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No. 10

NEW IRELAND FORUM

Public Session

Thursday, 8 December, 1983

Dublin Castle

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NEW IRELAND FORUM

Public Session
Thursday, 8 December, 1983
Dublin Castle

11.30 a.m.

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Chairman: Dr. Colm Ó hEocha.

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Chairman (Dr. Colm Ó hEocha): Ladies and gentlemen, we now go into public session and the first presentation today is by a group from the Church of Ireland led by the Right Reverend Dr. Samuel Poyntz, the Lord Bishop of Cork. The delegation consists of Dr. Poyntz, Dr. Kenneth Milne of Dublin, Lt. Col. C. G. H. Filor of Belfast, Mr. W. Bristow Stevenson of Derry, Mr. J. A. David Bird of Cork and Canon Eric Elliott of Belfast. We thank the Church of Ireland for their memorandum and other submissions and it gives us great pleasure to welcome them here this morning. To start the questioning I will call on Mr. Austin Currie of the SDLP.

Mr. Currie: Gentlemen, you are very welcome to the Forum.

Dr. Poyntz: May I say, Mr. Chairman and members of the New Ireland Forum, ladies and gentlemen, that we are happy to accept this invitation and maybe a few words from me by way of explanation would be a helpful introduction.

From one of the fifteenth century feuds between the Ormond and Kildare families comes the marvellous tale of reconciliation. Apparently on one occasion the Kildares had chased the Ormonds into nearby St. Patrick's Cathedral and into the Chapter House in particular where they were besieged and there, as the Earl of Kildare thought about it all, he said: "It is a terrible thing that Irish men of the same faith on holy ground should be at odds with each other". He tried to extend the hand of fellowship by talking through the closed door but it was no good. Eventually, he ordered that a hole should be cut in the door of the Chapter House and then the Earl of Kildare thrust his hand through: After a few moments of hesitation Ormond took it and that clasped handshake led to the door being opened. The lesson of this is very obvious and it does not need to be explained. Cultural, economic, political and religious difficulties lie at the heart of our Irish problem. So many doors seem to be closed because of suspicions and resentments, doubts and fears. We have come here today because we have a commitment to our country, North and South, and we believe we have a role to play in reconciliation. We would be less than honest if we did not say there are fears and there are doubts and there are justifiable apprehensions. Because of this we want to make clear we come not as Nationalists nor as Unionists but we come as members of a Church who feel that we have a part to play in the partnership that exists and ought to exist in our country, North and South — a partnership in the Republic, a partnership in the North of Ireland. We would like to spell out this and we would also like, at the same time, to pay attention to the

real, genuine fears and apprehensions which are present in a large segment of the members of our Church and that these should be acknowledged and realised. We thank you for your invitation.

Mr. Currie: May I say to Dr. Poyntz that his position is understood and also the position of his delegation. As far back as 1973, in section 14 of the Report of the Role of the Church Committee, there is drawn a comparison between Northern Ireland and the Church of Ireland where you say there is to be found at least two political traditions and I quote:

one finding expression in Unionism or attachment to the British Crown, the other expressed by Nationalism or Republicanism. These traditions have co-existed to the mutual enrichment of the Church.

Is this still your opinion and, if so, do you agree that both traditions should be treated equally?

Dr. Poyntz: I will ask Canon Elliott to speak on this one.

Canon Elliott: Yes, I think Mr. Currie's question would reflect a real concern on the part of our Church that we are not here to advocate unitary or federal structures or any particular political structures. Our concern is that we should develop a society, North and South, in which there would be real sensitivity to the identity, the culture, the fears, the hopes of both communities, that each should be given a sense of assurance and recognition in this island. Our primary concern is with peaceful reconciliation, and I am not speaking in political terms. If I may say to Mr. Currie, I think that there has been gross insensitivity in both parts of this island, both parts, to the identity, the culture and the fears of the other community.

Mr. Currie: In that very same document you draw a distinction between unity and unification. You suggest that unification has the over-tone of an imposed solution. You say, and I quote:

Northern Protestants might be more open to the concept if it were accompanied by signs that the basis of their Unionism in some measure is understood.

What do you understand as the basis of Unionism? What is your understanding of the motivating force behind the ordinary Protestant/Unionist? What are his real hopes and real fears and what represents his bottom line?

Dr. Poyntz: Lt. Col. Filor might like to take that question.

Lt. Col. Filor: I do not think one can give a simple answer to a question like that. It is a way of life. It is quite intangible but it is very definite and very positive. As Mr. Currie knows very well from his association with so many of the Protestants in the North, and I am thinking in particular of the members of our own Church, they have a way of life, they have an ethos, a Protestant ethos, which they will not readily part with. There has been too much talk about fears. There are no fears. There are things which the Protestants do not like, which they will not accept, but above all they will maintain their own Protestant ethos. I think we will get into very deep water and achieve nothing if we start trying to say: "It is because they prefer the Union Jack to another flag. It is because they spend Sunday in a different way from other people. It is because they do this, because they do that." Those are all symptoms, outward signs, of an inward, deep feeling which I do not think can be expressed in words.

Mr. Currie: We have to express many things in words. Would you care to give any advice to the Forum about the way in which we in the Forum can indicate to an ordinary Protestant/Unionist that the basis of his Unionism is understood by us? After all, that is what you are asking us to do — to show that we understand the Unionist position. Can you give us any advice as to how we can get that message across?

Canon Elliott: Yes, I think the problem is this: in our document you will find a reference in the 1977 report to the concepts of a Protestant State for a Protestant people or a Roman Catholic State for a Roman Catholic people. I am not getting into the past. The past is there and we have to live with it. I, as a Northerner, with roots deep in Tyrone, and I think I reflect the documents of my Church, see in Southern society attitudes and structures and values and definitions of identity and attitudes to religion and culture and language and history which would make it impossible for me, and I use the word "impossible" sadly, as a Northern Protestant to identify totally with that situation in terms of my own identity, my own security and my own assurance. To Mr. Currie I would say this. For years in the reports of the Church of Ireland we have indicated those areas, those aspects of Southern life, which require fundamental change if there is to be evidence of a growing understanding of the Northern Protestant position. The report produced by the Working Party of the Theological Association in 1972, chaired by Enda McDonagh, which examined matters which could be seen as discriminatory or divisive on religious grounds in the laws and Constitution of the Republic of

Ireland is a key document. We published it in full to the General Synod. That document is an indication of some of the features of what we mean by a growing sensitivity to the identity and culture of Protestants. There are many other aspects in our documents.

Mr. Currie: I understand that. On the other hand in your 1974 document, again in a submission on the Role of the Church Committee to the All-Party Committee on Irish Relations to which you have referred, you say and I quote:

Any contribution to the secularisation of Irish society we would consider to be a failure of Christian witness.

So, on the one hand, we have the one point of view and, on the other hand, we have that point of view. What do we say, as a Forum, to an ordinary Protestant/Unionist? All we can try to do is influence ordinary, reasonable people and in the North we have, unfortunately, very many unreasonable people, on both sides. What can we do to talk to reasonable people?

Dr. Poyntz: I think what we have to show is that there is an openness in society, both North and South, that there is a willingness to see two Christian traditions, if you like a pluralism, a basic attitude of mind that will help society to cope with the divisions and to live at peace with itself. Nobody wants to make a moral wasteland of this country but there is, I believe, an onus on both our societies, North and South, to have an openness and I think when that more open society is seen, especially in the South, it will help to create a climate for the thing to which Mr. Currie is alluding.

Canon Elliott: In reply to Mr. Currie, I think the first thing for the Republic to face is what Senator McGovern described in his report to the Senate Foreign Relations Committee. I quote:

In the years since the Partition Unionists fears and Nationalist hopes in the North have both played off developments in the South.

It is to recognise the fact, according to our reports, that in the present context a united Ireland is unacceptable to the great majority of Northern Irish citizens. To start from that basic fact and to be realistic and honest about it because it is no good playing with the concept of unity without spelling out the realities and the changes that you would have to face — socially, in terms of values, attitudes, moral issues, economic changes, cultural changes. It is to recognise the reality that the Troubles in the North are feeding off insecurity, uncertainty down in the Republic of Ireland and

spell out the realities. When Mr. Currie sees the alternative between the present — I hope I am not misunderstanding him — and a secular state, I could not help but support, in the fullest possible way, my chairman. There is another way which is a Christian pluralism. We have references to that in our documents and it seems to me this is the ideal if one is to proceed in terms not of political change but that more fundamental change — a change in attitudes leading to reconciliation and trust. It is there, Mr. Chairman.

Mr. Currie: I am sure the subject we have been discussing these past two minutes will be raised by others. Figures have been given to the Forum of a demographic nature indicating that between 39 per cent and 42 per cent of the population in Northern Ireland is now Catholic. You have referred to insecurity and uncertainty in your last reply. What is your attitude to those figures in the North, the insecurity and uncertainty which those figures may reflect among the Protestant/Unionist population of the North and would you have any comments to make in relation to the British guarantee to the majority in the North in view of those figures of between 39 per cent and 42 per cent and the inevitability of those figures increasing?

Dr. Poyntz: I will ask Mr. Bristow Stevenson to answer that one.

Mr. Bristow Stevenson: I am not quite sure that there is an inevitability about those figures increasing. That may well be the case, but I would somehow doubt it. There is undoubtedly an apprehension in parts of the province that those figures are increasing. I am not saying necessarily that that means that in the future we are going to alter our attitudes. I do not think the British guarantee comes into the picture at that point. The guarantee is one thing. The intention of the Northern Protestant is another. With or without that guarantee it is my feeling that the grassroots of the Protestant population in the North is and will be totally opposed to a united Ireland. I must be honest and say that. That in itself may be the guarantee. It may be less easy for that guarantee to continue with a lessening percentage of the Protestant population in the North. I should perhaps say at this point, to put the record absolutely straight, so far as we in the North are concerned, and I refer to our memorandum, in coming here we have to admit that the grassroots, the great majority, I think, of our people in the North do not want us to be here. We are here, nevertheless, and hopefully we may help the Forum. I may say also that the vast majority of our people in the North do not like the

Forum. I am being blunt. I think everybody knows that. That is the case and we must reflect that and have respect for those people. I think it might help you, ladies and gentlemen of the Forum, to face that situation. Up until now that sort of situation has been mentioned very often by politicians. I think I am right in saying that I reflect the Church point of view in reinforcing and restating that point of view. I would hope that that will be taken into consideration and that each of the traditions would show respect for each other whether or not the percentage of the Protestant population in the North is increasing or decreasing.

Chairman: Thank you, Mr. Currie. I now call on Deputy Mervyn Taylor of the Labour Party.

