



Ollscoil na hÉireann
National University of Ireland

Information on role of Chancellor and on NUI

1. Purpose of this document

The aim of this document is to provide potential candidates and potential nominators with information on the role of Chancellor within NUI and on NUI itself.

This document points to and draws from existing documents on previous Chancellors of NUI as well as existing documents to provide background on NUI and its various activities.

The specific arrangements related to the election are appended to the documents.

2. National University of Ireland

Background on National University of Ireland is available on the NUI Website (www.nui.ie)

In addition, available for download from the dedicated Chancellor election webpage is a folder of supporting information. This supporting information contains the following

- OE Plean Straiteiseach 23-27 agus NUI Strategic Plan 23-27
- I gCroílár OE Tuarascáil Thribhliantúil 18-20 agus Inside NUI 18-20
- NUI Institutional Self-Evaluation Report

In addition the NUI office in 49 Merrion square is available to answer any queries.

3. Role of Chancellor

The role of Chancellor

The Statutes of the University say

The Chancellor is the head and chief officer of the University. The Chancellor holds office during their life or until their resignation. The Chancellor is elected by members of convocation of NUI following a nomination of candidates process from convocation.

The role has a much wider remit than those in statute. Given how central higher education is to Irish society and the broad impact and influence of Universities' research and graduates, the Chancellor has an important leadership role. The Chancellor will actively support and influence NUI's own strategic priorities but will also support our member institutions in their strategic priorities. The Chancellor will maintain positive relationships with the senior figures in NUI institutions and the higher education sector.

The Chancellor chairs and leads the Senate of the National University of Ireland. They chair various committees of Senate and convene proceedings at graduation ceremonies of the university. They will also be involved in academic, social and cultural events reflecting the broad scope of NUI's activities. The role is not salaried but reasonable expenses are covered similar to the Chairperson of a University Governing Authority

The stories of the last three holders of the office provide some insight into the role, the challenges they faced and their approach to the Chancellorship. For Dr T.K Whitaker and Dr Garret Fitzgerald below is the text of the chapter on each from the Centenary of Essays published by NUI in 2008. For the immediate past Chancellor links to a biographical note and some press coverage are provided.

3.1 Dr T.K. Whitaker

T. K. Whitaker as Chancellor: 1976-96ⁱ

Ronan Fanning

In 1999 a candidate taking the BA examination in history in UCD wrote:

The person choosing to read a long survey of Irish history, for example from 1600 to the present day, is letting him or herself in for a long tale of misery and hardship. Cromwell, the Famine, emigration, independence but seemingly little improvement in the country. Then, suddenly, towards the end of our hypothetical book, our reader comes across a chapter with a title such as 'New Beginnings' or 'Turning the Tide'. . The Messiah, in the shape of T. K. Whittaker (sic) has arrived.

That passage, forged under examination pressure, explains more succinctly than any words I can readily find why it was that the National University of Ireland chose Thomas Kenneth Whitaker to succeed Eamon de Valera as their third Chancellor. Its sentiments had been uncannily anticipated nearly forty years earlier in the address delivered by James Meenan on the occasion of the NUI conferring Ken Whitaker with an honorary doctorate in 1962. Reflecting on the extraordinary influence of *Economic Development*, the seminal analysis of the Irish economy published under Whitaker's name in 1958, Meenan observed that

this study pleased all the economists; it pleased all the politicians so much that our economic affairs have been conducted ever since, with increasing success, on the basis of a White Paper which bore a greater resemblance to Mr. Whitaker's recommendations than is usual in this imperfect world. To please the economists and the politicians, and at the same time to excite the imagination of the public, has been given to few.ⁱⁱ

Thomas Kenneth Whitaker, a native of Rostrevor, Co. Down was born on 8 December 1916, the son of the assistant manager of a local linen mill and the district nurse who was his second wife. The family moved to Drogheda during the civil war and he was educated at the Christian Brothers' School where, in 1934, he sat the Leaving Certificate and took first place in the clerical officers' examination. 'Once in a blue moon the open competitive examination for the civil service brings to

light a man of ... exceptional type who no power on earth can prevent from sprinting like a flash to the top of the ladder':ⁱⁱⁱ so it was with Ken Whitaker. He was again placed first in ensuing civil service examinations and, at the age of 20, became private secretary to the Minister for Education, Tomás Ó Deirg; in 1938 he became an administrative officer in the Department of Finance where his subsequent rise through the ranks was meteoric. He also obtained external degrees – a BSc (Econ) and MSc (Econ) - from the University of London by private study.^{iv} In 1956, at the tender age of 39, he was appointed Secretary of the Department of Finance – in effect, the head of the Irish civil service – at a time of deep and seemingly inescapable economic depression. He arranged the terms of Ireland's entry to the IMF and World Bank in 1957 and negotiated initial funding from the Ford Foundation for the economic research institute that became the ESRI. *Economic Development* provided the basis for Ireland's First Programme for Economic Expansion and, in 1961-62 (having toured the capitals of the EEC six in 1960), working closely with the Taoiseach, Seán Lemass, he chaired the inter-departmental committee that paved the way for the Europeanisation of Irish foreign policy and, a decade later, for Ireland's entry into the EEC. In 1965, Whitaker initiated and attended Lemass's no less historic meeting with Northern Ireland's Prime Minister, Terence O'Neill in Stormont. On his retirement from the Department of Finance, he became Governor of the Central Bank (1969-76) from which unlikely eminence he played a decisive, although then anonymous, role in sustaining the next Taoiseach, Jack Lynch, at the height of the Northern Ireland crisis.

The Chancellors of the National University of Ireland had hitherto been notable for a low profile in their conduct of that office. Although the first Chancellor, Archbishop William Walsh, had been proactive in his first years in office, ill-health meant that he attended only one meeting of the Senate in 1914-21. Civil war and subsequent imprisonment meant that his successor, Eamon de Valera, was also an absentee Chancellor for his first three years in office. 'During these nine critical years in which Vice-Chancellors had presided ... the Senate developed a momentum of its own'. When de Valera did take up the reins of office, 'he was quite content to play the role of Chairman of the Board rather than Managing Director', relying heavily upon the Registrar and Vice-Chancellors, in particular upon Denis Coffey, the long-serving President of UCD.^v Although assiduous in taking the chair at meetings of the Senate, the habit thus established of leaving the direction of policy to others was reinforced by the demands upon de Valera of political office.

On 19 May 1976, at his installation as Chancellor, Whitaker told the Senate that

he was grateful to the many graduates who voted for him. He felt a responsibility to use all this goodwill for the benefit of Irish University education. He appreciated the support all the more because he was not a scholar or an academic person. He was an external graduate of the London University, who was "nationalised" in 1962 when he received an honorary doctorate in Economic Science from the National University His experience was as an administrator concerned with policy issues. A figurehead Chancellor would be no use to anyone. He wanted to understand all the issues in third-level education in order to participate more effectively in Senate discussions on matters of policy. ... He was very conscious of the responsibility of succeeding Dr. Eamon de Valera who had discharged the office with such dignity for 54 years. The Senate of the National University of Ireland was well placed to exercise leadership in relation to the development of higher education in Ireland.^{vi}

Those words carried enduring conviction: thirty years later Ken Whitaker still spoke with an air of modesty and faint surprise that he had been entrusted with the Chancellorship of the NUI despite his

lack of a formal university education. He also spoke of the sense of culture shock he had experienced at his first meeting of the Senate. The style of chairmanship of the long blind and latterly deaf de Valera had been relaxed, to say the least. Nothing in Ken Whitaker's vast administrative experience had prepared him for a meeting - 'the most chaotic and largest I'd ever had to preside over' - where the thirty or so participants continuously chatted and gossiped interrupted only by the sporadic interjection 'The Senate has decided?' from the Registrar of the NUI, John Bourke, as he wended his way through the agenda; sometimes meetings, which began in mid-morning, were so discursive that they adjourned for lunch. But the new Chancellor soon set his stamp upon things and it became the turn of disconcerted members of the Senate to experience culture shock when one meeting ended in half an hour; the norm was that meetings thereafter ran from 11 to 1.^{vii}

If Ken Whitaker is the personification of change in the history of twentieth century Ireland, Eamon de Valera is, for many historians, the embodiment of stagnation. While that contrast can be exaggerated and is in many respects often over-simplified, it is indisputably true for historians of the NUI. The grotesquely long tenure of de Valera as Chancellor – from a year before Ireland became independent until two years after Ireland joined the EEC - was a massive obstacle to change either in the structure of the NUI or in the relationship between government and the universities. Ministers for Education in de Valera's governments were unlikely even to glance in the direction of a structure at whose apex 'the Chief' was enthroned like a colossus; intermittent and short-lived inter-party governments were similarly, albeit less reverentially inhibited. Whether the Presidents of UCD, UCC and UCG who invited Ken Whitaker to become a candidate for the Chancellorship of the NUI saw him as a catalyst for change is a moot point. **(Note: Whitaker was elected in the largest ever election with a total of nine candidates running)** Yet the winds of changes that had swept through secondary education in the sixties were bound to begin gusting at the doors of the universities and it may be of significance that the initial overture came from the politically astute Tom Murphy, the President of UCD.^{viii} No one was better qualified than Whitaker to manage change and, in particular, to mediate between the NUI and government. How he exercised that role is the subject of this essay.

