stáit, idéalachas nár mhair i bhfad ar chuíseanna praiticiúla. Institiúid dá linn féin í.

Bhí leagan amach an tSeanaid ag teacht le caractar coimeádach thromlach na Dála a bhí ar son an Chonartha, ní nach ionadh. Bhí iarrachtaí na seanadóirí, den chuid is mó, ag teacht leis an dearcadh coimeádach sin agus ba iad na saincheisteanna ar tharraing siad aird orthu forbairt bhonneagar reachtaíochta an stáit, leagan amach dlí agus oird, cosaint réadmhaoine agus rialú talún, talmhaíochta agus iompair.

Tá a scéal féin le hinsint ag na ceisteanna nár tugadh aird orthu ar chlár oibre an tSeanaid, áfach. Tuairiscíodh go mba gheall le haimsir an ghorta na coinníollacha a bhí ann i gConamara ag túis na 1920idí.¹⁸ Cé go raibh an bhochtaineacht ina fadhb mhór in iarhar na hÉireann agus i dtionóntán Bhaile Átha Cliath, ní dhearnadh tagairt di ach in dhá dhíospóireacht is fiche le linn na sé bliana idir 1922-8.

Rinne an Seanad dianiarracht miontraidisiúin pholaitíochta a thabhairt le chéile faoi stát neamhspleách nua. Ba bhuntéama sa Teach Uachtarach é an fheasacht ghéar seo ar an seanréimeas agus an réimeas nua a chónascadh. Ba thuisceanach discréideach an chaoi ar láimhseáladh foirmiúlachtaí, amhail paidir aontaithe a bhí le léamh i mBéarla agus i nGaeilge sula gcuirfí túis le himeachtaí sa Seanad. Ghlac Iarla Chill Mhantáin freaghracht air féin go pearsanta agallamh a chur ar Ardeaspag Bhaile Átha Cliath, idir an ceann Caitliceach agus an ceann Protastúnach, chun téacs ar aontaíodh air a chinntiú.¹⁹

¹⁷ Bhí cúigear ban eile nár ghlac lena suíochán de réir pholasáí neamhfhreastalachais Shinn Féin. Den chúigear sin, ba bhaintreacha iad beirt acu agus ba dheirfiúr duine de cheannairí móra na tréimhse réabhlóidí duine eile acu.

¹⁸ Newell, U. (2014), *The West Must Wait: County Galway and the Irish Free State 1922–1932*, Manchain: Manchester University Press.

¹⁹ ‘Tuarascáil an Choiste um Buan-Ordaithe’, *Díospóireachtaí an tSeanaid*, iml. 2, uimh. 5, 14 Samhain 1923.

Ba shuntasach an comhthéacs ina ndearna na seanadóirí cion tairbhe maidir le bunú an stáit. D'éisigh Liam Ó Loingsigh, Ceann Foirne Óglaigh na hÉireann, fógra ar an 30 Samhain 1922 fad a bhí Cogadh na gCarad ar siúl inar sonraíodh ceithre chatagóir déag de dhaoine ar thargaid iad a bhí le lámhach a luaithe a d'fheicfi iad. Bhí seanadóirí ina measc sin, agus áiríodh liosta d'árais chónaithe seanadóirí a bhí le scríosadh. Rinne na fórsaí a bhí in aghaidh an Chonartha ionsaí ar sheanadóirí trí fheachtas imeaglaithe, trí fhuadaigh, trí iarrachtaí iad a mharú agus trína tithe a scríosadh. Loisceadh tithe seacht seanadóir is tríocha go talamh idir mí na Samhna 1922 agus mí Feabhra 1923.

Thug Mac Cosgair aitheantas do 'mhisneach agus do bhuanseasmhacht dhochreidte na seanadóirí ar díríodh an feachtas imeaglaithe orthu', ag rá gur 'léiriú breá saoránacha' a bhí i gceist.²⁰ Mar fhreagairt ar an tréimhse dhúshláinach seo, choimisiúnaigh an seanadóir Alice Stopford Green dearadh cisteoige miotail bhualte mar 'a perpetual memorial of the foundation of this body [An Seanad], and a witness in later times of its increasing service to the country'. Istigh sa chiseog bhí rolla veillim ar a raibh síniú gach seanadóra a raibh suíochán sa Seanad aige nó aici sa bhliain 1922. Bhí teachtaireacht scríofa ann in éineacht leis an rolla veillim, inar tugadh achoimre ar an méid a bhí ag tarlú thart ar an am sin: 'Whether we are of an ancient Irish descent, or of later Irish birth, we are united in one people, and we are bound by one lofty obligation to complete the building of our common nation'. Cuireadh an chiseog ar dheasc an Chathaoirligh díreach roimh thus gach seisiún den Seanad ón 26 Samhain 1924 go dtí suí deireanach an tSeanaid an 19 Bealtaine 1936.

Bhí naimhdeas seanbhunaithe ag Fianna Fáil i leith 'an elitist body that sought to preserve Unionist hegemony', comhlacht a bhí 'hostile to the interests of Irish nationalism', mar a dúirt Seán Lemass faoi. Bhí foighne Mhic Cosgair féin leis an Seanad ar tí briseadh faoi dheireadh na 1920idí. Ba léir i gcónaí nach mbeadh ach téarma teoranta ag an triail idéalachais ar leith seo.

De thoradh an dearcaidh gurbh ionann an Seanad agus géilleadh sealadach d'iarsmaí na himpireachta, rinneadh beag is fiú de chion tairbhe an tSeanaid maidir le bunú an stáit nua. Ar chomóradh céad bliain a bhunaithe, is tráthúil athbhreithniú a dhéanamh ar ról an tSeanaid maidir le daonlathas na hÉireann a dhaingniú.

Is abhcóide í an Dr Elaine A. Byrne agus is colúnaí í leis an Business Post.

²⁰ L. T. Mac Cosgair, 'An Bille um Dhíobháil do Mhaoin (Leasú), 1923', *Díospóireachtaí an tSeanaid*, iml. 1, uimh. 41, 9 Lúnasa 1923.

2

Seanad Éireann¹

Maurice Manning agus Richard Boyle

An chéad chruinniú

Reáchtáladh an chéad chruinniú de Sheanad Shaorstát Éireann i dTeach Laighean an 11 Nollaig 1922. Cruinniú gairid a mhair níos lú ná uair an chloig a bhí ann ach bhí deich lá de ghníomhaíocht mhire roimhe. Tharla sé in am neamhghnách i stair na tíre nuair a bhí an oiread sin deiseanna nua á gcruthú, de réir mar a bhí institiúidí agus struchtúir pholaitiúla an stáit nua á gcruthú ag an am céanna ach fós astu féin. Mar thoradh ar stát nua, bhí gá le hinstiúidí nua agus le rialacha nua – bunreacht nua, ranna stáit nua, tithe nua parlaiminte, córas breithiúnach nua, fórsaí cosanta nua, fórsa póilíneachta nua.

De ghnáth bheadh aon cheann acu sin ina ghealltanás móir, ach in 1922, agus cogadh cathartha fós ar bun, bhain brú breise leis. Ní raibh am ná spás ann do dhiospóireacht phoiblí ná do thréimhsí comhairliúcháin; bhí tábhacht le seiftíú agus cinnteacht agus béisgean cinntí a mbeadh – nó nach mbeadh – iarmhairtí buana acu a dhéanamh faoi bhrú móir agus gan aon chinnteacht go n-éireodh leo.

Go deimhin ní raibh cinneadh déanta faoi shuíomh na parlaiminte nua agus an Seanad ag ullmhú dá chéad chruinniú. Ghlac go leor daoine leis, nuair a tháinig an stát nua ar an bhfód, go dtiocfadh a pharlaimint le chéile san fhoirgneamh ar Shráid an Dráma ina raibh Parlaimint Grattan ach a bhí anois faoi úinéireacht Bhanc na hÉireann agus iad lonnaithe ann. Mar sin féin, bheadh sé an-deacair an banc cumhachtach a bhogadh as áit agus measadh go mbeadh an t-ionad róbheag ar aon nós. Bhí an tUachtaráin

¹ Cuireadh an chuid láir den pháipéar seo, ó ‘Seanad an tSaorstáit – bunús agus oibríochtaí’ go dtí ‘athchóiriú Seanaid’, in oiriúint ó Manning, M. (2010), ‘An Seanad’, i M. MacCarthaigh agus M. Manning (eag.), *Tithe an Oireachtais*, Baile Átha Cliath: Institiúid Riaracháin Phoiblí. Úsáidtear anseo é le cead an fhoilsitheora.

William T. Cosgrave i bhfabhar an tOspidéal Ríoga i gCill Mhaighneann a úsáid, ospidéal atá lonnaithe gar dá áit bhreithe féin agus do mhórstáisiún traenach Bhaile Átha Cliath ach bhí daoine eile ann a rinne cás ar son Chaisleán Bhaile Átha Cliath. I ndiaidh dhíospóireachtaí an Chonartha in Ardán Phort an Iarla Choláiste na hOllscoile, Baile Átha Cliath, bhog an Dál chuig áit shealadach i gCumann Ríoga Bhaile Átha Cliath (RDS) faoi úinéireacht Theach Laighean ar Shráid Chill Dara ar an tuiscint dhocht gur fanacht sealadach a bheadh ann.

Ceapadh coiste Teachtaí Dála agus seanadóirí chun an scéal a fhiosrú. Creideadh go raibh an costas a bhain leis an Ospidéal Ríoga a oiriúnú chomh hard sin go raibh sé mímhórálta, £70,000, agus diúltáiodh dó mar rogha.² Cuireadh deireadh leis an smaoineamh Caisleán Bhaile Átha Cliath a úsáid ó tharla go raibh na cúirteanna lonnaithe ansin cheana féin tar éis scríos na gCeithre Chúirt – rud nár fhág ach Teach Laighean. Agus an Cogadh Cathartha mar chúlra, chuir an ríaltas in iúl don RDS go leanfáí úsáid Theach Laighean ar feadh roinnt blianta go dtí go bhfaighfí ionad nua. Níorbh fhada go raibh an méid a bhí, i dtús báire, ina ‘shocrú beag sealadach’ anois buan, rud a chuir as don RDS.

Agus mar sin, thug Seanascal Shaorstát Éireann cuireadh do na Seanadóirí teacht chuig an gcéad chruinniú de Sheanad Éireann a bhí ar siúl i Léachtlann an RDS, atá anois mar sheomra na Dála.

Tháinig Bunreacht nua an tSaorstáit i bhfeidhm an 6 Nollaig 1922 agus an lá sin toghadh W. T. Cosgrave ina Uachtaráin ar an Ard-Chomhairle. Ceann de na chéad chúramí a bhí air tríocha ball den Seanad nua seasca suíochán a ainmniú. Ós rud é gurb é ceann de na príomhchuspóirí a bhí ag an Seanad ionadaíocht shuntasach pholaitiúil a chinntí don phobal Aontachtach, airíodh ar a liosta Tiarna Lann Abhaigh; Iarlaí Ghránaird, Dunraven, Mhaigh Eo agus Chiarráí; Marcos Áth Cinn; baill de theaghlaigh Guinness agus Jameson; agus an Ginearál Sir Bryan Mahon agus Sir John Keane, a bhí ina cheannaire de facto.

Ar an liosta freisin bhí ionadaithe ó sheanpháirtí na hÉireann, Sir Thomas Grattan Esmonde; príomhphearsana liteartha agus acadúla, W. B. Yeats, Oliver St John Gogarty; an t-acadóir George Sigerson; agus bean amháin, Jenny Wyse Power a bhí náisiúnaíoch.

Thogh an Dál an tríocha ball eile den Seanad. Bhí an toghchán sin ar siúl an lá dár gcionn – 7 Nollaig.

Toghchán aisteach a bhí ann. Ba iad na 81 Teachta Dála a ghlac Mionn na Dílseachta a bhí ina dtoghthóirí; bhí 113 iarrthóir ann agus 80 acu nach

² Coiste um Chóiríocht Shealadach an Oireactais (1924), *Tuarascáil ón gComhchoiste maidir le cóiríocht shealadach an Oireactais*, Baile Átha Cliath: Tithe an Oireactais.

bhfuir vóta ar chor ar bith. Toghadh go leor iarrthóirí gan ach dhá vóta – agus cuid acu níos lú ná sin. Ba é Páirtí an Lucht Oibre an t-aon pháirtí a bhí san iomaíocht dáiríre agus bhuaigh siad cúig shuiochán, agus bhuaigh ionadaithe ó leas feirmeoireachta ocht suiochán. Agus toghadh beirt bhan – an staráí mór le rá, Alice Stopford Green agus scríbhneoir, múinteoir agus béaloidseasóir Eileen Costello.

Fógraíodh torthaí an toghcháin an 8 Nollaig, agus, trí lá ina dhiaidh sin, tháinig an chéad Seanad le chéile. Ba é an Ginearál Emmet Dalton an chéad Chléireach sa Seanad, anamchara cóngarach iontaofa Michael Collins. Níorbh fhada gur chaill sé suim sa phost agus tháinig Donal O’Sullivan i gcomharbacht air mar chléireach agus bhí tionchar mór aigesean ar mhúnlú chleachtais agus nósanna imeachta an Tí nuá.

Ba é an chéad ghnó an lá sin cathaoir shealadach a cheapadh ‘go dtí go mbeadh muid in ann cinneadh a dhéanamh inár measc féin maidir le cé a bheidh mar oifigeach ceannais buan againn’.³ Roghnaíodh d'aon ghuth an Dr George Sigerson, atá sé bliana is ochtó d'aoisanois, fathach fir atá ceannasach agus a bhfuil stádas leighis agus liteartha mór le rá aige (agus ar aimníodh corn peile na hollscoile ‘the Sigerson’ ina dhiaidh). Ba é an chéad ghnó agus an t-aon ghnó an lá sin coiste a cheapadh chun buanorduithe a dhréachtú agus go dtí sin, bheadh buanorduithe na Dála ag feidhmiú. Níor mhair an chéad chruinniu sin ach caoga a cúig nóiméad.

Bhí dara cruinniu an tSeanaid ar siúl an lá dár gcionn, an 12 Nollaig – agus George Sigerson sa Chathaoir. Thosaigh an cruinniu ar bhealach neamhghnách. Mhol Sir William Hutchinson Poë, duine de na seanadóirí a ainmníodh, ‘go n-imeodh comhfhreagraithe na meán ar feadh ceathrú uaire nó fiche nóiméad chun go mbeadh plé beag príobháideach againn maidir le hainmneacha na n-iarrthóirí atá le cur isteach don Chathaoir’.⁴

Bhí an Lucht Oibre go láidir in éadán an mholta ach ritheadh é ar thaispeántas lámha 26 in aghaidh 12. D’fhág lucht na meán gan cheist ach níor leanadh leis an bhfásach sin a socraíodh riamh arís ina dhiaidh sin.

Mhínigh Hutchinson Poë a mholadh ansin. Theastaigh uaidh a chinntí nach gcuirfeadh aon ‘sean-aighneas’ isteach ar an díospóireacht agus go mbeadh tuairim shoiléir acu faoi na tréithe riachtanacha sa té a roghnódh siad:

‘In my opinion there are three essentials for any man who fills the post. The first is he should be a man of recognised position, social and otherwise. The second is he should be, if possible, possessed of

³ Díospóireachtaí Seanaid, iml. 1, uimh. 1, 11 Nollaig 1922.

⁴ Díospóireachtaí Seanaid, vol. 1, uimhir 2, 12 Nollaig 1922.

parliamentary experience, versed in constitutional procedure and able to keep this Seanad, in the early days of its birth, on right lines. The third, and perhaps most important, requirement of all is that he should be a man having leisure time to devote to the duties of the office ... must be of an exacting and arduous nature. The very last essential ... greatly limits the choice of candidates.'

Ansin d'iarr Hutchenson Poë ar sheanadóirí dearmad a dhéanamh ar shean-aighnis agus claontachtaí; 'the sooner we forget those, bury the past, and recognise that we are here, all Irishmen, united in a determination to loyally support the Free State government and to carry out the Constitution ... the better for the country'.

Mheabhráigh an sean-náisiúnaí, Coirnéal Maurice Moore, dá chomh-ghleacaithe nua nach bhfuil mórán cumhachta dáiríre ag an Seanad, ach cibé tionchar a bheidh aige '... will depend entirely on its own virtues and its own abilities and the way in which we here in the Seanad tackle every subject ... and also it will depend very much upon what confidence the people of Ireland place in us'.

D'fhéach W. B. Yeats freisin ar chrucáisteanna a mbeadh orthu dul i gneileac leo: 'We have thorny legal questions in this Seanad on every side of us, and, of course, we will have thorny political questions. The past is dead, not only for us but for this country. ... I suggest we are assembled here no longer in a Nationalist or Unionist sense, but merely as members of the Seanad'. Yeats went on to say 'I think it is ... very important to this Senate because of the very nature of its constitution, that we should show ourselves as interested as the Dáil is in every person in this country. We do not represent constituencies; we are drawn together to represent certain forms of special knowledge, certain special interests, but we are just as much passionately concerned in these great questions as the Dáil'.

Ag an bpóinte sin, tháinig lucht na meán ar ais isteach agus leanadh ar aghaidh le gnó tofa an chéad Chathaoirligh.

Níor ainmníodh ach iarrthóir amháin agus ba rogha iontais é an Tiarna Glenavy. B'Aontachtaí ar feadh an tsaoil é agus ba é crann taca Edward Carson é san fheachtas in aghaidh Rialtas Dúchais. Ba é John MacLoughlin, Ultach agus Náisiúnaí a mholtáin é: 'we are prepared to treat every man as a brother Irishman, regardless of what his politics were in the past or his religion is in the present'. D'aontaigh Sir Thomas Esmonde ó sheanpháirtí Parlaiminte na hÉireann: 'whatever has happened in the past, however much we may have differed, there is only one thing before us now, and that is our common country'. D'aontaigh Páirtí an Lucht Oibre freisin. Níor chuir Thomas McPartlin fiacail ann: 'What we are interested in is the ability of the

man whom we select and for whom we are going to vote ... We will vote for the best man, and we do not want to know whether he is a Colonel, a Lord or a road worker'. Chuir cainteoirí eile béim an lá sin ar an smaoineamh go rachadh seasamh Glenavy mar Chathaoirleach ar an Seanad i bhfeidhm ar Aontachtaithe agus go gcabhródh sé le haontacht náisiúnta a bhaint amach.

Ní raibh an Seanad d'aon ghuth, áfach, ar thacú le Glenavy. Bhí an Coirnéal Maurice Moore i gcoinne rogha Glenavy agus thug sé le fios go raibh go leor ball eile i gcoinne Glenavy mar gheall ar an ról a bhí aige roimhe seo le hÓglaigh Uladh agus an caidreamh a bhí aige le Carson. Bhí Jenny Wyse Power níos dírí ina cur i gcoinne. Níor chreid sí go gcabhródh toghadh Glenavy lena dhá uaillmhian mhóra a bhaint amach – tóraíocht na haontactha agus bunú stát fhíor-Ghaelach.

Níor glaodh aon vóta, áfach, agus toghadh Glenavy mar an chéad Chathaoirleach, post a rinne sé go cumasach as sin go ceann deich mbliana gan a neamhchlaontacht ná a thiomantas á gceistiú móran riamh.

Is féidir dhá fhonóta a chur leis na chéad chruinnithe den Seanad nua. Scríosadh na céadta bliain de lámhscribhinní stáiriúla fiorluachmhara nuair a leagadh na Ceithre Chúirt. Faoi cheannas Yeats agus Alice Stopford Green bhunaigh an Seanad coiste chun a chinntíú go bhféadfaí innéacsú agus foilsíú a dhéanamh ar lámhscribhinní atá ann cheana féin agus céimeanna a ghlacadh chun caomhnú scoláireacht luath-Éireannach a chur chun cinn. Gníomh fadbhreathnaitheach a bhí ann as ar bunaíodh Coimisiún Lámhscribhinní na hÉireann cúpla bliain ina dhiaidh sin.

Agus ar deireadh ba ar an tríú lá suí a tosaíodh ag caint ar cheist chostais na seanadóirí den chéad uair. Iarla Mhaigh Eo an duine a thosaigh an chaint sin. Dúradh leis go mbeadh siad an-ghann.

Seanad an tSaorstáit – bunús agus oibriú

Nuair a pléadh Bunreacht Shaorstát Éireann in 1922, ní raibh aon chonspóid ann faoi sholáthar an dara Teach. Sa mhéid gur pléadh an scéal go poiblí, bhí comhaontú ginearálta annní hamháin go raibh dara Teach úsáideach chun plé iomlán reachtaíochta a chinntíú ach, i gcás an tSaorstáit, chuir sé corás ar fáil chun ionadaíocht leordhóthanach a chinntíú don mhionlach Aontachtach i saol polaitiúil an stáit nua.

Beartaíodh go mbeadh córas an dá sheomra in úsáid agus moltaí maidir le Rialtas Dúchais á ndéanamh. Moladh i mBille Rialtas na hÉireann, a bheadh ina dhlí in 1914, go mbeadh Teach na dTeachtaí agus Seanad ann. Bheadh daichead ball san phoras uile-Éireann seo, a toghadh as na ceithre chúige mar thoghcheantair ar leith – ceithre dhuine dhéag as Cúige Uladh; aon duine dhéag as Cúige Laighean, naonúr as an Mumhain agus seisear as

Connachta. Bheadh an córas toghchánaíochta ar an gcóras inaistrithe amháin d'ionadaíocht chionmhar. Cúig bliana a bheadh ag gach Seanad, ní hionann sin agus tréimhse na dTeachtaí. Bheadh sé de chumhacht acu diúltú, nó moill a chur ar bhíllí ar feadh tréimhse seisiúin pharlaíminte. Dá mbeadh an Seanad go fóill ag cur in aghaidh an bhille sa chéad seisiún eile, réiteofaí difríochtaí trí vóta i gcomhsheisiún den dá Theach.⁵

Mhol Coinbhinsiún na hÉireann, a raibh mí-ádh air, in 1919 Seanad de cheathrar ball is seasca a raibh cumhachaí acu cosúil leo siúd i mBille Rialtas na hÉireann. Bhí moladh nua an tSeanaid níos ilchasta ar fad, bhí an tArd-Seansailéir ann; ceathrar easpag Caitliceach Rómhánach; beirt easpag de chuid Eaglais na hÉireann; ball den chomhthionól ginearálta Preispitéireach; ardmhéaraí Bhaile Átha Cliath, Chorcaí agus Luimnigh; ceathrar ríchomhairleoírí; triúr ball ó na hinstiúidí ‘foghlamtha’; cúig ionadaí dhéag tráchtála agus tionscail; ceathrar ionadaithe ón Lucht Oibre agus ochtar comhairleoírí contae.⁶

Nuair a tháinig Coiste an Bhunreachta, a bhunaigh an Rialtas Sealadach chun tabhairt faoi dhréacht-Bhunreacht, le chéile in Óstán Ais Láir i mí Eanáir 1922, bhí siad ar aon intinn faoin ngá le Seanad. Go pointe, bunaíodh é seo ar chomhaontú measartha ginearálta maidir le luach an dara Teach ach bhí sé bunaithe freisin ar ghealltanais, nó ar a laghad tuiscintí, a tugadh do cheannairí Aontachtachas an Deiscirt sular síniúdh an Conradh. Dhá mhórchosaint a bhí á lorg ag Aontachtaithe ba ea bunú Seanaid agus ionadaíocht chionmhar. Bhí tionchar suntasach ag na hAontachtaithe ar mhúnlú an tSeanaid, cé nár géilleadh dá n-éilimh go léir – mar shampla, bhí siad ag iarraidh cálíocht réadmhaoine chun vótáil don chuid tofa den Seanad. Diúltaíodh dó sin, ach, mar chomhréiteach, cuireadh teorainn leis an vóta dóibh siúd os cionn tríocha. Theastaigh ón Rialtas Sealadach go mbeadh Seanad daichead ball ann agus Teach níos mó ag na hAontachtaithe. Thángthas ar réiteach faoi dheireadh go mbeadh seasca ball ann. Theastaigh ó na hAontachtaithe go gcuircí moill dhá mhí dhéag ar chumhacht maidir le reachtaíocht agus dá leanfadhb freasúra an tSeanaid, réiteofaí an cás le comhshuí an dá Theach. Thángthas ar chomhréiteach sa deireadh go mbeadh moill naoi mí ar gach bille neamhairgid.

Nior mhair Seanad an tSaorstáit ach ceithre bliana déag. Le linn an ama sin, cruthaíodh saol sainiúil, cé go raibh sé marbhánta in amanna, ach ón túis bhí dhá fhadhb leanúnacha i ndán dó. Ba é comhdhéanamh a bhallraíochta agus a thoghthóirí an chéad fhadhb; agus ba é an caidreamh a bhí aige leis an Dáil an dara fadhb.

⁵ Ó Súilleabháin, D. (1940), *Saorstát Éireann agus a Seanad: Stáidéar ar Pholaitíocht Chomhaimseartha*, Londain: Faber, lgh. 83–98.

⁶ Ibid, lgh. 40–1.