Deputy Taylor: May I refer the deputation to their introductory memorandum? At C2 it reads:

The plain fact is that partnership in Northern Ireland is being seriously impeded by the absence of a positive, realistic and honest approach by the Republic to the issue of Irish unity.

It then goes on to talk about the situation of the great majority of citizens in Northern Ireland. So far as the situation of the minority in Northern Ireland is concerned, that is summarised in a report from Professor Boyle and Dr. Tom Haddon to the Forum. I would like to put the short extract to you and ask you for your comment on it. It says at page 4 of that report:

There is no doubt that under the Unionist regime members of the minority community suffered a measure of political discrimination, notably in the drawing of local government constituency boundaries and in the delay in implementing British reforms in voting qualifications, nor is there any doubt that the minority community has experienced consistently higher rates of unemployment and socio-economic deprivation than the majority community and that emigration has been consistently higher as a result. It has been estimated that in 1971 the unemployment rate among Catholics was more than double that among Protestants. (Report of the Fair Employment Agency Research Paper No. 1, 1978) and there is clear evidence that the position has not changed in any significant degree by 1981.

Would that be regarded as a fair assessment of the history of the situation of the minority community in the North?

Dr. Milne: I do not think it is denied that many of the things we have just heard were the case. A great deal of documentary

evidence is now available. The trouble about the Irish situation is how far back do you go, where is your starting point, and while it is very important to know what happened in the past, because it gives you a proper perspective, it seems a rather unfruitful thing if one broods too much on what are very often the effects of particular causes which had their own causes. Where we feel that perhaps we have something to contribute is that the Church of Ireland has the interesting position of being part of a majority community in the North and a minority community in the South. This has given us an experience here of what it is like to be a minority, and while it must be said that you could not produce a catalogue, such as we had read out to us, dealing with our past experience, there have been many ways in which the shoe has pinched and earlier generations than my own did have to accommodate themselves quite painfully to the loss of things that were perhaps intangible but made a great deal of difference to their lives.

What we would hope is that, having had this experience here, we can somehow convey to our fellow churchmen in the North the importance of sensitivity. We may not have done this very well in the past but it may be our role at the moment. We know what it is like sometimes when things of cultural importance to you are despised or relegated and when new things have to be taken on board. It is important for us as a Church to try somehow to transmit that sensitivity to the Northern majority, because many of the things about which Northern Catholics feel badly are the constraints on the expression of their national feeling.

Canon Elliott: When a question like that is put to a person like myself, and thinking of the work of our Church, of course there is a truth in it. There is a truth that there was discrimination in certain sectors of life and having admitted the truth one has to ask why this kind of thing happened. It was not just based on privilege. It was also based partly on fear and uncertainty and insecurity. It was based partly on the continuing tradition which existed before that but I must say to the questioner that one of the difficulties one has encountered over the last 14 years is the danger of half the truth being taken — I know he does not mean this — to reflect the whole truth. Of course there was discrimination in Northern Ireland but then if you read the Cameron Report on the disturbances you will find stated clearly that the kind of discrimination that was practised more widely in Northern Ireland was also reflected in authorities in which there was a Nationalist majority. That report also indicates quite clearly that the fears and appre-

hensions felt among Northern Protestants had a solid and substantial basis both in the past and in the present. That report talks about the relationship between the Republic and the authorities of the Roman Catholic Hierarchy. I am not being sectarian but I think the truth has to be faced.

One of our hopes is that this Forum is going to face the realities honestly and sympathetically and outside the party dimension. The Cameron Report talks about the steady decline of the Protestant population, the influence of Roman Catholic doctrines on Government decisions in the Republic of Ireland, the pressures that came with mixed marriages until we had in Church of Ireland people an attitude — I remember one person saying about the children being brought up in one particular denomination: "That is the price we pay". It is half the truth but the whole truth is a sorry tale of majority insensitivity to the cultural identity, the rights, the continuity of minorities. In the documents of the Church of Ireland we have made it clear that we believe there has been a significant insensitivity in both parts of this island and that is the point from which we would like to start.

Lt. Col. Filor: Of course, we all admit and we know there was discrimination. Many of us protested against it. But surely there must be some credit for the last ten or 15 years. There have been tremendous strides to rectify these sins of the past. They have not all been rectified, I admit that freely, but there have been great strides at every level — Government, right through industry and right down to community — to try to bring about a changed situation. Credit should be given for that.

Deputy Taylor: Would the Church of Ireland accept that a crucial factor being denied to the minority people in the North is a denial of ability to them to give expression to the national identity they seek? In that context, could I refer you to section 14 of the Church Committee, 1973. You are talking about the process towards a unity community. You say:

The process involves such considerations as political, moral, legal, cultural and social structures, planning and economic growth, involvement and responsibility in decision-making.

Again in the report of 1977 under the heading "Northern Ireland", you say:

In Northern Ireland there is urgent need for some form of devolved Government.

Could you amplify on what type of devolved Government the

Church has in mind when it talks about it there and in what manner that responsibility for decision-making should properly be achieved?

Mr. Bird: The Church cannot and does not wish to get involved in any specific definition of devolved Government. Our task is to promote reconciliation in all sections of the community, at all levels and between all people in the Northern situation and indeed in the South, but particularly in the Northern situation where conflict exists. I think in the resolution of conflict one of the most important things is that there has to be compromise. In the North compromise is a word which is not used. If you compromise it is considered that you are selling out your side's position. I think it is an essential component of any settlement and when you get that compromise you can then get meaningful dialogue between those bodies that are in conflict and structures can be discussed and can be agreed upon. The Church is not in the business of drawing up blueprints and putting them on the table. We are at a more fundamental level — the promotion of reconciliation and understanding at all levels in the community.

Canon Elliott: Could I just give an opinion on the matter of an opportunity to express one's identity? One has to add that just as there is that problem about expressing one's identity — although I think it can be exaggerated in everyday life, North and South — so there is the complementary problem that most Northern Protestants would be convinced that their identity would similarly be inhibited in any attempt to express and create a United Ireland on the basis of the Republic of Ireland and its society. It seems to me that fundamental to the understanding is the realisation that if you make a point in connection with the sensitivities and worries of one community you must immediately recognise that the same sensitivities and worries are present in the other community.

Deputy Taylor: You make reference to the situation in Irish society here. In regard to steps that would be or might be taken in the Republic of Ireland dealing with matters of personal status, conscience and so on, what effect do you think they would have, if any, on the Unionist position in the North of Ireland?

Dr. Poyntz: I do not think they would have any immediate influence. One has to think in terms of the long range. In the long term an open society which embraced all traditions and cultures and approaches to personal problems would, I think, be helpful in

persuading Northern people to view us here in the South in a better light.

Deputy Taylor: The theme runs through the Church Committee Reports from time to time on the subject of the Irish language and Gaelic culture and in particular in the 1973 reports you say: "There can be little doubt that the position of Irish in the life of the Republic presents an unattractive image to many Northern Protestants." Would you agree that, in the modern context, that rather overstates the position particularly when one takes into account that Archbishop McAdoo here on Saturday last chose to use the Irish language for his comments at the inauguration of President Hillery?

Dr. Poyntz: I think the position of the Church of Ireland and our people, especially in the South, has been one of working with the Irish language enthusiasts. There is a long history here if we begin with Archbishop Liam O Domhnaill of Tuam who first translated our Prayer Book in 1602. You then had Bishop Bedell of Kilmore who gave us the Scriptures in Irish. You had James Richardson, another Cavan man from my own county, who again translated the Prayer Book. He was Rector of Belturbet from 1709 to 1747. Through the history of every century there have been within our society churchmen, clergy and laity who have given wonderful service to the fostering of the Irish language. In the present century, one can think of people like President Hyde, and so many others, Seoirse de Rút, Paul Quigley, J. B. Shea, and more recently, Canon Cosslett Quin, Rev. Sydney Craig, the Rev. R. F. Hipwell, Bishop Caird of Meath, and Archbishop McAdoo of Dublin — all who were, or are, expert speakers of the Irish language. Most of these people I think would see the Irish language as a cultural uniting force in our country, not something that was to be implanted on people; they studied and loved the language for itself. I think there has been a new deal in the whole Irish language situation; in the approach to examinations in the State, a more realistic approach in more recent times. I think there has been a whole new deal in our appreciation of the Irish language which is proving more helpful now. There was a time, earlier in this century, when many of our people viewed it coldly because they saw it as a political tool and when it is used as such, I think, it has an adverse effect upon the Northern population.

Chairman: Thank you. I now call Deputy Brian Lenihan on behalf of Fianna Fáil.

Deputy Lenihan: You are very welcome, Dr. Poyntz. As one who values the importance of the Protestant ethos in our society and in a United Ireland in particular where it can make a very valuable contribution, would I be correct in interpreting your view that this is the important element in your presentation, the preservation and maintenance of the Protestant ethos in this island?

Canon Elliott: That would not be our only concern. Our concern would be with the whole quality of society in this island, North and South. In the Churches we have been imprisoned in political aspirations and loyalties in a way that has been detrimental to the Christian religion. Of course, we have a concern about our own community and identity. In our shorter statement about meeting the Forum we have expressed the hope that this is a realistic and honest attempt on a broad basis to face the realities of that to which people in this part of Ireland aspire. I would not like you to understand our visit here as being primarily and only the defence of a Protestant identity and ethos. Of course we are concerned about it. As we indicate in our documents we have seen the decline here; we do not see this as a society in its laws, attitudes and values which reflects a true respect for that identity and ethos in this island. I would like you to see that we feel this concern in the context of a wider concern for all the people of this island, for the quality of life, for peace and stability and justice. That is the context of our concern.

Deputy Lenihan: Would you agree that the partition of the island interfering as it did with the natural circulation of Protestant people in the island as a whole has not helped in that direction?

Dr. Poyntz: I do not think that the partition of the island has affected the Church of Ireland. It is a very united Church. We meet in General Synod and we have different viewpoints on political matters. Indeed at this table there are three people from the South and three from the North. Some of us would differ quite fundamentally politically at this table but it does not affect the unity of our Church.

Deputy Lenihan: In terms of the natural circulation of Protestant people in the island as a whole and the conveyance of the very valuable traditions in the Protestant ethos, would that not be better accommodated in a united Ireland structure provided the appropriate guarantees were built into such a structure?

Canon Elliott: I accept the point made by Deputy Lenihan that

present structures do tend to prevent a circulation but I think that has to be set in the context of a situation in which the vast majority of our people in Northern Ireland — I speak of the Church of Ireland community — would see their identity, culture and future more assured in terms of the connection with Great Britain than in any move to incorporate them into the Republic of Ireland.

Dr. Poyntz: At the same time I think it must be said, speaking in the South of Ireland, that we have members of the Church of Ireland who see themselves religiously and culturally different from the vast proportion of people down here, people who are critical in many ways of many things within the society down here, but we are critical from within. We are very much part of the community, of the fabric of society here. We do not have to look elsewhere for props and we are here to play our part as best we can for the good of our State.