The portents for change soon appeared when, on 30 July 1976, the Minister for Education, Dick Burke, announced that the constituent colleges of the NUI and St.Patrick's College, Maynooth were to become independent universities. When the Senate considered the implications of this announcement, at an extraordinary meeting on 26 November 1976, the apocalyptic items proposed by the Chancellor for consideration included: the effect of dissolution on the full-time posts of Registrar and fourteen staff, the future of the premises (including Seal, portrait, gowns and records), a host of financial issues, the 'Appointed Day for dissolution', and the 'preservation of existing rights of Professors and statutory officers'. Yet the mood of the meeting, which seemed to accept the ministerial declaration as a *fait accompli*, was remarkably quiescent: it merely decided to inform the Department of Education 'that new legislation should provide for the formal appointment to the new Universities of all statutory appointees in the NUI and that their full rights be incorporated in the legislation'. Even more remarkable was the response when the Chancellor 'asked if the Senate wished to express a view on the Government's decision. It was confirmed that the Senate had no negative view on the decision.'^{ix} That muted response, Ken Whitaker surmised thirty years later, may have been an early intimation of the wish of the constituent colleges for a loosening of the ties that

bound them to the NUI.^x In the event, the coalition government of 1973-77 was nearing the end of its days and Dick Burke's proposal came to nothing.

The mid-seventies have been 'characterised as a period of drift or confusion concerning the future structure of higher education'^{xi} and the best part of a decade elapsed before Gemma Hussey, the Minister for Education in another coalition government, this time led by Garret FitzGerald (a long-standing member of the NUI Senate who was to succeed Whitaker as Chancellor in 1996), told the Dáil in May 1984 of her 'intention to reactivate the question of providing legislation in regard to the structure of our Irish universities'^{xii} - an announcement that prompted the formal application by St. Patrick's College, Maynooth for the status of a Constituent College within the NUI.^{xiii} Gemma Hussey was among the many admirers of Ken Whitaker - 'an extremely nice person, interesting and polished and witty too' she recorded in her diary after the 'rather posh' dinner in the Berkeley Court Hotel to celebrate the 75th anniversary of the NUI^{xiv} - but although her intentions were embodied in a White Paper^{xv}, they suffered the same fate as Dick Burke's.

The summer of 1984 also witnessed the imbroglio between the NUI and the government over the award of an honorary degree to the American President Ronald Reagan on the occasion of his Irish visit. Reagan was unpopular in Ireland and the award sparked protests not least from among the members of the Senate of the NUI. When the dust had settled, the Chancellor made clear the strength of his personal feelings on the issue of the principle involved in awarding honorary degrees to visiting statesmen. He traced the origin of the practice to requests from government that had begun thirty years earlier, when Eamon de Valera was at once Chancellor and Taoiseach, because the state had no honours system of its own. Visiting foreign statesmen who had received such honorary doctorates at the instance of the government included Pandit Nehru (1956), President Kennedy (1963), President Kaunda of Zambia (1964) and the Indian Presidents Radhakrishnan (1964) and Reddy (1982). Where there had been no request from the government - as in the case of the recently retired French President de Gaulle's visit in 1969 - the NUI had taken no initiative thus reinforcing the presumption that 'the University is in this area acting merely as a proxy for the Government'. In the Reagan case Whitaker had taken the view

that the question of an honorary degree should be considered only at the express request of the Government. When the request was made he had advised the Senate that, in the light of precedent, 'the principal relevant considerations were (a) the request of the Government in relation to their invitee to Ireland and (b) the status of the proposed recipient as the Head of an important state (and government) with which Ireland maintained friendly relations' and that these should 'take precedence over any views which, as individual members of the Senate, we might have on U. S. policies, domestic or international. This general approach was, I believe, reflected in the voting, which yielded more than the two-thirds majority required for an affirmative decision. It would be unwise, however, to discount the risk of an embarrassing outcome to such votes in the future.

Of its nature, any convention that presumes a particular outcome to the exercise by the University of its own prerogative is unsatisfactory. Misgivings are reinforced when serious differences arise, within the University and the community, as to the policies of a proposed recipient of a University honour whose main or only claim to recognition is on the political plane. The University, far from having anything to gain in such cases, can only lose through the misunderstanding and division its decision produces.

I am not referring merely to the recent controversial case of President Reagan. My remarks are of general application. The Government's next distinguished guest might conceivably be the President of the USSR. Indeed it is hard to identify any foreign Head of State (the Pope apart) who would today be hailed unanimously in the Republic as the deserving recipient of a formal honour: the country is now full of Skibbereen Eagles!

Whitaker concluded by suggesting that it was time that the convention regarding visiting statesmen be revisited and that the NUI should 'reclaim unqualified discretion ... in the matter of the award of honorary degrees and that the Government should be so advised.'^{xvi} He had already taken the precaution of sending the then Taoiseach, Garret FitzGerald, a rough draft of his letter before the Reagan conferring ceremony in Galway, explaining that he had wanted him 'to see it as Taoiseach before anyone else on the Senate of NUI because relations with the Government are involved. I would be glad if you could indicate your acquiescence in the course proposed'.^{xvii} The Taoiseach's response was all that the Chancellor could have hoped for or expected. Responding in kind, in a personal 'Dear Ken' letter, he also authorised him to indicate his own 'feelings on this matter' to the Senate of which he himself had been long a member:

Whatever merit there may have been in the past about an informal arrangement between the Government and the National University of Ireland in connection with the award of honorary degrees to visiting Heads of State which aroused no controversy, it seems to me that now the matter has become one of public debate it would be better for all concerned and particularly for the University, if the practice of an honorary degree being awarded at the request of the Government came to an end.
...

I propose therefore to inform the Department of Foreign Affairs, as well as my own Department [of the Taoiseach], that no further initiatives should be taken on behalf of the Government in respect of honorary degrees for visiting Heads of State and that in the future it should be a matter entirely for the University itself to decide on its own initiative and responsibility whether it may wish to propose the award of an honorary degree to such personages...

Should the Senate wish to be kept informed on an informal basis of pending visits of Heads of State so that they might give consideration to the award of honorary degrees in certain cases, this could of course be arranged – but only if this were the wish of the Senate and entirely on its own initiative.^{xviii}

The episode serves as a classic example of the discreet determination with which Ken Whitaker strove, both in the Senate and in the corridors of power, to uphold the dignity and reputation of the NUI throughout his Chancellorship.

Yet there was no gainsaying the asymmetrical relationship between the government and the University. The NUI's impotence was again exposed by its inability even to ensure the survival of its recognised colleges in the face of the government's arbitrary decision to close Carysfort College of Education; the Senate at its meeting on 13 March 1986, could do no more than communicate their regret at the lack of consultation to the Department of Education and ask that 'the facilities and potential of Carysfort should continue to be effectively used for the benefit of Third Level education'.^{xix}

Whitaker was also concerned about the future of another recognised college, Maynooth, and in November 1989 he intervened personally in an attempt to smooth the way for its becoming the fourth constituent university of the NUI suggesting that the composition of its Governing Body should be brought into line, '*mutatis mutandis*', with the other governing bodies.^{xx} He returned to the theme early in 1990 when he identified its

major 'peculiarities': Maynooth has no provision for appointments by the NUI Senate to its Governing Body. While the staff of Maynooth, both academic and administrative, and the students, are well represented, there is no place for public representatives, whether from Government or Local authorities. The Bishops have four representatives, a situation unique to Maynooth.^{xxi}

Another cause of contention between the NUI and the government was the matriculation examination offering an additional route to the Department of Education's Leaving Certificate examination for would-be entrants to the NUI. Trinity College had suspended its matriculation examination in 1979 and there was mounting public pressure for UCD to follow suit, spearheaded by the education correspondents of the *Irish Times* (Christina Murphy) and *Irish Independent* (John Walshe) and by Kieran Mulvey, the general secretary of ASTI (Association of Secondary Teachers, Ireland). A report from the NUI's Committee of Registrars recommending the retention of a reformed matriculation examination laid bare deep fissures in the Senate. The Standing Committee, dominated by the university presidents and registrars, disagreed and recommended suspension. But the Senate in turn disagreed, although their decision, on 28 January 1988, to seek 'informal discussions with the Department of Education on the feasibility of initiating reforms in the current structure of examinations at the end of Second Level', in effect opened the door to change.^{xxii} Although Whitaker was regarded as an impeccably impartial chairman who 'never made the mistake of getting involved in discussion'^{xxiii}, he felt the prolongation of the debate was damaging the NUI by exposing it to public criticism and he tried to push the matter to a conclusion at the Senate in April 1989. He argued:

That the NUI had acknowledged the equivalence in all subjects of Leaving Certificate (Pass) and Matriculation for almost fifty years and there was no suggestion that this acceptance should now cease. Other third-level colleges, moreover, relied almost exclusively on the Leaving Certificate.