Maidir leis an méid ba cheart a bheith sainiúil faoi bhallaíocht an tSeanaid, níor chuir an Bunreacht ach treoir cheannlíné ar fáil. In Airteagal 30 de Bhunreacht an tSaorstáit, luaitear go mbeadh ‘saoránaigh a mholfar ar an bhforas go ndearna siad onóir don Náisiún mar gheall ar sheirbhís phoiblí úsáideach nó, mar gheall ar cháilíochtaí nó gnóthachtálacha speisialta, go seasann siad le haghaidh gnéithe tábhachtacha de shaol an Náisiúin’⁷. Bheadh aois íosta ann don bhallaíocht – cúig bliana is tríocha – agus bheadh an gnáththearma ballraíochta dhá bliain déag. Moladh go n-éireodh aon cheathrú den bhallaíocht as gach trí bliana. Rud tábhachtach a bhí ansin, rud a chinntigh nach léireofaí athruithe polaitiúla a bhí ag tarlú sa Dáil sa Seanad, nó ar a laghad go mbeadh aga moille ann. Suimiúil go leor, cuireadh deireadh le ceist na hionadaíochta ollscoile, gné láidir de Sheanad Éireann níos déanaí, nuair a ghlac Coiste an Bhunreachta le moladh le haghaidh sé shuiochán ollscoile sa Dáil, trí cinn ó Choláiste na Tríonóide agus trí cinn ó Ollscoil Náisiúnta na hÉireann.

Clúdaíodh toghchán an chéad Seanaid cheana féin ach caithfear pointe amháin eile a dhéanamh agus is é sin an fad ama a d'fhreastalódh Seanadóirí. Ceist chasta ba ea í sin agus d'athraigh cursaí le linn shaolré an fhoraí. Bheadh cúig dhuine dhéag de na hainmnithe bunaidh ag freastal ar feadh dhá bliain déag agus bheadh cúig dhuine dhéag eile ann ar feadh sé bliana. Chaithfeadh siad siúd a thoghfaí ón Dáil trí agus naoi mbliana ann. Cé go raibh sé casta, is é an príomhphointe go raibh toghcháin an tSeanaid neamhspleách ar thoghcháin na Dála agus bhí sé sin amhlaidh le linn shaolré an chéad Seanaid.

Maidir lena chumhachtaí, ní raibh aon údarás ag an Seanad ar bhillí airgid, rud a léiríonn príomhphrionsabal nach bhféadfadh ach an Dáil a toghadh go coitianta smacht a choinneáil ar bhailiú agus ar chaiteachas airgid. D'fhéadfadh sé moltaí a dhéanamh maidir le billí airgid ach bhí dualgas air an bille a thabhairt ar ais chuig an Dáil taobh istigh de lá is fiche. Maidir le billí eile bhí sé de chumhacht aige bille a chur ar fionraí ar feadh tréimhse naoi mí (síneadh é sin go dtí ocht mí dhéag ina dhiaidh sin) agus rinneadh dlí de ina dhiaidh sin, agus, faoi Airteagal 47, d'fhéadfadh sé, sa chás go mbeadh móramh trí chúigiú ann, bille a chur faoi bhráid reiffrinn. Níor úsáideadh an chumhacht seo riamh. Bhí sé de cheart ag an Seanad billí a thionscnamh freisin.

Bhain roinnt gnéithe sainiúla leis an gcéad Seanad. Cé go raibh roinnt ball ag tacú leis an rialtas, bhí formhór na mball neamhspleách. Ní raibh aon Cheannaire foirmiúil ag an Teach chun a ghnó a eagrú agus a stiúradh, ná ní raibh aoire rialtais ann. Ba é an Ceann Comhairle a d'ordaigh gnó an Tí.

⁷ An tAcht um Bhunreacht Shaorstát Éireann, 1922, Airteagal 30.

Ba mhinic a bhíodh an cur chuige trí chéile nó mí-eagraithe mar thoradh air sin agus bhíodh tréimhsí fada díomhaoin ann agus ansin reachtaíocht a rinneadh faoi dhefir ina dhiaidh sin ag deireadh na seisíún parlaiminte. Ina ainneoin sin, ghlac lón suntasach seanadóirí a ról reachtaíochta go dáiríre. Sa chéad chúpla bliain, rinneadh os cionn 500 leasú ar reachtaíocht, agus glacadh leis an gcuid is mó acu. Bhí comharthaí ann ó am go chéile i dtaca le mífhoighne airí ach ní raibh aon chúiseamh ann go raibh rialtas an tSeanaid á iompar féin ar bhealach claonta. I dtaca le heagrúchán agus nós imeachta, d'oibrigh an Dáil agus an Seanad i spásanna an-scartha gan mórán idirghníomhaíochta.

Reáchtáladh an chéad toghchán móréilimh don Seanad in 1925. B'as toghcheantar náisiúnta amháin a rinneadh an toghchán, agus bhí gach duine os cionn cúig bliana is tríocha i dteideal vóta a chaitheamh.

Den chéad uair, thosaigh seasaimh pháirtithe ag teacht chun cinn cé gur rith formhór na n-iarrthóirí sa toghchán seo mar iarrthóirí neamhspleácha. Ach, faoin am seo, bhí roinnt seanadóirí comhsheasmhacha ar son an rialtais agus bhí cuid acu, ach ní raibh gach duine acu, ina mbaill de pháirtí Chumann na nGaedheal, páirtí na bhFeirmeoirí agus an Lucht Oibre. Seachas an Lucht Oibre níor oibrigh aon chóras oifigiúil fógra aoire sa Teach.

Ní raibh Fianna Fáil sa toghchán seo ó tharla nach raibh siad i bpolaitíocht an tSaorstáit fós. Chuaigh seisear iarrthóirí is seachtó chun tosaigh; vótáil 25 faoin gcéad (ach amháin i Muineachán áit ar vótáil 80 faoin gcéad) agus ghlac sé breis agus seachtain na vótáí a chomhairesamh. Bhí tábhacht leis an toghchán seo mar gheall ar an easpa rannpháirtíochta phoiblí a bhí ann agus teacht chun cinn roinnt vótála bunaithe ar pháirtithe.

Bhí an caidreamh idir an rialtas agus an Seanad sa tréimhse iar-1925 éiginnte. De réir a chéile níor oir sé do na hairí freastal ar an Seanad agus d'éiríodh siad cantalach nuair nár láimhseáladh reachtaíocht chomh gasta agus ba mhaith leo. Chuirtí deireadh le díospóireachtaí níos minice agus níos minice, agus an chuma ar an scéal go raibh an chathaoirleach ró-imníoch an rialtas a eascú.

Ach léirigh an Seanad comharthaí daingne neamhspleáchais. Tháinig an t-aon chur i gcoinne colscaradh a thabhairt isteach ón Teach sin agus tugadh isteach dhá bhille thábhachtacha – bille a chuirfeadh srian ar chead isteach i scrúduithe státseirbhísé d'fhir agus ceann eile a chuirfeadh mná as an áireamh ó sheirbhís ghiúiré. Bhí an chéad bhille ina dhlí naoi mí ina dhiaidh sin (Meán Fómhair 1926), agus bhí comhréiteach mar thoradh ar an gceann eile. Glacadh le níos mó ná 300 leasú Seanaid le linn na tréimhse sin.⁸

⁸ Ó Súilleabháin, *Saorstát Éireann agus a Seanad: Staidéar ar Pholaitíocht Chomhaimseartha*, lch. 19, seq.

D'athraigh an tírdhreach polaitiúil nuair a tháinig Fianna Fáil isteach sa Dáil in 1927. Bhí an páirtí sin an-soiléir faoina thuairimí maidir le Bunreacht an tSaorstáit agus áit an tSeanaid laistigh de. Dúirt Eamon de Valera leis an Dáil: 'We think the proper thing to do is to end the Senate and not to attempt to mend it. It is costly, and we do not see any useful function that it really serves.'⁹

Thug Seán Lemass le fios go soiléir gur foinse mhór agóide a bhí i méid na hionadaíochta iar-Aontachtach. Bhí caint freisin ar cheist faoin bhféidearthacht go gcuirfeadh an Seanad bac ar an Dáil: 'if there is to be a Second House let it be a Second House under our thumb'.¹⁰

Cuireadh córas nua toghchánaíochta i bhfeidhm do thoghchán 1928. In ionad a bheith ar bhonn náisiúnta, ní raibh sna toghthóirí anois ach baill den Dáil agus den Seanad. Ionadaíocht chionmhar a bhí sa chóras a úsáideadh ina raibh vóta rúnda poist agus téarma oifige naoi mbliana.

Ba sa toghchán seo a bhí an chéad chás d'iomaíocht idir páirtithe. Ar dtús, ní raibh ach rian éigin den eagraíocht sa Teach ag an Lucht Oibre agus ag cuid de na hiarrthóirí neamhspleácha. Ní raibh aon eagraíocht fhoirmiúil ag lucht tacáiochta Chumann na nGaedheal agus ní raibh aon aoire ná ceannaire acu. Bhí ceannaire agus aoire Seanaid ag Fianna Fáil ón túis, agus nuair a tháinig seisear seanadóirí de chuid Fhianna Fáil i mí na Samhna 1928 b'éisgean do pháirtithe eile an rud céanna a dhéanamh – cé nár tugadh faoi le haon phráinn. Ba í an ghné eile de thoghchán 1928, agus níorbh fhada go raibh sé ina ghné leabaithe de na Seanaid go léir, toghadh na dTeachtaí Dála agus na n-iarrthóirí Dála nár eirigh leo. Bhí an nós seo níos suntasáí fós i dtoghchán 1931, nuair a toghadh tuilleadh de lucht Fianna Fáil, fiú agus an páirtí fós go mór sa mhionlach.

Bhí impleachtaí ollmhóra ag teacht isteach in oifig Fhianna Fáil in 1932 ar an Seanad. Bhí an rialtas nua doicheallach leis an Seanad, ach níor chuir sé sin cosc ar de Valera an Seanadóir Joseph Connolly a cheapadh don Chomh-Aireacht mar Aire Poist agus Teileagrafa – an t-aon cheapachán dá leithéid le linn shaolré an tSeanaid sin.

Níos suntasáí fós, bhí an Seanad in ann moill agus bac a chur le clár reachtaíochta radacach práinneach an rialtais agus go háirithe a leasuithe bunreachtúla. Ba é an bille chun Mionn Dílseachta a bhaint den Bhunreacht an chéad tástáil in Aibreán 1932. Rith an Seanad an bille ach rinneadh leasuithe suntasacha. Dhiúltaigh an Dáil dóibh sin ach d'áitigh an Seanad orthu i mí Iúil. Mar thoradh air sin, ní bheadh reachtaíocht a mheas an rialtas a bheith ina tosaíocht ina dlí go dtí deireadh 1933.

⁹ *Díospóireachtaí Dála*, iml. 22, col. 140, 22 Feabhra 1928.

¹⁰ *Díospóireachtaí Dála*, iml. 24, col. 614, 14 Meitheamh 1928.

Rinne an teagmháil sin dochar mór don Seanad agus b'fhéidir go raibh tionchar aige ar a dhearcadh i leith an dara mórmholadh – an Bille um Anáidí Feirme, rud a chiallaigh cogadh eacnamaíochta leis an mBreatain i ndáiríre. Rith an Seanad an bille seo in ainneoin an amhras agus leanadh ar aghaidh le hobair an athbhreithnithe trí 1933 agus rinneadh go leor leasuithe agus glacadh leo. Go deimhin, diúltaíodh do dhá bhille eile – ceann amháin a chuirfeadh síneadh le saincheadúnas an rialtais áitiúil agus an ceann eile a chiorródh cumhacht mhoillithe an tSeanaid ó ocht mí dhéag go trí mhí, rud nár tugadh isteach go dtí deireadh 1934.

Ní raibh aon ghéilleadh i ndearcadh an rialtais. Rinne de Valera cur síos ar an iarracht tréimhse fionraíochta an tSeanaid a laghdú mar chéad chéim – agus é fós i gceist deireadh a chur leis an Seanad. Thug sé le fios nach raibh sé ag cur ionadaí ar bith a d'fhéadfadh a bheith ann as an áireamh ach níor léir cad a bhí i gceist leis sin.¹¹

Diúltaíodh d'iarracht a rinne an Seanad Comhchoiste a bheith aige chun ról agus cumhachtaí an tSeanaid a scrúdú, in ainneoin dhearbhú an tSeanadóra Douglas go bhfuil ‘tuairim mheasta an domhain shibhialta i bhfabhar reachtas an dá sheomra’.¹²

Ba léiranois go raibh a sheal beagnach tugtha ag an Seanad. Rinne de Valera é sin a léiriú go follasach: ‘Níor chuala mé argóint mhaith amháin a chuirfeadh ina luí orm, dá mbeimis ag tosú Bunreacht nua, go mbeadh an Dara Seomra riachtanach nó úsáideach go bunúsach’.¹³

Tháinig uair na cinniúna nuair a tugadh isteach Bille um Eide do Chaitheamh (Srian) i Mártá 1934. Ba é cuspóir an bhille go bunúsach gluaiseacht na Léine Goirme a eisreachtú. Ritheadh é tar éis ceann de na díospóireachtaí ba sheirbhe i stair na Dála ach diúltaíodh é don Seanad, tríocha vóta in aghaidh ocht vóta dhéag, agus dá bharr sin bheadh tréimhse fionraíochta ocht mí dhéag ann. Go deimhin, bhí gluaiseacht na Léine Goirme imithe i léig sula ndearnadh dlí di ach measadh go ndearna an Seanad, tríd an ngníomh sin, bille a dhiúltú a mheas an rialtas a raibh práinn leis.

An mhaidin dár gcionn, thug an tUasal de Valera bille isteach chun deireadh a chur leis an Seanad. Ritheadh an bille sin sa Dáil ag deireadh mhí na Bealtaine ach diúltaíodh é sa Seanad, trí vóta is tríocha in aghaidh cúig vóta dhéag an 2 Meitheamh, rud a chiallaigh nach n-achtófaí an bille ar feadh ocht mí dhéag ar a laghad freisin.

¹¹ *Díospóireachtaí Dála*, iml. 27, cols 783–4, 23 Samhain 1928.

¹² *Díospóireachtaí Seanaid*, iml. 17, uimh.1, 11 Iúil 1933.

¹³ *Díospóireachtaí Dála*, iml. 51, col. 2109, 19 Aibreán 1934.

Bhí leideanna ann ó am go chéile ó de Valera le linn na tréimhse fionraíochta seo go mb'fhéidir go bhféachfadh sé ar an bhféidearthacht Seanad nua radacach a bheith ann, ach ní spárálfaí an Teach a bhí ann cheana. Ní chuirfeadh de Valera suas le haon mhoill eile ar a chlár athraithe bunreachtúil.

Idir an dá linn, chuaigh an Seanad ar aghaidh lena chuid oibre, agus diúltaiodh do bhille deireadh a chur le hionadaíocht ollscoile sa Seanad agus leanadh ar aghaidh ag déanamh leasuithe ar reachtaíocht, agus glacadh le go leor acu. Bhí toghcháin ann fiú chun trí shuiochán is fiche a líonadh i mí na Samhna 1934: ba iad an dá ghné shuntasacha den toghchán seo an lón beag iarrthóirí agus polaitíocht leanúnach an Tí.

Chuaigh fionraí an Bhille um Dhíothú Seanaid in éag ag deireadh mhí na Samhna 1935 agus cuireadh deireadh leis an Teach an 29 Bealtaine 1936.

An t-aon ábhar dóchais dóibh siúd a chreid sa chóras dhá sheomra ba ea óráid scoir Eamon de Valera sa Dáil lá roimhe sin: ‘If it can be shown how we can constitute a Seanad which, practically, will be of value, then certainly we will give such a proposition most careful consideration’¹⁴

Agus muid ag breathnú siaranois is féidir a fheiceáil gur ghlac an Seanad a ról dáiríre, cé nach raibh sé foirfe, agus gur fhág sé ina dhiadh corporas suntasach éachta sna trí bliana déag a chaith sé ann. Ghlac sé le 489 bille ón Dáil (gan billí airgid san áireamh) agus rinneadh leasuithe ar 182 acu sin, agus ghlac an Dáil le beagnach gach ceann dá 1,831 leasú. Níor feidhmíodh cumhacht na fionraíochta ach i naoi gcás agus in dhá cheann de na cásanna sin níor rith an rialtas na billí ina ndlí nuair a bhí an tréimhse fionraíochta imithe in éag. D'éirigh leis ina chuspóir tosaigh guth láidir agus braistint a chur ar fáil do cheannairí an phobail Aontachtaigh cé gur tháinig meath air sin beagán sna blianta ina dhiadh sin mar gheall ar naimhdeas roinnt de bhaill Fhianna Fáil.

Mar sin féin, cé gur baineadh go leor rudaí amach, ní raibh raison d'être soiléir i Seanad an tSaorstáit. Bhí sé i gceist nach mbeadh baint acu le páirtí polaitíochta, agus nach mbeadh achrann páirtiseáin ann ach ní raibh sé sin indéanta i bpolaitíocht shearbh roinnte na tréimhse. Páirtí a raibh sainordú coiteann aige maidir le hathrú ba ea Fianna Fáil agus ní raibh aon bhac ag dul a chur isteach air, go háirithe nuair a bhí amhras air faoi bona fide mhórámh an tSeanaid.

Níor éirigh leis riamh córas sásúil toghcháin a bhunú, agus é ag malartú ó shamhail thar a bheith praiticiúil de dhálcheantar náisiúnta amháin chuir coincheap ‘buirc bhánaithe’ toghthóirí a bhí teoranta do bhaill na Dála agus an tSeanaid. Níor éirigh leis riamh a chur ina luí ar rialtas a bhí doicheallach

¹⁴ *Díospóireachtaí Dála*, iml. 62, col. 1600, 28 Bealtaine 1936.

leis go bhféadfaí é a athchóiriú, go bhféadfaí ról nua a aimsiú. I ndeireadh na dála, níor thaitin a bhunús leis an rialtas, scrios an rialtas cuid mhór dá shaothair agus ghoill a neamhspleáchas air. I nóiméad neamhbhalbh in 1938 tar éis don Seanad dul i léig dúirt an tUasal de Valera rud gan fiacail a chur ann: ‘It had proved, by its attitude to decisions taken by the people, that it had a wrong idea of what its functions should be, and it deserved to be got rid of for that reason, if for no other’.¹⁵ Ba é an fhíric shimplí, i gcás coimhlinne idir an Teach Fochtarach a toghadh go daonlathach agus an Teach Uachtarach a toghadh go hindíreach, agus nuair nach raibh aon toil ann comhréiteach a dhéanamh, nach bhféadfadh ach buaiteoir amháin a bheith ann.

Seanad Éireann

Faoi 1936 bhí de Valera chun cinn go maith agus dréacht-bhunreacht nua á chur le chéile aige, agus, coicís tar éis dheimid Sheanad an tSaorstáit, cheap sé trí bhall is fiche chun ‘moltaí a dhéanamh maidir le cad ba cheart a bheith mar fheidhmeanna agus cumhactaí an Dara Seomra Reachtais sa chás go gcinnfí é foráil a dhéanamh sa Bhunreacht don Dara Seomra sin’.¹⁶ Rinne páirtithe an fhreasúra baghcat ar an gcoimisiún ar an mbonn nár tugadh aon tuiscint go mbunófaí an dara seomra. Léirigh toradh an choimisiúin castacht na bhfadhbanna a bhí i gceist, agus an éagsúlacht leathan tuairimí ar an ábhar. Chuir sé deich dtuarascáil nó amhras ar leith le chéile ach chuir an tuarascáil dheimid roinnt roghanna ar fáil do na dréachtóirí ar a laghad.

Mhol an dréacht-bhunreacht a foilsíodh an 30 Aibreán 1937 go ndéanfaí an córas dhá sheomra a athbhunú leis an Dara Teach ar a dtugtar Seanad Éireann go hofigiúilanois. Bheadh seasca ball ag an bhforas nua, seachas an cúig dhuine is daichead a mhol de Valera roimhe sin. Thoghfaí a bhaill ar thrí bhealach – aon duine dhéag a ainmníodh an Taoiseach go díreach, triúr a thoghfadh céimithe Ollscoil Náisiúnta na hÉireann agus Ollscoil Bhaile Átha Cliath, agus trí dhuine is daichead ar bhonn ionadaíocht ghairme. Bheadh saol an tSeanaid beagnach mar an gcéanna le saol na Dála, agus modh toghcháin a chinntear de réir dlí in úsáid. Maidir le cumhactaí, go bunúsach, bheadh an chumhacht ar bhillí airgid mar an gcéanna leis an sean-Seanad, agus laghdófaí an chumhacht fionraíochta ar reachtaíocht go nócha lá.

¹⁵ *Diospóireachtaí Dála*, iml. 69, col. 1626, 2 Nollaig 1937.

¹⁶ Coimisiún Dháil Éireann (maidir le) Dara Teach an Oireachtais (1936), *Tuarascáil an Choiimisiúin (maidir le) Dara Teach an Oireachtais*, Baile Átha Cliath: Tithe an Oireachtais.

Ba é an ghné ba shuntasáí a bhain leis an seomra nua a bhí beartaithe easpa díograise nó uaillmhéine a chruthaitheora dó. Ní raibh an tUasal de Valera ag iarraidh an Dara Teach láidir a bhí in ann dúshlán an Rialtais a thabhairt mar a bhí ag an seancheann. D'fhógair sé ‘it would pass the wit of man to devise a really satisfactory Second Chamber’.¹⁷ Bhí sé dionghbháilte nár cheart dó aithris a dhéanamh ná bac a chur ar an Dáil agus bhí sé den tuairim go bhféadfaí cumhachtaí teoranta áirithe a thabhairt don Dara Teach a fhad is a bheadh siad teoranta:

Second House could not be much more than a revising Chamber – taking up measures, criticising them from an independent standpoint and with as great a variety of viewpoints as possible – a Second House might be of some value. I worked on the basis ... [that] even if we cannot get an ideal Seanad, then a bad Seanad is better than no Seanad.¹⁸

Ba é gné nua amháin de chuid an tSeanaid coincheap na hionadaíochta gairme a thabhairt isteach. Bhí tóir ar an smaoineamh le tamall agus mar ghné fheiceálach den smaoointeoireacht shóisialta Chaitliceach ó na 1920í i leith, thacaigh teoiriceoirí sóisialta Caitliceacha in Éirinn go láidir leis.¹⁹ An fhadhb a bhí ann nach raibh mórán tuairime ag aon duine conas a oibreodh sé ó thaobh praiticiúlachta de agus conas a fheidhmeodh an córas toghcháin. Moladh amháin a bhí ann go n-ainmníodh na comhlachtaí gairme iarrthóirí go díreach chuig an Seanad.

Mar a thug Seán Lemass le fios, áfach, ní raibh bunús na ngairm-eagraíochtaí in Éirinn a chuirfeadh ar ár gcumas Seanad a thoghadh.²⁰

In ainneoin nach raibh aon tuairim an-soiléir ann cad a bheadh i gceist leis ó thaobh na praiticiúlachta de, d'fhógair gach páirtí in 1937–1938 a dtacaíocht do Sheanad neodrach ó thaobh páirtithe polaitíochta de agus ionadaíocht láidir ghairme. Mar sin féin, chinntigh an córas toghcháin ar glacadh leis go mbeadh na páirtithe polaitíochta i gceannas ar an Teach nua.

Cumhachtaí an tSeanaid

Dála a réamhtheachtaí, ní fhéadfaidh an Seanad billí airgid a thionscnamh ná a choinneáil ar feadh níos faide ná lá is fiche. Tá sé de cheart aige

¹⁷ *Díospóireachtaí Dála*, iml. 69, col. 1607, 2 Nollaig 1937.

¹⁸ *Díospóireachtaí Dála*, iml. 69, col. 1611, 2 Nollaig 1937.

¹⁹ Whyte, J. H. (1971), *An Eaglais agus an Stát in Éirinn Chomhaimseartha, 1923–1970*, Baile Átha Cliath: Gill & Macmillan, passim.

²⁰ *Díospóireachtaí Dála*, iml. 69, col. 1630, 2 Nollaig 1937.

achomharc a dhéanamh chuig coiste pribhléidí, tríd an uachtaráin, i gcoinne dheimhniú an Cheann Comhairle ar bhille áirithe amhail bille airgid. Níor úsáideadh ceachtar de na cumhactaí sin riamh.

Is é 90 lá cumhacht fionraíochta an tSeanaid ar ghnáthbhíllí, agus ina dhiaidh sin, ar rún ón Dáil, meastar go bhfuil bille rite tar éis 180 lá. Chomh maith leis sin, féadfar an tréimhse 90 lá a ghiorrú má dhearbháinn an rialtas go bhfuil bille práinneach, ach sa chás sin ní fhanann an t-acht i bhfeidhm ach ar feadh 90 lá, mura n-aontaíonn an dá Theach é a choinneáil ar feadh tréimhse níos faide.

Is é an rud is mó is féidir leis an Seanad a dhéanamh i gcás easaontais leis an Dáil achainí a chur faoi bhráid an uachtaráin gan an bille a shíniú, agus fiú amháin an méid sin, ní féidir leis a dhéanamh ina aonar. Caithfidh tromlach an tSeanaid agus aon trian den Dáil comhachainí a chur ar fáil don uachtaráin ag iarraidh ar an uachtaráin gan an bille a shíniú, seachas leasú bunreachtúil, ar an mbonn go bhfuil moladh sa bhille a bhfuil an tábhacht náisiúnta sin ag baint leis gur chóir toil na ndaoine a chinntiú. Má ghéilleann an t-uachtaráin don achainí, déanfar reifreann nó olltoghchán a réachtáil.