Deputy Lenihan: Do you agree with me that in a New Ireland situation, which is what the Forum is about really, it should be possible if we bend our minds and energies to the problem, to devise a new constitution in which cast-iron constitutional guarantees and structures would be set up and established and agreed upon so as to ensure a totally non-sectarian State here in the island as a whole that would accommodate the various traditions existing on the island and that that should be a reasonable objective to seek to attain?

Dr. Poyntz: I shall ask Dr. Milne to take that question.

Dr. Milne: We understand that that is what the Forum is about. Certainly many of us who live under the 1937 Constitution would say that it is ripe for overhaul. While trying to commend the idea of constitutional change to Unionists I think two things must be remembered. First, they see a society here that was created by an Irish Constitution and therefore they have not great faith in Irish constitutions. The society we have is one that was created; it was not imposed by the Treaty. The present Constitution is an Irish-made article. You have certain resistance to meet there. Along with that, there is also the fact that the Northerner is not accustomed to rights that are guaranteed in that kind of way. People have talked about the British guarantee, and that looms large in their minds, but there is a great deal of suspicion because of the way in which this State emerged. Some of us are quite happy that it did but in fact there were less than constitutional measures used from time to time and we developed from the Irish Free State

to being the Republic of Ireland in a unilateral fashion. Unionists are very aware of the fact that we have pioneered constitutional development in a very distinctive way over 50 or 60 years, which means that they must be satisfied — from my conversations with them — that this would not happen with a new document, that it would somehow be cast-iron. It would need external guarantees or something.

Deputy Lenihan: I am talking in particular about such a constitution with such guarantees drawn up in consultation, discussion and negotiation with all interested parties within the island. In that context would the Church of Ireland delegation agree that that should be an appropriate objective?

Dr. Poyntz: If the New Ireland Forum were to think in terms of a new constitution I am sure it would be a helpful contribution in the ongoing process of building up relationships. But we must also realise that we cannot take one step forward and one step back. Many of us, perhaps, would have seen the recent unhappy debate about the eighth amendment, talking at one minute of moving forward into a wider Ireland and a new Ireland and the next minute adding another chapter to our Constitution which may well have to be repealed on another day or set aside.

Deputy Lenihan: Could I take it that it is desirable that such a new constitution for a new Ireland should be devised in consultation with all the interested parties and Churches and elements representing the various traditions in the island?

Canon Elliott: When I listen to Deputy Lenihan I want to make two points. First, I think and I hope that this Forum, in the interest of peace and justice, spells out the realities of that to which the political parties in this country aspire. I do not think they need negotiations with Northern Ireland or people from Northern Ireland to spell out the realities which are there for those who want to see them and face them. That is my first point — do not talk about negotiating with Northerners; spell out the realities yourselves. There is plenty in documentation; they are known; they need to be recognised and spelled out on an inter-party basis. Secondly, if the Forum succeeds in doing this, the result might not be immediate, some kind of miracle, but I have no doubt it would be beneficial in terms of building up confidence, removing legitimate fear and changing attitudes in both Northern and Southern Ireland. Please do not wait for negotiations with the North; spell it out now.

Deputy Lenihan: Just one further matter — surely talks between interested parties can only lead to reconciliation?

Mr. Bird: Certainly, you have to talk to interested parties and you must form a dialogue but you must be understanding of the other person's point of view. You must not approach that dialogue and conversation with a preconceived idea without their having an input into that idea. In this situation about a unitary state and a united Ireland, I would say that most of the Church of Ireland people in the Republic would aspire to an eventual united Ireland — united with a small "u". There would be a form of unity. But it is an eventual thing. It cannot be imposed now or in the short term because of the polarisation that exists particularly in the North between the two communities in this island. There is a tremendous amount of work to be done and the Church of Ireland people would only see that eventual unitary State existing as the open, pluralist and tolerant society that I think this Church has worked for and has documented for a number of years past.

Chairman: Thank you. We shall now have the Minister for Foreign Affairs, Deputy Peter Barry, on behalf of Fine Gael.

Minister for Foreign Affairs (Deputy P. Barry): I would like to join with other speakers in welcoming Dr. Poyntz and the other members of the Church of Ireland delegation here and to thank them for attending because, as I think Mr. Bristow Stevenson said, there is a certain amount of resistance in one part of the country to their coming. This is a very particular day because this Forum is made up of elected members and we would see the murder yesterday of Mr. Graham as being an attack on this Forum and an attack on elected representatives and democratic institutions everywhere in the world. We deplore that, as I am sure the Church of Ireland delegation do. May I ask Dr. Poyntz if he thinks the Church of Ireland have a role in politics?

Dr. Poyntz: The Church of Ireland has a concern for the totality of the community. We have not just a care for our own people but for the wider community. I think that it is not our duty as members, certainly those of us who are clergymen, to join in any political party or show any favours to any political party. I have always in my life and ministry encouraged my people to take a party ticket and to join what they felt was the best way of explaining themselves. I hope they as citizens will do that and therefore through the membership of our Church they will be making a contribution to the community wherever they are. In the

wider field I believe the Church of Ireland has a role. Thirteen or more years ago this Role of the Church Committee over which I now preside was formed with the very definite point of view of making comment to the Standing Committee of the General Synod of the Church of Ireland on matters of a social, economic, cultural, religious and political nature. The Church has tried to do this, tried to be bridge-builders.

Deputy P. Barry: You think the Church of Ireland is in a unique position to suggest to the Forum what political structures we could establish to achieve what is the ambition of this Forum, to reconcile the two traditions of this island.

Dr. Poyntz: We have never looked upon it — I think this has already been said — as part of our duty to draw up structures. That I think is the duty of the politicians. We are here to think in terms of partnership, yes, if you wish to go along that line, but not political structures. That is not our brief. It is something which the politicians must do. We are also here of course to articulate fears and aspirations of our people.

Deputy P. Barry: I respect him and thank Mr. Bristow Stevenson for saying that some of his answers were blunt, and I want to ask a blunt question in return and I am sure you accept that I ask it in the same spirit. There is no point in us fencing with each other. We must be out in the open. Do you accept that most Catholics on the island, particularly in the North of Ireland, do not approve of violence?

Mr. Bristow Stevenson: Yes, I most certainly do.

Deputy P. Barry: Is there any segment of the Protestant Churches in the North of Ireland who do approve of violence?

Mr. Bristow Stevenson: Do you say any section of the Protestant Church?

Deputy P. Barry: Sorry, I do not mean the Church as such, I mean a group of people who are members of the Church.

Mr. Bristow Stevenson: They might call themselves members of the Church who would approve of it but I do not think that there is any proper member of any Protestant Church who would approve of violence or terrorism.

Deputy P. Barry: David Bird said earlier that we were engaged in dialogue. Has not the time for dialogue gone? Is not political movement needed now? Do not the Church of Ireland membership and the Church itself as well as elected members throughout Ireland have a contribution to make and indeed a duty to contribute to that political movement?

Mr. Bird: I think the dialogue has not even started because if the dialogue had begun and it was time for it to finish you would not have the polarisation that exists and you would have had political movement by now. You would have had agreement on political structures. The dialogue is only just beginning and in our opinion this Forum is a positive step in that direction. That is why we are here today.

Dr. Milne: As has been said before, and it is a very real fact of life, there are very many people in the Church of Ireland who do not think we should be here at all. But we have an official mandate and this I think shows that we are in earnest. We think the talking is just beginning and after a great deal of heart searching and a fair amount of nerve on the part of some people it was decided that we would go ahead with this so that the contribution we feel must be made by us would be made. We have always said that it calls for talk and a political solution. We are happy to feed in to the politicians who make the decisions what we think is in the minds of our people, particularly those in the North who preoccupy this Forum's time.

Deputy P. Barry: It is true — I think Mr. Bristow Stevenson and perhaps Lt. Colonel Filor said this earlier — that the vast majority of the Church's members in the North of Ireland did not want you to come to the Forum. Is this still their view or, since that decision was made, has the attitude of Church of Ireland members in the North towards the Forum changed? Do they now see some hope in it that did not appear when it was originally set up?

Lt. Col. Filor: I do not think so. Marginally, there may be some people. I had reservations but I am here quite happily and I am very grateful for being allowed to be here. I think it is only marginal. I would say that the majority of our people are still, not opposed, just indifferent. They think it is a non-event. I am being very blunt and that is the type of remark we get.

Deputy P. Barry: Do you share that view?

Lt. Col. Filor: No, I think it is a very useful exercise. I am very unhappy in one sense that one of our own political parties is prepared to come and take part in what is for us a foreign Government's venture and yet is not prepared to take part in our own affairs in the Assembly in the North. We are very sad about things like that. Nevertheless, I think the Forum is a very valuable contribution.

Dr. Poyntz: Our memorandum to you said that the Standing Committee believed — and I think all of us at this table, unless we stood over these words I do not think we would be here — that the developing work of the Forum has now in 1983 given us some reason to hope that an open, sincere and honest attempt is being made by the main political parties in the Republic to examine together the real problems, suspicions and so on. I think that is the line that would be officially taken by our Church at synodical level.

Deputy P. Barry: It is a bit more than that, it is the main political parties representing the Nationalist tradition on this island that are taking part in the Forum. Do you think that the Dublin Government have a role in Northern Ireland?

Canon Elliott: It seems to me that the main role for the South is to face the realities and spell them out and not continue to do things with a kind of verbal expression without being definite. I long for reconciliation on this island, for truth and justice. I am not talking primarily in political terms but the greatest role is to spell out the realities of two communities, two traditions, two minorities, each feeling insecure and uncertain and threatened. May I suggest: I would hope that the reality that might emerge from the work of the Forum — I sincerely hope it does — might in turn see a diminution, perhaps even the end of the kind of pressurised propaganda and pressure that is being attempted against the Northern majority through the European Community, in the US and in various agencies. The primary emphasis in the role you play is to spell out the realities in a sympathetic, understanding way but acknowledging and respecting both traditions.

Deputy P. Barry: As the Ceann Comhairle in the Dáil would say, that is argumentative. I do not think you really answered the question.

Dr. Poyntz: I think we should lay it on the line, if we may, that all politicians North and South should be careful in what they say,

weigh their words very cautiously when they speak especially from the South about things in the North, just as Northerners speaking about things in the South should. We need to weigh our words very carefully because words can cost lives. That is the first point. Another thing is that if we really want to persuade the Northerners, we must encourage them and not talk about how they have failed and all the things that have been wrong. We know very well that if we are talking to our children and keep telling them that they are failures what the result will be. We will not be very good parents; we will be very bad teachers and hopeless psychologists. Our Southern politicians must learn that.