That the examination was both time consuming and 'a very costly affair (1988 - £599,408).

That the distinction sometimes drawn between the Leaving Certificate as a '*scrúdú fágála*' and the matriculation as a '*scrúdú inontrála*' was 'facile' and unpersuasive.

While acknowledging that 'it might be very difficult in practice, once it was suspended, to reinstate the Matriculation in its present wide form', if concerns arose about a particular subject notwithstanding the safeguards under negotiation with the Department of Education, 'recourse could be had, if all else failed, to holding a separate Matriculation Examination in that subject'.^{xxiv}

The issue became entangled in the ramifications of the government's decision, announced by the Minister for Education, Mary O'Rourke in January 1989, to confer university status on the two National Institutes for Higher Education (in Limerick and Glasnevin) which prompted the Senate decision that 'consideration to be given, in the context of the existing National University system, to Constituent Colleges being re-named as Constituent Universities, and to the working of the federal system being made smoother and more efficient'.^{xxv} It was in this context that the four Presidents sought to defer a decision on the fate of the matriculation examination pending consideration of the

future structure of the NUI and in April 1989 the Senate decided by ‘a pronounced majority’ to continue holding the examination at least until 1991.^{xxvi}

Whitaker now took care to keep lines of communication open to the Department of Education. ‘I want to “fill you in” on the recent NUI Senate decision’, he advised Declan Brennan, the Secretary of the Department of Education; Brennan had been one of Whitaker’s private secretaries when he was Secretary of the Department of Finance and he wrote to him on first name terms suggesting they meet for ‘a short talk, preferably over lunch in Elm Park [Golf Club]’. By this stage the Chancellor’s main concern was to keep the Department informed of ‘the process which is now actively under way to consider which of the two possibilities – complete and separate independence or continued association with a federal NUI with changes in their titles, status and functions’ would provide the most appropriate future structure for the NUI’s four colleges; he told Brennan that he and the four college Presidents ‘will be ready at any time to come to the Department to discuss this matter with you or the Minister and yourself, if so desired’.^{xxvii} But when a meeting with Mary O’Rourke was duly arranged - in Leinster House on 25 May 1989 (the same day that the legislation conferring university status on the two NIHEs came before the Dáil) - it was at her request because her own view on the NUI matriculation examination ‘was being misrepresented in such a way as to cause some division between the NUI and her Department’; she was particularly exercised by the phrase ‘megaphone diplomacy’ in a newspaper article after the NUI Senate’s discussion in April, so much so that she returned to the point three times in the course of a short meeting. The Chancellor told the Minister of the concerns of the NUI Colleges that their status ‘would be diminished by not being designated as Universities. At the same time, they would consider, as an alternative to being completely separate institutions, an arrangement under which they would have a large degree of autonomy, while still retaining the federal dimension’. While the Minister was willing to discuss such issues ‘in due course’, her immediate concern was the Matriculation Examination which, she believed, ‘had “outlived its usefulness”’.^{xxviii}

Sensitive to the rising political temperature, Whitaker did not want the NUI to get involved in a struggle he thought they were bound to lose^{xxix} and to one as well versed in the ways of governments, for a minister to offer such an opinion underscored his anxieties about the dangers of procrastination as the prospect of legislation on ‘the future of the University in the context of the recent Government decision to create two new universities’ loomed. That was the subject of a special meeting of the Senate on 13 July 1989. The options considered by the Presidents, reported the Vice-Chancellor, Michael Mortell, the President of UCC, were

1. That no change be introduced – and that the NUI federal system be strengthened.
2. That maximum autonomy be devolved to the Colleges within the NUI system.
3. That the Colleges would abandon the federal system and seek new legislation.

The Presidents agreed ‘that new structures should evolve to provide autonomy by amending the 1908 Act rather than by recourse to new legislation. It was hoped that legal opinion would show how this could be done.’ In summing up what he described as ‘an extremely constructive discussion, the Chancellor emphasized the following points.

1. The common objective seemed to be the achievement of the Title and the status of a university for the three Constituent Colleges and St. Patrick’s College, Maynooth, with some caution regarding titles, (i.e. NUI at Dublin, or NUI. Dublin), but in a manner which would preserve the federal dimension.

2. ...The degree of autonomy that would be sought by the institutions and the need for achieving a balance between autonomy and the retention of essential functions in relation to (a) appointments, (b) courses of study and (c) matriculation entry standards.
3. ...The range and scope of the autonomy envisaged for the colleges and the areas to be reserved for the central federal authority.
4. It would be important to ensure that NUI spoke with one voice.^{xxx}

The Chancellor, again, perhaps, because of his long experience of government, was less sanguine than the Presidents about the prospect of confining legislation to a mere amendment of the 1908 Act. But although he thought it self-evident that 'the objective of affording virtual autonomy, with university title and status' to the colleges would require legislation, he argued that 'requisite revisions should be identified and kept as few and straightforward as possible' with the objective 'of minimising our exposure to Government and Parliamentary revision of our proposals'.^{xxxi}

In October 1989 the Chancellor again questioned the Senate's decision – 'an interim one at best' - to continue holding a separate matriculation examination at least until 1991, saying that the NUI 'would be unwise to lock itself into an academic fortress for the next three years, impervious to the opinion of Government, of teachers' organizations and of a large section of parents and the general public'. He asked that the matter be put back on the agenda for the Senate meeting in November 1989, with his 'strong personal recommendation ... in favour of ceasing to hold a separate Matriculation Examination as soon as may be fair and practicable'.^{xxxii} What had now become the standard arguments were yet again rehearsed and the upshot was a decision that the Senate, 'with the minimum of further debate', should vote on a specific motion at its next meeting in January 1990.^{xxxiii} 'It is understood the Senate deferred a decision until their next meeting ... despite angry opposition to the exam from teachers and parents', reported one newspaper next day. 'The Minister for Education, Mrs Mary O'Rourke, also wants the Matric abolished.'^{xxxiv} By the end of November, this kind of publicity was compounded by press reports on the prospect of a legal battle to break up the NUI and of a potential conflict between the governing bodies of the constituent colleges and the Senate of the NUI.^{xxxv} But the Chancellor's efforts were finally crowned with success when the motion was carried by the narrowest of margins: 17 votes for and 15 against.^{xxxvi}

The debate on the future structure of the NUI now gathered momentum and a special meeting of the Senate on 10 December 1990 considered conflicting reports from the four Colleges. The President of UCD, Patrick Masterson, reported that six faculties had voted for autonomy, three in favour of heavily devolved powers entailing legislation, and one for minimal changes that 'might be feasible within the existing terms of the Act and Charter'. UCC wanted 'substantial devolution by means of minimal legislation'; their President, Michael Mortell, 'favoured short, sharp legislation'. This was endorsed by Colm Ó hEocha, the President of UCG, where 'a distrust of new legislation' had featured prominently in the discussions; he 'emphasised that four NUI institutions, working together, would have greater strength than if they were separated' and suggested the University of California as a model. The preferred model for Michael Ledwith, the President of Maynooth, was the University of Toronto.^{xxxvii} It fell to the Chancellor to create unity from this diversity. His first step was a draft document for the consideration of the Senate that set out a 'general approach': 'despite differences as to the extent and degree of change desired, it is the common preference of the four Colleges that, while continuing to participate in an NUI system, they should each have the status and title of a university and have greater autonomy'.^{xxxviii} That formula was affirmed at another special meeting of the Senate in February 1991 which considered a 'Revised Draft Submission for Approval' and when,

to the surprise of many, the four Presidents signed up to a common approach on the sensitive issue of title – ‘The National University of Ireland, Dublin’, ‘The National University of Ireland, Cork’ etc. – although they might extend those titles to indicate that they were successors to a specified constituent university e.g. UCD. It was also agreed that a final submission, having been sent for consideration to the Presidents, should then be sent to the Minister for Education without again being referred back to the Senate.^{xxxix}

The speed with which this united front had been created - within two months - was remarkable and it was arguably Ken Whitaker’s greatest achievement as Chancellor. The key to his success was that he had ‘a greater notion of the role of the NUI than some of the Presidents’^{xl}. That said, the respect he commanded among the Presidents was palpable: ‘you could sense it, you could touch it’; even Tom Murphy, not the most pious of men, spoke of him in a ‘reverential way’.^{xli}

On 5 March 1991, the Chancellor duly wrote to the Minister for Education outlining the NUI’s proposals and hoping for early legislation to put those proposals into effect. But it was not until June 19th that the Minister met an NUI delegation composed of the Chancellor, the Registrar and the four Presidents. Although the Minister initially described the proposals as ‘an admirable example of pragmatism’, she also ‘identified what she regarded as the main disadvantage of “still tinkering with the 1908 Act” and ‘suggested that the terminology of the 1908 Act’ might be inappropriate in the Ireland of the 1990s. Why would the NUI not go the extra mile? Why were they ‘satisfied to amend the 1908 Act rather than contemplate a new Act’? The Chancellor replied that

the 1908 Act established the status of the NUI and its Colleges. Preserving historical continuity was a vital element in providing all graduates with access to Degrees of international status. The NUI regarded it as important to preserve its identity as an institution established in 1908 rather than one newly-arrived in 1992 or later. He considered that the 1908 Act was basically satisfactory and could be updated without great difficulty.