Níor dhiúltaigh an Seanad ach dhá bhille. Bhí ceann acu an-suntasach – moladh ón rialtas in 1959 an Bunreacht a leasú trí chóras an chéad duine abhaile a bhí ann roimhe seo a chur in ionad ionadaíocht chionmhar. Ba mhór an náire don rialtas cliseadh an tSeanaid agus cé gur dhiúltaigh an Dáil do chinneadh an tSeanaid, cloíodh an moladh sa deireadh i reifreann. Ba é an bille eile Bille Geallbhróicéirí 1963: mar sin féin, ba gheall le haoire lag agus baill an rialtais ba chíús lena dhiúltú den chuid is mó agus lig sé sin don fhreasúra an ceann is fearr a fháil ar reachtaíocht an rialtais. Chuir an Dáil diúltú an tSeanaid don bhille seo ar ceal freisin. Níor úsáideadh na cumhactaí eile riamh.

Cheadaigh an Bunreacht freisin go ndéanfaí reachtaíocht a thabhairt isteach chun ligean d'aon ghrúpa feidhmíochta nó gairmghrúpa nó comhairle roinnt seanadóirí a thoghadh go díreach in ionad líon comhionann ón bpainéal comhfhereagrach. Níor scrúdaíodh riamh aon reachtaíocht dá leithéid, áfach.

Toghchán don Seanad

Faoin socrú nua d'ainmneodh baill den Dáil agus den Seanad atá ag dul as oifig dhá dhuine is fiche den trí sheanadóir gairme is daichead, d'ainmneodh comhlachtaí gairme deimhnithe duine is fiche, rud a chruthódh painéis 'laistigh' agus 'lasmuigh'. Teachtaí Dála, seanadóirí agus baill de chomhairlí cathrach agus contae a bheadh i dtoghthóirí an dá phainéal, áfach, – toghthóirí páirtí go hiomlán beagnach. Cinneadh cinniúnach a bhí anseo i

bhforbairt an tSeanaid ach is cinnte go raibh sé beagnach míréadúil a bheith ag súil lena mhalairt. Dúirt ceannaire an Lucht Oibre William Norton an méid seo nuair a bhí an scéal á phlé: ‘It is absurd to imagine that you can ever get a Seanad, here or elsewhere, which will not, because of the nature of its work, be a political body. It is inevitable that the Seanad will be a political body’.²¹ Agus is mar sin a tharla sé.

Bhí díospóireacht na Dála faoi chineál an chórais toghcháin do na 43 suíochán gairme dírithe ar 3 mholadh: (i) dearcadh Pháirtí an Lucht Oibre gur chóir go mbeadh an Dáil amháin ina toghthóir; (ii) moladh de chuid Fhine Gael go mbeadh coláiste toghcháin neamhpholaitiúil ann; agus ar deireadh (iii) moladh de chuid Fhianna Fáil, arbh é an ceann ar glacadh leis é. Bhí baill na Dála nua agus 7 n-ionadaí ón 31 comhairle cathrach agus contae ag an am – a thogh a gcomhairlí – i gceist leis an gcoláiste toghcháin agus bhí 355 toghthóir san ionnlán ann. D’fhéadfadh baill den Dáil nó gairmchomhlachtaí creidiúnaithe ó na 5 phainéal gairme iarrthóirí a ainmniú: Cultúr agus Oideachas, Talmhaíocht, Earnáil na Tionsclaiochta agus Tráchtáil, Riarachán, agus Lucht Oibre. Is é seo an córas atá ann fós, cé go bhfuil níos mó toghthóirí agus ainmniúchán iarrthóirí ag baill den Seanadanois chomh maith leis an Dáil.

Bhain gné aisteach leis an gcéad toghchán, a tionóladh go luath in 1938. Ceistíodh stádas cuid de na comhlachtaí ainmniúcháin, agus rinne Páirtí an Lucht Oibre baghcat ar an toghchán toisc nár aontaigh sé leis an gcinneadh cead a thabhairt do Thionónaí Teachín agus Oibrithe Tuaithe Bhaile an Gharraí iarrthóir a ainmniú.

Seachas sin leanadh ar aghaidh leis na patrúin a leagadh síos. Iar-Theachtaí Dála agus seanadóirí ba iad naoi nduine dhéag díobh siúd a toghadh agus bhí ceangal ag formhór na ndaoine eile a toghadh leis na páirtithe móra. Níor éirigh le mórán de na hiarrthóirí ‘gairme’ dáiríre. Fiú ag an bpointe luath seo, vótáil na toghthóirí polaitiúla den chuid is mó ar sheasaimh pháirtithe polaitiúla. Dheimhnigh dara toghchán an tSeanaid a reáchtáladh go luath ina dhiaidh sin, i mí Lúnasa 1938, an patrún seo, agus an Lucht Oibre ag glacadh páirteanois agus níos mó iarbhall fós á dtoghadh, agus níos lú seanadóirí gairme fós ag fáil suíocháin. Ba sna 1970í a toghadh an Seanadóir deireanach dá leithéid.

Tháinig a chuid fadhbanna féin le méid beag na dtoghtóirí. Deimhníodh amhras go raibh vótóirí áirithe á n-iompar féin go dona agus rinneadh ciontóir a ionchúiseamh, a chiontú agus a chur sa phríosún tar éis toghchán Sheanad 1944.²² Ba ar a bhonn sin, agus ar bhonn ráflaí faoi chaimiléireacht

²¹ *Díospóireachtaí Dála*, iml. 69, col. 1579, 2 Nollaig 1937.

²² McCracken, J. L. (1958), *Rialtas Ionadaíoch in Éirinn: Staidéar ar Dháil Éireann 1919–48*, Londain: Oxford University Press, lch. 150.

níos leithne, a tugadh bille isteach in 1947 ag athrú an mhodha chun baill an phainéil a ainmniú agus a thoghadh. Ba é an t-athrú ba shuntasáí méid thoghthóirí an tSeanaid a mhéadú ina mbeadh baill na Dála nuathofa, an Seanad atá ag dul as oifig agus gach comhairleoir contae agus buirge, agus mar sin, bheadh os cionn 900 toghthóir san iomlán ann. Ba dheacra anois caimiléireacht a dhéanamh mar gheall ar an athrú ach leag sé béim freisin ar fhirlámhas polaitiúil an pháirtí sa Seanad.

Ainmnithe an Taoisigh

Baineann dhá phríomhchuspóir leis an gcumhacht a ligean don Taoiseach aon seanadóir déag dá rogha féin a ainmniú. Is é an chéad chíús agus an phríomhchúis guth a thabhairt sa pharlaimint do shaoránaigh thréitheacha a thug onóir don stát agus a d'fhéadfadh cur go mór leis an saol poiblí. Is é an dara chíús agus cúis níos leimhe a chinntíú go bhfuil móramh slán ag an rialtas. D'fhéach an chuid is mó de Thaoisigh le líon beag daoine mór le rá a chur san áireamh i measc a n-ainmnithe, agus thar na blianta tá go leor de na daoine seo, mar shampla T. K. Whitaker, Maurice Hayes, John Robb, Seamus Mallon, Brid Rogers, Gordon Wilson, Éamon de Buitléar, tar éis ranníocaíochtaí suntasacha a dhéanamh. Go deimhin nuair a bhí guthanna láidre ó thraigisiúin éagsúla Thuaisceart Éireann ann, tugadh neasacht do dhíospíreachtaí an tSeanaid agus léargas nach raibh le fáil i gcónaí sa Dáil le linn cuid de na laethanta is trámaí i dTrioblóidí an Tuaiscirt.

Ach ba ar chíseanna polaitiúla an pháirtí a ainmníodh an chuid is mó de na daoine thar na blianta, áfach, - cúiteamh a dhéanamh do Theachtaí Dála nár éirigh leo agus iarrthóirí féideartha a réiteach don chéad toghchán Dála eile. Ní dhearnadh aon iarracht riamh é seo a cheilt agus go deimhin tugadh suíocháin do gach comhrialtas ó 1948 ar bhonn comhréireach páirtí.

Ainmniúchán airí ón Seanad

Níor éirigh leis an gcéad Seanad airí a ainmniú óna líon. Bhí sé i gceist in 1937 infheistíocht ó shaineolas lasmuigh a cheadú don Chomh-Aireacht. Tharla sé seo dhá uair, ar dtús in 1954 nuair a chaill iar-Aire Fhianna Fáil Sean Moylan a shuiochán Dála agus ainmníodh é don Seanad agus ansin ceapadh é ar an gcomh-aireacht i rialtas deireanach de Valera, agus in 1981 nuair a d'ainmnigh Garret FitzGerald an Seanadóir Jim Dooge mar Aire Gnótháí Eachtracha. Measadh gur aire thar a bheith ábalta é Dooge ach níor athcheapadh é ar dhara rialtas FitzGerald, mar gheall ar mhíshásamh go leor de Theachtaí Dála an pháirtí ar a cheapachán bunaidh is dóigh.

Ionadaíocht ollscoile

Ba é an chúis ar tugadh isteach seisear seanadóirí ollscoile ar dtús cúiteamh a dhéanamh ar chealú na hionadaíochta sin sa Dáil in 1937 agus guth a chinntí don mhionlach iar-Aontachtach le trí shuíochán Choláiste na Tríonóide. Tá suíochán na hollscoile faoi ionsaí le blianta beaga anuas, ar an bprionsabal nach bhfuil aon údar daonlathach ag baint le deonú cearta vótala do chéimithe ollscoile thar neamhchéimithe agus ar an mbonn praiticiúil go ndéanann sé idirdhealú ar chéimithe ollscoileanna agus institiúidí teicneolaíochta nua na tíre. Déanann seanadóirí na hollscoile an coincheap a chosaint trí dhíriú ar a n-ardchaighdeán leanúnach, ar an gcabhair iontach a chuireann siad ar fáil agus ceann de chritéir de Valera a chomhlíonann siad trí éagsúlacht tuairimí nach léirítéar sa Teach de ghnáth a sholáthar. Go deimhin, is é an t-ardchaighdeán atá ag an oiread sin díobh siúd a toghadh ó na hollscoileanna – Mary Robinson, Feargal Quinn, James Dooge, Joe O'Toole agus David Norris gan ach roinnt acu a ainmniú – agus an cuidiú iontach a chuireann siad ar fáil don Seanad a chuir as do neamhréir na hionadaíochta ollscoile go háirithe nuair nach n-áirítéar ionadaíocht na mílte céimithe ó na hollscoileanna níos nua.

Eagraíocht an tSeanaid

Tar éis gach toghcháin, toghann an Seanad Cathaoirleach a fhanann san oifig ar feadh shaolré an tSeanaid. Ní vótálann an Cathaoirleach ach amháin i gcás comhscór vóta agus de réir coinbhinsiúní ní fhreastalaíonn sé ar chruinnithe páirtithe parlaiminte. D'fhéadfai Cathaoirleach a chur as oifig le vóta mímuiníne, cé nár tharla ach vóta amháin den sórt sin (nár eirigh leis) riamh. Tá an Cathaoirleach ina bhall de bhrí oifige den Chomhairle Stáit agus tá sé ina chathaoirleach ar Choiste an tSeanaid um Phribhléidí Parlaiminte agus Maoirseacht. Murab ionann agus an Ceann Comhairle, ní thugtar an Cathaoirleach ar ais go huathoibríoch ag am toghcháin.

Le linn shaolré Sheanad Éireann, tá gnó an rialtais eagraithe ag Ceannaire an Tí, ball den mhórpháirtí rialtais a cheap ceannaire an pháirtí – agus is féidir leis an gceannaire an ról a bhaint freisin. Tá a cheannaire féin ag gach ceann de pháirtithe an fhreasúra agus feidhmíonn ceannaire phríomhghrúpa an fhreasúra mar cheannaire ar an bhfreasúra. Tá aoire ag gach grúpa – ionadaithe Neamhspleácha san áireamh – a théann, leis na ceannairí, i gcomhairle le Ceannaire an tSeanaid ar ghnó an Tí.

Tá athbhreithniú ar reachtaíocht fós i gcroílár obair an tSeanaid. Faoin mBunreacht, caithfear gach bille a thabhairt chuig an Seanad ach le blianta beaga anuas tá méadú suntasach tagtha ar líon na mbillí rialtais a tionscnaíodh sa Teach. Shuigh an Teach ar 102 ócáid in 2019. Cuireadh túis

le céad agus a hocht bille, agus tháinig ocht gcinn is fiche acu ón Seanad. D’fhéadfadh sé gurb é is cúis leis an méadú ar bhillí a tháinig ón Seanad an tionchar méadaithe atá ag rialtas roinnt ceannairí ar an Teach le déanaí agus airí ag tabhairt faoi deara go dtugann an Seanad deis níos fearr sonraí agus impleachtaí bille a chíoradh ná mar a thugtar sa Dáil atá níos trodaí. Go bunúsach, áfach, nil sé de chumas ag an Seanad leasuithe neamhrialtais a éileamh agus braitheann sé den chuid is mó ar thoilteanas nó a mhalairt na n-airí glacadh le leasuithe. Cosúil leis an Dáil, bíonn tréimhsí fada ag an Seanad nach ndéantar mórán reachtaíochta a bhreithniú agus ansin bíonn air féin líon mór billí a láimhseáil a mbíonn ranna rialtais ag iarraidh brostú tríothu i laethanta deiridh gach seisíúin pharlaiminte – rud a bhí ina ghné de Sheanad an tSaorstáit freisin. Príomhdhifriocht amháin idir an Dáil agus an Seanad gur annamh a imrítear an gilitín ar an díospóireacht ná go gciorraítear í sa Seanad.

I measc na ngnéithe eile d’ualach oibre an tSeanaid tá ord an ghnó, cúrsaí maidir le túis a chur le suí, am comhaltaí príobháideacha, ráitis maidir le hábhair mhóra conspóide nó imní phoiblí, seoltaí ó dhaoine mór le rá ar tugadh cuireadh dóibh, billí comhaltaí príobháideacha a thionscnamh agus billí príobháideacha a phróiseáil. Ina theannta sin, feidhmíonn baill den Seanad ar chomhchoistí uile an Oireachtais.

Ní raibh i gceist ar dtús le hord an ghnó ag túshuí gach lae ach plé gairid ar chlár oibre an lae sin ach le blianta beaga anuas déantar plé ar mhórcheisteanna polaitiúla an lae áirithe sin, ceisteanna áitiúla agus go deimhin ceisteanna nach bhfuil mórán ábharthacht fhollasach ag baint leo. Is é réimse ghníomhaíochta an tSeanaid is dóichí a gheobhaidh aird na meán.

Tugann cúrsaí maidir leis an tosach, ar féidir ceithre cinn díobh a bheith ann ag túshuí gach lae, deis do bhaill saincheisteanna a phlé (a bhfuil ábharthacht leo go háitiúil uaireanta) agus is féidir le hairí freagra a thabhairt.

Tá páirt mhór ag an Seanad i láimhseáil na mbillí príobháideacha. Is é atá i mbillí príobháideacha ‘billí ar mhaithle le leas nó tairbhe ar leith aon duine nó daoine’.²³ I Seanad an tSaorstáit, bhí bille príobháideach ag teastáil chun colscaradh a fháil, agus ba é cur i láthair bille den sórt sin a thug ar an rialtas cosc a chur ar cholscaradh. De ghnáth, eascraíonn billí príobháideacha ó leasanna lasmuigh a chaithfidh an bille a chur chun cinn. Le blianta beaga anuas phléigh billí dá leithéid le hiarrachtaí ó chomhlachtaí bunaithe ar chairteacha, go háirithe Coláiste na Tríónóide, Baile Átha Cliath agus Coláiste Ríoga na MÁinlianna in Éirinn, chun gnéithe dá gcairteacha a leasú.

²³ May, E. (2019), *Treatise on the Law, Privileges, Proceedings and Usage of Parliament* (25ú eagrán), alt 26.2, ar fáil ar: <https://erskinemay.parliament.uk/> (oscailte an 28 Meán Fómhair 2022).

Chuir daoine aonair billí príobháideacha chun cinn freisin, agus go bunúsach is féidir an próiseas a rianú siar go dtí cleachtas meánaoiseach na n-achainíocha a cuireadh faoi bhráid na parlaiminte chun faoiseamh áirithe a fháil.

Mar sin féin, is é an ghné is suntasaí d'obair an tSeanaid cinneadh sonrach de Valera a bhaint amach, is é sin a bheith umhal i gcónaí do rialtas an lae agus gan bheith in ann bac a chur ar reachtaíocht. Ba ar ócáidí an-neamhchoitianta amháin a chloigh an Seanad an rialtas ar cheisteanna tábhachtacha, agus cé gur chuir na cásanna seo as don rialtas agus gur chúis náire ba ea iad, d'fhreaschuir an Dáil iad go tapa. De ghnáth, ba ar chúrsaí nós imeachta nó mionleasuithe a sáraíodh an rialtas cúpla uair eile agus ba thoradh ar neamhshuim agus droch-aoire na sáruithe sin.

Tréimhse amháin nach raibh móramh Seanaid ag an rialtas in 1994 nuair a d'athraigh an rialtas gan olltoaghchán. Tháinig rialtas de chuid na heite clé, Fine Gael–An Lucht Oibre–Daonlathach in áit comhrialtas Fhianna Fáil–An Lucht Oibre. Ní raibh móramh Seanaid ag an rialtas nua ach, ina ainneoin sin, rinne siad idirbheartaíocht ar a reachtaíocht ar fad tríd an Teach. An rud a bhí i gceist leis an gcás neamhgħnách seo go raibh ar an rialtas aird a thabhairt ar an Seanad agus roinnt uaireanta běigean dó leasuithe a dhéanamh nach ndéanfach sé machnamh orthu murach iad. B'amhlaidh an scéal maidir le Bille na nOllscoileanna, 1997.

Athchóiriú Seanaid

Ar feadh tréimhsí fada dá luathshaoil, b'áit ar chúl éaga a bhí sa Seanad, áit a gcuirfeadh seanadóirí na hollscoile beocht ann ó am go chéile chomh maith le mionlach de bhaill na bpáirtithe go léir agus iad ag déanamh grinnscrúdú ar an reachtaíocht. Le linn an ama sin ar fad, agus le déine éagsúil, ceistíodh ról agus cúis an tSeanaid. Ní chiallaíonn sé sin nach bhfuil mórán Seanadóirí ag éisteacht leis na ceisteanna seo ná nach ndeachaigh siad sa tóir ar fhreagraí orthu. Scrúdaigh go leor coistí speisialta gnéithe éagsúla d'obair Sheanad Éireann, agus go dtí seo tá ceithre thuarascáil déag dirithe ar athchóiriú an tSeanaid. Ceann de na hathbhreithnithe ab uaillmhianaí an Tuarascáil ar Athchóiriú an tSeanaid a d'fhoilsigh Coiste Sheanad Éireann ar Fho-Choiste um Nós Imeachta agus Pribhléidí maidir le hAthchóiriú Seanaid in 2004, faoi chathaoirleacht an tSeanadóra Mary O'Rourke.²⁴ Tugadh cur síos gan deacracht sa tuarascaíl ar phríomhfhadhbanna an tSeanaid:

²⁴ Coiste Sheanad Éireann – Fochoiste um Nós Imeachta agus Pribhléidí maidir le hAthchóiriú Seanaid (2004), *Tuarascáil ar Athchóiriú an tSeanaid*, Baile Átha Cliath: Tithe an Oireachtais.

1. Níl aon ról sainiúil aige i gcóras polaitiúil na hÉireann, agus
2. Laghdaíonn a chóras ainmniúcháin agus toghcháin atá doiléir agus as dáta dlisteanacht phoiblí na Seanadóirí.²⁵

Aithníodh sa tuarascáil freisin ceist ionadaíochta na hollscoile mar fhadhb mhór ós rud é gur thug sí pribhléid do roinnt saoránach a raibh ceart vótála acu ar bhonn gnóthachtála oideachais amháin.

Moladh sa tuarascáil go ndéanfaí athrú radacach. Ba é a phríomhthorthaí diúltú do choinchéap na hionadaíochta gairme, a bhí i gcroílár mhúnla 1937. Bheadh cúig bhall is seasca ag an Seanad nua, sé bhall is fiche tofa go díreach ó thoghcheantar náisiúnta amháin ag baint úsáid as córas liosta ionadaíocht chionmhar, agus dhéanfaí an toghchán a reáchtáil go neamhspleách ar thoghcháin na Dála agus ar an lá céanna le toghcháin Eorpacha agus áitiúla; bheadh toghcheantar ardoideachais de sheisear comhaltaí ann, agus toghcheantar amháin de na céimithe tríu leibhéal agus coláiste toghcháin Teachtaí Dála, seanadóirí agus comhairleoirí chun fiche ball a thoghadh ó dháilcheantar amháin. Bheadh an toghchán seo ar siúl taobh istigh de nócha lá ó olltoghchán. Ina theannta sin, d'ainmneodh an Taoiseach dhá bhall déag, beirt as Tuaisceart Éireann ina measc.

Maidir le reachtaíocht agus feidhmeanna eile, moladh sa tuarascáil nár chóir go mbeadh an Seanad in ann bac a chur ar an rialtas, ach gur cheart go mbeadh ról níos leithne ná coiste aige, go mbeadh sé ag dul i mbun comhairliúcháin phoiblí maidir le reachtaíocht, agus go mbeadh ról nua aige i ngnóthaí an AE, go mbeadh sé mar ‘phríomh-athbhreithneoir beartais i dTithe an Oireachtas’,²⁶ go ndéanfadh sé grinnscrúdú ar cheapacháin shinsearacha phoiblí agus go mbeadh cead ag ceannaire an tSeanad freastal ar an gcomh-aireacht.

I ndiaidh ghéarchéim airgeadais 2008, bhog an diospóireacht ar aghaidh ó athchóiriú a dhéanamh air go deireadh a chur leis. Roimhe seo, mhol an Páirtí Daonlathach deireadh a chur leis sna 1980í, ach tar éis dóibh páirt a ghlacadh sa Seanad thacaigh siad go mór leis. In 2009, ghlac páirtí Phine Gael le deireadh a chur leis seachas athchóiriú a dhéanamh air mar pholasáí oifigiúil an pháirtí. Faoin am a raibh an t-olltoghchán ann in 2011, agus an t-éileamh ar athchóiriú polaitiúil agus sábháil ar chostais an-ard tar éis thionchar na géarchéime airgeadais domhanda ar Éirinn, ghlac na príomhpháirtithe polaitiúla go léir seasamh gur chóir deireadh a chur leis an Seanad. Ní nach ionadh, mar sin, go raibh gealltanás sa chlár rialtais nua de chuid rialtas Phine Gael–an Lucht Oibre chun deireadh a chur le Seanad Éireann.

²⁵ Ibid, lch. 26.

²⁶ Ibid, lch. 59.

Chríochnaigh an Bille um an Dara Leasú is Tríocha ar an mBunreacht (Deireadh a chur le Seanad Éireann), 2013, a rith trí Thithe an Oireachtas an 23 Iúil 2013, agus socraíodh an reifreann chun cinneadh a dhéanamh maidir le deireadh a chur leis an Seanad nó gan don 4 Deireadh Fómhair 2013. Bunaíodh Coimisiún an Reifrinn, a bhunaigh an Stát chun eolas neamhspleáach a chur ar fáil maidir le reifrinn, ceithre mhí roimh lá na vótála. Thug na hOllúna Muiris MacCarthaigh agus Shane Martin faoi deara i dtaca leis an gCoimisiún:

‘estimated that abolition of the Seanad would require 40 changes to the text of the Constitution, ranging from simple deletions to more substantive re-engineering. Its guide identified 14 major changes, of which all but one would result in a transfer of powers to Dáil Éireann.’²⁷

Cé gur thacaigh formhór na bpáirtithe polaitiúla lena seasamh roimhe seo maidir le deireadh a chur leis, d’athraigh Fianna Fáil a sheasamh ina dhiaidh sin agus, in 2013, d’fhoilsigh siad doiciméad beartais ag éileamh athchóiriú Seanaid agus gur chóir lón na mball a laghdú in áit deireadh a chur leis.

Dhírigh na grúpaí a bhí i mbun feachtas i bhfabhar dheireadh a chur leis an Seanad ar lón beag ceisteanna. Ina measc bhí an argóint go mbeadh sábháil ar chostais agus níos lú polaiteoirí mar thoradh ar dheireadh a chur leis. Chuir Fine Gael figiúr de choigiltis bhliantúla €20 milliún chun cinn. Chuir siad siúd a bhí in aghaidh deireadh a chur leis go mór ina choinne sin. I measc na n-argóintí eile i bhfabhar deireadh a chur leis luaitear:

‘[M]uch was made of the upper chamber’s ineffectiveness since its re-establishment in 1937, with the “crèche” and “retirement home” monikers featuring prominently. The constitutional provision for university seats was deemed archaic if not illegal, given that the constitutional amendment approved in the late 1970s to extend the franchise to all third-level institutions outside of the colleges of the University of Dublin and National University of Ireland had never been acted upon. Equally, the original concept of vocational representation by means of the five vocational panels in the Senate was pointed to as redundant given the reality of parliamentary party control of the chamber.’²⁸

²⁷ MacCarthaigh, M. and Martin, S. (2019), ‘Precarious Bicameralism? Senates in Ireland from the Late Middle Ages to the Present’, i N. Bijleveld, C. Grittner, D. E. Smith and W. Verstegen (eag.), *Reforming Senates: Upper Legislative Houses in North Atlantic Small Powers 1800–Present*, Routledge Studies in Modern History, Londain agus Nua-Eabhrac: Routledge, lgh. 239–54.