Deputy P. Barry: Are you suggesting that the Dublin Government have no role to play in Northern Ireland?

Dr. Poyntz: I am not saying that at all. Of course they have a role. There is a triangle in this matter, the Northern community, the British Government and the Southern Government. I think we need to choose our words very carefully when we make observations from the South.

Deputy P. Barry: I fully accept that. Canon Elliott spoke of two minorities on the island and I accept that, the minority in the North of Ireland and the Protestant Church I think sees them as a minority on the island as a whole. Would it not be true to say from the outside that the outsider looking in would see more in common between two Irishmen one of whom was a Unionist, than he would see between two Unionists, one of whom was an Irishman.

Canon Elliott: Sorry, could I have that question again? I have been accused of not answering a question, so this time I want definition.

Deputy P. Barry: Is it not true that somebody outside Ireland will see more in common between two Irishmen one of whom was a Unionist than between two Unionists one of whom was an Irishman? In other words have not you and I, Canon Elliott, got more in common than you have with the Unionists in Great Britain?

Canon Elliott: There are two points here. First, what I meant in my attempt to answer the question which I was accused of not answering is that the activities of Dublin in regard to peace in the North are fundamental in terms of reconciliation and peace. I hope the realism that will emerge from this Forum will have a

direct influence on the future activities and attitudes of the Dublin Government. The second thing is this, and this has come up in a consideration of culture and identity in Ireland: the trouble between me and you, between Northerners and Southerners, is that we have things that divide us and things that unite us, but as between the Samaritans and the Jews the animosity between those who are totally separate is often less significant than between those who are separate but have certain features of common identity. Rather than ease a situation like ours those things we share in common may actually accentuate the differences which we experience and know.

Deputy P. Barry: In documents we have released from the Forum we say that unity means agreement freely arrived at by the two traditions in Ireland. Could you give us any suggestions as to what framework you see as the most likely to achieve that agreement?

Canon Elliott: No, I would have thought frankly that the job of the Church — we are fairly critical of the role we have played in our documents, if you read them. We have contributed to the Troubles. We are partly responsible for the differences. The report on violence from the Churches says there is a sectarian dimension in the Irish trouble. We are not trying to avoid a question like that but we see our role really not in terms of identifying with political aspirations but identifying more with a consensus, a mutual respect, with a quality of society, because underneath our differences are fundamental issues of human well-being and contentment and happiness and that has to be our priority in the Churches. Hence we are concerned with creating attitudes which respect and value the identity, feelings and sensitiveness of the other, not as we see him but as he sees himself. That is our priority.

Dr. Poyntz: I think the Church and the Churches have to stand over against the nation and speak the Word of God to it. As Canon Elliott says, we are part of the problem and perhaps we have contributed a great deal to the problem. The Churches are not instruments searching for an answer at the present time. We have been perhaps too closely identified very often with the life and problems of our people. We need to stand away from it to a degree and speak the Word of God to it.

Deputy P. Barry: In the beginning, Dr. Poyntz, you told us the story of the Earl of Kildare and the Earl of Ormond. If this Forum cuts the hole in the door and the Nationalist parties put their hand through will it be grasped?

Dr. Poyntz: I could not answer you, quite honestly. That will have to be left to the Northern people. But may I say as a member of the Church of Ireland, speaking from the South and speaking for the vast proportion of our people there, they would be hoping that it would be.

Lt. Col. Filor: I would like to think it would, but in all honesty I must say at this point in time I doubt it. I think again we are coming back to what the Bishop and Canon Elliott have been saying. Looking for political solutions is not really our role. What we are looking for is peace and justice and reconciliation at every stage. Mr. Currie is aware, but I do not think many of the rest of you are, that there is, in fact, a tremendous lot going on of which very little is heard. The position is not all gloom. At community level I am involved with a number of things such as housing associations, shelter and so on. In all that sort of organisation there is complete integration. I do not know who half my committee are, what foot they dig with, and I am not interested. We work together for the little bit of good we can see in front of us. We are not trying to change the nation or change the world. We are just doing that little thing we can see in front of us. That is going on all over the province. It is going on at a higher level. There is much greater co-operation and much greater openness in government and statutory departments. I am not saying everything is rosy and everything is right. There is an awful lot still to do but all is not black. If we concentrate more on building up that sort of thing rather than looking for this overnight magical, political solution, I think in the fullness of God's time we will get there.

Chairman: Thank you, Deputy Barry, and thank you very much, Bishop Poyntz, for sharing your views with us and coupled with your name, of course, Dr. Milne, Lt. Col. Filor, Mr. Bristow Stevenson, Mr. Bird and Canon Elliott.

The next presentation is by Dr. Bernard Cullen and Dr. Richard Kearney. Both of them are teachers of philosophy — Dr. Cullen at Queen's University, Belfast, and Dr. Kearney at University College, Dublin. They have both studied and worked in France and in North America. You are very welcome. The first question is by Senator James Dooge of Fine Gael.

Senator Dooge: Dr. Cullen and Dr. Kearney, you are very welcome. We have read with interest your submission. In your introduction you tell us that starting from diametrically opposed viewpoints you both now believe that what you call joint sovereignty would allow the identity of both major traditions to be

fully preserved and advanced. In journeying from those two diametrically opposed positions to a common viewpoint what were the stumbling blocks on the way? Were there critical stages? Were there particular points of difficulty for each one of you with your individual background?

Dr. Cullen: To give a full answer to that question would involve going through the entire paper we have submitted to you, which I shall not do, but I will try to isolate the stages in our thinking. Unfortunately, it involves a certain degree of autobiography. In my own experience, having been born and raised in a working class Protestant area of Belfast known as The Village, in the shadow of Windsor Park, the home of Linfield, and having gone out of my way to maintain the friendships and trusts which I had as a child; and later going out of my way, through my participation in the trade union movement, to listen to as many people as possible, as my own form of participation in the political process, I have been convinced, at least from the start of the current troubles, that there is an irreducible refusal by the Unionists in Northern Ireland to countenance absorption into any form of a united Ireland which excluded Britain. We elaborate the reasons for that in the document. Richard, on the other hand — he can speak perfectly well on his own behalf — when I first came to discuss these matters with him, was equally convinced that the aspiration to a united Ireland was a legitimate one which had to be taken account of. On the face of it, those two, particularly as they are generally expressed, are mutually exclusive aspirations. Each of the two communities in Northern Ireland has an ultimate aspiration which has both a positive and a negative aspect. On the side of the Unionists, there is the positive aspiration to remain part of the United Kingdom and retain their British heritage. But, more importantly perhaps, there is the negative aspect, and that is their fears about absorption into an Irish Republic, which we have heard very well articulated this morning. We have heard that articulated by the Northern Unionists who have taken the trouble to come down to speak to you. The vast majority, as was underlined, distrust this Forum so much that they have even refused to come and present their own point of view. On the other side, we understood that Nationalists have both a positive aspect to their aspirations, namely that Irishness should be guaranteed and should be articulated in the Government structures throughout the island of Ireland, and a negative side, which is the conviction that that can only be achieved by excluding Britain. That is, if I may put it bluntly: a "Brits Out" attitude to Irish unity. As Jim Molyneaux, who is not here today, has said, with uncharacteristic eloquence: "We are the Brits and we are not leaving". Richard and I became very gloomy and depressed about

this irreconcilability, and I think we were both heartened with the Forum and particularly the opening presentations in the Forum, which underlined the fact that this Forum was genuinely a Forum of hope, that this Forum was genuinely committed to examining and re-examining established and ancient nostrums, the cherished assumptions, as it was expressed, of the respective communities. Filled with that hope, we then considered ways in which the important emphases within the two communities could be harmonised. In a nutshell, it seems to us that it is possible to devise a constitutional structure whereby the positive aspects on either side — the desire to remain British on the one hand and the desire to have one's Irishness in Northern Ireland affirmed — can be accommodated; and what needs to be renounced are the respective negative aspects. On the one hand, Unionists must be convinced that if their Britishness is to be affirmed they can then afford the luxury of giving up their complete antipathy to the Republic; and on the other hand, the Irish Nationalists —

Senator Dooge: May I come in here and say you are describing for me the end point? My question was how you arrived there, what were the difficulties, because you are suggesting that the communities that are at present opposed could be united in this way. I would like you to be quite specific about any stages along the route and any particular difficulties that either you, starting from a Unionist viewpoint, or Dr. Kearney, starting from his viewpoint, encountered. We have all read and are familiar with your final position but it is the route to it which might be a pointer towards a movement on a wider scale.

Dr. Cullen: That involves referring to specific examples of entrenched attitudes. It seems to us that there is a problem — I will try to phrase it in this way — everyone who is concerned for stability and the development of peace in Ireland, specifically in Northern Ireland, has expressed worry at the electoral successes of Sinn Féin. The stumbling block is that Sinn Féin seem to represent a significant number of people in Northern Ireland who have perceived Northern Ireland as a political entity which refuses to give legitimacy to their Irishness. This involves, for example, the Irish language, it involves Gaelic games, it involves other, even more fundamental aspects of their culture. In talking about it among ourselves, the challenge was to find a way in which those aspects of Irishness could be guaranteed and made legitimate without being threatening and alienating to the Unionists. I take that as one example of a specific obstacle which had to be overcome. The structures we have sketched out — and they are only sketches — and the principle to which we have committed

ourselves do in various ways overcome specific obstacles such as that. The hope is that if Irishness in its many facets is enshrined in a constitutional arrangement in Northern Ireland, the vast majority of the people, particularly the young people, who have voted for Sinn Féin but who do not support the violence of the IRA, would no longer feel the necessity — out of desperation, I would suggest — to vote for a party which articulated their Irishness unequivocally. We suggest alternative ways of articulating that Irishness within new political structures, which would wean away from Sinn Féin the disaffected and disenfranchised Nationalists in Northern Ireland without alienating the Unionists.

Senator Dooge: Are there not difficulties, even some element of contradiction, in the term “joint sovereignty” which you use? Would it not be desirable to find some more suitable term to reflect adequately the concept of a joint authority in Northern Ireland?