Mary O’Rourke’s own instincts were minimalist in regard to university legislation - she said that ‘her mind “would go that way too, if only to see it done”, adding that a major Act ‘would require “huge work”’ – but she again queried ‘whether it might not be preferable now to take a more bold approach, instead of adopting a timid and pragmatic position’. Ken Whitaker had never had qualms about contradicting ministers and he retorted ‘that “bold” could also prove to be “foolish”, stressing that the NUI proposals were courageous and innovative in seeking to balance the preservation of the NUI system, with significant functions, with the conferring of a higher status and autonomy on the Colleges’. Although Mary O’Rourke’s approach was non-confrontational and she clearly wanted the meeting to end on a positive note, her concluding remarks were portentous: first, that the meeting should be regarded as exploratory; and, second, that, ‘while it was her duty to bring the matter to the attention of Cabinet, she could not rule out the possibility that someone in Cabinet could bring forward other proposals, such as the bringing in of a general University Act’; in which case, the Chancellor suggested, the NUI proposals could become part 1 of such an Act.^{xlii}

Six years had elapsed and Ken Whitaker’s Chancellorship had ended before the enactment of the University Act of 1997 but the essence of the NUI strategy fashioned under his leadership in 1991 remained unchanged. Although Séamus Brennan had replaced Mary O’Rourke as Minister for Education when Albert Reynolds became Taoiseach in February 1992, the basis of what she had

agreed with the NUI was embodied in the Green Paper, *Education in a Changing World*, published in June 1992 which provided for 'legislation to amend the 1908 Act, on the basis of the proposals put forward by the Senate of the NUI, in order to create four constituent universities within a federal NUI structure'. The NUI welcomed the new government's commitment 'to protect the independence and traditional democratic decision-making structures of the universities' and to preserve their diversity. But it took yet another change of government and the advent of a Labour Minister for Education, Niamh Breathnach, before the White Paper *Charting Our Education Future* was published in April 1995. Chapter 5 of the White Paper signaled the abandonment of the minimalism that had characterised the attitude toward legislating on the universities of Fianna Fáil Ministers for Education. It included commitments to broadening the composition of the universities' Governing Bodies and to statutory representation for students as well as for academic and non-academic staff. It also spoke of 'more comprehensive legislation' underpinning such principles as 'appropriate public accountability' and 'changes to reflect the role of universities in modern society' – in particular, 'the enhancement of the[ir] developmental role'. But it also seemed to offer reassurance to the NUI in the shape of an unequivocal commitment 'to proceed this year with the amendment of the National University of Ireland legislation, on the basis of proposals put forward by the Senate of the National University of Ireland'.^{xliii}

That reassurance evaporated in the bombshell that burst over Merrion Square in July 1995 when the publication of the Department of Education's 'Position paper on university legislation' was accompanied by a letter from the Minister to the Chancellor challenging the need for the retention of a restructured NUI with very limited functions. The Chancellor responded swiftly to what was, in effect, nothing short of a threat to dissolve the NUI. He expressed astonishment that the Ministerial commitment in the White Paper to introduce legislation 'on the basis of proposals put forward by the Senate of the NUI should now be abruptly discarded in favour of quite different proposals emanating from the Department'. Where the NUI proposals had envisaged combining 'a high degree of autonomy and status for the Colleges with the preservation of the federal fabric under the NUI Charter, appropriately amended' the Department's position paper envisaged 'the dissolution of the NUI, the scrapping of its historical Charter and the conversion of the Colleges into standardised separate elements of the new university system'. He also questioned whether the abolition of the NUI would lead to large savings as their central services 'would still have to be provided by the individual Colleges without the benefit of economies of scale' and stressed its quality control functions and the reputation of its degrees 'built up nationally and internationally over the past 87 years. Individual universities would be starting from scratch and could take a considerable time to achieve equivalent recognition. National as well as international loss could be involved'.

It was a measure of Whitaker's stature that the speed and forcefulness of his response triggered an immediate ministerial retreat: in a letter of July 20th Niamh Breathnach conceded that she did not regard the retention or dissolution of the NUI as 'an issue of fundamental principle'; she also undertook to consider the Chancellor's views before framing her legislative proposals. The university presidents endorsed the Chancellor's views at a meeting in the NUI on July 24th and a united response to the Department of Education reiterated those views: it took issue, in particular, with the suggestion in the Position Paper that 'it is not certain that all four colleges are in agreement with the form of legislation proposed by the NUI Senate', pointing out that the Senate's proposals of November 1992 had already been approved by the Governing Bodies in the NUI Colleges. These

exchanges were discussed at a meeting between NUI officers and the Secretary of the Department of Education on 1 September 1995 when the NUI's worst fears were assuaged by the Departmental statement that 'it would not be going the route of dissolution'.^{xliv} That assurance was duly incorporated in the Universities Bill eventually published on 30 July 1996 which established the constituent colleges – as well as St. Patrick's College, Maynooth – 'as universities in their own right, while maintaining the umbrella of the NUI'.^{xlv}

A special meeting of the NUI Senate to consider the Bill took place on 3 October 1996. Introducing the discussion, the Chancellor's 'main criticism' of the Bill was 'its invasion of the legitimate management freedom of a university, particularly in sections 22 and 33, which provided for the ultimate control by the HEA of the numbers and grades of university staff and of the distribution of the overall budget between different activities, as well as ultimate Ministerial control of fees'.^{xlvi} These points found cogent expression in the formal 'Response of the NUI Senate to the Universities Bill, 1996' forwarded to the Minister for Education. The detailed and meticulous notes in his own hand on the initial draft of this document^{xlvii} reveal the Chancellor's hands-on role in the preparation of the response, a role he invariably played in the NUI's direct dealings with government throughout the twenty years of his Chancellorship. He was also 'personally unhappy' about the section of the Bill (32) dealing with equality policy. While 'strongly in favour of equality of opportunity' and of 'equal access to higher education for all who have the necessary educational standards and of generous help for the disadvantaged to attain this standard', he was unpersuaded that the 'orientation' of this section was 'fair or valid'. He then sounded a note all too rarely heard from more pusillanimous university leaders obsessed with genuflecting to the idols of political correctness:

so long as the demand for university places exceeds the supply, the allotment of places is rightly determined by reference to educational attainments and there should be no obligation, express or implied, on a university to give preferential access to any category on any other ground. Educational deficiencies associated with inequalities of a social, economic or other nature should be addressed and rectified, as far as possible, at the pre-university level.

If there is to be any positive discrimination, it should be prescribed by Act of the Oireachtas. A governing body would, I think, need such cover if it were to grant preferential access to scarce university places. Conceivably, such discrimination might fail a test of constitutionality.

Equally, in the context of this section, gender balance should be subjected to academic merit.^{xlviii}

It was 30 October 1996 before Niamh Breathnach finally introduced her Universities Bill in the Dáil and the story of the events leading to its enactment in a much amended form falls outside this account of the Whitaker Chancellorship. He had given twelve months' notice of his intention to resign as Chancellor and, when he chaired his last meeting of the Senate on 7 November 1996, he spoke of his sense of privilege at his role in the evolution of the universities – 'particularly in the reconstruction of the NUI, now being given legislative form' – over the previous twenty years. The essence of the wide-ranging tributes were epitomised in the praise of the Vice-Chancellor, Art Cosgrove, the President of UCD, for 'his wise counsel and wisdom, gained from his wide-ranging and distinguished experience as a public servant'. He had 'sustained the University at a time of unprecedented change', declared the Master of Maynooth, W. J. Smyth; 'for many people, Dr. Whitaker would enter the history books as a hero, and also as a sculptor of modern Ireland'.^{xlix} That

larger role will doubtless be the stuff of history for generations to come but what is already beyond doubt is that, in 1990-96, Ken Whitaker was the sculptor of the reconstituted National University of Ireland that ultimately emerged in the Universities Act of 1997.