²⁸ Ibid.

Ní mó ná sásta a bhí an saineolaí eolaíochta polaitiúil an tOllamh Eoin O’Malley (2013) leo siúd a bhí ag iarraidh an Seanad a choinneáil seachas deireadh a chur leis:

‘More problematic for the retentionists is that they say they want a reformed Seanad which is democratically elected. Yet the only reason the type of people we saw in the Seanad are in the Seanad is precisely because they are either nominated or elected by a small elite. A reformed Seanad would resemble the Dáil they complain about, but lack its potential bite. They are promising a fantasy Seanad, that not only will not exist, but cannot exist.’²⁹

Chuir na daoine a bhí i mbun feachtais i bhfabhar coinneála béis ar leith ar na heasnaimh dhaonlathacha a bhainfeadh le deireadh a chur leis, agus méadú ar lárú cumhactha i láimha an fheidhmeannais. Mhol siad athchóiriú a dhéanamh seachas deireadh a chur leis. Déanann an staráí Éireannach an tOllamh Diarmaid Ferriter na hargóintí seo ar son coinneála a mhíniú go maith:

‘The proposal to abolish the Seanad, without even considering its reform will, if successful, inevitably result in the concentration of governance in the hands of fewer, without any chance of meaningful oversight and scrutiny of what they are doing ... The proposal to abolish checks, revisions and the rectifying of mistakes, is the very opposite of reform and a “democratic revolution”. It is aggressively anti-democratic and a populist but dangerous deflection from the hard work of real reform.’³⁰

Chuir an grúpa Democracy Matters, ina raibh roinnt seanadóirí reatha agus iar-sheanadóirí agus ceannairí móra dlí, gnó agus ón saol acadúil, ‘iarracht ar chumhactha a ghabháil chuige féin’ i leith an rialtais. Ba iad bunaitheoirí an ghrúpa Seanadóirí Katherine Zappone agus Feargal Quinn, iar-Aire agus Seanadóir Michael McDowell, iar-Sheanadóir Joe O’Toole, agus anailísí

²⁹ O’Malley, E. (2013), ‘Seanad Abolition is No Threat to Our Democracy – More an Opportunity’, History Hub, Seanad Special, History and Policy Opinion No. 1, Scoil na Staire agus na gCartlann, An Coláiste Ollscoile, Baile Átha Cliath, ar fáil ar: <http://historyhub.ie/seanad-abolition-no-threat-to-democracy> (oscailte an 17 Lúnasa 2022).

³⁰ Ferriter, D. (2013), ‘Proposal to Abolish Seanad is an “Awesome Admission of Failure”’, History Hub, Seanad Special, History and Policy Opinion No. 2, Scoil na Staire agus na gCartlann, An Coláiste Ollscoile, Baile Átha Cliath, ar fáil ar: <http://historyhub.ie/seanad-proposal-admission-of-failure> (oscailte an 17 Lúnasa 2022).

polaitiúil Noel Whelan. Mhaígh an grúpa gur cheart athchóiriú a dhéanamh ar an Seanad chun seiceálacha agus stiúir shásúil a dhéanamh ar an rialtas, chomh maith le háit a chur ar fáil do ghuthanna polaitiúla nua na ndaoine a caitheamh amach as an gcóras.

Níor éirigh leis an moladh deireadh a chur leis an Seanad. Ba é an céatadán de vótálaithe a dhiúltaigh deireadh a chur leis 51.7 faoin gcéad agus ba é 48.3 faoin gcéad a bhí ag iarraidh deireadh a chur leis, farasbarr beagnach 42,500 vóta, agus níor vótáil ach 39.7 faoin gcéad. I dtáighde a rinneadh tar éis an reiffrinn, chinn Coimisiún an Reiffrinn, i measc na ndaoine a vótáil, go ndúirt 49 faoin gcéad gur thuig siad an cheist go han-mhaith nó go maith, dúirt 18 faoin gcéad gur thuig siad í go pointe áirithe agus dúirt 32 faoin gcéad nár thuig siad í go maith nó nár thuig siad í ar chor ar bith. Astu siúd nár vótáil, dúirt 32 faoin gcéad nach raibh aon spéis acu ann agus nár bhac siad le vótáil, agus mhothaigh 35 faoin gcéad nach raibh siad ar an eolas faoi.³¹

Mar fhreagra ar thoradh an reiffrinn, bhunaigh an rialtas Grúpa Oibre um Athchóiriú Seanaid, faoi chathaoirleacht Maurice Manning, ina raibh polaiteoirí agus ionadaithe ón saol acadúil agus ón tsochaí shibhialta.³² Tugadh faoi deara i dtéarmaí tagartha an ghrúpa go raibh gá le béim ar: (i) leasuithe féideartha ar chóras toghcháin an tSeanaid; agus (ii) bealaí chun Seanad Éireann a athchóiriú go ginearálta chomh maith leis an modh ina ndéanann sé a ghnó. Ar bhealach suntasach, tugadh faoi deara sna téarmaí tagartha freisin go gcaithfear é seo go léir a dhéanamh laistigh de pharaiméadair an Bhunreachta reatha. Bhain ríthábhacht leis an bpointe deireanach sin maidir le cur chuige an Ghrúpa a chinneadh de bhrí go laghdódh sé a shaoirse gníomhaíochta go mór agus thabharfadh sé air sonraí eagrúcháin a láimhseáil a bheadh ina riachtanais bhunreachtúlaanois.

Shainmhínigh an Grúpa Oibre trí bhunphrionsabal nach mór a bheith mar bhonn le haon athchóiriú fiúntach:

1. Dlisteanacht phobail –ní mór go bhfeicfeadh saoránaigh na hÉireann an Seanad leasaithe mar fhoras a bhfuil guth agus ról dlisteanach aige sa phróiseas polaitiúil

³¹ Coimisiún Reiffrinn (2013), *Tuarascáil ar na Reiffrinn maidir leis an mBille um an Dara Leasú is Tríocha ar an mBunreacht (Deireadh a chur le Seanad Éireann)*, 2013 agus an Triú Leasú is Tríocha ar an mBunreacht (Cúirt Achomhairc), 2013, Baile Átha Cliath: Coimisiún Reiffrinn, ar fáil ag: www.refcom.ie/previous-referendums/abolition-of-seanad/abolition-of-seanad-eireann-and-court-of-appeal-referendums.pdf (arna rochtain an 17 Lúnasa 2022).

³² Grúpa Oibre um Athchóiriú an tSeanaid (2015), *Tuarascáil ón nGrúpa Oibre um Athchóiriú Seanaid*, Baile Átha Cliath: Tithe an Oireachtais.

2. Cumhachtaí agus feidhmeanna leordhóthanacha – ba cheart go mbeadh cumhachtaí agus feidhmeanna sainiuála agus leordhóthanacha ag Seanad leasaithe chun ionchur in-aitheanta a bheith aige sa phróiseas parlaiminte
3. Leagan amach soiléir – ba chóir go mbeadh leagan amach soiléir ag Seanad leasaithe agus ba cheart a phróiseas toghcháin a dheardadh dá réir.

De réir na bpriónsabal seo, mhol an grúpa roinnt leasuithe, lena n-áirítear:

- toghfar tromlach (tríocha) de shuíochán an phainéil trí vóta coitianta ar phríonsabal duine amháin, vóta amháin (agus úsáid á baint as forbairtí teicneolaíochta chun na costais a choinneáil íseal)
- toghfar tríocha a sé cinn den seasca suíochán go díreach ó chuíig phainéil gairme agus ó thoghcheantar na hollscoile
- ar bhonn phríonsabal duine amháin, vóta amháin, ní mór do shaoránaigh atá i dteideal vótáil i dtoghcheantar na hollscoile roghnú vótáil sa toghcheantar sin nó i gceann de na cúig phainéil atá ar fáil do gach saoránach
- leathnófar prionsabal duine amháin, vóta amháin chun saoránaigh Éireannacha i dTuaisceart Éireann agus sealbhóirí pasanna Éireannacha atá ina gcónaí thar lear a chur san áireamh
- toghfar trí cinn déag den seasca suíochán go hindíreach ó choláiste toghcháin de na comhairleoirí contae agus cathrach tofa go léir, baill de Dháil Éireann agus ó sheanadóirí atá ag dul as ofig
- tabharfar róil ar leith don Seanad i réimsí amhail reachtaíocht thánaisteach an AE, moltaí na Comhairle Aireachta Thuaidh-Theas, agus déanfar imscrúdú ar ábhair a bhaineann le leas beartais phoiblí.

Moladh eile ná go mbunófaí grúpa forfheidhmithe chun maoirseacht a dhéanamh ar na moltaí agus gníomh a chinntíú. Bunaíodh é seo sa deireadh, cé gur thóg sé go dtí Aibreán 2018 gur aontaigh an rialtas ar ghrúpa ball den Oireachtas a bhunú ar a dtabharfaí Grúpa Forfheidhmithe Athchóirithe an tSeanaid (SRIG), faoi chathaoirleacht an tSeanadóra Michael McDowell. Leagadh an cúram ar an nGrúpa moltaí an Ghrúpa Oibre um Athchóiriú Seanaid a bhreithniú agus tuairisciú a dhéanamh orthu, arís ar an gcoinnioll go ndéanann sé amhlaidh laistigh de théarmaí reatha an Bhunreachta.

Foilsíodh dréacht-tuarascáil agus dréacht-bhille ón SRIG i mí na Nollag 2018.³³ Cé gur glacadh leis an gcuid is mó de mholtáí thuarascáil 2015, níor

³³ Grúpa Forfheidhmithe maidir le hAthchóiriú an tSeanaid (2018), *Tuarascáil ó Ghrúpa Forfheidhmithe Athchóirithe an tSeanaid*, Baile Átha Cliath: Tithe an Oireachtas.

ghlac an Grúpa Forfheidhmithe le gach rud a moladh i dtuarascáil an Ghrúpa Oibre. Rinneadh athrú beag agus tugann an Grúpa le fios gur chóir go mbeadh aon seanadóir déag ceaptha ag an Taoiseach, cúig sheanadóir déag tofa ag Teachtaí Dála, seanadóirí agus comhairleoirí contae agus cathrach, ceathrar seanadóir is tríocha tofa go díreach ó chuíg phainéal gairme, agus duine eile lena n-áirítear céimithe as gach ollscoil. Chinn an Grúpa i gcoinne iarracht a dhéanamh toghcháin a reáchtáil don Dáil agus don Seanad an lá céanna, chreid sé nach mbeadh sé sin praiticiúil ná inmhianaithe. I ndréachtreachtaíocht, a cuireadh mar iarscríbhinn leis an tuarascáil, d'íarr an Grúpa Forfheidhmithe go gcruthófaí Coimisiún Toghcháin Seanaid chun clár na vótalaithe a bhunú agus a choinneáil.

Go dtí seo, níor cuireadh moltaí an Ghrúpa Forfheidhmithe maidir le hathchóiriú toghcháin i bhfeidhm, ná níl tacaíocht acu ó bhaill thábhachtacha den Seanad féin. Léirítear na dúshláin a bhaineann le gealltanás rialtais a fháil chun dul i mbun gnímh trí fhreagra an Taoisigh, freagra scríofa ar cheist maidir le pleannanna chun Seanad Éireann a athchóiriú laistigh de shaolré an 33ú Dáil. Agus é ag tagairt do thuarascáil an Ghrúpa Forfheidhmithe, thug an Taoiseach, Micheál Martin, an freagra seo:

‘The report’s recommendations were not unanimously endorsed by the group’s members. While there was some brief consideration of that report by the Houses in late 2019, if further examination of its proposals by the current members of the Houses were to lead to a consensus around some of the report’s recommendations, such a consensus would provide a basis for their implementation.’³⁴

In éagmas ghealltanás an rialtais athchóiriú a dhéanamh ar an Seanad, tá céimeanna ánglacadh ag an Seanad féin chun athruithe a chur i bhfeidhm a mholtar sna tuarascálacha éagsúla ar athchóiriú atá faoina shainchúram. Agus tacaíocht aici ó gach ceannaire agus grúpa sa Seanad, leag oifig an Chathaoirligh faoi na leasuithe ábhartha a chur i bhfeidhm. I measc na leasuithe a cuireadh chun cinn:

- Féadfaidh an Seanad cuireadh a thabhairt anois do Chathaoirleach coiste atá ina bhall den Dáil labhairt ar rún chun tuarascáil ó choiste a thabhairt faoi deara. Sa chás go bhfuil a leithéid de rún

³⁴ Martin, M. (2020), Freagra scríofa ar cheist ar athchóiriú an Seanaid, ar fáil ar: www.kildarestreet.com/wrans/?id=2020-09-22a.207&s=%22seanad+reform+implementation+group%22#g209.r (oscailte an 17 Lúnasa 2022).

comhaontaithe, féadfar plé a dhéanamh ar an rún ina dhiaidh sin chun athbhreithniú a dhéanamh ar dhul chun cinn maidir le cur i bhfeidhm mholtáí na tuarascála tar éis sé mhí eile.

- Ligeann catagóir nua rún do sheanadóirí a toghadh le haghaidh painéis ghairme nó toghcheantair ollscoile ar leith tairiscintí a bhaineann le leas na bpainéis nó na n-ollscoileanna sin a thabhairt i láthair. Tugtar tús áite do chearta labhartha na seanadóirí a toghadh don phainéal nó don ollscoil ábhartha. Tugann an Cathaoirleach, agus rúin le haghaidh díospóireachta á roghnú aige, tús áite do sheanadóirí a bhfuil a gcuid moltaí bunaithe ar eolas trí rannpháirtíocht le comhlacthaí ábhartha. Tá sé i gceist go gcabhródh an t-athchóiriú seo le níos mó suntais a thabhairt i ndíospóireacht d'ela agus do thaithí speisialta na Seanadóirí a toghadh do na painéis agus do na hollscoileanna, agus go neartódh sé an caidreamh idir an Seanad agus an tsochaí.
- Ar bhonn toghcheantar Eorpach, tugtar cuireadh do bhaill Éireannacha Pharlaimint na hEorpa díospóireacht a dhéanamh agus teagmháil a dhéanamh le seanadóirí ar fhorbairtí Eorpacha trí chruinnithe sa Teach.
- Tar éis comhaontú leis an Rialtas, tá Roghchoiste Seanaid um Ghrinnscrúdú AE á bhunúanois chun breithniú a dhéanamh ar dhréacht-ionstraimí reachtúla a dhéanfaidh treoracha an AE a aistriú chuig an dlí náisiúnta. Aithneoidh an Coiste nithe a bhfuil grinnscrúdú níos mionsonraithe ag teastáil uathu agus aistreoidh sé chuig na comhchoistí ábhartha iad. Go dtí seo, ní dhearna an tOireachtas grinnscrúdú ar dhréacht-ionstraimí reachtúla den chineál seo a raibh a gcumhactaí teoranta cealaithe tar éis iad a shíniú ina ndlí.

I ndeireadh na dála, is é cúis na sáinne, maidir le hathchóiriú a dhéanamh, nár ghlaic aon rialtas ó 1937 an Seanad go dáiríre, agus gur glacadh leis go bhfuil a ról agus feidhmeanna easnamhach agus mí-aimseartha. Níl mórán comharthaí ann go bhfuil an cás ag athrú. In olltoighchán 2020, níor gealladh in aon cheann d'fhórógraí Fhianna Fáil, Fine Gael, an Lucht Oibre ná an Páirtí Sóisialach Daonlathach go ndéanfaí athchóiriú ar an Seanad, cé gur gealladh i bhforógraí Shinn Féin agus an Chomhaontais Ghaisc go ndéanfaí. Ní dearnadh aon tagairt dó i gclár an rialtais.

Is dócha gur leanúint ar aghaidh le treochtaí le déanaí maidir le toghthóirí agus baill an tSeanad a bheidh sna hathruithe is suntasaí i dtaca leis an Seanad sna blianta amach romhainn. Mar a deir an taighdeoir polaitiúil Claire McGing ‘The Seanad electorate has changed considerably from earlier elections. Notable has been the decline in the combined strength of what

were formerly Ireland's major political parties, Fianna Fáil, Fine Gael and Labour, and an increase in support for independent and other particular causes, suggesting a reduction in dominance of the traditional main political parties.³⁵

Go deimhin, is dócha gurb é an t-athrú is mó sa Seanad le blianta beaga anuas an cliseadh seo ar cheannas mórpháirtí gan cheist. Bhí Seanad an tSaorstáit bródúil as an ról láidir a tugadh do ghuthanna mionlaigh – fiú más iar-Aontachtach a bhí i gceist go stairiúil le mionlach seachas leasa eile. Go teoiriciúil, ba cheart go dtoghfáí éagsúlacht leasa mar thoradh ar struchtúr gairme an chomhlachta reatha – talmhaíocht, cultúr agus oideachas, lucht oibre, tionsclaíocht agus tráchtáil, agus riarrachán – ach níor tharla sé sin riamh mar gheall ar chineál na dtoghthóirí. Ar bhonn praiticiúlachta de, mar a bhí beartaithe ag a bhunaitheoir, tá gach Seanad ó 1937 faoi smacht ag an bpáirtí nó ag na páirtithe atá i gcumhacht, cé is moite de Sheanad 1994–7 nuair a d'athraigh baill an rialtais i lár téarma agus Seanad 2016–20 nuair a bhí tacáiocht choinníollach aige faoi chomhaontú muiníne agus soláthair Fhianna Fáil.

Tá an ceannas seo fós amhlaidh ach tá sé ag athrú. Is é is cúis leis an athrú seo toileantas Taoisigh gan diríú an oiread céanna ar an ngné 'páirtí' dá n-ainmnithe ach iarrthóir neamhspleách dílis agus ionadaithe ó ghrúpaí sainleasa a chur san áireamh ina n-aon ainmní dhéag agus de bharr rath toghcháin na n-iarrthóirí neamhspleácha, Shinn Féin agus an Chomhaontais Ghaisc i dtoghcháin áitiúla as a chéile a chuir ar a gcumas gnóthachain shuntasacha a bhaint amach.

Conclúid

Tá Seanad Éireann in áit níos sláineanois ná mar a bhí le blianta fada. Tá bagairt an chealaithe imithe – socráiodh é sin go cinnte i reifreann 2013. Glacann na páirtithe a d'éiligh go gcuirfí deireadh leis anois le toradh an reifrinn agus tá a bhfócas iompairthe acu – gan díograis mhór caithfear a rá – ar athchóiriú a dhéanamh.

Ach tá tuiscint nua ar an réalachas freisin. D'athraigh an meon ó chás inar cuireadh an milleán ar an Seanad as gan rudaí a dhéanamh nach raibh sé de chumhacht aige riamh a dhéanamh, go meon úr agus breathnú go cruthaitheach ar na rudaí dearfacha réalaíocha is féidir leis an Dara Teach a dhéanamh i ndaonlathas nua-aimseartha atá ag éirí níos casta agus níos

³⁵ McGing, C. (2021), 'The Seanad Election: Voting in Unprecedented Times', in M. Gallagher, M. Marsh and T. Reidy (eds.), *How Ireland Voted 2020: The End of an Era*, London: Palgrave MacMillan, lgh. 275–95.

leochairí. Conas is féidir leis an próiseas parlaiminte ar fad a fheabhsú agus a fhorbairt? Conas is féidir leis a bheith cuimsitheach ar bhealach fiúntach i sochaí atá ag éirí níos ilchultúrtha agus ilchiníoch? Conas is féidir leis smaointeoireacht phoiblí a mhúnlú agus a threorú ar cheisteanna móra sóisialta agus polaitiúla nó fóram a chur ar fáil inar féidir na ceisteanna seo a phlé? Conas is féidir leis fíorscrúdú reachtaíochta a chinntiú agus cabhrú le fiorfhreagracht phoiblí institiúidí móra poiblí a chinntiú a bhraitheann go bhfuil siad féin os cionn grinnscrúdú den sórt sin?

Is léir nach bhfuil aon duine sa Seanad reatha ag iarraidh dul ar ais chuig na blianta fada sin nuair a bhí an Teach ciúin, fiú amháin agus é compordach agus é ar chál éaga. Tá beocht ann le blianta beaga anuas agus uaillmhian é féin a dhéanamh chomh hábhartha agus is féidir le haon fho-sheomra daonlathach a bheith. Ar an drochuair, ní gníomhaire saor in aisce é. Cuireadh srian lena shaoirse go mór toisc gur chuir Bunreacht na hÉireann sonraí eagrúcháin chuit riachtanais bhunreachtúla rud a chiallaíonn go gcaithfidh gach athchóiriú a bheith laistigh de struchtúir atá ann cheana féin.

Céad bliain ar aghaidh, is institiúid stuama seasmhach í Seanad Éireann. Ba chóir go mbeadh muid bródúil as go leor dá stair agus is féidir ceachtanna a fhoghlaim ó go leor di. Agus tá todhchaí iontach roimhe amach.



The first sitting of the 24th Seanad, Seanad Chamber, Leinster House, 25 May 2011



The first day of sitting of the 26th Seanad, Convention Centre, Dublin, 29 June 2020. The sitting was held in the Convention Centre due to ongoing COVID-19 pandemic restrictions.



Senators Alice Stopford Green and Eileen Costello arriving at
Leinster House, 11 December 1922.
Courtesy of Bibliothèque nationale de France.



Replica Seanad Bell. This bell was presented to the Seanad by Senator P. T. Kelly in 1940. It is a half-sized replica of the Bell of Armagh, *Clog Beannuighthe*, that is housed in the National Museum of Ireland.

The First Irish Seanad

Miss Stofford Green
 Murphy O'Meara
 William Butler Yeats
 John Gwynne
 John J. Connihau
 Eamonn Mac Giolla Mairí
 James E. Douglas.
 Thomas Ashe han
 Séamus Ó Ceallaigh
 Tom Ó Ceallaigh
 J.C. Dowdall.
 Keane
 Augustus Leonard
 Henry L. Barniville
 James Moran
 Eibhlís Ó Maoileabha
 Joseph Clayton Cork
 Edward Mc Dowd
 Henry Green
 Ernest T. Vaughan
 C. J. Irwin
 J. J. O'Farrell
 Michael Ó Siadhail
 Kerry.
 Peter DeLoughry.
 James McLean
 Matthew Bennett
 Ellen Desart
 P.J. Butler
 Glenane
 William J. Molloy
 W. Barrington

Albert D. Cross
 George Marshall
 Oliver S.J. Gogarty
 Michael Ó Drisceoil
 Richlan
 James Joseph Parkinson
 Patrick Williams Kenny
 McGettigan Comyn
 Ryan. Maalon.
 John Macdonagh
 Brian Ó Náirche
 William Ó Sullivan
 Tom P. Geary
 John Isaac
 Henry S. Glanville
 Anne Chantlett.
 H.G. Evans & sons
 Clara Dawson
 Edmund
 Edmund D. P.
 Donocor
 C. W. de P. Apostolous
 Hutchinson
 Andrew Jameson
 McCro—
 Headlong
 Blenningham
 Liam Ó Cinnín
 Thomas Foran
 S. L. Moore
 An Ghoobris
 (Douglas Hyde)
 John O'Donnell

Co-opted
 by
 An Seanad
 to fill
 Vacancies

Signatures of the first senators of Ireland, 1922.
Courtesy of the National Library of Ireland.



Seanad 100
Éireann



Members of the 1922 Seanad, Arthur Jackson, Andrew Jameson and Perry Goodbody, arriving at Leinster House for the Seanad's first public sitting.

Courtesy of Bibliothèque nationale de France.



First official sitting of the Seanad in the Ceramics Room, National Museum of Ireland, during the restoration of Georgian Leinster House, 26 September 2017.

3

An Seanad: measúnú a dhéanamh ar ról sainiúil an tSeanaid

Catherine Lynch

Tá roinnt cuspóirí ag Tithe Uachtaracha i stáit dhaonlathacha. Aithnítear san Institiúid Idirnáisiúnta um Dhaonlathas agus um Chúnámh Toghchánach (IIDCT) ceithre chuspóir den sórt sin agus tugtar ar aird nach bhfuil siad comheisiach:

- prionsabail dhifriúla ionadaíochta a chumasú lena gcur i bhfeidhm (e.g. d'fhéadfadh sé go ndéanann siad ionadaíocht d'aonaid teorann nó do phobail ar leith nó do ghrúpaí faoi ghannionadaíocht);
- grinnscrúdú agus athbhreithniú na reachtaíochta a fheabhsú;
- seiceálacha agus ceartúcháin dhaonlathacha sa bhrefis a chur ar fáil;
- oidhreacht stairiúil a choinneáil ag imeacht.¹

Thar aon ní eile, is seomra machnaimh agus athbhreithnithe é Seanad Éireann. Chonaic Éamon de Valera, príomh-údar Bunreacht 1937, na tairbhi a bhain le hobair leasaithe an Tí uachtaraigh ar an reachtaíocht fad is nár chuir sé isteach ar thoil an fheidhmeannais.² Tá feidhmeanna sannta ar an Seanad freisin faoin mBunreacht, feidhmeanna atá leagtha amach chun an seans go mbeadh feidhmeannas róchumhachtach ann a sheachaint – chun cosc a chur le tíorántacht an mhóraimh.³

¹ Bulmer, E. (2017), *Bicameralism: Constitution-building Primer*, Stócolm: An Institiúid Idirnáisiúnta um Dhaonlathas agus um Chúnámh Toghchánach (IDCT).