Dr. Kearney: Our thinking eventually evolved towards the conclusion that joint sovereignty would be an attempt to resolve a present contradiction, in this respect, that what you have at present is a set of two mutually exclusive guarantees. You have the British constitutional guarantee to the Unionists of Northern Ireland which has underwritten their veto and, secondly, you have the guarantee to the Nationalist community of Northern Ireland in Articles 2 and 3 of the Constitution, admittedly *de jure* rather than *de facto* because, of course, the British do have sovereignty over Northern Ireland at the moment. What we envisaged in joint sovereignty was the possibility of re-interpreting and translating those two mutually exclusive and irreconcilable guarantees into a new form of joint guarantee and that this would, on the one hand, allow the Unionists to retain their link with Britain and, for the first time in 60 years, actually acknowledge a significant form of Irish unity. We do acknowledge that the term “sovereignty” is very emotive and furthermore that it could raise the spectre of constitutional complications, constitutional change and so on. We have taken advice on this and we have been informed that, strictly speaking, it would not be necessary to change Articles 2 and 3 of the Constitution to implement a joint sovereignty model; but the term “sovereignty” could raise problems and, therefore, to obviate those problems and particularly the notion, for example, of a referendum in the South on the Constitution, which we are convinced would at this point be divisive and would probably not have all-party agreement and therefore would make the joint sovereignty model still-born from the word “go”, because we would insist that there must be all-party agreement if it is to work:

in that respect we would be prepared, while keeping the principles of joint sovereignty intact, to use another word. We use "joint governance" on page 4, for example. I have seen the terms "joint responsibility", "joint authority" and so on being floated in the press. We would have, in essence, no difficulty with that sort of translation. To juggle with Shakespeare, joint sovereignty by any other name would sound as sweet. I would like, however, to clarify some of the reasons why we chose the terms "joint sovereignty" and "joint governance". Firstly, we had in mind that on 8 December, this very day three years ago, in this very premises, Dublin Castle, Charles Haughey and Margaret Thatcher met. It was an historic breakthrough and they both agreed that the problem of Northern Ireland could only be solved by the joint action of the two sovereign Governments of Britain and Ireland.

Secondly, we had in mind a number of condominium models that had been tried and worked with some effectiveness elsewhere — for example, in Andorra, the Anglo-Egyptian Sudan and the New Hebrides. We simply were aware that these were workable even though they could not be directly imported as such into a Northern Ireland context because of the specific complexities of the situation. Third, and most importantly, we had in mind the SDLP document of 1972, *Towards a New Ireland*, and Desmond Fennell's subsequent discussion of that in his book, *Towards a Greater Ulster*. Where we differ slightly with the SDLP — with their 1972 stance at any rate — is in emphasis. They saw joint sovereignty at that point as transitional, as interim, whereas we stress that it is durable. By that, we do not mean that if in the future the two communities, having learned to live together under a joint sovereignty model, decide to vote for or opt into a closer form of Irish unity or indeed a united Ireland — and I as a Nationalist would be delighted at that prospect — but for the moment, we accept that a united Ireland becomes a *possibility* among others under a joint sovereignty system rather than an *inevitability* as it has been hitherto. It is not the full shilling but at least it acknowledges that there are two sides to the coin. It is not ideal for the Unionists any more than for the Nationalists but we believe very strongly that it is the least unacceptable solution that has been put forward. Lastly, I would like to endorse the words of John Hume when he addressed this Forum at the opening session. He said: "We seek not a victory but a solution". That may mean transcending some of the old assumptions about the old Ireland in order to make way for a new Ireland and a new definition of nationalism that would be more workable, more realistic and more generous.

Dr. Cullen: One of the connotations which we thought was best expressed in the term was that the "joint governance" would be relatively remote. The conviction we share is that the people of Northern Ireland themselves must govern themselves, and that Britain and Ireland would co-operate in a guarantee from a distance. Whichever term you wish to use to gather in that connotation, we are quite happy with it.

Senator Dooge: I should like to ask each of you in turn, to comment on something you say. You say that both communities could renounce the absolute separatism of their ultimate aspirations without sacrificing the identity which they cherish. In order to indicate that this is not mere words, could each of you tell us what precisely this means in your particular case, what degree of sacrifice is involved and indicate how this is not a sacrifice of something that is essential?

Dr. Cullen: Specifically, it involves the acknowledgement that a new Ireland need not exclude Britain from sharing in the Government of Northern Ireland. In that sense, Irish Nationalists would achieve a great victory in terms of bringing about their cherished aspiration to have Irishness acknowledged throughout the island, but they would have to give up the negative aspect, that is, the removal of Britain. On the other side, the Unionist population of Northern Ireland would have to give up their frequently articulated refusal to have anything to do with Dublin, which is the kind of way it is usually expressed, while they would have what I think is most important to them — the guarantee by a British Government that their way of life would be safeguarded, that that will be retained. It very much involves equal concessions on both sides. We are convinced, both of us, that neither side must be seen to win. There must be no winners and no losers. To put it another way, they must both be losers and both winners in the long run.

Dr. Kearney: I would totally agree with what Bernard says on that. He has expressed both our views. As a Nationalist, what I would see as attractive in the joint sovereignty situation is (1) that it is workable and the least unworkable of the models and (2) that it does allow for a form of Irish unity and a significant form. It is not the ideal united Ireland that we have sought in the past. That ideal united Ireland, nonetheless, still remains as a *possibility* for future generations. When we say the solution must be "durable" we mean for at least this generation that has known so much divisiveness, bloodshed and bitterness but if, in the future,

working together, there is a majority in the overall community or in both communities that would like a united Ireland then that possibility is still alive.

Chairman: Thank you, Senator Dooge.

Sitting suspended at 1.10 p.m. and resumed at 2.40 p.m.

Chairman: We now resume on the presentation that we left after questioning by Senator Dooge, that of Drs. Kearney and Cullen. The next questioner is Mr. Seamus Mallon of the SDLP.

Mr. Mallon: May I welcome you to the Forum? Could I first pursue a question that Senator Dooge asked and ask you again are you talking in this submission about joint sovereignty or joint responsibility because I think the answer to that question has a very fundamental bearing on other factors?

Dr. Cullen: When articulating our proposals we considered a number of alternative labels to use. We both gave reasons earlier why we came down on the side of "sovereignty". In view of the principle of sharing responsibility for what goes on in Northern Ireland, for overseeing and underwriting the ways in which people within Northern Ireland conduct their political, legal and judicial affairs, the important thing would be that that responsibility should obviously be shared by two independent States rather than, as is the case now, by only one.

Mr. Mallon: I think Dr. Kearney said this morning that what attracted you to this system was that it is workable. That is why I asked the question about sovereignty. In terms of law enforcement agencies, how would they operate? Are we talking about joint police forces, joint army operations within the North of Ireland or are we talking about something different?

Dr. Cullen: I shall try to answer that. We are convinced that all the affairs of Northern Ireland, including security affairs, must in the medium and long term be dealt with by Northern Ireland people themselves. We do not see, for example, troops being brought in from other jurisdictions, including the Republic of Ireland. We think that would be unworkable. The kind of model we have is working towards a situation where, because Northern Ireland has legitimacy, the paramilitaries on both sides would be greatly marginalised, and the sea of support within which they now flourish would be greatly diminished. We would work towards

Northern Ireland as a demilitarised zone in which there would be no troops, British or Irish or United Nations or otherwise.

Mr. Mallon: Yes, but we are living in a real world in Northern Ireland, so real that it is almost unreal at present. We are not, by some miracle, going to get to a stage where violence is marginalised. I must go back to this point because it is crucial to the whole concept of joint sovereignty. Would security and law enforcement be a joint operation between the two sovereign Governments or would it not?

Dr. Cullen: My view is that responsibility for security would be a joint one between the two governments. The day-to-day working out of that, namely the people walking the beat and in patrol cars in Northern Ireland, would be Northern Ireland people. They would be subject to a police authority which would be composed of representatives of Nationalists and Unionists within Northern Ireland and the British and Irish Governments.

Mr. Mallon: But we have that at present. We have a police authority. I want to make the point that it does not seem to be joint sovereignty that we are talking about and I think we should have our terms of reference right. To move on to another point, the commission which in effect would be the governing commission of the joint sovereignty in Northern Ireland — what role would it play and how would it play it? If the Government that you envisage for Northern Ireland broke down — which is not unknown to happen; and given the pressures that exist it might well happen in this scenario — what would the role of the commission be and how, in effect, would it play it if you did not have joint control of security?

Dr. Kearney: What we envisage is that everyday legislation, including a joint police force — certainly everyday legislation — would be the business of the joint regional assembly but this could be overridden by an Anglo-Irish inter-governmental or inter-departmental council and would be answerable to it on questions of security. This arrangement could, for example, be facilitated by a constitutional court with three judges, one being the Northern Ireland Chief Justice, one appointed by the British and one by the Irish. In case of disputes, there would be the possibility of recourse to the Court of Human Rights, but that would be a very rare occurrence.

Mr. Mallon: I am talking about the position if the Government

that you envisage within this scenario fell. That does happen in Northern Ireland. What would the role of that commission be then? How would Northern Ireland be governed while that devolved Government, as you call it, was not in possession?

Dr. Cullen: We have no easy answer to that. What you are asking us is: "Tell us what you would do if your proposals fell through". We could then conceivably revert to the *status quo*.

Mr. Mallon: Yes, but that would be subsequent to a treaty and subsequent to the obliteration of Articles 2 and 3 as you say in the postscript to your submissions. Do you then —

Dr. Kearney: We do *not* use the term "obliteration" of Articles 2 and 3.

Mr. Mallon: I would like to pursue this. Who governs Northern Ireland if the Government created in terms of joint sovereignty falls?

Dr. Kearney: If it falls, we are back to square one.

Dr. Cullen: Could I try to answer the question in a different way because earlier you said that we had a police authority currently. But, because Northern Ireland does not have as a state the confidence of a significant proportion of the population, that police authority does not have the confidence of the population. We are envisaging a new arrangement where that alienation from the machinery of state, where that perceived illegitimacy of Northern Ireland would be removed because of the measures taken, so that the new police authority would have a legitimacy which it currently has not. The situation would be so radically transformed that we are asking you to conceive a situation under completely new circumstances, not that there would not be terrorist outrages, but that they would be radically reduced because of the new political arrangement. Surely it has been a plank in your own party's platform over the years that paramilitary violence could not be solved by security measures but by political measures. We are specifically proposing political measures which will go a long way towards resolving security problems.

Mr. Mallon: The errata sheet which you have appended is, I think, very significant in relation to your submission where you change the view that joint sovereignty is a final solution and you substitute

the words "durable solution". Could I ask why you made that change?

Dr. Kearney: Principally because our initial understanding of the word "final" was that it was final for this generation. It was final in the sense of lasting but not in the sense of *definitive* or *unalterable*: there is no way that one can defend the notion historically or politically of a final solution in that sense. So, to avoid confusion, we changed the term. Therefore, what we mean by durable, the amended version, is that the aspiration — and I speak as a Nationalist — for a united Ireland ceases to be an inevitability but becomes one possibility among others. If in future generations, having learned to live together, the majority decide to opt into a united Ireland, or into a united Europe or anything else, all the options are open. We are not closing off that eventuality. What we are saying is that it must not be seen from the word "go" as transitional or merely a stepping stone to a united Ireland, because the Unionists will not come into negotiations on that basis.