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- ⁱ I am indebted to Noirín Moynihan and to Dr. John Nolan for their help and advice in regard to the archives of the NUI.
- ⁱⁱ NUI archives (hereafter NUIA), box of papers labeled 'Documentation from former Chancellor Dr. T. K. Whitaker' [hereafter cited as 'TKW docs.'].
ⁱⁱⁱ Henry Robinson, *Memories: Wise and Otherwise* (London: Cassell & Co., 1923), p.292 – the civil servant in question was John Anderson, subsequently Viscount Waverly, permanent under-secretary in Dublin Castle in 1920-21.
^{iv} T. K. Whitaker, *Retrospect: 2006-1916* (Dublin: Institute of Public Administration, 2006), pp. 1, 11-13.
^v Donal McCartney, *The National University of Ireland and Eamon de Valera* (Dublin: University Press of Ireland, 1983), pp. 35-6.
^{vi} NUIA, box 599, T. K. Whitaker (hereafter TKW) to John Bourke, Registrar of the NUI, 8 June 1976, summarising his remarks on the occasion of his installation – printed as appendix "C" to Senate minutes of 8 July 1976.
^{vii} Author's interview with Dr. T. K. Whitaker, 29 May 1975.
^{viii} *Ibid.*
^{ix} NUIA, Senate minutes, 26 Nov. 1976, pp. 167-9.
^x Author's interview with Dr. T. K. Whitaker, 29 May 1975.
^{xi} John Coolahan, 'Higher education, 1908-84' in J. R. Hill (ed.), *A New History of Ireland: VII Ireland, 1921-84* Oxford: Oxford University Press, p. 287).
^{xii} *Dáil debs*, 350, 12, col.1979, 24 May 1984.
^{xiii} Michael Olden, President of Maynooth, to Dr. T.K. Whitaker, 18 June 1984, TKW docs.
^{xiv} Gemma Hussey, *At the Cutting Edge: Cabinet Diaries 1982-1987* (Dublin: Gill and Macmillan, 1990), pp, 67-8 – entry for 9 Nov. 1983.
^{xv} *Programme for action in education, 1984-1987* (Dublin, 1984).
^{xvi} NUIA, box 1, confidential draft letter from TKW to the Registrar of the NUI, 6 June 1984. It should be noted that this account and the other records of the NUI are at variance with the account in Garret FitzGerald, *All in a Life: an Autobiography* (Dublin: Gill and Macmillan, 1991), p. 578, which implies that the initiative for the award of the degree to President Reagan came from the NUI.
^{xvii} T. K. Whitaker to Garret FitzGerald ['Dear Garret'], 18 May 1984, NUIA, TKW docs.
^{xviii} Garret FitzGerald to Ken Whitaker, 18 June 1984, TKW docs.
^{xix} Text of letter from NUI Senate to Dept. of Education, 14 March 1986, NUIA, Senate minutes 13 March 1986, p. 10. The Carysfort buildings and grounds eventually became part of the UCD campus.
^{xx} NUIA, box 34, TKW to Mgr. Míceal Ledwith, President of Maynooth, 20 Nov. 1989.
^{xxi} NUIA, box 46, John Nolan 'for Chancellor' to Mgr. Míceal Ledwith, President of Maynooth, 8 Jan. 1990.
^{xxii} NUIA, Senate minutes, 28 Jan. 1988
^{xxiii} Author's interview with Dr. Art Cosgrove, former President of UCD, 1 June 2007.
^{xxiv} 'Future of matriculation examination – Note from the Chancellor to members of the Senate', March 1989, TKW docs.
^{xxv} NUIA, Senate minutes 26 Jan. 1989, 4.8.
^{xxvi} NUIA, Senate minutes, 6 April 1989, 5.
^{xxvii} NUIA, box 34, TKW to Declan Brennan, Secretary, Dept. of Education, 12 April 1989.
^{xxviii} 'Report on the meeting between the Minister for Education and the National University of Ireland on Thursday, 25 May 1989 at 3.00 p.m. in Leinster House', TKW docs.
^{xxix} Private information.
^{xxx} NUIA, Senate minutes 13 July 1989.
^{xxxi} NUIA, box 34, TKW to the Registrar, John Nolan, 19 July 1989.
^{xxxii} NUIA, box 24, TKW to Registrar NUI, 18 Oct. 1989.
^{xxxiii} NUIA, Senate minutes, 16 Nov. 1989, pp. 29-31.
^{xxxiv} *Irish Press*, 17 Nov. 1989.
^{xxxv} See 'Colleges prepare for legal battle to break up NUI', *Sunday Tribune*, 26 Nov. 1989.
^{xxxvi} NUIA, Senate minutes, 25 Jan. 1990, pp. 16-17.
^{xxxvii} NUIA, minutes of special meeting of Senate, 10 Dec. 1990.
^{xxxviii} NUIA, Senate minutes, 24 Jan. 1991, p. 31.
^{xxxix} NUIA, minutes of special meeting of Senate, 7 Feb. 1991.
^{xl} Author's interview with Dr. Art Cosgrove, former President of UCD but then an ordinary member of the Senate, 1 June 2007.
^{xli} Private information.
^{xlii} 'Record of the meeting between the NUI and the Minister for Education', 19 June 1991, NUIA, TKW docs; see also Senate minutes, 11 July 1971, for the Chancellor's report of the meeting.

^{xliii} ‘A Background Note tracing the sequence of developments in relation to NUI legislation, during the period 1991 to 1996’, appendix 1, NUIA, TKW docs.

^{xliv} ‘Briefing note for the NUI officers in preparation for their bi-lateral meeting with the Department of Education on 30 Jan. 1996’, TKW docs.

^{xlv} Minister for Education’s press release, 30 July 1996.

^{xlvi} NUIA, Senate minutes, 3 Oct. 1996, pp. 2,4. Whitaker felt particularly strongly about the threatened staffing controls to which he returned in winding up the debate, arguing that ‘it would be inappropriate to detract from the prerogative of management by requiring advance approval of the numbers and grades of staff. A respectable body should be entitled to recruit the number and categories of personnel it deemed necessary to realize its management objectives. It should also be acceptable that there should be some provision for *post-factum* audit, which could take the form of a periodic review requiring the relevant body to substantiate its judgements. In view of the powers in the 1971 Act, the existence of a well-established consultative process between the HEA and individual universities on budgetary matters and the new provision for a budgeted term of years programme, it is clear that the public interest is sufficiently safeguarded and, accordingly, that many of the provisions in this Bill are unnecessarily specific and detract from legitimate management freedom.’

^{xlvii} See the two files marked ‘University Bill 1996 Information Pack A and B’, NUIA, TKW docs.

^{xlviii} Chancellor to the Registrar of the NUI, 18 Sept. 1996, file marked ‘University Bill 1996 Information Pack B’, NUIA, TKW docs.

^{xlix} NUIA, Senate minutes, 7 Nov. 1996, pp. 2, 37-8.

3.2 Dr Garret Fitzgerald

Chapter 6

Garret Fitzgerald – an embattled Chancellor

Maurice Manning

Garret Fitzgerald was elected Chancellor of the National University of Ireland in 1996. The huge expansion in the number of eligible electors resulted in a decision being taken that all those who wished to vote were obliged to apply in writing for a ballot paper – a factor which resulted in a much smaller than usual turnout of voters. In a poll of 2,630 votes Fitzgerald was elected with seventy per cent of votes cast.

Fitzgerald was ironically the first Chancellor to have been an active academic in his previous life – even if his academic career was shared with a range of other occupations during a lifetime of public service – careers in air transport, economic consultancy, journalism, politics and business. He was also a leading member of the European Movement.