² Hogan, G. (2012), The Origins of the Irish Constitution 1928–1941, Baile Átha Cliath: Acadamh Ríoga na hÉireann, Ich. 198.

³ Bulmer, *Bicameralism*, Ich. 6.

Sula mbreathnaítear níos géire ar an gcaoi a bhfeidhmíonn an Seanad sa ról atá aige maidir leis an reachtaíocht a athbhreithniú agus machnamh a dhéanamh uirthi, ba cheart an cineál ionadaíochta atá aige sa phróiseas a mheas.

Ionadaíocht: congruach agus éagsúil?

Áitíonn roinnt teoiricithe bunreachta gur cheart gach seomra i bparaimint dhá sheomra – cibé stát cónaidhme nó stát aonadach atá i gceist – cineál éagsúil ionadaíochta a chur ar fáil d'fhoinn a bheith éifeachtach.⁴ Dar leis na teoiricithe bunreachta sin, má tá an dá sheomra congruach, nó geall leis (i.e. go bhfuil siad comhdhéanta ar an mbealach céanna), tá amhras ann faoin ngá atá leis an dara seomra.⁵ Má tá an dá sheomra rialaithe ag na leasanna cliona céanna, an bhfuil an dara ceann ag teastáil? Áitíonn daoine eile nach hionann an dá sheomra a bheith congruach agus a rá nach bhfuil tairbhe leo fós, go háirithe nuair is é príomhfheidhm an Tí uachtaraigh a bheith ag gníomhú ina sheomra machnaimh agus athbhreithnithe d'fhoinn caighdeán na reachtaíochta a fheabhsú.⁶ Áitítear go dtagann buntáistí fainseáise chun cinn leis an rialú cáilíochta a tharlaíonn mar gheall ar an dara féachaint ar an reachtaíocht agus gur féidir reachtaíocht níos fearr agus níos meáite a chur ar fáil dá thoradh beag beann ar chongruacht.⁷ Cé acu an bhíonn na tairbhí seo ann nó nach mbíonn, braitheann sé go mór ar an gcineál ionadaíochta atá ag seanadóirí sa phróiseas reachtaíochta.

Maidir le córas an dá sheomra in Éirinn, is minic a bhíonn an Seanad agus an Dáil congruach lena chéile – sa chaoi go mbíonn an lámh in uachtar ag na páirtithe céanna sa dá theach. Sa bhliain 2002, bhí an chuma air go raibh congruacht iomlán, nach mór, idir an dá Theach, ó thaobh ionadaíochta na bpáirtithe de, agus bhí an cás ar an gcaoi chéanna sa bhliain 2007 freisin (Fíor 1).

Go deimhin, i gcaitheamh na mblianta, chásaih roinnt tráchtairí ceannas páirtithe sa Seanad, go háirithe páirtithe rialtais. Déantar laethanta tosaigh Sheanad an tSaorstáit a idéalú uaireanta (féach ar chaibidil Byrne san imleabhar seo), tráth a raibh an lámh in uachtar ag na neamhspleáigh, nuair a cheistigh siad an rialtas faoi go leor dá shaincheisteanna beartais. Spéisiúil go maith, tháinig laghdú ar an gcongruacht mar thoradh ar na hathruithe suntasacha a rinneadh do chóras na bpáirtithe sa bhliain 2011, agus mar

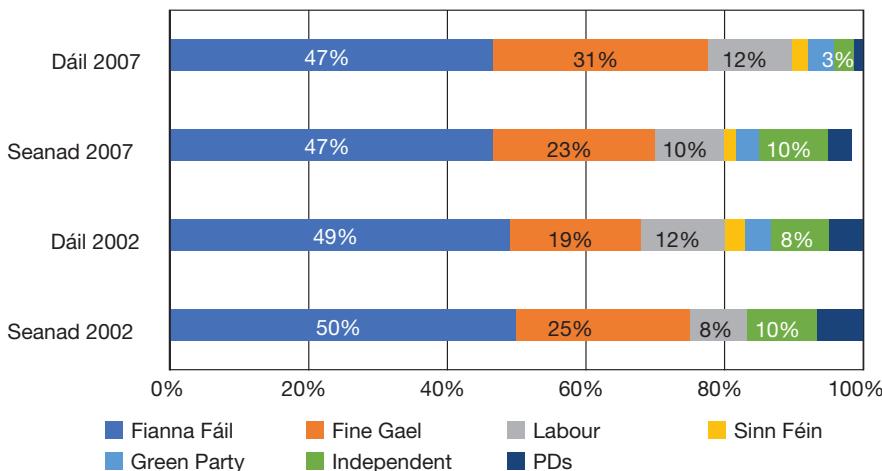
⁴ Rogers, J. R. (2001), ‘An Informational Rationale for Congruent Bicameralism’. *Journal of Theoretical Politics*, Imleabhar. 13, Uimh. 2.

⁵ Ibid, Ich. 126-7.

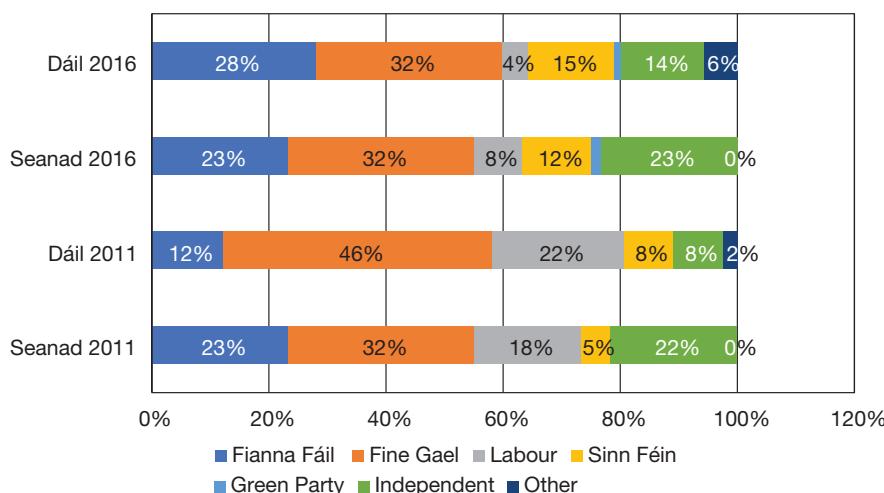
⁶ Rogers, ‘An Informational Rationale for Congruent Bicameralism’.

⁷ Tsebelis, G. agus Money J. (1997), *Bicameralism*, Cambridge: Cambridge University Press, Ich. 15-6, 35-42.

**Fíor 1: Congruacht san ionadaíocht idir an Seanad agus an Dáil,
2002 agus 2007**



**Fíor 2: Congruacht san ionadaíocht idir an Seanad agus an Dáil,
2011 agus 2016**

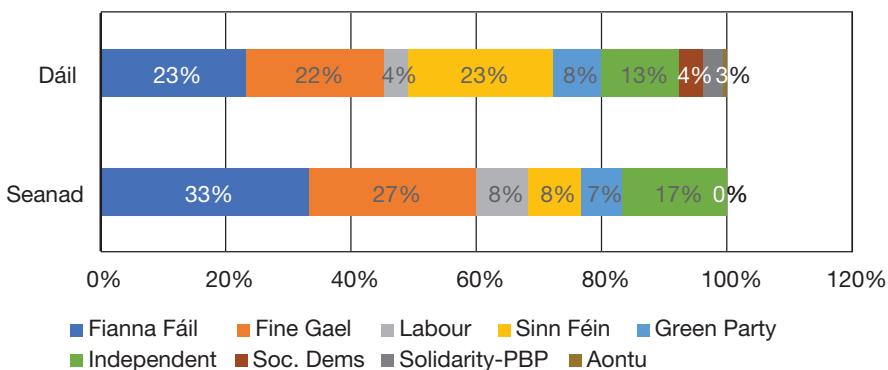


thoradh ar scoilteadh chóras na bpáirtithe ó bhí an bhliain 2016 ann (Fíor 2).

Ó tharla go dtoghtar seanadóirí go hindíreach, agus go dtoghann comhairleoirí áitiúla iad den chuid is mó, ciallaíonn sé sin gur léiriú é an Seanad ar chóras na bpáirtithe ag am na dtoghchán áitiúil (a bhíonn ar siúl

ag am difriúil leis na holltoghcháin). Dá bhrí sin, cé go mbíonn toghchán an tSeanaid ar siúl laistigh de nócha lá ón olltoghchán, ní léiriú é ach 160 nó 13.6 faoin gcéad de na toghthóirí don Seanad ar sheasamh na bpáirtithe ag am an olltoghchán (160 den 1,169 toghthóir: 949 comhairleoir (a toghadh sa bliain 2019), 60 seanadóir a toghadh nó a ceapadh sa bliain 2016, 160 Teachta Dála a toghadh i dtoghchán na Dála.) Leis sin, mínítear an fáth ar tháinig laghdú ar chongruacht de thoradh dhíchobhsú chóras na bpáirtithe i ndiaidh na bliana 2011. Mar sin féin, is amhlaidh go rialáonn páirtithe rialtais an Seanad i gcónaí agus is iad aon ainmní dhéag an Taoisigh is cúis leis sin, den chuid is mó (féach Fíor 3 thíos).

Fíor 3: Congruacht san ionadaíocht idir an Seanad agus an Dáil, 2020



In ainneoin go bhfuil an lámh in uachtar ag na páirtithe agus in ainneoin na congruachta a bhfuil cur síos déanta uirthi thuas, tá ionadaíocht shainiúil ag an Seanad sa pharlaimint. Cén chaoi?

Mhínigh Tom Garvin an méid sin mar thoradh ar thrí fhachtóir, agus tá gach ceann acu fós ábhartha sa lá atá inniu ann:⁸

- an córas ar leith chun seanadóirí a toghadh agus an tionchar, cibé chomh teoranta agus atá sé, atá ag na painéis ghairme;⁹
- feidhmiú láidir neamhspleách na seanadóirí ollscoile¹⁰ agus roinnt ainmniithe neamhspleácha de chuid an Taoisigh;
- áit an tSeanaid sa chreat bunreachta.

⁸ Garvin, T. (1969), *The Irish Senate*, Baile Átha Cliath: Institiúid um Ghnóthai Poiblí.

⁹ Is daoine ó shaol na polaitíochta iad na toghthóirí don phainéis ghairme (comhairleoirí áitiúla, Teachtaí Dála nuacheaptha agus seanadóirí atá ag dul as oifig), agus ainmníonn polaiteoirí tofa thart ar aon trian de na hiarrthóirí don toghchán.

¹⁰ Féach freisin ar Murphy, M. C. (2016), ‘Seanad Election: Second Chamber, Second Chance’, i M. Gallagher agus M. Marsh (eag.), *How Ireland Voted 2016: The Election that Nobody Won*.

Mar sin, ní dhéanann seanadóirí – cibé an seanadóirí neamhspleácha nó seanadóirí atá ag déanamh ionadaíochta do pháirtí atá i gceist – ionadaíocht do thoghcheantair gheografacha agus is ó phainéal gairme nó painéal ollscoile a thoghtar an chuid is mó acu. Níl aon dabht ach go bhfuil claoenpháirteachas ina ghné i ndíospóireachtáil, ach mar sin féin, ní hin le rá go mbíonn sé ar an ngné is láidre i gcónaí. Ó tharla nach bhfuil an Seanad ina theach muiníne – níl an rialtas freagrach don Seanad agus ní chaithfidh an rialtas a mhuinín a choimeád chun teacht slán – tá níos mó spás ag seanadóirí (seanadóirí páirtí fiú) tuairimí neamhspleácha a chur in iúl agus níl díospóireacht ann chomh claonta ná chomh áibhéalach dá réir. Ar thaobh amháin, de thoradh chumhacht an Taoisigh chun aon seanadóir déag a ainmniú, bíonn móramh ag an bhfeidhmeannas nach mór i gcónaí. Ar an taobh eile, áfach, thapaigh na Taoisigh a bhí ann le déanaí an deis seo chun daoine a bhaineann le grúpa mionlaigh a thabhairt chuig an bparlaimint, ar ionadaithe iad a d'fhéadfadh nach mbeidís oiriúnach do na toghcheantair bheaga gheografacha a úsáidtear don toghchán don Dáil.¹¹

Cén chaoi, mar sin, a mbaintear leas as an ionadaíocht seo sa Seanad nuair atá príomhfheidhmeanna an tSeanaid á gcomhlíonadh? Is iad na príomhfheidhmeanna sin ná:

- (a) reachtaíocht a athbhreithniú agus a mhionscrúdú
- (b) seiceálacha agus ceartúcháin bhreise maidir le cumhacht feidhmiúcháin a chur ar fáil

Príomhról an tSeanaid: reachtaíocht a athbhreithniú agus a mhionscrúdú

Faoi mBunreacht, ní mór don Seanad an reachtaíocht uile a bhreithniú. Is éard is príomhfheidhdm an tSeanaid leasuithe ar reachtaíocht mholtá a phlé, a mholadh agus tuairimí a thabhairt ar an reachtaíocht sin.

Bhí an tábhacht a bhain le ról an tSeanaid maidir le cruthú na reachtaíochta an-soiléir sa bhliain 2020 nuair nach raibh an pharlaimint in ann reachtaíocht a rith mar go raibh an Seanad fós le bunú ina ionmláine. Toghadh naoi seanadóir is ceathracha (na trí phainéalaí is ceathracha agus seisear seanadóirí ollscoile) ach ó tharla nach raibh an rialtas bunaithe go

¹⁰ (*Ar lean*) Londain: Palgrave Macmillan; Gallagher, M. (2018), ‘The Oireachtas: President and Parliament’, i J. Coakley agus M. Gallagher (eag.), *Politics in the Republic of Ireland*, Londain: Routledge; agus McGing, C. (2021), ‘The Seanad Election: Voting in Unprecedented Times’, i M. Gallagher, M. Marsh agus T. Reidy (eag.), *How Ireland Voted 2020*, Heidelberg: Springer International Publishing.

¹¹ Groves, M. agus Lynch C. (2022), ‘Seanad Éireann: 100 Years of Ireland’s Upper House’, *Administration, Imleabhar*. 70, Uimh. 4.

fóill, ní raibh aon Taoiseach nua-thofa ann chun na haon seanadóir déag a bhí fós le toghadh a ainmniú.¹²

Nuaire a cheadaítear bille i dTeach amháin, cuirtear faoi bhráid an Tí eile é agus cuirtear túis leis an bpróiseas reachtaíochta ann. Tá an cleachtas maidir le billí rialtais a thionscnamh sa Seanad ar an ngnáthchleachtas a úsáidtear anois, cleachtas nach raibh trácht air roimh an mbliain 1948 agus nár úsáideadh ach go hannahm le blianta fada ina dhiaidh sin. Idir na blianta 1997 agus 2021, ba bhíllí Seanaid iad 330 ceann de bhíllí rialtais.¹³ I dtáighde a rinneadh sa bhliain 2010, tá sleachta ó na hiar-airí a bhí i bhfabhar an chineál grinnscrúdaithe reachtaigh ar thug an Seanad faoi.¹⁴ Luagh IarThaoisigh go bhfuil grinnscrúdú reachtach sa Seanad cuimsitheach agus nach bhfuil sé chomh claonta céanna (Garrett Fitzgerald), agus go bhfuil níos lú sáraíochta i gceist leis ná mar atá sa teach íochtair (Bertie Ahern).¹⁵ Tugadh ar aird go dtugann seanadóirí ‘dearcthaí nua agus tábhachtacha i leith na reachtaíochta, dearctaí a d’fhéadfadh nach mbeidís le cloisteáil i seomra Dála a bhfuil níos mó brú ann’.¹⁶

Is Fiorannamh a dhiúltáitear do bhíllí rialtais sa Seanad.¹⁷ Is é is cúis leis seo, go pointe áirithe, ná go mbíonn formhór na seanadóirí ag tacú leis an rialtas. Baineann cuid den mhíniú, áfach, leis an gcaoi nach bhfuil ach cumhactaí chun moill a chur ar chúrsaí ag an Seanad, agus mar sin d’fhéadfaí Bille a rith sa deireadh fiú má dhiúltáinn an Seanad dó. Beidh níos mó tionchair ag an Seanad ar bhille má éiríonn leis an seomra a áitiú ar an rialtas glacadh le leasuithe air ná mar a bheadh aige sa chás go ndiúltódh sé glan amach dó. Má dhiúltáinn an Seanad scun scan do bhille rialtais,

¹² Féach Seirbhís Leabharlainne agus Taighde an Oireachtas (2020). *Caretaker Governments and Caretaker Conventions*. Ar fáil ag:

https://data.oireachtas.ie/ie/oireachtas/libraryResearch/2021/2021-03-23_l-rs-note-caretaker-governments-and-caretaker-conventions_en.pdf {thángthas ar an láithreán gréasáin an 8 Nollaig 2022}. Le rialú na hArd-Chúirte i Meitheamh na bliana 2020, fuarthas níos mó soiléireactha maidir leis an tsaincheist. Thóig seanadóirí (a toghadh i Mártá na bliana 2020) an cás, ar áitígh ceathrar acu gur cheart don Seanad nua teacht le chéile agus plé a dhéanamh ar an reachtaíocht agus gan aon ainmní dhéag an Taoisigh a bheith i láthair. Féach Cás na hArd-Chúirte: An Seanadóir Bacik in aghaidh an Taoisigh (29 Meitheamh 2020). Tagairt an cháis: HD [2020] IEHC 313.

¹³ Groves agus Lynch, ‘Seanad Éireann: 100 Years of Ireland’s Upper House’.

¹⁴ Hunt, B. (2010), *The Role of the Houses of the Oireachtas in the scrutiny of legislation*, Baile Átha Cliath: Comhlacht Pharlaiminte Thithe an Oireachtas, lch. 61.

¹⁵ Groves agus Lynch, ‘Seanad Éireann: 100 Years of Ireland’s Upper House’.

¹⁶ MacCarthaigh, M. (2005), *Accountability in Irish Parliamentary Politics*, Baile Átha Cliath: An Foras Riaracháin.

¹⁷ Níor sháraigh an Seanad ach dhá bhille rialtais. Féach Manning, M. (2010), ‘The Seanad’, i M. MacCarthaigh agus M. Manning (eag.), *The Houses of the Oireachtas*, Baile Átha Cliath: An Foras Riaracháin.

teipfidh ar aon leasú ón Seanad a ghlac an rialtas le linn an phróisis reachtaíochta.¹⁸

Smaoiníonn an Seanad, dar ndóigh, ar reachtaíocht an rialtais a dhiúltú. D'iarr seanadóirí Catherine McGuinness, Michael D. Higgins, Mary Robinson agus seanadóirí eile ar an Seanad an Bille um an Ochtú Leasú ar an mBunreacht, 1982, a dhiúltú. D'áitigh an Seanadóir McGuinness nach gcuirfeadh sé sin cosc leis an reifreann ar ghinmhilleadh dul ar aghaidh, ach bheadh tionchar aige ar thuairimí an phobail maidir leis an reifreann – mar a tharla nuair a dhiúltaigh an Seanad don Bhille um an Tríú Leasú ar an mBunreacht chun córas toghcháin an chéad duine abhaile a chur in áit an chórais Ionadaíochta Cionúire ar mhodh an Aon Vóta Inaistrithe.¹⁹ Tarlaíonn sé freisin, ó am go chéile, go n-aistarraingíonn rialtais billí nó go ligean siad do na billí titim ar lár nuair a nochtar fabhtanna trí na saincheisteanna a aithnítear le linn dhíospóireachtaí an tSeanaid. Rinneadh díospóireacht mhion (agus leasú) ar an mBille um Fhiadhúlra (Leasú), 2016, agus ar an mBille fá Choimisiún um Cheapacháin Bhreithiúnacha, 2017, sa Seanad agus ligeadh do na billí sin titim ar lár ina dhiaidh sin. Aistarraingíodh an Bille um Phainséis Uchtála agus Rianú, 2017, sa deireadh i ndiaidh don Aire Katherine Zappone díospóireacht a dhéanamh faoi go mion roinnt uaireanta le seanadóiri.²⁰

Mar sin féin, is minice a bhíonn tionchar ag an Seanad ar reachtaíocht an rialtais sa dá bhealach seo a leanas. Ar an gcéad dul síos, ardaíonn seanadóirí ábhar argóna nó ceist faoi bhille ar ghlac an t-aire i bpriúnsabal leis, agus a théann ar ais chuig an Ard-Aighne agus a fhilleann ag an gcéad chéim eile den phróiseas reachtaíochta le leasuithe. Tagraíonn T. J. O'Dowd dó sin mar fhreagrúlacht an rialtais i leith dhíospóireachtaí an tSeanaid, agus tugann sé ar aird go ndiúltaítear do leasú ón bhfreasúra agus go dtugtar isteach an athuair é mar leasú rialtais agus gurb é an gá leis an leasú a athdhréachtú chun caighdeáin dréachtóra parlaiminte a bhaint amach is cionsiocair leis sin.²¹

Ar an dara dul síos, má aimsítear fabht i mBille ana cheadú sa Dáil, tugtar aghaidh ar an bhfabht sin trí leasuithe a dhéanamh air le linn dhíospóireachtaí an tSeanaid. Mar shampla, aistarraingíodh togra, a bhí le cosc a chur ar phobalbhreitheanna a dhéanamh le linn na seachtaine roimh thoghcháin, ón mBille Toghcháin (Leasú), 2000, nuair a d'aithin an Seanad

¹⁸ Garvin, *The Irish Senate*, Ich. 43–4.

¹⁹ *Díospóireachtaí Sheanad Éireann*, 11 Bealtaine 1983.

²⁰ Féach *Díospóireachtaí Sheanad Éireann*, 17 Bealtaine agus 12 Meitheamh 2019.

²¹ O'Dowd, T. J. (2010), 'Measuring the Impact of Parliamentary Scrutiny of Bills: Some Evidence from Ireland', i M. MacCarthaigh agus M. Manning (eag.), *The Houses of the Oireachtas: Parliament in Ireland*, Baile Átha Cliath: An Foras Riaracháin.

lúb ar lár ann.²² Sa chaoi sin, is féidir le próiseas reachtaíochta an tSeanaid a bheith ina chosaint in aghaidh reachtaíocht éigiallmhar arna déanamh faoi dheifir, rud a thugann an dara seans don aire an reachtaíocht a fheabhsú. Tharlódh sé sin fad is nach gcuirfeadh an reachtaíocht tríd an Seanad faoi dheifir.

Bealach amháin chun measúnú a dhéanamh ar an gcaoi a bhfeidhmíonn an Seanad ina ról athbhreithnithe ná an méid billí rialtais a bhfuil leasú déanta orthu sa Seanad a mheas. Le linn shaolré Sheanad an tSaorstáit (1922–36), leasaíodh 37 faoin gcéad de bhillí an rialtais (182 as 489), agus glacadh le beagnach gach ceann acu sa Dáil.²³ Leasaíodh fiche a haon faoin gcéad de bhillí an rialtais sa Seanad idir na blianta 1938 agus 1966 (157 as 743 Bille).²⁴ Leis an taighde ar thug Laver agus Coakley faoi, (agus a thagraítear dó i dTuarascáil an Choiste Uile-Pháirtí ar an mBunreacht, 1997)²⁵ cuireadh leis na sonraí seo suas go dtí an bhliain 1995 agus fuarthas amach gur leasaíodh 18 faoin gcéad de bhillí sa Seanad ó bunaíodh é go dtí an bhliain 1995.²⁶ Fuarthas amach i dtaighde a rinneadh le déanaí gur leasaíodh 110 bille rialtais a tionscnaíodh sa Seanad (billí Seanaid) laistigh den Seanad féin idir na blianta 2020 agus 2021. Is ionann sin agus 34 faoin gcéad de na billí Seanaid ar fad sa tréimhse sin.²⁷ Tá idir leasuithe teicniúla agus leasuithe suntasacha i gceist leis na leasuithe seo.

Tá bealaí eile ann trína mbaineann an Seanad leas as an tionchar atá aige ar reachtaíocht. Tá ról suntasach ag seanadóirí sa grinnscrúdú réamh-reachtach ar reachtaíocht an rialtais. Ó bhí an bhliain 2013 ann, bhíothas ag súil go gcuirfeadh an rialtas reachtaíocht mholta ar fáil lena grinnscrúdú mar scéim ghineará尔ta – sula ndréachtaítear í ina hiomláine mar Bhille. Grinnscrúdú réamhreachtach atá i gceist nuair a scrúdaíonn Comhchoiste de chuid na dTithe an scéim ghineará尔ta. Lorgaítear aighneachtaí agus réachtáiltear éisteachtaí uaireanta mar chuid de seo, agus seoltar tuarascáil chuig an rialtas i gcónaí a bhfuil tuairimí agus moltaí inti, sula ndréachtaítear an bille ina iomláine agus sula sínítear é. Rinneadh staidéar sa bhliain 2017 agus fuarthas amach go raibh leibhéal ard ranpháirtíochta ag coistí leis na scéimeanna gineará尔ta agus, ó thaobh tionchair de, ghlac an t-aire le 146

²² Laver, M. (2002), ‘The Role and Future of the Upper House in Ireland’, *Journal of Legislative Studies*, imleabhar. 8, uimh. 3, lch. 49–66.