Mr. Mallon: Would you see an interim position towards joint sovereignty or would it come into being in one step?

Dr. Cullen: The answer to that question would involve trying to understand the reasons why the Unionists throughout the seventies and up to now will not negotiate with you. Your own party has had the experience of stretching out the hand of friendship and being rebuffed. The reason it has been rejected is that the Unionists — quite understandably, to my mind — say that they will not share power in a Cabinet with a political party whose fundamental and overriding ambition is to abolish the state of which they are part, that is, the state of Northern Ireland. If that is the case, the primary condition for even getting people around the table, and there has been much talk about that, and then sorting out the problems when you get them there, you must specifically address yourself to the biggest obstacle; and on the part of the Unionists that is the likelihood, particularly in view of the traditional rhetoric of Nationalist politicians in Ireland, that any form of giving an inch to Nationalists will simply put Unionists on the slippery slope towards a united Ireland. But that is not the case here and that is the force of saying that this is not an interim solution. Then you are likely to get negotiations.

Mr. Mallon: If we cannot get them to the table to discuss what you have rightly said is power-sharing within Northern Ireland how do

we get them to the table to discuss creating a system where the Republic of Ireland will play a central role in the governing of Northern Ireland? We must be able to answer that question. You do say it cannot be forced upon them. Is that in effect recognising the realities or is it reinforcing the veto which is there at present and has been implemented for some time past?

Dr. Kearney: This is the crux. It is the most difficult aspect of all. All we are saying is that if there can be joint party agreement, all-party agreement, from the Forum and from the British on something like joint authority or joint sovereignty, the power of that joint persuasion should be such that, first, the Nationalists would feel assuaged and hopefully convinced that this is a feasible possibility. Secondly, the Unionists may be offered positive inducements to the effect that "not only is your link with Great Britain being guaranteed by us as it has always been but now also by the Dublin Government." The British can say to the Unionists: "The buck stops somewhere. You have to cede on certain things but we not only repeat our guarantee to you that you may remain British but the Dublin Government does so also. You are doubly guaranteed. You have a copperfastened guarantee." That said, we recognise there will be difficulties in persuading Unionists.

Mr. Mallon: In relation to the workability of the system, who would represent it in Brussels? Who would represent the interest of a joint sovereign Northern Irish state in Brussels? You could have a situation where there is a conflict of interests such as we have seen in relation to the EEC summit a few days ago, a conflict of interests with the Northern Irish farmers in relation to the milk levy. Which of the sovereign Governments would protect the interests of Northern Ireland in the EEC?

Dr. Cullen: There is no clear answer to that. I believe, reading the relevant documents over the years, that there is a genuine desire within the EEC to solve the political problem of Northern Ireland. If that is the case I see no reason why a specific arrangement could not be agreed on that Northern Ireland should have its own spokesperson going directly to the EEC on such matters as agriculture or other economic affairs.

Mr. Mallon: But it cannot because it is not a sovereign power. The last question is in relation to law. Say a person in this State wanted to take a case to the European Court. He would have to exhaust all domestic remedies, as we stand at present. In this scenario, which

domestic remedies would apply? Would it be the House of Lords or the Supreme Court?

Dr. Cullen: It could be either, if we accept that there would be joint jurisdiction in Northern Ireland and that people may choose to have British citizenship or Irish citizenship, in the same way as is currently the case. If I wish to apply for a Fulbright grant and I am resident in Northern Ireland, if I have a British passport I apply to the London office; if I have an Irish passport I apply to the Dublin office. The same kind of mechanism could work. I may add that one way of overcoming this problem is by accepting what Lord Scarman has been arguing for many years in the United Kingdom, that the most effective way of guaranteeing human rights is to enshrine the European Convention within the domestic legislation, so that we do not have to traipse off to Strasbourg every time we feel our rights have been infringed.

Mr. Mallon: The European Court would be the ultimate arbiter.

Chairman: Thank you. We now have Senator McGonagle on behalf of the Labour Party.

Senator McGonagle: I get the impression reading your document that you put great emphasis on the Britishness, retention of the Britishness of the Northern Ireland Unionist. That is understandable. What you are endeavouring to say to the Forum is that this would be sufficiently attractive to make them change and possibly move in some direction. In this emphasis on Britishness and all the options that you have examined you have come down on the side of joint sovereignty. Would you explain to the Forum why you did this when in fact there is the same extent of emphasis on Britishness inside a federal state system? As a matter of fact, it might be more attractive to the Unionists because they would have more autonomy inside a federal system and they would not come under the supervision of two Governments, Irish and British, but under the supervision of one Government.

Dr. Cullen: With respect, may I say that your reading of the document as emphasising Britishness is a function of this Forum, because its initial pre-suppositions and ultimate aspirations are fundamentally Irish. When I showed this to my Unionist friends, they were more or less horrified at the degree of Irishness of it. While that may be seen as a problem with the submission, we see it as its great strength, that in being even handed each party to the dispute which is undeniably there in Northern Ireland has to give

up something and will come away with a great deal of what they wanted in the first place. To be more specific about the suggestion of a federal Ireland, I think the gentlemen here this morning, particularly the Northern Ireland gentlemen, made it quite clear that a simple verbal assurance that the Unionist Britishness will be guaranteed within a federal arrangement in Ireland simply will not cut any ice, and the only way in which Unionists can be secure in that knowledge is if Britain retains a constitutional and political input into Northern Ireland.

Senator McGonagle: You stressed the idea that Unionists cannot be forced or coerced, and one understands this in the context of history now being made. What will the British do when the figures show that the majority of people in Northern Ireland will vote for integration into the Republic? Will they force the Unionists to accept integration?

Dr. Kearney: Do you mean integration into joint sovereignty?

Senator McGonagle: Into the Republic.

Dr. Kearney: But in fact joint sovereignty does not propose re-integration —

Senator McGonagle: I am not talking about joint sovereignty. I am talking about a referendum in Northern Ireland, a simple referendum showing a majority of the people, a British referendum to be carried out in such a way. When the time comes and it is not very far away — perhaps a quarter century — and the majority approves integration with the Republic, according to the figures coming out, what will the British do? Will they force the Unionists into integration with the Republic?

Dr. Cullen: I would assume that the only sensible interpretation of the guarantee as it now stands is that Northern Ireland would remain part of the United Kingdom so long as the majority therein so wish and if the majority therein no longer wish then I would imagine that Britain would feel it quite proper to withdraw. But so long as that is not the case there are two things: firstly, Britain will feel under an obligation to stay, even though the whole tenor of our submission agrees with the fact that Britain would welcome any arrangement which is workable and which we can arrive at. Secondly, and perhaps more importantly, to emphasise such a situation particularly now, and you speculate what might be the case in a quarter century, is in psychological terms only serving to

reinforce the fears and insecurity of Unionists that they will be submerged. We advert to this in the course of the submission. It has to be spelled out, perhaps, that there is an Ulster Volunteer Force in Northern Ireland. There are people today willing to kill in order to resist what they feel is rampant Irish nationalism. All I can say is that my fear, on the basis of my own personal experience in talking to people in Northern Ireland, is that this is not a bluff. So strong is my conviction in that regard that I am not prepared to take a chance that it might be a bluff, because the stakes in this game are far too high for us to wave flags and, as McNeice said, to save our souls with bunting. The stakes are too high. The possible, some would say probable, outcome of such a threat — and I take it your demographic point is a demographically based threat — would be a most terrible and horrific outcome, much greater in carnage and loss of life than anything we have seen so far.

Dr. Kearney: May I add a quick word to that? We are talking about 20 or 25 years' time, in the future. Obviously, it is a little unreal at one level to translate the present Unionist fears, as Bernard has been doing, into a future situation because if a significant majority in Northern Ireland do decide to change their traditional stance on reintegration into Ireland, then one has every reason to expect that some of those fears and that incredible intransigence and resistance that has been there hitherto would in some sense have been overcome. In other words, British force hopefully would not be necessary.

Senator McGonagle: To return to your colleague's observations, are you saying that the referendum is a waste of time and is an empty gesture on the part of the British to mark time in so far as — and we heard this morning that attitudes will not change so as to translate that no-change attitude into a referendum majority decision to integrate with the Republic — there will be no change? Are you saying that the referendum on the part of the British is a waste of time?

Dr. Cullen: No, I am not saying that at all. I thought I made it clear that if the majority were to change their mind so and if the balance were to shift, the British would probably feel constrained to withdraw from Northern Ireland. I am not quite sure how to put this without being too abrasive — I will not pursue the point, if you do not mind.

Senator McGonagle: You pre-empted one of my questions by changing your "final solution" to "durable solution", but

nevertheless on page 7 you still say, talking about the Unionists: "but they will do so only if it is unequivocally declared by the Irish Government that joint sovereignty is not a stepping stone to a United Ireland." This kind of language to me is an expression of finality. Are you taking away the right of the Irish people, North or South, to change their minds in whatever directions the circumstances indicate, especially the Unionists?

Dr. Cullen: No.

Senator McGonagle: In what circumstances, then, do you envisage a no-change attitude, notwithstanding that the Unionists may change their minds?

Dr. Cullen: I shall try to answer. If we believed that the Unionists would not change their minds we would not be here today wasting our time. We are here out of a conviction that Unionists can be persuaded, provided certain guarantees are specifically stated. In the long term, as Richard has said, and as I who have been principally articulating the Unionist position would agree, I have no objection at all to the people of Northern Ireland eventually deciding, in a relatively relaxed situation, that their long-term historical interests would best be served within a united Ireland separate from Britain. But I am saying that there is no possibility of that in my generation, given what I know about Unionists and the strength of Unionist convictions. We are assuming that in accepting an Irish input into Northern Ireland they are granting a great deal and changing a great deal. On one level our proposal is complicated. On another level I think it is sublimely simple. If you have something and you want to hold on to it and I also want it, if one or other of us is going to have it to the exclusion of the other, that would involve victory and in the Northern Ireland context, unfortunately, it would involve people taking up arms to resist you. The sensible thing to me — in fact the only alternative left if we are to strive for peace and long-term stability — is to share the thing. That is what we are proposing. It involves a change of mind by the Unionists. It involves a moderation or a modification of the Nationalist claims of the Irish, but it pre-supposes nothing about how those attitudes may develop some time in the future.

Dr. Kearney: I should like to add in regard to the metaphor of stepping stones that we rule out the method of stepping stones because it implies, particularly to Unionists, the inevitability of one direction and we want to keep open the possibility of several directions. The stepping stone is inherently unstable as a solution,

whereas we want to say that it must be durable and lasting for this generation at least, leaving open several different directions and not just the one stone ahead of this stepping stone.