Garret Fitzgerald was born in Dublin on 9th February 1926, the youngest of four sons of Desmond Fitzgerald and Mabel McConville. His parents, both advanced nationalists were from different religious backgrounds – his father a Roman Catholic while his mother was an Ulster Protestant. One of Fitzgerald's earliest childhood memories was a lesson in religious tolerance, as he tells in his autobiography "I was four or perhaps just five, playing on the study floor, my mother seated near me. I made a derogatory remark about the Protestant religion of the then Vice President (of the Irish Free State) Ernest Blythe. He was a close family friend of almost twenty years standing. My mother eyed me sternly and responded quietly, "you do know that I am a Protestant too, dear, don't you?"¹

Both parents were involved in the 1916 Rising each of them serving in the GPO and they continued as active members of Sinn Fein throughout the War of Independence. The Civil War saw them take opposite sides, Desmond Fitzgerald becoming Minister for External Affairs and later Minister for Defence in the Free State governments between 1922 and 1932 while his mother was an ardent and committed Republican. One consequence of this was the young Garret Fitzgerald had and maintained friends on both sides of the political divide – something very unusual in those days and it was these friendships which tempered any inclination on his part to the type of political partisanship which was the norm through much of the early twentieth century. He was particularly close to the MacEntee and Ryan families and was later to develop a good relationship with Eamon de Valera during the latter's last years as Chancellor of the National University of Ireland. He studied at Colaiste na Rinne and at Belvedere College (where he was classmate of the future Cardinal Archbishop Desmond Connell), and then at University College Dublin, at that stage located at Earlsfort Terrace. He graduated from UCD in 1946 with a degree in History and Modern Languages and shortly afterwards was called to the Irish Bar.

His first career was with the national airline, Aer Lingus, which had been founded in 1937 but had had little opportunity to develop during the years of World War Two. Fitzgerald was among a small number of young graduates appointed in 1947 when the airline entered its first real phase of expansion. Fitzgerald found himself, at the age of 26 responsible for Aer Lingus's economic planning, rates and fares. He also exhibited an extraordinary grasp of the detail of airline scheduling, which, along with an interest in railway schedules, became a life long obsession. Indeed he has recounted an incident in later life when his ability to deconstruct schedules enabled him to estimate with remarkable accuracy the size of the Aeroflot fleet, which was regarded at the time as a state secretⁱⁱ. He left Aer Lingus in 1958, retaining a great affection for the airline though this did not prevent him as Taoiseach in 1986 from ending Aer Lingus's monopoly and allowing Ryanair to compete directly.

From his earliest days he was convinced that Ireland's best interest lay in membership of the developing European Economic Community and after leaving Aer Lingus worked to prepare the highly protected Irish industrial sector for the free trade era which he felt was inevitable. He later became economic consultant to the Federation of Irish Industry and played a part in securing agreement between the Federation, the Government and the Irish Congress of Trade Unions to the establishment of a Committee on Industrial Organisation of which he was an active member. Between 1961 and 1965 this Committee surveyed the whole industrial sector and initiated a rationalisation of industry in preparation for membership of the European Economic Community.

Also at this time he established, in conjunction with the Economist Intelligence Unit of London, an Irish Economic consultancy firm which served the needs of both the private and public sectors until the early 1970's. It was also at this time that he began his involvement with journalism, becoming a columnist with the *Irish Times* – a position he resumed when leaving politics – and at different times during the 1960's and early 1970's he was the Irish correspondent for the BBC, *The Financial Times* and the *Economist*.

It says something for the extraordinary energy and output of Fitzgerald at this time that in addition to the above activities he was appointed a Lecturer in Economics in UCD in 1959. His academic interests had now moved largely, though not exclusively, to economics and in 1969 he was awarded a PhD for his thesis on Irish economic planning. During this period he published *State Sponsored Bodies* (1961 and 1963) and *Planning in Ireland* (1969) and also became actively involved in the politics of University College Dublin. He was elected to the governing body of that college by the graduates in 1965 and quickly became an outspoken critic of many aspects of what he saw as an authoritarian and closed style of governance. He was an active participant in the movement for university reform which led to the so-called 'Gentle Revolution' of 1969 and was also involved at this time in the street protests around the Wood Quay issue and the demolition of Georgian buildings in Hume Street in Dublin.

In 1973 he was elected to the Senate of the National University of Ireland, again from the graduate panel. He had considerable admiration for the Chancellor, Eamon de Valera and has written warmly of his conversations with de Valera at that time and also of his admiration for the way in which de Valera presided fairly over the Senate. As a Senate member he was not a particularly strong

supporter of the establishment of the day, sitting at the “awkward squad” table with colleagues such as Professor Enda McDonagh and Professor John A Murphy.

In 1965 he entered politics. There was no inevitability about his joining his father’s old political party. He was approached by Sean Lemass for whom he had great admiration, about running for Fianna Fail. He supported many of Lemass’s modernising policies and thought hard about the offer before declining. He probably felt most at home in the Labour Party and in fact declined to run for Fine Gael in the 1965 general election because he felt the party’s economic and social policies were not sufficiently developed and he informed the leader James Dillon privately of this decision. However after the change of leadership in 1965 and the renewed commitment of the party to the *Just Society* policies he ran for Fine Gael and was elected in that year to Seanad Éireann. He made an immediate impact concentrating in particular on issues such as education, finance, Europe and later in an intense way on the problems arising from the Northern Ireland conflict. He was elected to Dáil Éireann in 1969 and held his seat until his retirement in 1992.

In 1973 he became Minister for Foreign Affairs just weeks after Ireland acceded to the European Community. His emphasis as Minister was on formulating for Ireland an integrationalist EU policy and in 1975 he ran Ireland’s first Presidency of the EEC. During this Presidency he led the EC Delegation in the final negotiations for the first Lome Convention between the EC and 46 African, Asian, Indian Ocean and Pacific countries and signed this convention on behalf of the EC. During the Presidency he also initiated the first contacts on behalf of the EC Council of Ministers with the revolutionary Portuguese government. Later in 1976 he negotiated an agreement with the European Commission that accorded Ireland the unique right to expand its fish catch at a time when other countries were required to cut back.

As Minister for Foreign Affairs Dr Fitzgerald also pursued a policy of reconciliation with the Unionist leaders and community in Northern Ireland, backing the firmly anti IRA stance of Taoiseach Liam Cosgrave and in domestic politics he actively supported social democratic policies. Unusually for a sitting politician he continued to publish. *Towards a New Ireland*, a radical reappraisal of traditional attitudes to Northern Ireland appeared in 1972, and in 1979 his book *Equal Partners* was published by the United Nations. In 1984 when he was Taoiseach the Royal Irish Academy published his paper on the decline of the Irish language in 320 baronies between 1770 and 1870 and in 2004 the Royal Irish Academy published a further paper of his on the state of the Irish language in the 2,450 out of the 3,850 electoral divisions where it still survived in the years immediately before the Famine.

In 1977 he was elected leader of Fine Gael. Although his election was unanimous it was not universally welcomed within the party. His liberal policies especially on issues such as divorce and contraception alienated some of the more traditional members of the party and his policy of reconciliation in Northern Ireland was not always fully welcomed by some of the more nationalist elements. In spite of this he was undoubtedly the most successful leader in that party’s history. He served twice as Taoiseach (1981-2 and 1982-7). It is not within the scope of this essay to assess the performance of these governments which he led save to mention the negotiation of the Anglo Irish agreement in 1985, which paved the way for the subsequent agreements culminating in the Good Friday or Belfast Agreement.

Garret Fitzgerald resigned as leader of Fine Gael in 1987 and left politics in 1992. In a sense, he then began again where he had left off before entering politics, with economic consultancy but now on a global scale, membership of the Trilateral Commission, membership of the Council of State and of the Royal Irish Academy as well as a range of *pro-bono* activities. He also resumed his journalism especially for the *Irish Times* and continued to publish extensively. In 1991 his autobiography *All in a Life* was published; in 2002 *Reflections on the Irish State* and in 2005 *Further Reflections – Ireland and the World*. He also has written extensively in academic journals.

As Chancellor Garret Fitzgerald followed in the tradition of T K Whitaker as an activist, policy driven and innovative Chancellor. He was also however an embattled Chancellor, fighting against a variety of factors to secure a meaningful role for the NUI following the changes brought about by the Universities Act, by radical and extensive changes in Irish society generally, including a changing perception of what the role of higher education should be in this new environment.

Garret Fitzgerald's tenure as Chancellor was to a great extent shaped by the Universities Act – the elements of which have been discussed elsewhere in this book. As far as the new Chancellor was concerned that debate was now over, and it fell to him to handle, and in so far as he could, shape the new realities. He had to accept the reality of a new and restricted range of functions for the NUI, but with no clarity or certainty, with no agreement as to how these functions could be defined and with the ever present threat that in the process of redefinition the new functions could come to lack any real meaning. He had to adjust to the loosening of the federal ties and in particular to the devolving of power to the four autonomous universities, all of which continued to award degrees of the NUI.

All of this was taking place in an external environment which was putting a high emphasis on radical restructuring of third and fourth level education. The impetus for change was, by and large, positive, driven by the needs of a society enjoying unprecedented economic growth and which saw investment in higher education as a major driving force in this growth. But with this investment came a demand for restructuring, greater accountability, the elimination of unnecessary duplication, specialisation and a capacity to compete to the highest international standards.