²³ Manning, ‘The Seanad’.

²⁴ Garvin, *The Irish Senate*.

²⁵ Laver (2002), ‘The Role and Future of the Upper House in Ireland’, 49–66; agus Coakley, J. (2013), *Reforming Political Institutions: Ireland in Comparative Perspective*, Baile Átha Cliath: An Foras Riaracháin.

²⁶ Hunt, *The Role of the Houses of the Oireachtas*.

²⁷ Groves and Lynch, ‘Seanad Éireann: 100 Years of Ireland’s Upper House’.

moladh as na 350 moladh a rinneadh sa bhille a bhí ann ina dhiaidh sin.²⁸ Tá Comhchoistí comhdhéanta de sheanadóirí agus Teachtaí Dála. Bheadh sé deacair an ról atá ag Comhchoistí Thithe an Oireachtas a choinneáil, ról atá ag éirí níos tábhachtaí, gan na seasca seanadóir a bhíonn ina gcomhalta gníomhach de na coistí go minic.

Tá méadú as cuimse tagtha ar an méid billí comhalta príobháidigh (BCPanna) a pléadh sa Seanad ó bhí an bhliain 2011 ann, rud nach raibh ach ina chuid bheag d'ualach oibre seanadóra tráth.²⁹ As na 281 BCP a tugadh isteach sa Seanad ó bunaíodh é sa bhliain 1922 go dtí an bhliain 2020, pléadh 179 ceann acu idir na blianta 2011 agus 2020.³⁰ Ritheadh aon BCP déag idir na blianta 2008 agus 2022 agus ritheadh seacht gcinn acu le linn an chúigiú Seanad is fiche (2016-20) agus le linn an séú Seanad is fiche (2020-).

Maoirseacht agus seiceáil maidir le cumhacht feidhmeannais

Le Bunreacht 1937, leagadh ról freisin ar an Seanad chun cobhsaíocht an chórais polaitíochta a chaomhnú, tá sé sin ar cheann eile de phríomhróil na seomraí uachtaracha a d'aithin an IIDCT. Le hAlt 27, tugtar ról don Seanad (chomh maith leis an uachtaráin agus aon trian den Dáil) maidir leis an mBunreacht a chosaint ó fheidhmeannas a dhéanann iarracht reachtaíocht a rith a d'fhéadfadh teacht salach ar an mBunreacht nó cur in aghaidh leas náisiúnta ríthábhachtach.³¹ Go dtí seo, ní raibh sé riachtanach an chumhacht sin a chur i bhfeidhm. Tá ról freisin ag an Seanad sa phróiseas maidir le huachtarán nó breitheamh a tháinseamh as mí-iompar sonraithe (Alt 12.10 agus Alt 35 den Bhunreacht faoi seach). I gcomhthéacs reifreann na bliana 2013, d'áitigh Fergal Quinn, a bhí ina Sheanadóir ag an am, go ndéanfaí 'athrú bunúsach ar nádúr an daonlathais parlaiminte agus ar an gcóras seiceálacha agus ceartúcháin ar a bhfuil an Bunreacht bunaithe dá gcealófaí an Seanad'. D'éilih sé go ndéanfaí 'díospóireacht chuí', mar shampla, 'ar cibé an bhfuil sé cuí ó thaobh an daonlathais de go mbeadh móramh neamhbhuan Dála in ann Uachtaráin nó Breitheamh a tháinseamh'.³²

²⁸ Lynch C. agus Martin S. (2020), 'Can Parliaments Be Strengthened? A Case Study of Pre-legislative Scrutiny', *Irish Political Studies*, Imleabhar. 35, Uimh. 1, Ich. 138–57.

²⁹ Garvin, *The Irish Senate*.

³⁰ Sonrá a bailíodh ó Bhunachar Sonrai Thithe an Oireachtas ar Bhillí agus Achtanna [faighte Mártá na bliana 2020].

³¹ Lúaitear in Alt 27 den Bhunreacht gur féidir reifreann nó olltoghchán a thionscnamh sa chás go ndéanfadh tromlach an tSeanaid, chomh maith le haon trian de chomhaltaí na Dála, achainí chuig an uachtaráin lena chur in iúl dó go bhfuil togra istigh sa bhille a bhfuil an oiread sin tábhacht náisiúnta ag baint leis gur chóir breith an phobail a fháil ina leith.

³² *Díospóireachtaí Sheanad Éireann*, 3 Iúil 2013.

Ról an tSeanaid amach anseo

Tá amhras caite ar ról, comhdhéanamh agus córas toghcháin an tSeanaid níos minice ná aon institiúid polaitíochta eile in Éirinn, agus ceistítear fiú cibé an bhfuil gá le hé a bheith ann ar chor ar bith.³³ Seans gurb é is cúis leis sin ná nach dtuigtear córas an dá sheomra go maith. Nó b'fhéidir go bhfuil éiginnteacht ann faoin dream a dhéanann an Seanad ionadaíocht dó mar gheall ar chastacht agus nádúr indíreach an chórais toghcháin. Cé gurb é an bealach chun an córas toghcháin ar leith atá ag an Seanad a 'réiteach' príomhchúram na n-athbhreithnithe iomadúla a rinneadh ar an Seanad, den chuid is mó, is cosúil gurb é comhdhéanamh neamhghnách an tSeanaid is cúis leis an ról suntasach agus na láidreachtaí atá aige, tríid is tríd.

Ní léir an ndéanfar athchóiriú toghchánach sula i bhfad. Leis an gcuid is mó de na moltaí ar athchóiriú, lena n-áirítear na cinn is déanaí a phléann Boyle agus Manning san imleabhar seo, coinnítear an córas ainmniúcháin gairme (i gcomhréir leis an mBunreacht) agus moltar gné a bhaineann le vótáil an phobail ach a bhfuil bunús geografach an-difriúil i gceist leis ná mar atá ag toghcháin na Dála. Leis an moladh deireanach sin, dhéanfaí cinnte go leanfaí an Seanad d'ionadaíocht a bheith aige atá éagsúil le hionadaíocht na Dála. Is mó seans go ndéanfaí athchóiriú ar an gceart vótála maidir leis an seisear seanadóirí ollscoile a thoghadh, cé nach bhfuil sé sin cinnte, ná mar a dhéanfaí athchóiriú bunúsach ar an gcóras toghcháin.³⁴

Is trí fhaisnéis a chur ar fáil agus trí áiteamh a bhíonn tionchar ag an Seanad, go príomha, seachas trí chumhacht a bheith aige. Chuir an Seanad, de réir a chéile, leis an méid daoine a ndéanann sé freastal air agus leis na feidhmeanna atá aige go háirithe ó socraíodh córas Choiste an Oireachtais síos. Déantar forbairt ar an láidreacht sin leis na hathchóirithe a rinneadh ar an Seanad agus ar glacadh leo le déanaí. Mar shampla, bunóidh an Seanad Roghchoiste maidir le grinnscrúdú ar reachtaíocht thánaisteach chun treoracha an Aontais Eorpaidh (AE) a thrasúí. Déanfaidh an Roghchoiste na hionstraimí reachtúla lena trasúifear treoracha an AE i ndíl na hÉireann agus a bhfuil grinnscrúdú níos géire ó choiste de dhíth orthu sula sínítear isteach

³³ MacCarthaigh M. agus Martin S. (2015), The Referendum to Abolish the Seanad. *Irish Political Studies*, imleabhar. 31, uimh. 1, lch. 292.

³⁴ Ceadaíodh sa Seanad bille comhalta príobháidigh, ina moltar an ceart vótála do na suíocháin ollscoile a leathnú chuig céimíthe ó gach ollscoil, agus ina moltar toghcheantar amháin a bhfuil sé shuíochán ann a chur in áit an dá toghcheantar a bhfuil trí shuíochán iontu, agus cuireadh an bille sin ar aghaidh chuig céim an choiste i mí Dheireadh Fómhair na bliana 2022. Cur chuige eile atá ann ná toghcheantar nua amháin a bhfuil dhá shuíochán ann a bhunú agus toghcheantair Ollscoil Bhaile Átha Cliath agus Ollscoil na hÉireann atá ann cheana féin a choinneáil ach an méid suíocháin atá sna toghcheantair sin a laghdú go dhá shuíochán.

i ndlí iad a bhreithniú. Bhunaigh an Seanad meicníocht fhoirmiúil chun dul i mbun oibre le chéile le feisirí de Pharlaimint na hEorpa (tugtar cuireadh d'fheisirí de Pharlaimint na hEorpa i dtrí ghrúpa bunaithe ar an toghcheantar inar toghadh iad) maidir leis na saincheisteanna is ábhartha d'Éirinn. Tugadh isteach ionstraim nua pharlaiminte – díospóireachtaí gairme – a bhfuil sé mar aidhm léi treoir éigin a thabhairt do shaineolas coitianta chomhaltaí an phainéil (ar gné shainiúil é sin a bhaineann le hionadaíocht an tSeanaid), tráth a bhfuil an institiúid i dtús a dara céad bliain ar an bhfód.

Is taighdeoir sinsearach í an Dr Catherine Lynch leis an Seirbhís Leabharlainne & Taighde, Tithe an Oireachtas

Current senators



Garret Ahearn
Seanad years: 2020–present
Seanad term: 26th



Catherine Ardagh
Seanad years: 2016–present
Seanad terms: 25th–26th



Frances Black
Seanad years: 2016–present
Seanad terms: 25th–26th



Niall Blaney
Seanad years: 2020–present
Seanad term: 26th



Victor Boyhan
Seanad years: 2016–present
Seanad terms: 25th–26th



Lynn Boylan
Seanad years: 2020–present
Seanad term: 26th



Paddy Burke
Seanad years: 1993–present
Seanad terms: 20th–26th



Jerry Buttimmer
Seanad years: 2007–2011
2016–present
Seanad terms: 23rd &
25th–26th



Malcolm Byrne
Seanad years: 2020–present
Seanad term: 26th



Maria Byrne
Seanad years: 2016–present
Seanad terms: 25th–26th



Micheál Carrigy
Seanad years: 2020–present
Seanad term: 26th



Pat Casey
Seanad years: 2020–present
Seanad term: 26th



Shane Cassells
Seanad years: 2020–present
Seanad term: 26th



Lisa Chambers
Seanad years: 2020–present
Seanad term: 26th



Lorraine Clifford-Lee
Seanad years: 2016–present
Seanad terms: 25th–26th



Tom Clonan
Seanad years: 2022–present
Seanad term: 26th



Martin Conway
Seanad years: 2011–present
Seanad terms: 24th–26th



Gerard P. Craughwell
Seanad years: 2014–present
Seanad terms: 24th–26th



Ollie Crowe
Seanad years: 2020–present
Seanad term: 26th



John Cummins
Seanad years: 2020–present
Seanad term: 26th



Emer Currie
Seanad years: 2020–present
Seanad term: 26th



Mark Daly
Seanad years: 2007–present
Seanad terms: 23rd–26th



Paul Daly
Seanad years: 2016–present
Seanad terms: 25th–26th



Aidan Davitt
Seanad years: 2016–present
Seanad terms: 25th–26th



Regina Doherty
Seanad years: 2020–present
Seanad term: 26th



Aisling Dolan
Seanad years: 2020–present
Seanad term: 26th



Timmy Dooley
Seanad years: 2002–2007
2020–present
Seanad terms: 22nd & 26th



Mary Fitzpatrick
Seanad years: 2020–present
Seanad term: 26th



Eileen Flynn
Seanad years: 2020–present
Seanad term: 26th



Robbie Gallagher
Seanad years: 2016–present
Seanad terms: 25th–26th



Róisín Garvey
Seanad years: 2020–present
Seanad term: 26th



Paul Gavan
Seanad years: 2016–present
Seanad terms: 25th–26th



Pippa Hackett
Seanad years: 2019–present
Seanad terms: 25th–26th



Alice-Mary Higgins
Seanad years: 2016–present
Seanad terms: 25th–26th



Annie Hoey
Seanad years: 2020–present
Seanad term: 26th



Gerry Horkan
Seanad years: 2016–present
Seanad terms: 25th–26th



Sharon Keogan
Seanad years: 2020–present
Seanad term: 26th



Seán Kyne
Seanad years: 2020–present
Seanad terms: 25th–26th



Tim Lombard
Seanad years: 2016–present
Seanad terms: 25th–26th



Vincent P. Martin
Seanad years: 2020–present
Seanad term: 26th



Michael McDowell
Seanad years: 2016–present
Seanad terms: 25th–26th



John McGahon
Seanad years: 2020–present
Seanad term: 26th



Erin McGreehan
Seanad years: 2020–present
Seanad term: 26th



Rebecca Moynihan
Seanad years: 2020–present
Seanad term: 26th



Rónán Mullen
Seanad years: 2007–present
Seanad terms: 23rd–26th



Eugene Murphy
Seanad years: 2020–present
Seanad term: 26th



David P. B. Norris
Seanad years: 1987–present
Seanad terms: 18th–26th



Niall Ó Donnghaile
Seanad years: 2016–present
Seanad terms: 25th–26th



Denis O'Donovan
Seanad years: 1989–1992
1997–2002 / 2007–present
Seanad terms: 19th, 21st &
23rd–26th



Fiona O'Loughlin
Seanad years: 2020–present
Seanad term: 26th



Joe O'Reilly
Seanad years: 1989–1992
2007–2011 / 2016–present
Seanad terms: 19th, 23rd &
25th–26th



Pauline O'Reilly
Seanad years: 2020–present
Seanad term: 26th



Ned O'Sullivan
Seanad years: 2007–present
Seanad terms: 23rd–26th



Lynn Ruane
Seanad years: 2016–present
Seanad terms: 25th–26th



Mary Seery Kearney
Seanad years: 2020–present
Seanad term: 26th



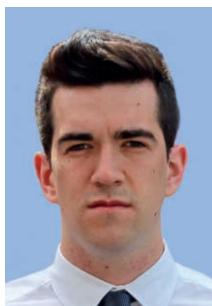
Marie Sherlock
Seanad years: 2020–present
Seanad term: 26th



Mark Wall
Seanad years: 2020–present
Seanad term: 26th



Barry Ward
Seanad years: 2020–present
Seanad term: 26th



Fintan Warfield
Seanad years: 2016–present
Seanad terms: 25th–26th



Diarmuid Wilson
Seanad years: 2002–present
Seanad terms: 22nd–26th

List of senators, 1922 to present

Seanad No: 1922
11 December 1922 – 19 May 1936

Last Name	First Name
Bagwell	John Philip
Barniville	Henry Leo
Barrington	William
Bennett	Thomas Westropp
Bourke	Dermot
Brown	Samuel Lombard ¹
Burgess	Henry Givens
Butler	Richard A.
Costello	Eileen Ellen
Counihan	John Joseph
Cummins	William ²
De Loughry	Peter
Desart	Countess of
Douglas	James Green
Dowdall	James Charles
Duffy	Michael
Dunraven	Earl of Dunraven (Windham Wyndham-Quin)
Esmonde	Thomas Henry Grattan
Everard	Nugent Talbot
Eyre	Edmund
Farren	Thomas
Fitzgerald	Martin
Foran	Thomas ³
Forbes	Bernard
Glenavy	Lord

¹ Brown, Samuel Lombard, start date: 12 December 1923

² Cummins, William, start date: 21 February 1923

³ Foran, Thomas, start date: 28 November 1923

Last Name	First Name
Goodbody	James Perry
Green	Alice Stopford
Greer	Henry
Griffith	John Purser
Guinness	Henry Seymour
Haughton	Benjamin
Howard	Ralph
Hutcheson Poë	William
Hyde	Douglas ⁴
Irwin	Cornelius J.
Jackson	Arthur
Jameson	Hon. Andrew
Keane	John
Kenny	Patrick W.
Linehan	Thomas
Love	Joseph Clayton
MacEvoy	Edward
MacKean	James
MacLoughlin	John
MacLysaght	Edward
MacPartlin	Thomas
Mahon	Bryan
Mansfield	Edward
Molloy	William John
Moore	Maurice George
Moran	James
Nesbitt	George
O'Dea	Michael
O'Neill	John ⁵
O'Farrell	John Thomas
O'Rourke	Brian
O'Sullivan	William
Parkinson	James Joseph
Petty-Fitzmaurice	Henry
Plunkett	Horace
Power	Jane Wyse
Sigerson	George
St John Gogarty	Oliver
Taylor	Geoffrey
Yeats	William Butler

⁴ Hyde, Douglas, start date: 4 February 1925

⁵ O'Neill, John, start date: 5 March 1925

Seanad No: 1925
6 December 1925 – 19 May 1936

Last Name	First Name
Bagwell	John Philip
Barniville	Henry Leo
Barrington	William
Bellingham	Edward
Bennett	Thomas Westropp
Bigger	Edward Coey
Bourke	Dermot
Brady	Patrick J. ⁶
Brown	Samuel Lombard ⁷
Burgess	Henry Givens
Costello	Eileen Ellen
Counihan	John Joseph
Cummins	William
Desart	Countess of
Dillon	James
Douglas	James Green
Dowdall	James Charles
Duffy	Michael
Dunraven	Earl of Dunraven (Windham Wyndham-Quin)
Esmonde	Thomas Henry Grattan
Everard	Nugent Talbot
Eyre	Edmund
Fanning	Michael
Farren	Thomas
Fitzgerald	Martin
Foran	Thomas
Forbes	Bernard
Glenavy	Lord
Goodbody	James Perry
Green	Alice Stopford
Greer	Henry
Griffith	John Purser
Guinness	Henry Seymour

⁶ Brady, Patrick J., start date: 26 January 1927

⁷ Brown, Samuel Lombard, start date: 10 February 1926

Last Name	First Name
Haughton	Benjamin
Hickie	William
Hooper	Patrick Joseph ⁸
Howard	Ralph
Jackson	Arthur
Jameson	Hon. Andrew
Keane	John
Kennedy	Cornelius
Kenny	Patrick W.
Linehan	Thomas
MacGuinness	Francis
MacKean	James
MacLoughlin	John
Mahon	Bryan
Molloy	William John
Moore	Maurice George
Moran	James
Nugent	Walter ⁹
O'Connor	Joseph
O'Farrell	John Thomas
O'Hanlon	Michael F.
O'Mara	Stephen
O'Rourke	Brian
O'Sullivan	William
Parkinson	James Joseph
Petty-Fitzmaurice	Henry
Power	Jane Wyse
St John Gogarty	Oliver
Taylor	Geoffrey
Toal	Thomas
Yeats	William Butler

⁸ Hooper, Patrick Joseph, start date: 23 March 1927

⁹ Nugent, Walter, start date: 1 March 1928

Seanad No: 1928

6 December 1928 – 19 May 1936

Last Name	First Name
Bagwell	John Philip
Barniville	Henry Leo
Barrington	William
Bellingham	Edward
Bennett	Thomas Westropp
Bigger	Edward Coey
Brown	Samuel Lombard
Browne	Kathleen Anne ¹⁰
Butler	Richard A. ¹¹
Byrne	Alfred
Clarke	Kathleen
Comyn	Michael
Connolly	Joseph
Costello	Eileen Ellen
Counihan	John Joseph
Crosbie	George
Cummins	William
Desart	Countess of
Dillon	James
Douglas	James Green
Dowdall	James Charles
Duffy	Michael
Esmonde	Thomas Henry Grattan
Everard	Nugent Talbot ¹²
Fanning	Michael
Farren	Thomas
Foran	Thomas
Forbes	Bernard
Green	Alice Stopford
Griffith	John Purser
Guinness	Henry Seymour
Hickie	William
Hooper	Patrick Joseph

¹⁰ Browne, Kathleen Anne, start date: 20 June 1929

¹¹ Butler, Richard A., start date: 23 October 1929

¹² Everard, Nugent Talbot, start date: 10 April 1929

Last Name	First Name
Jameson	Hon. Andrew
Johnson	Thomas
Keane	John
Kennedy	Cornelius
Kenny	Patrick W.
Linehan	Thomas
MacEllin	Seán
MacGuinness	Francis
MacKean	James
MacLoughlin	John
Mahon	Bryan
Milroy	Seán
Molloy	William John
Moore	Maurice George
Moran	James
Nugent	Walter
O'Connor	Joseph
O'Doherty	Joseph
O'Farrell	John Thomas
O'Hanlon	Michael F.
O'Neill	Laurence ¹³
O'Rourke	Brian
O'Sullivan	William
Parkinson	James Joseph
Petty-Fitzmaurice	Henry
Power	Jane Wyse
Reeks	McGillycuddy of the
Robinson	Seamus
Sears	William
Staines	Michael ¹⁴
St John Gogarty	Oliver
Toal	Thomas
Wilson	Richard

¹³ O'Neill, Laurence, start date: 20 June 1929

¹⁴ Staines, Michael, start date: 12 December 1930

Seanad No: 1931
6 December 1931 – 19 May 1936

Last Name	First Name
Bagwell	John Philip
Barniville	Henry Leo
Bellingham	Edward
Bennett	Thomas Westropp
Bigger	Edward Coey
Blythe	Ernest ¹⁵
Brown	Samuel Lombard
Browne	Kathleen Anne
Byrne	Alfred
Clarke	Kathleen
Comyn	Michael
Connolly	Joseph
Costello	Eileen Ellen
Counihan	John Joseph
Crosbie	George ¹⁶
Cummins	William
Desart	Countess of
Dillon	James
Douglas	James Green
Dowdall	James Charles
Duffy	Michael
Duggan	Edmund John ¹⁷
Esmonde	Thomas Henry Grattan
Fanning	Michael
Farren	Thomas
Foran	Thomas
Forbes	Bernard
Garahan	Hugh
Griffith	John Purser
Guinness	Henry Seymour
Hickie	William
Jameson	Hon. Andrew

¹⁵ Blythe, Ernest, start date: 2 January 1934

¹⁶ Crosbie, George, start date: 2 January 1932

¹⁷ Duggan, Edmund John, start date: 19 April 1933

Last Name	First Name
Johnson	Thomas
Keane	John
Kennedy	Cornelius
Keyes	Raphael P. ¹⁸
Linehan	Thomas
Lynch	Patrick ¹⁹
MacEllin	Seán
MacGuinness	Francis
MacKean	James
MacLoughlin	John
MacParland	Daniel Henry
Milroy	Seán
Moore	Maurice George
Moran	James
O'Connor	Joseph
O'Doherty	Joseph
O'Farrell	John Thomas
O'Hanlon	Michael F.
O'Neill	Laurence
O'Rourke	Brian
O'Sullivan	William
Parkinson	James Joseph
Power	Jane Wyse
Quirke	William
Reeks	McGillycuddy of the
Robinson	David Lubbock
Robinson	Seamus
Rose Vincent	Arthur A.
Ryan	Seamus
St John Gogarty	Oliver
Staines	Michael
Toal	Thomas
Wilson	Richard

¹⁸ Keyes, Raphael P., start date: 2 January 1934

¹⁹ Lynch, Patrick, start date: 28 September 1934

Seanad No: 1934
6 December 1934 – 19 May 1936

Last Name	First Name
Bagwell	John Philip
Barniville	Henry Leo
Baxter	Patrick Francis
Bellingham	Edward
Bennett	Thomas Westropp
Bigger	Edward Coey
Blythe	Ernest ²⁰
Boyle	James Joseph
Brown	Samuel Lombard
Browne	Kathleen Anne
Clarke	Kathleen
Comyn	Michael
Connolly	Joseph
Counihan	John Joseph
Cummins	William
Dillon	James
Douglas	James Green
Dowdall	James Charles
Duffy	Michael
Duggan	Edmund John
Fanning	Michael
Farren	Thomas
Fitzgerald	Séamus
Foran	Thomas
Garahan	Hugh
Griffith	John Purser
Healy	Denis D.
Hickie	William
Honan	Thomas
Jameson	Hon. Andrew
Johnson	Thomas
Kennedy	Cornelius
Kennedy	Thomas
Keyes	Raphael P. ²¹

²⁰ Blythe, Ernest, start date: 2 January 1934

²¹ Keyes, Raphael P., start date: 2 January 1934

Last Name	First Name
Linehan	Thomas
Lynch	Patrick ²²
MacEllin	Seán
MacKean	James
MacLoughlin	John
MacParland	Daniel Henry
Milroy	Seán
Moore	Maurice George
O'Connor	Joseph
O'Farrell	John Thomas
O'Hanlon	Michael F.
Ó Maillé	Pádraic
O'Neill	Laurence
O'Rourke	Brian
O'Sullivan	William
Parkinson	James Joseph
Power	Jane Wyse
Quirke	William
Reeks	McGillycuddy of the
Robinson	David Lubbock
Robinson	Seamus
Ruane	Thomas
St John Gogarty	Oliver
Staines	Michael
Toal	Thomas
Wilson	Richard