Senator McGonagle: Turning to the British guarantee, which must be put alongside what I call the Unionist veto, when one measures those two elements, the veto is the stronger of the two. The British guarantee is meaningless put against the Unionist veto. At the same time the British guarantee, even though it is fairly meaningless, means something to Unionism. Do you not think that the guarantee in the way it is written produces a situation in which the Unionists are not inclined to look at a changed attitude?

Dr. Cullen: We agree precisely that. That is why we are making proposals for change. Not only does the guarantee as presently articulated imply no change, but, when we put the point to Northern Unionists that at the moment their guarantee of their Britishness is in a British Act of Parliament which can be changed overnight by a British Government, and that under our proposals their guarantee would be written into a treaty, into international law and as such would be on much stronger ground, the Unionists have no argument against that. So I agree that as presently articulated, because the Irish are specifically excluded from the procedures and development, the British guarantee is a recipe for no change. It can be made compatible with proposals for change. That is what our proposals try to articulate.

Chairman: Thank you. I now call on Deputy MacSharry on behalf of Fianna Fáil.

Deputy MacSharry: You are very welcome, gentlemen. Would you agree that your proposals require a permanent renunciation of any prospect of a united Ireland?

Dr. Kearney: No.

Deputy MacSharry: Would you agree that your proposals require a permanent renunciation of any prospect of a united Ireland?

Dr. Cullen: No.

Deputy MacSharry: Well then, how can you reconcile what is in your document, when you say at page 3:

Both communities must renounce . . . their "ultimate aspirations". —

Dr. Kearney: A misquote — “the absolute separatism” — of their absolute aspirations.

Deputy MacSharry: — and go on to say on page 6 that:

Joint sovereignty must emphatically not be seen as transitional, but as a “final solution”

which you have changed to “durable solution”, and the point that Senator McGonagle has made? This all suggests to me that the whole basis of your submission is that if it is to be proposed and if it is ever to be acceptable it must be lasting, permanent, durable or final, whichever word you like to use.

Dr. Kearney: The reason we changed “final” to “durable” is because we do *not* see them as meaning the same thing. We do not accept “final” in the sense of never to be changed. As a Nationalist I could not accept that, but “durable” is durable for this generation, durable for now, and *maybe* indefinitely. We have to run that risk as Nationalists. Maybe it will be indefinitely but we retain the possibility of a united Ireland in the future if a majority so decide.

Deputy MacSharry: Would you accept that any change or diminution or renunciation of the aspiration of a united Ireland, as many speakers at this Forum have warned, would destabilise the entire island?

Dr. Cullen: I must come back to what Richard pointed out, that this involves a misquotation of our position, and perhaps I can spell it out. On page 3, we say that: “Both communities must renounce the absolute separatism of what we have called their ‘ultimate aspirations’.” With regard to Irish Nationalism, that means they must renounce for this generation, they must go into genuine talks, willing to come together to make concessions and to develop a workable arrangement.

Deputy MacSharry: Would you not accept that sort of renunciation would destabilise the entire island?

Dr. Cullen: Perhaps I could say why I do not think it would destabilise the island.

Dr. Kearney: Why it would stabilise it.

Dr. Cullen: While you would be renouncing the negative aspect of

your Nationalism, namely, the “Brits Out” aspect, not only would you not be renouncing the positive aspect, namely that Northern Ireland would be officially acknowledged internationally to be Irish, but that would be much more secure than any of the alternative arrangements, particularly if you suggest as an alternative a united Ireland with the exclusion of Britain. Because of the degree of hostility towards that in Northern Ireland, you would have at least as high a degree of instability in the island of Ireland as today; and my fear is, and I would suggest you would do well to consider it before you take the plunge, that you would have a great deal more instability than you currently have.

Deputy MacSharry: Would you accept that there is no chance whatever that any renunciation of a united Ireland would be accepted by the Irish people?

Dr. Cullen: No, we do not or we would not be here today. We take at their face value the statements made by the leaders in the course of their initial presentations that they were willing to come in a spirit of hope to reconsider their most cherished assumptions, which may be stumbling blocks to the development of peace and stability in Northern Ireland. We are here on that understanding.

Dr. Kearney: I would insist that we are not saying that there must be renunciation of the aspiration — certainly I am not — of a united Ireland, but a reformulation of it. I think we are agreed on this. We are saying that there must be a renunciation of the inevitability of a united Ireland. It is still retained as a possibility and I cannot repeat this enough. Of course, the Nationalist people, or a large segment of them, will not accept a total renunciation of a united Ireland — though some might.

Deputy MacSharry: May I refer to something that was said this morning by one of the Church of Ireland speakers — that the majority of the Church of Ireland in the South would aspire to a united Ireland eventually? Is it not the case that your proposals which would put Northern Ireland into a kind of limbo, neither part of the UK nor of Ireland, would satisfy no one?

Dr. Kearney: I would say it is not an ideal solution for anybody but that in a sense, ironically, is one of its strengths. We believe very strongly that it is the least *unacceptable* of solutions. We know that both sides have to concede a certain amount but what they gain in return we believe is adequate compensation.

Deputy MacSharry: Is it not the case that joint sovereignty is a cumbersome, undemocratic form of Government where the sovereign power resides outside the territory jointly administered and is not electorally responsible to the people of the territory? Does it not require the two Governments to agree before they can act?

Dr. Kearney: The reason we called it "joint regional sovereignty" is because we want to stress as much as possible the ultimate devolution or the greatest degree of devolution possible, the greatest degree of autonomous power-sharing to the Nationalist and Unionist communities in Northern Ireland. Of course in introducing it there is an element of persuading both parties: we in the Forum would have to persuade, if it were necessary, the Nationalist community and reassure them and guarantee them of their identity; and likewise the British will have to do the same thing for the Unionists. Their work will be cut out for them. I do not think it will be easy for the British to persuade the Unionists of this but I think they may well see it as the only workable and realistic alternative.

Deputy MacSharry: Would you accept that it is a cumbersome, undemocratic form of Government?

Dr. Kearney: No, I would not accept either of those descriptions.

Dr. Cullen: This notion of the absolute sovereignty of a nation or of a Government has been, I think, really overtaken by history. Our proposals would be no more or less democratic than the membership of Ireland of the EEC, to the extent that —

Deputy MacSharry: Not so.

Dr. Cullen: — the sovereignty over Ireland has been to a large degree handed over to an inter-governmental body, namely the Commission of the EEC and the various pieces of machinery in that body.

Deputy MacSharry: I do not accept that interpretation but that is not relevant to here.

Dr. Cullen: It is exceedingly relevant.

Deputy MacSharry: Would you agree that for a transitional period prior to British disengagement there would be a great deal of merit

in close co-operation and consultation between the British and Irish Governments?

Dr. Cullen: I strongly agree with that.

Deputy MacSharry: Would you not accept what is the wish of the majority of the Irish people, that the best solution lies in a united Ireland with a new Constitution which protects the civil and religious rights of all its citizens?

Dr. Kearney: I would say, as a Nationalist, it is the *ideal* solution but I would not go so far as to say, and I regret this, that it is the *best* solution because I do not, alas, see it as workable at present.

Dr. Cullen: I would add to that: that is the desired solution of the majority of people who inhabit this island; but as such it has been a very loosely applied term, a united Ireland. For a start, opinion polls have shown time and again within Northern Ireland that the majority of people who call themselves Nationalists are, all the same, prepared to live and work together within Northern Ireland and within the United Kingdom, provided they get a fair share of power. What the Forum have been trying to do, as we understood it, was to re-examine the old shibboleths to see how they can be reinterpreted for the eighties and perhaps for the 21st century. It is in that context that we reinterpret the demand for a new Ireland not necessarily to demand the exclusion of Britain from those arrangements.

Chairman: Thank you for your contribution and for sharing your ideas with us this afternoon. Thank you, Deputy MacSharry. We will now have the next presentation which is by Dr. George Gordon Dallas. I shall read the short note he has prepared for me. He is a chest physician who has recently retired from practice. The submission which has been placed before you was prepared jointly with six others, all of whom are members of the Bible Study Group at Clonard Monastery in Belfast. In the course of the study the group tried to search for the truth in the present situation and as trust developed among them they began to see what change in attitudes were needed in themselves as members of their respective communities. The submission was written by himself, a Northern Presbyterian and the other signatories are two Northern Catholics, two Southern Anglicans, one a northern Presbyterian and one English person. You are very welcome, Dr. Dallas. To ask the first series of questions, I call on Dr. O'Hanlon of Fianna Fáil.

Deputy O'Hanlon: I welcome you to the Forum and I would like to congratulate you on one of the best and most thoughtful submissions to come before the Forum from Northern Ireland. You support a unitary state and are against a federal solution. You also say that a weakening of sovereignty leaves a clear field for extremists. I fully agree with you on this. Would you like to elaborate on it?

Dr. Dallas: Almost any solution that has been mentioned or talked about is unworkable because of entrenched attitudes, but I feel if there was any possibility of a change in attitudes we might be at the point where something could begin to happen. The idea of a unitary State, in my mind, is based on the fact that Protestants in the eighteenth century all regarded themselves as Irish and I think that is what we were all the time meant to be. We have been as a community brainwashed over some generations into accepting a position which is not really our true one and in keeping with the best of our past traditions. I also feel that the security of the Protestant community in Ireland will be found in an all-Ireland context, as much as anything I think, from the point of view of morality which I think is threatened more in the British context than it would be in an all-Ireland context.

Dr. O'Hanlon: Do you believe that liberalisation of the laws on divorce, contraception and abortion would make a united Ireland more attractive to Protestants?

Dr. Dallas: No, I do not. It would have absolutely no effect on the average Unionist and does not make him any more likely to give up his present position.

Dr. O'Hanlon: How would you describe the feelings of the Unionist people regarding their behaviour towards the Nationalists over the last 60 years?

Dr. Dallas: I think Unionists feel perfectly justified in their behaviour and attitudes, but against that I would say that deep down in people's hearts, subconsciously, there is something of guilt because of what happened centuries ago when land was seized from Catholics. People are not unaware of that, or more recently of the whole matter of employment and the privileged position of Protestants or Unionists in that respect.

Dr. O'Hanlon: You state in your submission that the Presbyterian historical experience is such that this community remains the key

to the situation in the North. What role do you see your Church playing on the road towards a new Ireland?

Dr. Dallas: There are some Presbyterian ministers representing different viewpoints within the Church who are taking a courageous stand on the question of loyalism, a kind of total identification of Protestantism with the Unionist political position which I feel is the basic evil of the situation. Some men on both the ecumenical wing of the Church and a section of the evangelical wing of the Church have been calling for a dissociation. If that spirit can grow I feel that they have a chance to get to the great mass of people, say, the country people, the farmers who are very fine people as regards integrity, but I feel completely blind and brainwashed on the question of the Irish nation. I heard one of these ministers say some months ago in a discussion with an Anglican bishop that if we find our total security in Christ we have no need to look for it anywhere else and that this in a way would leave the way completely open to consideration of any reasonable options, in that people could be free from the things from the past that bind their hearts and minds.