There was also the pressure for change from the new university presidents. By the 1990's they increasingly found themselves in a position where they were obliged to compete with each other for state funding and increasingly for external funding, and at the same time work with each other to present a coherent university strategy to an increasingly demanding government. This new situation made for tensions and added new and at times edgy competitiveness to the relations between them, at a time when all of them found themselves engaged in major and usually controversial restructuring processes within their own universities.

Not immediately, but certainly after 2002 the NUI which in the past was regarded at least by some universities, as a benign, if somewhat arcane presence, was increasingly seen as lacking relevance and indeed as somewhat of an unnecessary and intrusive hindrance to their activities. This view of the NUI was not shared by all presidents but increasingly as Fitzgerald's tenure moved on it showed itself in the frequent absences of presidents from Senate meetings, through decisions unilaterally taken, generally on relatively unimportant issues and from the individual universities' point of view

within their sphere of competence, but done in such a way and without consultation as to lead to confusion and confrontation.

The attitude of Fitzgerald to the changing mood was that of a realist. His political career had been based in great part, whether in his early attitude to the EEC, to the emerging problem in Northern Ireland or to the economic crisis of the 1980's, on the ability to face change and seek to control rather than be driven by events. This was the approach he now adopted, seeking to use the period following the passing of the 1997 Act as a time for considered reflection on the role, activities and nature of the NUI as a federal university in the new circumstances. He sought in particular to concentrate on policy matters relevant to the university as a whole and to higher education in general.

It was a realistic and focused approach but it served in part to highlight the weakness of the NUI's position, finding itself in a "no-mans land", trying to speak for its own constituent universities who were at best reluctant participants and unable to speak for the other universities – TCD, Dublin City University and University of Limerick – who were outside the federal structure and who along with the constituent universities were represented, first within the Conference of Heads of Irish Universities, later the Irish Universities Association.

The first area of reform was the matriculation which has already been discussed in previous chapters and a number of changes were introduced which in general broadened the matriculation base and extended access to students who would have previously experienced difficulties in matriculating – specifically disadvantaged students, students with a learning disability and students entering art and design studies and nursing studies, both new disciplines within the NUI. The position of Irish within the matriculation was not changed.

Other initiatives included the monitoring of the standard of compatibility of NUI degrees, improving and expanding the external examiner systems, introducing a new NUI Qualification framework, increasing the value of NUI Awards, the establishment of new Posts Doctoral fellowships. In addition the NUI offices at 49 Merrion Square were extensively refurbished while number 48 was rented as a means of generating more income.

All of these developments were reported in a document later publishedⁱⁱⁱ, prepared in 2002 for the Senate by a committee chaired by Professor Tom Dunne, whose brief was to document the changes since the passing of the Universities Act, to articulate the role of the Senate and to propose a developmental agenda for the incoming Senate and for the NUI as a federal university. In a real sense the relatively minor nature of the changes made and the aspirational nature of most of the recommendation, which largely involved a coordinating and facilitating role for the NUI, merely served to underline the weakness of the NUI's position. In a situation where the main power players – the university presidents – were at best polite but unenthusiastic and the government indifferent, the report made no real impact nor did it attract any media coverage or lead, as its authors had hoped, to a debate in the Constituent universities.

It certainly did not change the minds of the Presidents of University College Dublin or University College Cork. It was clear that neither President Wrixon nor President Brady saw any real role for

the NUI. Neither had served on the Senate prior to their election or had any experience of the NUI and clearly had very little regard or affection for it. Each president saw himself with a major reform package to implement and saw the NUI as having little to offer towards the realisation of their ambitions. More than that they claimed they simply did not know what it meant to be “a constituent university of a university – it is a unique legislative provision with no known precedence or parallel”^{liii}. They rejected the view that the NUI had any on-going role in regulating the affairs of constituent universities. From their perspective there was no room for compromise and neither saw compromise as being in the best interest of the institution they led.

But perhaps the most telling indicator of their attitude to the NUI connection can be found in Section 5.1 of the NUI Report. Dealing with future developments it noted that the Universities Act expected that the titles given to the newly constituted as constituent universities, and as previously agreed by them would be *National University of Ireland* followed by the location in each case, i.e. *National University of Ireland, Dublin, Cork, Galway, Maynooth*. In the event Galway and Maynooth enthusiastically embraced this name change. Dublin and Cork flatly refused to do so. Their governing authorities, with the consent of the Senate were given permission by the Minister for Education and Science to retain University College Dublin and University College Cork as the main element in their name. Symbolically this incident summed up, better than any debate, the true feelings of all four universities to their future with the NUI.

Clearly Garret Fitzgerald had a very different perspective to that of the Dublin and Cork presidents. As Chancellor he was charged with the protection and continuation of the National University of Ireland. He passionately believed that the National University of Ireland had a positive national role to play, especially in formulating policy, maintaining the quality of degrees, giving leadership and fostering collegiality. He did not believe the NUI was intrusive or that its presence affected the smooth running of the constituent universities. He was prepared to examine any such issues if brought to his attention and to seek to have them resolved. Curiously few such issues were ever raised in any specific way and in all cases he indicated a willingness to enter dialogue, a willingness which was not reciprocated.

The issue of the future role of the NUI and its relationship with the constituent universities continued to dominate the life of the 2002-2005 Senate and invested many of the meetings with a tension that had rarely before characterised the proceedings of that body. The matter spilled into public view with the decision of UCD to confer honorary degrees at the KClub on the occasion of the Ryder Cup in September 2006. This incident led to further attempts to resolve the issue, but without success. Eventually after much recrimination the Senate sought its own legal advice which it received in May 2007. It was, in the words of the NUI’s own sub-committee on the future role of the NUI, expressed “with clarity and elegance of expression”.

That however was the only comfort. The essence of the opinion was in Paragraph 13 “It is apparent that the act has hollowed out the practical and functional jurisdiction of the NUI vis-à-vis the constituent universities while leaving it in place as an institution. The NUI may continue to provide a valuable forum for discussion and cooperation between the constituent universities but the limits of the legal power of the NUI to assert any jurisdiction in respect of the constituent universities are in my view contained in the restrictive provisions of Section 47”. The opinion also confirmed that the

Senate had no power to make statutes to regulate the affairs of the constituent universities and that any power given to the Senate in Section 33 of the Universities Act 1997 should be seen as merely facilitative. It also stated that the NUI had no power to ensure the comparability of NUI degrees in the constituent universities. There was much more in a similar vein. Like it or not, the position of the Presidents was vindicated.

The Senate had no alternative but to adopt the opinion which it did at a special meeting in the Royal Hospital at Kilmainham just before it went out of office in September 2007. It proposed “a new relationship between the Senate and the constituent universities based on mutual respect”. But there were few specifics, nor was there any sense of enthusiasm from the presidents.

Garret Fitzgerald had fought long and hard for a different outcome. He fought with courtesy, patience and tenacity, but he was hampered from the outset by the weakness of the NUI’s position in the Universities Act, by the fact that a federal system which did not include three of the country’s seven universities was seriously flawed in seeking to speak for the university sector, and by the fact that the leadership of the two biggest NUI universities saw little value in the NUI as a means of developing the potential of their own universities. Carving a new role and developing the remaining potential of the NUI after the Universities Act was always going to be difficult. Without the support of the two biggest universities it was almost certainly a doomed enterprise.

Garret Fitzgerald’s last task as Chancellor may well be to see if this “new relationship” (hardly a Kilmainham manifesto) can have any real meaning, or whether after a hundred years of service to the Irish nation and Irish education the National University of Ireland finally folds its tent and quietly slips away. Could the matter have been handled differently? The answer is yes, certainly with more civility and more sensitivity, but the outcome would not have been very different. The brutal clarity of the legal opinion left no room for further debate on the central issue.

ⁱ Garret Fitzgerald, *All in a Life* (Dublin, Gill & Macmillan 1991) p.1.

ⁱⁱ *Irish Times* 20 October 2007

ⁱⁱⁱ *The NUI Federal University in an era of transition* (Dublin, November 2002)

ⁱⁱⁱⁱ Report of Governing Authority subcommittee on the NUI – Registrar’s Office UCD. 12 June 2007

3.3 Dr Maurice Manning

Dr Maurice Manning was elected Chancellor of the National University of Ireland on March 12, 2009. Dr Manning is the fifth Chancellor of the University since its establishment in 1908.

Dr Manning was born in Bagenalstown, Co Carlow, educated at de la Salle Schools Bagenalstown, Rockwell College, University College Dublin and the University of Strathclyde.