²² Lynch, Patrick, start date: 28 September 1934

Seanad No: 2nd
27 April – 22 July 1938

Last Name	First Name
Alton	Ernest H.
Barniville	Henry Leo
Baxter	Patrick Francis
Butler	John
Byrne	Christopher Michael
Caffrey	William John
Concannon	Helena
Condon	Thomas
Conway	Michael
Corkery	Daniel
Crosbie	James
Douglas	James Green
Doyle	Patrick
Farnan	Robert
Gaffney	John
Gibbons	Seán F.
Greene	John Nassau
Hawkins	Frederick
Hayes	Michael
Hayes	Seán
Hearne	Michael
Honan	Thomas
Hughes	Gilbert
Hyde	Douglas
Johnston	James
Johnston	Joseph
Keane	John
Kehoe	Patrick
Kennedy	Cornelius
Kennedy	Margaret
Keohane	Patrick ²³
Kearns-MacWhinney	Linda
MacDermot	Frank
MacFhionnlach	Peadar
MacLoughlin	John

²⁸ Keohane, Patrick, start date: 10 May 1958

Last Name	First Name
Madden	David John
Magennis	Prof. William
McShea	Thomas
Milroy	Seán
Moore	Maurice George
Mulcahy	Richard James
Newcome	John Joseph
O'Callaghan	William
O'Donovan	Seán
O'Dwyer	Martin
Ó hEochadha	Seamus
Ó Maille	Pádraic
O'Rourke	Brian
O'Sullivan	Gearóid
Parkinson	James Joseph
Pearse	Margaret Mary
Quirke	William
Reeks	McGillycuddy of the
Robinson	David Lubbock
Rowlette	Dr Robert James
Ruane	Thomas
Stafford	Matthew
Tierney	Prof. Michael
Tunney	James
Twomey	Michael
Walsh	David

Seanad No: 3rd
7 September 1938 – 14 July 1943

Last Name	First Name
Alton	Ernest H.
Barniville	Henry Leo
Baxter	Patrick Francis
Blaney	Neil
Brennan	Joseph
Butler	John
Byrne	Christopher Michael
Campbell	Seán Patrick
Colbert	Michael
Concannon	Helena
Conlon	Martin
Corkery	Daniel
Counihan	John Joseph
Crosbie	James
Cummins	William
Delany	Thomas William
Douglas	James Green
Doyle	Patrick
Farnan	Robert
FitzGerald	Desmond
Foran	Thomas
Gibbons	Seán F.
Goulding	Seán
Hawkins	Frederick
Hayes	Michael
Hayes	Seán
Healy	Denis D.
Hogan	Patrick
Honan	Thomas
Johnston	James
Johnston	Joseph
Keane	John
Kehoe	Patrick
Kelly	Peter Trainor
Kennedy	Margaret
Keohane	Patrick

Last Name	First Name
Lynch	Eamonn
Lynch	Peter Timothy
MacCabe	Dominick
MacDermot	Frank
MacEllin	Seán
MacFhionnlach	Peadar
MacLoughlin	John
Madden	David John
Magennis	Prof. William
McGee	James Thomas
Moore	Maurice George
Ó Buachalla	Liam ²⁴
O'Callaghan	William
O'Connell	Thomas J. ²⁵
O'Donovan	Seán
O'Dwyer	Martin
Ó Maillé	Pádraic ²⁶
O'Neill	Laurence ²⁷
Parkinson	James Joseph
Pearse	Margaret Mary
Quirke	William
Reeks	McGillycuddy of the
Robinson	David Lubbock
Rowlette	Dr Robert James
Ruane	Thomas
Stafford	Matthew
Tierney	Prof. Michael
Tunney	James

²⁴ Ó Buachalla, Liam, start date: 25 October 1939

²⁵ O'Connell, Thomas J., start date: 22 January 1941

²⁶ Ó Maillé, Pádraic, start date: 22 July 1942

²⁷ O'Neill, Laurence, start date: 2 January 1940

Seanad No: 4th
8 September 1943 – 5 July 1944

Last Name	First Name
Barniville	Henry Leo
Baxter	Patrick Francis
Brennan	Joseph
Butler	John
Campbell	Seán Patrick
Colbert	Michael
Colgan	Michael
Concannon	Helena
Corkery	Daniel
Counihan	John Joseph
Crosbie	James
Doyle	Patrick
Farnan	Robert
Fearon	William Robert
Foran	Thomas
Gibbons	Seán F.
Goulding	Seán
Hannigan	Joseph
Hawkins	Frederick
Hayden	Thomas
Hayes	Michael
Healy	Denis D.
Hearne	Michael
Hogan Jnr	Daniel
Honan	Thomas
Johnston	James
Keane	John
Kehoe	Patrick
Kelly	Peter Trainor
Kennedy	Margaret
Kennedy	Thomas
Kingsmill Moore	Theodore Conyngham
Kyle	Sam
Lynch	Peter Timothy
MacCabe	Dominick
Madden	David John

Last Name	First Name
Magennis	Prof. William
Maguire	John Aloysius
McGee	James Thomas
Monahan	Edward
Mulcahy	Richard James
O'Beirne	Frank
Ó Buachalla	Liam
O'Connell	Tomas J.
O'Donnell	Frank Hugh
O'Donovan	Seán
O'Loghlen	Peter Joseph
Ó Maille	Pádraic
O'Sullivan	Donal
Parkinson	James Joseph
Pearse	Margaret Mary
Quirke	William
Rowlette	Dr Robert James
Ruane	Seán
Smyth	Michael
Stafford	Matthew
Sweetman	Gerard
Tierney	Prof. Michael
Walsh	Richard
Walsh	Thomas

Seanad No: 5th
18 August 1944 – 12 March 1948

Last Name	First Name
Barniville	Henry Leo
Baxter	Patrick Francis
Bigger	Joseph Warwick ²⁸
Butler	John
Campbell	Seán Patrick
Clarkin	Andrew Sylvester
Concannon	Helena
Condon	Thomas
Corkery	Daniel
Counihan	John Joseph
Crosbie	James
Crowley	Tadhg
Douglas	James Green
Doyle	Patrick
Duffy	Luke Joseph
Farnan	Robert
Fearon	William Robert
Foran	Thomas
Goulding	Seán
Hawkins	Frederick ²⁹
Hayden	Thomas
Hayes	Michael
Healy	Denis D.
Hearne	Michael
Hogan Jnr	Daniel
Honan	Thomas
Horan	Edmund
Johnston	James
Johnston	Joseph
Keane	John
Keane	John Thomas
Kehoe	Patrick
Kelly	Peter Trainor

²⁸ Bigger, Joseph Warwick, start date: 22 November 1947

²⁹ Hawkins, Frederick, start date: 24 July 1946

Last Name	First Name
Kennedy	Margaret
Kennedy	Thomas
Kingsmill Moore	Theodore Conyngham
Kyle	Sam
Lynch	Peter Timothy
MacCabe	Dominick
MacEllin	Seán
Madden	David John
Magennis	Prof. William
McGee	James Thomas
Meighan	John Joseph
Ó Buachalla	Liam
O'Callaghan	William
O'Dea	Louis
O'Donovan	Seán
O'Donovan	Timothy Joseph
Ó Maillé	Pádraic
O'Reilly	Patrick
O'Reilly	Patrick John
Ó Siadhail	Pádraig ³⁰
Pakenham	Edward Arthur Henry ³¹
Parkinson	James Joseph
Pearse	Margaret Mary
Quirke	William
Ruane	Seán
Ruane	Thomas
Ryan	Michael
Smyth	Michael
Stafford	Matthew
Summerfield	Frederick ³²
Sweetman	Gerard
Tunney	James

³⁰ Ó Siadhail, Pádraig, start date: 22 February 1946

³¹ Pakenham, Edward Arthur Henry, start date: 7 November 1946

³² Summerfield, Frederick, start date: 7 March 1945

Seanad No: 6th
21 April 1948 – 25 July 1951

Last Name	First Name
Anthony	Richard Sidney
Barniville	Henry Leo
Baxter	Patrick Francis
Bennett	George Cecil
Bigger	Joseph Warwick
Brennan	Joseph
Burke	Denis
Burke	Robert Malachy
Butler	Eleanor
Butler	John
Campbell	Seán Patrick
Clarkin	Andrew Sylvester
Colgan	Michael
Concannon	Helena
Counihan	John Joseph
Crosbie	James
Davidson	Mary Frances ³³
Dockrell	Henry Morgan
Douglas	James Green
Duffy	Luke Joseph
Fearon	William Robert
Finan	John
Fitzsimons	Patrick
Fogarty	Andrew
Gibbons	Seán F.
Goulding	Seán
Hawkins	Frederick
Hayes	Michael
Hayes	Seán
Hearne	Michael
Honan	Thomas
Ireland	Denis
Lavery	Cecil
Loughman	Francis

³³ Davidson, Mary Frances, start date: 16 June 1950

Last Name	First Name
Lynch	Peter Timothy
McCartan	Patrick
McCrea	James
McGee	James Thomas
McGuire	Edward Augustine
Meighan	John Joseph
O'Brien	George Augustine Thomas
Ó Buachalla	Liam
O'Callaghan	William
O'Connell	Tomas J.
O'Donovan	Timothy Joseph
O'Dwyer	Martin
O'Farrell	John Thomas
O'Farrell	Séamus
O'Reilly	Patrick
Pearse	Margaret Mary
Quinn	Martin
Quirke	William
Richards-Orpen	Edward Richard
Ruane	Seán
Ryan	Col. Jeremiah
Smyth	Michael
Stanford	William Bedell
Summerfield	Frederick
Sweetman	Edmund
Tunney	James
Woulfe	Patrick

Seanad No: 7th
14 August 1951 – 7 July 1954

Last Name	First Name
Ághas	Pádraig
Barniville	Henry Leo
Baxter	Patrick Francis
Budd	Frederick
Burke	Denis
Butler	John
Clarkin	Andrew Sylvester
Colgan	Michael
Commons	Bernard
Concannon	Helena
Corkery	Daniel
Cunningham	John ³⁴
Douglas	James Green
Dowdall	Jane
Farnan	Robert
Fearon	William Robert
Fitzsimons	Patrick
Gorry	Patrick Joseph
Goulding	Seán
Hartnett	Noel
Hartney	Seán
Hawkins	Frederick
Hayes	Michael
Hayes	Seán
Hearne	Michael
Honan	Thomas
Jessop	William ³⁵
Johnston	Joseph
Kilroy	James
Kissane	Eamon
Loughman	Francis
Lynch	James B.
Lynch	Peter Timothy

³⁴ Cunningham, John, start date: 25 February 1953

³⁵ Jessop, William, start date: 12 March 1952

Last Name	First Name
McCrea	James
McFadden	Michael Óg
McGee	James Thomas
McGuire	Edward Augustine
McHugh	Vincent
McMullen	William
Meighan	John Joseph
O'Brien	George Augustine Thomas
Ó Buachalla	Liam
O'Callaghan	William
O'Donnell	Frank Hugh
O'Donovan	Seán
O'Donovan	Timothy Joseph
O'Dwyer	Martin
O'Grady	Seán
O'Higgins	Michael Joseph
O'Reilly	Patrick
O'Reilly	Patrick F.
O'Rourke	Daniel
Ó Siadhail	Pádraig
Pearse	Margaret Mary
Quirke	William
Ruane	Seán
Ruane	Thomas
Stanford	William Bedell
Summerfield	Frederick
Teehan	Patrick J.
Tunney	James
Yeats	Michael B.

Seanad No: 8th**22 July 1954 – 28 March 1957**

Last Name	First Name
Anthony	Richard Sidney
Barniville	Henry Leo
Baxter	Patrick Francis
Bergin	Patrick
Bohan	Seamus ³⁶
Burke	Denis
Butler	John
Carton	Victor
Clarkin	Andrew Sylvester
Cogan	Patrick
Commons	Bernard
Cox	Arthur
Crosbie	James
Crowley	Patrick
Davidson	Mary Frances
Douglas	John Harold ³⁷
Douglas	James Green
Dowdall	Jane
Fearon	William Robert
ffrench-O'Carroll	Michael
Guinness	Henry Eustace
Hartney	Seán
Hawkins	Frederick
Hayes	Michael
Hayes	Seán
Hickey	James
Kelly	Liam
Kissane	Eamon
L'Estrange	Gerald
Lynch	John
Lynch	Peter Timothy
Mannion	John
McCrea	James

³⁶ Bohan, Seamus, start date: 14 May 1956³⁷ Douglas, John Harold, start date: 1 October 1954

Last Name	First Name
McGee	James Thomas
McGuire	Edward Augustine
McHugh	Roger Joseph
Meighan	John Joseph
Murphy	Dominick
O'Brien	George Augustine Thomas
Ó Buachalla	Liam
O'Callaghan	William
O'Connell	Tomas J.
O'Donnell	Frank Hugh
O'Gorman	Patrick James
O'Keeffe	James J. ³⁸
O'Reilly	Patrick
O'Sullivan	John L.
O'Sullivan	Timothy
Pearse	Margaret Mary
Prendergast	Mícheál Anthony
Purcell	Frank
Quirke	William
Reidy	James
Ruane	Seán
Ruane	Thomas
Sheehy Skeffington	Owen Lancelot
Sheridan	John Donnelly
Sheridan	Joseph M. ³⁹
Smith	Matthew
Stanford	William Bedell
Teehan	Patrick J.
Tierney	Patrick
Tunney	James
Walsh	Louis
Woods	William ⁴⁰

³⁸ O'Keeffe, James J., start date: 14 May 1956

³⁹ Sheridan, Joseph M., start date: 14 May 1956

⁴⁰ Woods, William, start date: 14 May 1956

Seanad No: 9th
22 May 1957 – 1 September 1961

Last Name	First Name
Ahern	Liam
Barniville	Henry Leo
Barry	Anthony
Baxter	Patrick Francis
Brady	Seán
Brennan	John ⁴¹
Browne	Edward ⁴²
Burke	Denis
Carter	Frank
Carton	Victor
Cole	John Copeland
Colley	Harry
Connolly O'Brien	Nora
Connor	Patrick
Crowe	Patrick
Crowley	Patrick
Crowley	Tadhg
Davidson	Mary Frances
Dillon	Gerard ⁴³
Donegan	Patrick S.
Dowdall	Jane
Farnan	Robert
Fearon	William Robert
Fitzsimons	Patrick
Hayes	Michael
Hayes	Seán
Hogan Jnr	Daniel
Jessop	William ⁴⁴
Kissane	Eamon
Lahiffe	Robert
Lenihan Snr	Brian
L'Estrange	Gerald

⁴¹ Brennan, John, start date: 9 February 1960

⁴² Browne, Edward, start date: 1 November 1960

⁴³ Dillon, Gerard, start date: 1 November 1960

⁴⁴ Jessop, William, start date: 13 May 1960

Last Name	First Name
Lynch	Peter Timothy
McGuire	Edward Augustine
Moylan	Seán
Mullins	Thomas
Murphy	Dominick
O'Brien	George Augustine Thomas
Ó Buachalla	Liam
O'Callaghan	William
O'Donovan	John
O'Donovan	Seán
O'Dwyer	Martin ⁴⁵
O'Grady	Seán
O'Keeffe	James J.
O'Leary	John
O'Quigley	John Benignus
O'Reilly	Patrick
Ó Siocadhra	Pádraig
O'Sullivan	John L.
O'Sullivan	Timothy
Pearse	Margaret Mary
Prendergast	Mícheál Anthony
Purcell	Frank
Quinlan	Patrick Michael
Roddy	Joseph
Ruane	Thomas
Ryan	Eoin David
Sheehy Skeffington	Owen Lancelot
Sheridan	John Donnelly
Sheridan	Joseph M.
Stanford	William Bedell
Teehan	Patrick J.
Tunney	James
Walsh	Laurence Joseph
Walsh	Louis ⁴⁶

⁴⁵ O'Dwyer, Martin, start date: 9 February 1960

⁴⁶ Walsh, Louis, start date: 29 January 1958

Seanad No: 10th
25 November 1964 – 28 July 1965

Last Name	First Name
Ahern	Kathleen ⁴⁷
Ahern	Liam
Boland	Gerald
Brady	Seán
Brennan	John
Brosnahan	Seán
Browne	Seán
Butler	John
Carton	Victor
Cole	John Copeland
Connolly O'Brien	Nora
Costello	John ⁴⁸
Crowley	Patrick
Davidson	Mary Frances
Desmond	Cornelius
Donegan	Bartholomew ⁴⁹
Dooge	James
Farrell	Joseph
Fitzgerald	John Jack
Fitzpatrick	Thomas J.
Fitzsimons	Patrick
Flanagan	Thomas P.
Hayes	Michael
Hayes	Seán
Healy	Augustine
Hogan Jnr	Daniel
Jessop	William
Killilea Snr	Mark
Kissane	Eamon
L'Estrange	Gerald
Lahiffe	Robert
Lindsay	Patrick James

⁴⁷ Ahern, Kathleen, start date: 25 November 1964

⁴⁸ Costello, John, start date: 28 November 1963

⁴⁹ Donegan, Bartholomew, start date: 28 November 1963

Last Name	First Name
Mannion	John
McAuliffe	Timothy
McDonald	Charles B.
McGlinchey	Bernard
McGuire	Edward Augustine
Moloney	Daniel J.
Mooney	Joe
Mullins	Thomas
Murphy	Dominick
Nash	John Joseph
Nolan	Thomas
O'Brien	George Augustine Thomas
Ó Buachalla	Liam
Ó Conalláin	Dónall
Ó Siochfhradha	Pádraig
O'Donovan	Seán
O'Reilly	Patrick
O'Sullivan	Timothy
Pearse	Margaret Mary
Prendergast	Micheál Anthony
Quigley	Joseph
Quinlan	Patrick Michael
Ross	J. N.
Ruane	Thomas
Ryan	Eoin David
Ryan	Patrick
Ryan	William
Sheldon	William Alexander
Sheridan	John Donnelly
Stanford	William Bedell
Yeats	Michael B.

Seanad No: 11th
23 June 1965 – 24 July 1969

Last Name	First Name
Ahern	Kathleen (Kit)
Ahern	Liam
Alton	Bryan
Boland	Gerald
Brennan	John
Brosnahan	Seán
Browne	Seán
Carton	Victor
Cole	John Copeland
Conlan	John F.
Connolly O'Brien	Nora
Crowley	Patrick
Davidson	Mary Frances
Dolan	Séamus
Dooge	James
Egan	Kieran P.
Farrell	Joseph
Fitzgerald	Garret
Fitzgerald	John Jack
Fitzsimons	Patrick
Flanagan	Thomas P.
Honan	Dermot P.
Jessop	William
Killilea Snr	Mark
Leneghan	Joseph R.
Malone	Patrick
Mannion	John
Martin	James
McAuliffe	Timothy
McDonald	Charles B.
McElgunn	Farrell ⁵⁰
McGlinchey	Bernard
McGowan	Paddy
McHugh	Vincent

⁵⁰ McElgunn, Farrell, start date: 21 November 1968

Last Name	First Name
McQuillan	John
Mullins	Thomas
Murphy	Dominick
Nash	John Joseph
Ó Buachalla	Liam
Ó Conalláin	Dónall
O'Donovan	Seán
O'Kennedy	Michael
O'Quigley	John Benignus
O'Reilly	Patrick
O'Reilly	Patrick
O'Sullivan	Denis
O'Sullivan	Timothy
Ormonde	John
Pearse	Margaret Mary
Prendergast	Micheál Anthony
Quinlan	Patrick Michael
Rooney	Eamonn
Ryan	Eoin David
Ryan	James
Ryan	Patrick
Ryan	William
Sheehy Skeffington	Owen Lancelot
Sheldon	William Alexander
Stanford	William Bedell
Teehan	Patrick J.
Yeats	Michael B.

Seanad No: 12th
5 November 1969 – 30 March 1973

Last Name	First Name
Ahern	Kathleen (Kit)
Ahern	Liam
Alton	Bryan
Belton	Richard
Boland	John
Brennan	John
Brosnahan	Seán
Brugha	Ruairí
Butler	Pierce
Cranitch	Mícheál
Crinion	Brendan
Desmond	Eileen
Dooge	James
Doyle	John
Dunne	James
Farrell	Joseph
Farrell	Peggy
Farrelly	Denis
Fitzgerald	Alexis
Fitzgerald	John Jack
Fitzsimons	Patrick
Flanagan	Thomas P.
Gallanagh	Michael
Garrett	Jack
Hanafin	Des
Honan	Dermot P.
Horgan	John
Jessop	William
Keegan	Seán ⁵¹
Keery	Neville
Kelly	John M.
Kennedy	Fintan
Killilea Jnr	Mark
Lyons	Michael D.

⁵¹ Keegan, Seán, start date: 16 June 1970

Last Name	First Name
Malone	Patrick
Mannion	John M.
Martin	James
McDonald	Charles B.
McElgunn	Farrell
McGlinchey	Bernard
McGowan	Paddy
Mullins	Thomas
Nash	John Joseph
Norton	Patrick
O'Brien	Andy
O'Brien	William
O'Callaghan	Cornelius Kevin ⁵²
O'Higgins	Michael Joseph
O'Sullivan	Terence
Owens	Evelyn
Prendergast	Micheál Anthony
Quinlan	Patrick Michael
Reynolds	Patrick J.
Robinson (Bourke)	Mary
Russell	George E.
Ryan	Eoin David
Ryan	Patrick
Ryan	William
Sheehy Skeffington	Owen Lancelot
Sheldon	William Alexander
Walsh	Seán
West	Timothy Trevor ⁵³
Yeats	Michael B.

⁵² O'Callaghan, Cornelius Kevin, start date: 24 February 1970

⁵³ West, Timothy Trevor, start date: 19 November 1970

Seanad No: 13th
1 June 1973 – 16 July 1977

Last Name	First Name
Ahern	Kathleen (Kit)
Aylward	Bob
Barrett	Jack
Blennerhasset	John
Boland	John
Brennan	John
Brosnahan	Seán
Brosnan	Seán
Browne	Noel C.
Browne	Patrick
Burke	Liam ⁵⁴
Burton	Philip
Butler	Pierce
Codd	Patrick ⁵⁵
Connolly	Roderick James ⁵⁶
Cowen	Bernard
Daly	Jack ⁵⁷
Deasy	Austin
Dolan	Séamus
Dooge	James
Farrelly	Denis
Ferris	Michael ⁵⁸
Finn	Martin ⁵⁹
Fitzgerald	Alexis
Fitzgerald	John Jack
Fox	Billy
Garrett	Jack
Guinness	Arthur Francis Benjamin
Halligan	Brendan
Hanafin	Des
Harte	John

⁵⁴ Burke, Liam, start date: 21 June 1977

⁵⁵ Codd, Patrick, start date: 23 April 1975

⁵⁶ Connolly, Roderick James, start date: 23 April 1975

⁵⁷ Daly, Jack, start date: 23 April 1975

⁵⁸ Ferris, Michael, start date: 23 April 1975

⁵⁹ Finn, Martin, start date: 21 June 1977

Last Name	First Name
Higgins	Michael D.
Horgan	John
Keegan	Seán
Kennedy	Fintan
Kerrigan	Patrick
Kilbride	Thomas
Killilea Jnr	Mark
King	Frank ⁶⁰
Lenihan Snr	Brian
Lyons	Michael D.
Mannion	John M.
Markey	Bernard
Martin	Augustine
McAuliffe	Timothy
McCartin	Joe J.
McGlinchey	Bernard
McGowan	Paddy
McGrath	Patrick
McHugh	Vincent ⁶¹
Moynihan	Michael
Mullen	Michael
O'Brien	Andy
O'Brien	William
O'Callaghan	Cornelius Kevin
O'Higgins	Michael Joseph
O'Toole	Patrick
Owens	Evelyn
Prendergast	Mícheál Anthony ⁶²
Quinlan	Patrick Michael
Quinn	Ruairí ⁶³
Robinson	Mary
Russell	George E.
Ryan	Eoin David

⁶⁰ King, Frank, start date: 22 June 1977

⁶¹ McHugh, Vincent, start date: 24 April 1976

⁶² Prendergast, Mícheál Anthony, start date: 23 April 1975

⁶³ Quinn, Ruairí, start date: 1 July 1976

Last Name	First Name
Ryan	William
Sanfey	James
Walsh	Mary
West	Timothy Trevor
Whyte	Liam
Yeats	Michael B.

Seanad No: 14th
27 October 1977 – 16 July 1981

Last Name	First Name
Blennerhasset	John
Brennan	Seamus
Brugha	Ruairí
Burke	Liam
Butler	Pierce
Cassidy	Eileen
Connaughton	Paul
Conroy	Richard
Cooney	Patrick Mark
Cranitch	Mícheál
Crowley	Florence
Cruise-O'Brien	Conor
De Brún	Séamus
Dolan	Séamus
Donnelly	Michael Patrick ⁶⁴
Doolan	Jim ⁶⁵
Dowling	Joseph
Ellis	John
Fitzgerald	Alexis
Garrett	Jack
Goulding	Valerie
Governey	Desmond
Hanafin	Des
Harney	Mary
Harte	John
Herbert	Anthony
Hillery	Brian J.
Honan	Tras
Howard	Michael
Hussey	Gemma
Hyland	Liam
Jago	Valentine
Keating	Justin

⁶⁴ Donnelly, Michael Patrick, start date: 7 December 1977

⁶⁵ Doolan, Jim, start date: 16 April 1980

Last Name	First Name
Kennedy	Fintan
Kiely	Rory
Kilbride	Thomas
Kitt	Michael P.
Lambert	C. Gordon
Lanigan	Mick
Lynch	Gerard
Lyons	Michael D.
Mara	Patrick ⁶⁶
Markey	Bernard
Martin	Augustine
McAuliffe	Timothy
McCartin	Joe J.
McDonald	Charles B.
McGlinchey	Bernard
McGowan	Paddy
McGuinness	Catherine ⁶⁷
Molony	David
Moynihan	Michael
Mulcahy	Noel William
Murphy	John A.
O'Brien	Andy
O'Neill	Joseph
O'Toole	Martin J.
Reynolds	Patrick J.
Robinson	Mary ⁶⁸
Ruttle	James ⁶⁹
Ryan	Eoin David
Ryan	William
Staunton	Myles
West	Timothy Trevor
Whitaker	Thomas
Yeats	Michael B

⁶⁶ Mara, Patrick, start date: 16 July 1981

⁶⁷ McGuinness, Catherine, start date: 11 December 1979

⁶⁸ Robinson, Mary, start date: 17 October 1977

⁶⁹ Ruttle, James, start date: 20 June 1980

Seanad No: 15th
8 October 1981 – 16 April 1982

Last Name	First Name
Blennerhasset	John
Bolger	Deirdre
Bruton	Richard
Bulbulia	Katharine
Burke	Ulick
Butler	Pierce
Byrne	Toddie
Carey	Donal
Carroll	John
Cogan	Barry
Conway	Timothy
Cranitch	Mícheál
Dolan	Séamus
Dooge	James
Dunne	Patrick
Fallon	Sean
Fausset	Robert
Ferris	Michael
Fitzgerald	Alexis
Fitzgerald	Tom
Hanafin	Des
Harte	John
Higgins	Jim
Hillery	Brian J.
Honan	Tras
Howard	Michael
Hussey	Gemma
Hussey	Thomas
Kearney	Miriam
Kennedy	Patrick
Kiely	Daniel
Kiely	Rory
Lanigan	Mick
Lawlor	Patsy
Leonard	James
Magner	Patrick

Last Name	First Name
Manning	Maurice
Mannion	John M.
McAuliffe	Timothy
McDonald	Charles B.
McGuinness	Catherine
Mullooly	Brian
Murphy	John A.
Naughten	Liam
O'Brien	Andy
O'Connell	Maurice
O'Leary	Sean A.
O'Mahony	Flor
O'Rourke	Mary
O'Toole	Martin J.
Quinn	Ruairí
Reynolds	Patrick J.
Robinson	Mary
Ross	Shane
Ryan	Brendan
Ryan	Eoin David
Ryan	William
Staunton	Myles
Walsh	Joe
Whitaker	Thomas

Seanad No: 16th
13 May – 21 December 1982

Last Name	First Name
Barnes	Monica
Belton	Luke
Bolger	Deirdre
Brennan	Patrick
Bulbulia	Katharine
Byrne	Toddie
Cassidy	Donie
Conway	Seán
Conway	Timothy
Cranitch	Mícheál
Cregan	Denis
Crowley	Florence
Daly	Jack
De Brún	Séamus
Dooge	James
Dowling	Richard
Durkan	Bernard J.
Eames	Aidan ⁷⁰
Fallon	Sean
Farrell	Willie
Ferris	Michael
Fitzgerald	Tom
Hanafin	Des
Hannon	Camilla
Harte	John
Herbert	Anthony
Honan	Tras
Hourigan	Richard
Howard	Michael
Hussey	Thomas
Kenneally	Billy
Killilea Jnr	Mark
Lanigan	Mick
Larkin	James

⁷⁰ Eames, Aidan, start date: 13 December 1982

Last Name	First Name
Lennon	Joseph
Loughrey	Joachim
Mallon	Seamus
Mannion	John M.
Mara	Patrick
McAuliffe	Timothy
McDonald	Charles B.
McGlinchey	Bernard
Mullooly	Brian
Murphy	John A.
Nolan	M. J.
O'Connell	Maurice
O'Connor	Seán ⁷¹
O'Keffe	Ned
O'Mahony	Flor
O'Rourke	Mary
O'Toole	Martin J.
Reynolds	Patrick J.
Robb	John
Robinson	Mary
Ross	Shane
Ryan	Brendan
Ryan	Eoin David
Ryan	William
Smith	Michael
Taylor-Quinn	Madeleine
Wall	Frank ⁷²
West	Timothy Trevor
Wright	G. V.

⁷¹ O'Connor, Seán, start date: 13 December 1982⁷² Wall, Frank, start date: 13 December 1982

Seanad No: 17th
23 February 1983 – 3 April 1987

Last Name	First Name
Belton	Luke
Browne	John
Bulbulia	Katharine
Burke	Ulick
Cassidy	Donie
Connor	John
Conway	Timothy
Cregan	Denis
Daly	Jack
De Brún	Séamus
Deenihan	Jimmy
Dooge	James
Durcan	Patrick
Ellis	John
Fallon	Sean
Fennell	Nuala ⁷³
Ferris	Michael
Fitzgerald	Alexis
Fitzsimons	Jack
Fleming	Brian A.
Hanafin	Des
Harte	John
Higgins	Jim
Higgins	Michael D.
Hillery	Brian J.
Honan	Tras
Hourigan	Richard
Howard	Michael
Howlin	Brendan
Hussey	Thomas
Kelleher	Peter
Kennedy	Patrick
Kiely	Rory
Killilea Jnr	Mark

⁷³ Fennell, Nuala, start date: 20 February 1987

Last Name	First Name
Kirwan	Christy
Lanigan	Mick
Lennon	Joseph
Loughrey	Joachim
Lynch	Michael
Magner	Patrick
McAuliffe-Ennis	Helena
McDonald	Charles B.
McGonagle	Stephen
McGuinness	Catherine
McMahon	Lawrence
Mullooly	Brian
O'Brien	Andy
O'Donoghue	Martin
O'Leary	Sean A.
O'Mahony	Flor
O'Toole	Martin J.
O'Toole	Patrick ⁷⁴
Quealy	Michael
Reynolds	Patrick J.
Robb	John
Robinson	Mary
Rodgers	Brid
Ross	Shane
Ryan	Brendan
Ryan	Eoin David
Ryan	William
Smith	Michael

⁷⁴ O'Toole, Patrick, start date: 20 February 1987

Seanad No: 18th
25 April 1987 – 5 July 1989

Last Name	First Name
Bohan	Eddie
Bradford	Paul
Bromell	Tony ⁷⁵
Bulbulia	Katharine
Byrne	Seán
Cassidy	Donie
Connor	John
Cregan	Denis
Cullimore	Séamus
Daly	Jack
De Buitléar	Eamon
Doherty	Michael
Dawson	Michael ⁷⁶
Doyle	Joseph
Eogan	George
Fallon	Sean
Farrell	Willie
Fennell	Nuala
Ferris	Michael
Fitzgerald	Tom
Fitzsimons	Jack
Friel	Brian
Hanafin	Des
Harte	John
Haughey	Seán
Hillery	Brian J.
Hogan	Phil
Honan	Tras
Hussey	Thomas
Kavanagh	Paul ⁷⁷
Kelleher	Peter
Kennedy	Patrick
Kiely	Daniel

⁷⁵ Bromell, Tony, start date: 19 December 1988

⁷⁶ Dawson, Michael, start date: 26 June 1989

⁷⁷ Kavanagh, Paul, start date: 26 June 1989

Last Name	First Name
Kiely	Rory
Lanigan	Mick
Loughrey	Joachim
Lydon	Don
Magnier	John
Manning	Maurice
McCormack	Pádraic
McDonald	Charles B.
McDonnell	Frank ⁷⁸
McEllistrim Jnr	Thomas
McGowan	Paddy
McKenna	Tony
McMahon	Lawrence
Mooney	Paschal
Mullooly	Brian
Mulroy	Jimmy
Murphy	John A.
Norris	David P. B.
O'Callaghan	Vivian
O'Connell	John F.
O'Connor	Nicholas
O'Shea	Brian
O'Toole	Joe
O'Toole	Martin J.
Reynolds	Gerry
Robb	John
Robinson	Mary
Ross	Shane
Ryan	Brendan
Ryan	William
Wallace	Mary

⁷⁸ McDonnell, Frank, start date: 28 June 1989

Seanad No: 19th
1 November 1989 – 17 December 1992

Last Name	First Name
Bennett	Olga
Bohan	Eddie
Byrne	Hugh
Byrne	Seán
Cassidy	Donie
Conroy	Richard
Cosgrave	Liam T.
Costello	Joe
Cullen	Martin
Daly	Brendan ⁷⁹
Dardis	John
Doherty	Seán
Doyle	Avril
Fallon	Sean
Farrell	Pat ⁸⁰
Farrell	Willie
Finneran	Michael
Fitzgerald	Tom
Foley	Denis
Hanafin	Des
Harte	John
Haughey	Seán
Hederman	Carmencita
Honan	Tras
Hourigan	Richard
Howard	Michael
Hussey	Thomas
Jackman	Mary
Kennedy	Patrick
Keogh	Helen
Kiely	Daniel
Kiely	Rory
Lanigan	Mick

⁷⁹ Daly, Brendan, start date: 3 December 1992

⁸⁰ Farrell, Pat, start date: 3 December 1992

Last Name	First Name
Leyden	Terry ⁸¹
Lydon	Don
Manning	Maurice
McCarthy	Seán
McDonald	Charles B.
McGowan	Paddy
McKenna	Tony
McMahon	Lawrence
Mooney	Paschal
Mullooly	Brian
Murphy	John A.
Naughten	Liam
Neville	Dan
Norris	David P.B.
O'Brien	Francis
Ó Cuív	Éamon
O'Donovan	Denis
Ó Foighil	Pól
O'Keeffe	Batt
O'Reilly	Joe
O'Toole	Joe
Ormonde	Donal
Raftery	Tom
Roche	Dick ⁸²
Ross	Shane
Ryan	Brendan
Ryan	Eoin
Ryan	John J.
Staunton	Myles
Upton	Pat
Wright	G. V.

⁸¹ Leyden, Terry, start date: 3 December 1992⁸² Roche, Dick, start date: 3 December 1992

Seanad No: 20th
17 February 1993 – 10 July 1997

Last Name	First Name
Belton	Louis J.
Berkery	Tom ⁸³
Breathnach	Niamh ⁸⁴
Bohan	Eddie
Burke	Paddy
Byrne	Seán
Calnan	Michael
Cashin	Bill
Cassidy	Donie
Cosgrave	Liam T.
Cosgrave	Niamh ⁸⁵
Cotter	William
Cregan	Denis
Crowley	Brian
D'Arcy	Michael
Daly	Brendan
Dardis	John
Doyle	Joseph
Enright	Michael ⁸⁶
Enright	Tom
Fahey	Frank
Fallon	Sean
Farrell	Willie
Farrelly	John V.
Finneran	Michael
Fitzgerald	Tom
Gallagher	Ann
Haughey	Edward ⁸⁷
Hayes	Brian ⁸⁸
Henry	Mary E. F.
Hillery	Brian J.
Honan	Cathy

⁸³ Berkery, Tom, start date: 13 June 1997

⁸⁴ Breathnach, Niamh, start date: 13 June 1997

⁸⁵ Cosgrave, Niamh, start date: 13 June 1997

⁸⁶ Enright, Michael, start date: 13 June 1997

⁸⁷ Haughey, Edward, start date: 13 December 1994

⁸⁸ Hayes, Brian, start date: 20 December 1995

Last Name	First Name
Howard	Michael
Kelleher	Billy
Kelly	Mary
Kiely	Daniel
Kiely	Rory
Lanigan	Mick
Lee	Joe
Lydon	Don
Magner	Patrick
Maloney	Sean
Manning	Maurice
McAughtry	Sam ⁸⁹
McDonagh	Jarlath
McGennis	Marian
McGowan	Paddy
Mooney	Paschal
Mulcahy	Michael ⁹⁰
Mullooly	Brian
Naughten	Denis ⁹¹
Naughten	Liam
Neville	Dan
Norris	David P.B.
O'Brien	Francis
O'Connor	Aidan ⁹²
O'Kennedy	Michael
O'Sullivan	Jan
O'Toole	Joe
Ormonde	Ann
Quinn	Feargal
Reynolds	Gerry
Roche	Dick
Ross	Shane
Sherlock	Joe
Taylor-Quinn	Madeleine
Townsend	Jim
Wall	Jack
Wilson	Gordon
Wright	G.V.

⁸⁹ McAughtry, Sam, start date: 23 February 1996⁹⁰ Mulcahy, Michael, start date: 13 December 1994⁹¹ Naughten, Denis, start date: 28 January 1997⁹² O'Connor, Aidan, start date: 13 June 1997

Seanad No: 21st
17 September 1997 – 26 June 2002

Last Name	First Name
Bohan	Eddie
Bonner	Enda
Burke	Paddy
Caffrey	Ernie
Callanan	Peter
Cassidy	Donie
Chambers	Frank
Coghlan	Paul
Connor	John
Coogan	Fintan A.
Cosgrave	Liam T.
Costello	Joe
Cox	Margaret
Cregan	Denis
Cregan	John ⁹³
Dardis	John
Doyle	Avril
Doyle	Joseph
Farrell	Willie
Finneran	Michael
Fitzgerald	Liam
Fitzgerald	Tom
Fitzpatrick	Dermot
Gallagher	Pat
Gibbons	Jim
Glennon	Jim ⁹⁴
Glynn	Camillus
Hanafin	Des
Haughey	Edward
Hayes	Dr Maurice
Hayes	Tom
Henry	Mary E. F.
Jackman	Mary

⁹³ Cregan, John, start date: 23 June 1998

⁹⁴ Glennon, Jim, start date: 9 June 2000

Last Name	First Name
Keogh	Helen
Kett	Tony
Kiely	Daniel
Kiely	Rory
Lanigan	Mick
Leonard	Ann
Lydon	Don
Mackin	Martin ⁹⁵
Manning	Maurice
McDonagh	Jarlath
McGowan	Paddy
Mooney	Paschal
Moylan	Pat
Mullooly	Brian
Nolan	M. J. ⁹⁶
Norris	David P. B.
O'Brien	Francis
O'Donovan	Denis
O'Dowd	Fergus
Ó Fearghaíl	Seán ⁹⁷
O'Meara	Kathleen
Ó Murchú	Labhrás
O'Rourke	Mary ⁹⁸
O'Toole	Joe
Ormonde	Ann
Quill	Máirín
Quinn	Feargal
Ridge	Therese
Ross	Shane
Ryan	Brendan
Ryan	Seán
Taylor-Quinn	Madeleine
Walsh	Jim

⁹⁵ Mackin, Martin, start date: 22 May 2002

⁹⁶ Nolan, M.J., start date: 18 December 2001

⁹⁷ Ó Fearghaíl, Seán, start date: 9 June 2000

⁹⁸ O'Rourke, Mary, start date: 22 May 2002

Seanad No: 22nd
12 September 2002 – 4 July 2007

Last Name	First Name
Bannon	James
Bohan	Eddie
Bradford	Paul
Brady	Cyprian
Brennan	Michael
Browne	Fergal
Burke	Paddy
Burke	Ulick
Callanan	Peter
Cassidy	Donie ⁹⁹
Coghlan	Paul
Coonan	Noel
Cox	Margaret
Cummins	Maurice
Daly	Brendan
Dardis	John
Dooley	Timmy
Dorgan	Seán ¹⁰⁰
Feeney	Geraldine
Feighan	Frankie
Finucane	Michael
Fitzgerald	Liam
Glynn	Camillus
Hanafin	John Gerard
Hayes	Brian
Hayes	Dr Maurice
Henry	Mary E. F.
Higgins	Jim
Kenneally	Brendan
Kett	Tony
Kiely	Rory
Kitt	Michael P.
Leyden	Terry

⁹⁹ Cassidy, Donie, start date: 23 June 2007

¹⁰⁰ Dorgan, Seán, start date: 23 June 2007

Lydon	Don
MacSharry	Marc
Mansergh	Dr Martin
McCarthy	Michael
McDowell	Derek
McHugh	Joe
Minihan	John
Mooney	Paschal
Morrissey	Tom
Moylan	Pat
Norris	David P. B.
O'Brien	Francis
O'Gorman	Colm ¹⁰¹
O'Meara	Kathleen
Ó Murchú	Labhrás
O'Rourke	Mary
O'Toole	Joe
Ormonde	Ann
Phelan	John Paul
Phelan	Kieran
Quinn	Feargal
Ross	Shane
Ryan	Brendan
Sands	Peter ¹⁰²
Scanlon	Eamon
Terry	Sheila
Tuffy	Joanna
Wall	Chris ¹⁰³
Walsh	Jim
Walsh	Kate
White	Mary M.
Wilson	Diarmuid

¹⁰¹ O'Gorman, Colm, start date: 3 May 2007

¹⁰² Sands, Peter, start date: 23 June 2007

¹⁰³ Wall, Chris, start date: 23 June 2007

Seanad No: 23rd
13 September 2007 – 20 April 2011

Last Name	First Name
Bacik	Ivana
Boyle	Dan
Bradford	Paul
Brady	Martin
Burke	Paddy
Butler	Larry
Buttimer	Jerry
Callanan	Peter
Callely	Ivor
Cannon	Ciarán
Carroll	James ¹⁰⁴
Carty	John
Cassidy	Donie
Coffey	Paudie
Coghlan	Paul
Corrigan	Maria
Cummins	Maurice
Daly	Mark
Dearey	Mark
De Búrca	Déirdre
Doherty	Pearse ¹⁰⁵
Donohoe	Paschal
Ellis	John
Feeney	Geraldine
Fitzgerald	Frances
Glynn	Camillus
Hanafin	John Gerard
Hannigan	Dominic
Harris	Eoghan
Healy Eames	Fidelma
Keaveney	Cecilia
Kelly	Alan
Kett	Tony

¹⁰⁴ Carroll, James, start date: 26 November 2009

¹⁰⁵ Doherty, Pearse, start date: 26 November 2010

Last Name	First Name
Leyden	Terry
MacSharry	Marc
McCarthy	Michael
McDonald	Lisa
McFadden	Nicky
Mooney	Paschal ¹⁰⁶
Moylan	Pat
Mullen	Rónán
Norris	David P. B.
O'Brien	Darragh ¹⁰⁷
O'Brien	Francis
Ó Brocháin	Niall ¹⁰⁸
Ó Domhnaill	Brian
O'Donovan	Denis
O'Malley	Fiona
Ó Murchú	Labhrás
O'Reilly	Joe
O'Sullivan	Ned
O'Toole	Joe
Ormonde	Ann
Phelan	John Paul
Phelan	Kieran
Prendergast	Phil
Quinn	Feargal
Regan	Eugene
Ross	Shane
Ryan	Brendan
Twomey	Liam
Walsh	Jim
White	Alex
White	Mary M.
Wilson	Diarmuid

¹⁰⁶ Mooney, Paschal, start date: 19 January 2010

¹⁰⁷ O'Brien, Darragh, start date: 4 March 2011

¹⁰⁸ Ó Brocháin, Niall, start date: 14 December 2009

Seanad No: 24th
25 May 2011 – 24 April 2016

Last Name	First Name
Bacik	Ivana
Barrett	Sean D.
Bradford	Paul
Brennan	Terry
Burke	Colm
Burke	Paddy
Byrne	Thomas
Cahill	Máiríá ¹⁰⁹
Clune	Deirdre
Coghlan	Eamonn
Coghlan	Paul
Comiskey	Michael
Conway	Martin
Craughwell	Gerard P. ¹¹⁰
Crown	John
Cullinane	David
Cummins	Maurice
D'Arcy	Jim
D'Arcy	Michael
Daly	Mark
Gilroy	John
Harte	Jimmy
Hayden	Aideen
Healy Eames	Fidelma
Heffernan	James
Henry	Imelda
Higgins	Lorraine
Keane	Cáit
Kelly	John
Landy	Denis
Leyden	Terry
Mac Conghail	Fiach
MacSharry	Marc

¹⁰⁹ Cahill, Máiríá, start date: 13 November 2015

¹¹⁰ Craughwell, Gerard P., start date: 10 February 2014

Last Name	First Name
McAleese	Martin ¹¹¹
Moloney	Marie
Mooney	Paschal
Moran	Mary
Mulcahy	Tony
Mullins	Rónán
Mullins	Michael
Naughton	Hildegarde ¹¹²
Noone	Catherine
Norris	David P. B.
O'Brien	Darragh
O'Brien	Mary Ann
Ó Clochartaigh	Trevor
Ó Domhnaill	Brian
O'Donnell	Marie-Louise
O'Donovan	Denis
O'Keffe	Susan
Ó Murchú	Labhrás
O'Neill	Pat
O'Sullivan	Ned
Power	Averil
Quinn	Feargal
Reilly	Kathryn
Sheahan	Tom
Walsh	Jim
Whelan	John
White	Mary M.
Wilson	Diarmuid
Van Turnhout	Jillian
Zappone	Katherine

¹¹¹ McAleese, Martin, resignation date: 5 February 2013¹¹² Naughton, Hildegarde, start date: 19 July 2013

Seanad No: 25th
25 April 2016 – 29 March 2020

Last Name	First Name
Ardagh	Catherine
Bacik	Ivana
Black	Frances
Boylehan	Victor
Burke	Colm
Burke	Paddy
Butler	Ray
Buttimer	Jerry
Byrne	Maria
Clifford-Lee	Lorraine
Coffey	Paudie
Coghlan	Paul
Conway	Martin
Conway-Walsh	Rose
Craughwell	Gerard P.
Daly	Mark
Daly	Paul
Davitt	Aidan
Devine	Máire
Dolan	John
Feighan	Frankie
Freeman	Joan
Gallagher	Robbie
Gavan	Paul
Hackett	Pippa ¹¹³
Higgins	Alice-Mary
Hopkins	Maura
Horkan	Gerry
Humphreys	Kevin
Kelleher	Colette
Kyne	Seán ¹¹⁴
Landy	Denis
Lawless	Billy

¹¹³ Hackett, Pippa, start date: 1 November 2019

¹¹⁴ Kyne, Seán, start date: 19 February 2020

Last Name	First Name
Lawlor	Anthony ¹¹⁵
Leyden	Terry
Lombard	Tim
Mac Lochlainn	Pádraig
Marshall	Ian ¹¹⁶
McDowell	Michael
McFadden	Gabrielle
Mulherin	Michelle
Mullen	Rónán
Murnane O'Connor	Jennifer
Nash	Ged
Noone	Catherine
Norris	David P. B.
Ó Céidigh	Pádraig
Ó Clochartaigh	Trevor
Ó Domhnaill	Brian
O'Donnell	Kieran
O'Donnell	Marie-Louise
Ó Donnghaile	Niall
O'Donovan	Denis
O'Mahony	John
O'Reilly	Joe
Ó Ríordáin	Aodhán
O'Sullivan	Grace
O'Sullivan	Ned
Reilly	James
Richmond	Neale
Ruane	Lynn
Swanick	Keith
Warfield	Fintan
Wilson	Diarmuid

¹¹⁵ Lawlor, Anthony, start date: 27 April 2018

¹¹⁶ Marshall, Ian, start date: 27 April 2018

Seanad No: 26th
29 June 2020 – Present

Last Name	First Name
Ahearn	Garret
Ardagh	Catherine
Bacik	Ivana ¹¹⁷
Black	Frances
Blaney	Niall
Boohan	Victor
Boylan	Lynn
Burke	Paddy
Buttimer	Jerry
Byrne	Malcolm
Byrne	Maria ¹¹⁸
Carrigy	Micheál
Casey	Pat
Cassells	Shane
Chambers	Lisa
Clifford-Lee	Lorraine
Clonan	Tom ¹¹⁹
Conway	Martin
Craughwell	Gerard P.
Crowe	Ollie
Cummins	John
Currie	Emer
D'Arcy	Michael ¹²⁰
Daly	Mark
Daly	Paul
Davitt	Aidan
Doherty	Regina
Dolan	Aisling
Dooley	Timmy
Fitzpatrick	Mary
Flynn	Eileen
Gallagher	Robbie

¹¹⁷ Bacik, Ivana, resignation date: 9 July 2021

¹¹⁸ Byrne, Maria, start date: 21 April 2021

¹¹⁹ Clonan, Tom, start date: 31 March 2022

¹²⁰ D'Arcy, Michael, resignation date: 28 September 2020

Last Name	First Name
Garvey	Róisín
Gavan	Paul
Hackett	Pippa
Higgins	Alice-Mary
Hoey	Annie
Horkan	Gerry ¹²¹
Keogan	Sharon
Kyne	Seán
Lombard	Tim
Martin	Vincent P.
McCallion	Elisha ¹²²
McDowell	Michael
McGahon	John
McGreehan	Erin
Moynihan	Rebecca
Mullen	Rónán
Murphy	Eugene
Norris	David P. B.
Ó Donnghaile	Niall
O'Donovan	Denis
O'Loughlin	Fiona
O'Reilly	Joe
O'Reilly	Pauline
O'Sullivan	Ned
Ruane	Lynn
Seery Kearney	Mary
Sherlock	Marie
Wall	Mark
Ward	Barry
Warfield	Fintan
Wilson	Diarmuid

¹²¹ Horkan, Gerry, start date: 21 April 2021¹²² McCallion, Elisha, resignation date: 5 November 2020

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