He had previously been a member of the NUI Senate for twenty seven years, having been elected on the graduate panel in every election since 1982; he served on the Governing Authority of UCD from 1979 to 2008; he spent much of his academic career in the Department of Politics at UCD where he established a reputation for his teaching, his closeness to students and his publications. He has published widely and is currently Adjunct Professor in the School of Politics and International Relations at UCD. He is also currently Chair of the Publishing Committee of the Institute of Public Administration. Dr Manning has served in both Dáil and Seanad Éireann. During that time he was a member of the New Ireland Forum, and the British-Irish Inter-Parliamentary Body. He was both leader of Seanad Éireann and Leader of the Opposition in that House. Maurice Manning has also been President of the Irish Human Rights Commission and was Chair of the European Group of National Human Rights Institutions.

https://en.wikipedia.org/wiki/Maurice_Manning

<https://www.setu.ie/news/setus-first-honorary-doctorate-bestowed-on-dr-maurice-manning>

Irish Times

Manning elected 5th chancellor of NUI

DR MAURICE Manning was elected the fifth Chancellor of the National University of Ireland (NUI) yesterday.

Genevieve Carbery

Fri Mar 13 2009 - 00:00

DR MAURICE Manning was elected the fifth Chancellor of the National University of Ireland (NUI) yesterday. Dr Manning is also president of the Irish Human Rights Commission. He takes over from Dr Garrett FitzGerald who held the position for more than 10 years.

He is taking up the role at a time when third-level fees are being considered by the Government and a new research alliance has been formed between UCD and Trinity College Dublin.

“Every aspect of third-level education is under scrutiny at the present time and will undoubtedly change. I have to ensure that the NUI is ready for that change,” Dr Manning told The Irish Times yesterday.

During the hustings debate last month, Dr Manning said the survival of the NUI would be the essential and only task facing its next chancellor. He also spoke during the debate of a hostility which had developed towards the NUI.

The NUI is the federal body for four universities, including University College Dublin, and some other colleges. In 1997, universities were given control of their own affairs, power formerly held by the NUI. It retains responsibility for entrance to its universities and for degree standards.

Dr Manning was elected by NUI graduates over the other candidate, Prof James Heffron, of the University College Cork biochemistry department. He said it was an “extraordinary honour” to follow previous chancellors who include Dr Eamon de Valera, Dr TK Whitaker and Archbishop William Walsh.

Irish Independent

Manning named as new NUI chancellor

Fri 13 Mar 2009 at 00:00

The new Chancellor of the National University of Ireland is Dr Maurice Manning, President of the Irish Human Rights Commission and Chair of the European Group of National Human Rights Institutions.

He succeeds Dr Garret FitzGerald, who announced his retirement from the position last August. Dr Manning is the fifth Chancellor of the university since its establishment in 1908, his predecessors being Archbishop William Walsh (1908--1921), Dr Eamon de Valera (1921--1975), Dr TK Whitaker (1976--1997) and Dr Garret FitzGerald (1997--2009).

Dr Manning has been a member of the NUI Senate for 27 years, having been elected on the graduate panel in every election since 1982.

UCD Website

Posted 12 March 2009

Maurice Manning elected Chancellor of NUI

UCD Adjunct Professor of Politics, Maurice Manning was today (12 March 2009) elected the fifth Chancellor of the National University of Ireland. He succeeds former UCD colleague Dr Garret FitzGerald in this role. Maurice lectured in Politics at UCD for over 30 years before leaving to become the first President of the Irish Human Rights Commission, a post which he still holds. Commenting on today's outcome, UCD President Dr Hugh Brady said, “On behalf of everyone at UCD, I would like to congratulate Maurice on his election to the post of NUI Chancellor and to wish him every success in this new role”.

Maurice Manning, BA, MA, DLitt

Maurice Manning is the President of the Irish Human Rights Commission and is Chair of the European Group of National Human Rights Institutions.

Dr Manning was born in Bagenalstown, Co Carlow, educated at de la Salle Schools Bagenalstown, Rockwell College, University College Dublin and the University of Strathclyde.

Dr Manning is currently a member of the Senate of the NUI, having been elected on the graduate panel in every election since 1982. He served on the Governing Authority of UCD from 1979 to 2008. He spent much of his academic career in the Department of Politics at UCD where he established a reputation for his teaching, his closeness to students and his publications. His publications include five books on modern Irish politics, a political thriller, *Betrayal*, and numerous articles and academic papers. He is currently Adjunct Professor in the School of Politics and International Relations at UCD.

Dr Manning has served in both Dail and Seanad Eireann. During that time he was a member of the New Ireland Forum, and the British-Irish Inter-Parliamentary Body. He was both leader of Seanad Eireann and Leader of the Opposition in that House.

He is currently chair of the Publishing Committee of the Institute of Public Administration.

RCSI awards Honorary Fellowship to Dr Maurice Manning

08 December 2016

College awards highest honour in recognition of contribution to Irish education and public service.

Dr Maurice Manning, Chancellor of the National University of Ireland, has been awarded an Honorary Fellowship of RCSI in recognition of his outstanding contribution to Irish education and public service, at a special ceremony at the College on St Stephen's Green in Dublin.

The Honorary Fellowship of RCSI is the highest distinction the College bestows, recognising outstanding accomplishments in both surgery as well as exceptional achievements in other areas. Dr Maurice Manning joins the ranks of other non-surgeon Honorary Fellows which include Bob Geldof, the late Mother Teresa of Calcutta, the late Nelson Mandela, Jimmy Carter, Pdraig Harrington and the late Seamus Heaney.

Speaking at the event, Professor John Hyland, President of RCSI said: "Dr Maurice Manning's has demonstrated steadfast dedication to public service during the course of his career as an academic and politician. As a recognised College of the National University of Ireland, we at RCSI are privileged to have worked with Dr Manning in his role of Chancellor."

"Today we recognise Dr Maurice Manning for his outstanding work and broad vision that has contributed immensely both to RCSI and to building the reputation of Irish Education in Ireland and overseas," Professor Hyland concluded.

The Honorary Fellowship citation was delivered at the ceremony by Professor Patrick Broe, RCSI Council Member and former President of the College, who recounted Dr Manning's illustrious career as both an academic and politician. He highlighted the lively enthusiasm Dr Manning has brought to RCSI conferring ceremonies and the sense of warmth and humanity he brings to these milestone occasions for graduands and their families.

Dr Maurice Manning was elected Chancellor of the National University of Ireland on March 12, 2009. He is the fifth Chancellor of the University since its establishment in 1908. Dr Manning was born in Bagenalstown, Co Carlow, educated at de la Salle Schools Bagenalstown, Rockwell College, University College Dublin and the University of Strathclyde.

He has been a member of the NUI Senate for 27 years, having been elected on the graduate panel in every election since 1982; he served on the Governing Authority of UCD from 1979 to 2008; he spent much of his academic career in the Department of Politics at UCD where he established a reputation for his teaching, his closeness to students and his publications. He has published widely and is currently Adjunct Professor in the School of Politics and International Relations at UCD. He is also currently Chair of the Publishing Committee of the Institute of Public Administration. Dr Manning has served in both Dáil and Seanad Éireann. During that time he was a member of the New Ireland Forum, and the British-Irish Inter-Parliamentary Body. He was both leader of Seanad Éireann and Leader of the Opposition in that House. Maurice Manning has also been President of the Irish Human Rights Commission and was Chair of the European Group of National Human Rights Institutions.

4. Nomination and Election process.

The election of the Chancellor of the National University of Ireland, to succeed Dr Maurice Manning in 2024 will take place at a meeting of Convocation to be held in the National University of Ireland, 49 Merrion Square, Dublin 2, on 17 October 2024 at 10 o'clock a.m. The poll will remain open for one hour. Voting is possible either in person at the Election Meeting or by post (to arrive on or before the close of polls). In the past the majority of votes were postal.

Candidates for the role can be nominated by any two members of convocation of the University (the Graduates of the University along with the Chancellor, the Vice-Chancellor, the Members of Senate, the Professors and Lecturers). Nomination to be on a nomination form which may be obtained on application to the Clerk of Convocation at 49 Merrion Square, Dublin 2 or at www.nui.ie/elections.

The form shall have been received by the Clerk of Convocation on, or before 17 May 2024.

The nomination form shall state the name and address of the person nominated and, in case that address is not in Ireland, shall state an address in Ireland, and shall be accompanied by the written consent of the person nominated.

If two or more persons have been duly nominated, the Clerk of Convocation shall, not less than eight weeks before the Election Meeting, give notice by advertisement in such newspapers or other periodicals as the Chairman and the Clerk of Convocation may determine, setting out the date of the Election Meeting, and in alphabetical order, the names of the persons nominated, and informing the Members of Convocation that they may vote either in person at the Election Meeting or by post, and that a voting paper shall be sent only to those members who shall have applied for one in writing before a specified date.

The election will be held in accordance with the provisions of Statute CCLXIV and those statutes referred to therein of the National University of Ireland.