Dr. O'Hanlon: Do you believe that the British Government have made an unjustified attempt to wash their hands of their responsibility for the Northern situation?

Dr. Dallas: Yes, I do. I feel that Britain historically is to blame for much that is wrong in Northern Ireland, having created the situation in the first place by planting a large number of Protestant settlers there, and also that she is at present responsible for the situation. I feel that Britain needs to take an honest look at what she had done both in the past and present. At this stage there is more to be gained from discussions between the Irish and British nations at Government level than from talks between North and South.

Chairman: Thank you very much. We now have Deputy John Kelly on behalf of Fine Gael.

Deputy Kelly: I know everybody in my party, as in the other parties, would want to thank you for a very idealistic and highminded submission. I would like to put to you some of the issues which arise on it which do not seem to me to be so hopeful and I would like to have your comments on them. You probably have heard Dr. Cullen say, about half an hour ago, that he thought the Northern majority, or very many of the Northern majority, if faced with a solution which represented, in their eyes,

a forcing upon them of the Irish Nationalist outlook would fight and he said he did not regard them as bluffing. He said he wished he could feel they were bluffing but he had to say he thought they were not. That point of view was put by at least two or three other people who came here to make submissions. Would you agree or disagree with that perception?

Dr. Dallas: I think I would agree with that position. I do not think they are bluffing.

Deputy Kelly: In the light of that, could I turn to the last part of your submission just in front of the signatures in which you say: "the best solution is a unitary state". Would you claim for that statement that the best solution would also be the most generally acceptable one?

Dr. Dallas: I do not think that solution or any other solution is acceptable at all in present circumstances. The main subject of our submission has been the need for some kind of spiritual preparation for political change which I think involves all the churches and involves Christian people, Catholic and Protestant, and their seeing, more and more, things, not just personally in themselves but their wrong attitudes as members of their communities and acceptance of the need to alter those wrong attitudes and the wrong practices resulting from them.

Deputy Kelly: I think everybody would respect and share that hope but suppose that hope, like so many other hopes in regard to the North of Ireland, is disappointed, and suppose we are not able to count on a general change of heart based on Christian reconciliation or suppose it does not come about in our time and then suppose we simply have to look for a solution which will be generally acceptable, given that the spirit of reconciliation has not become dominant, would you think even then that the best solution was a unitary State?

Dr. Dallas: In those circumstances I would not think that was the best solution but I also think there would be no solution.

Deputy Kelly: What would your advice to us be, in the event of your very idealistic hopes, which I hope we would all share, being disappointed for the present? What would your advice to the Forum be, seeing that we have to deal with the present as it is?

Dr. Dallas: I am not at all a political person and this is something on which I just do not see any answer really other than one based

on some kind of spiritual change. I have no advice that I could possibly give to the Forum.

Deputy Kelly: Do you think your hopes are shared by very many of your fellow Church members? Do you think what you have been saying here is at all representative?

Dr. Dallas: No, it is not.

Deputy Kelly: We can only respect the great frankness you have shown and the way you have dealt with your submission. Thank you very much.

Chairman: Thank you, Deputy Kelly. Now we turn to Dr. Joe Hendron on behalf of the SDLP.

Dr. Hendron: Welcome, Dr. Dallas. In your document you stated that injustice is built into the Unionist system. I know you worked close to West Belfast and you are very much aware that in Northern Ireland generally but in that area in particular we had internment without trial, we had a curfew, interrogation methods condemned around the world, repressive legislation and indeed you say yourself that violence was inevitable especially in Catholic ghetto areas. Would you agree that a military solution is just not on and cannot work?

Dr. Dallas: I agree entirely.

Dr. Hendron: You say it is impossible for Unionism, as at present constituted, to take part in dialogue with nationally minded parties. In other words, you are saying, I think, that British initiatives within Northern Ireland alone are doomed to failure. Would you agree with that?

Dr. Dallas: Yes, I think I agree with that. I think that Unionism or the association of Britishness with Protestantism and the association of Irishness with Catholicism — we have always been polarised but we have become more and more so — means that there is no possibility of any accommodation between two such opposite viewpoints and conflict is inevitable.

Dr. Hendron: You talk a lot about repentance and I am sure you are quite right in many aspects of that but, in particular, in terms of the British nation. I think you put the main blame on them and I certainly would agree with you. By repentance you mean taking an honest look at what they have done. You mentioned their

responsibility in this matter and indeed that they created the situation here. Would you agree that the British have indeed shown gross irresponsibility in handling the situation in Northern Ireland?

Dr. Dallas: Yes, I agree.

Dr. Hendron: Earlier today, because of a particular submission to the Forum, there was some discussion on joint sovereignty. In the search for peace do you see joint sovereignty playing any role either in the short term or the long term?

Dr. Dallas: I would not rule it out as a short-term measure. I think all solutions need to be looked at but I feel that the only long-term solution that can be satisfying for all the parties will be a unitary state for the whole of Ireland.

Dr. Hendron: Regarding the Protestant population in the North, you speak of their disillusionment about the relationship with Britain. I notice also that, including yourself, there are two Northern Protestants of the Presbyterian Church. How representative would you say both of you are in regard to Presbyterians in general in the North of Ireland?

Dr. Dallas: Not representative at all. I think the kind of views we have come to have arise from a rather unusual course of events in that it has involved some Catholics and some Protestants who were I feel honestly searching for some of the truth behind the situation and who came, in a way, to cease to be suspicious of each other, from a Protestant point of view to cease to have contempt for the others and to have love and respect for our fellow Irishmen who are Catholic. Because of that I think we began to see certain things more clearly but it has not yet begun to affect the general Presbyterian or Protestant community in their thinking.

Dr. Hendron: I find that some Unionist politicians privately would accept that there has to be some radical change in Northern Ireland and indeed in the island of Ireland. They say this privately, not publicly. Have you had that experience in speaking to such people?

Dr. Dallas: I do not move much in political circles but I agree that many do express such views privately.

Dr. Hendron: You quote Matthew Arnold as saying that there was

no remedy to the Irish problem and you quote: "except the very radical remedy of changing the character of the English people". I presume in this context we are speaking about the British people? Would you agree that the great majority of the British people would like Britain to get out of Ireland?

Dr. Dallas: I think that is so at the level of ordinary people but I think there are other considerations which affect the thinking of the British establishment. I do not know how far the strategic one is important but I think it still has some bearing on it. Also I think their pride as a nation comes into it very much.

Dr. Hendron: You say that the best solution is a unitary state and I certainly agree with you. It is the most workable solution we could have in Ireland. This Forum, in due time, will be producing a blueprint for a new Ireland. If you were invited to write a paragraph or chapter for that in terms of how we should get that unitary state or what is the best approach — I appreciate that is a big question and that you have to put a lot into it — could you say, perhaps in a few words, what you would put into that?

Dr. Dallas: I am not at all political and I do not think I could do anything other than reiterate the main point I have made in the submission that some form of spiritual preparation is required before the great bulk or even a significant minority of Unionist or Protestant opinion could change.

Dr. Hendron: I found your document most helpful, thank you.

Chairman: Mrs. Eileen Desmond will now question Dr. Dallas on behalf of the Labour Party.

Mrs. Desmond: You are welcome, Dr. Dallas. Your paper stresses the necessity for Northern Protestants to repent — your expression — to enable them to be fully Irish and to make a united country possible. What, in your estimation, is the number of those who would not do so? What could be done with the irreducibles, as one commentator labelled them?

Dr. Dallas: This kind of thing has to start with small numbers. Once a sufficient number of fully convinced people is there on the ground it is a thing that can grow and they can begin to influence opinion generally. That might well happen if enough Protestant Church leaders were to take it up and enough Protestant laymen and members of the community generally.

Mrs. Desmond: You attribute responsibility for the situation in the North of Ireland to the British for planting a Protestant garrison in the North. Would you not agree that the situation is more directly attributable to the inability of politicians in the South of Ireland to persuade Britain by cogent arguments that she should relinquish exclusive control over the problem? Is it not a reason for this that we have constantly challenged the legitimacy of the Unionist case for example by our Articles 2 and 3 of the Constitution?

Dr. Dallas: Sorry, I did not get all that.

Mrs. Desmond: You attribute responsibility for the situation in the North of Ireland to the British for planting a Protestant garrison in the North. Would you not agree that the situation is more directly attributable to the inability of politicians in the South of Ireland to persuade Britain by cogent arguments that she should relinquish exclusive control over the province? Is it not a reason for this that we have constantly challenged the legitimacy of the Unionist case by Articles 2 and 3 of our Constitution? Have we not also failed to demonstrate that our own State is one in which any minority, whatever its size, will not be oppressed by our Constitution, our laws and the ethos of the majority population and majority religion here?

Dr. Dallas: I would still feel that the major responsibility lies with Britain. Possibly successive Southern Governments may not have put sufficiently strongly to the British Government the need to accept responsibility and to be seen to be accepting it historically and for the present wrongs. That is the point I make at the end. I feel that is where there is most prospect of advance rather than in any North-South discussion.

Mrs. Desmond: You speak of a massive propaganda campaign in the South about the supposed effects of the liberalisation of laws on divorce, contraception and abortion on the attractiveness of a united Ireland for Protestants. I fully accept what you say about true Protestantism respecting Christian morality. But would you not accept that far from wanting a departure from Christian morality or a state of ex-Catholics and ex-Protestants, as you put it, that these are the very things that are pointed to in justifying describing the Southern State as a Catholic one? Would you not further accept that those matters are also seen by many as matters of religious liberty to be decided by the conscience of the individual?

Dr. Dallas: The point I was trying to make in the submission was

that there is a certain amount of misrepresentation of Protestant opinion on this particular issue in the South. I think I have lost some of the question. I must apologise.

Mrs. Desmond: Do you say that the price the Protestants have to pay for reconciliation is the surrender of supremacy? Does that not confirm Unionist speculation that reconciliation is a byword for unification, given that you consider that there is neither a place nor a need for a federal solution?

Dr. Dallas: I think if you have true reconciliation there will be no need for any solution other than a unitary one. Any of these other federal solutions, cantons or anything like that, are compromise solutions and we have seen all the evil that came out of the compromise solution whereby the Northern Ireland state was set up. I think further evil would result from any further compromise solutions like that.

Deputy E. Desmond: Do you not see a contradiction between the assertion in your paper that a reluctant acceptance by Northern Protestants of their Irish nationality will, in view of their number, sow the seeds of massive discord for the future and your conclusion, in the next sentence, that the best solution is a unitary one?

Dr. Dallas: The whole drift of our submission has been that, with the necessary spiritual preparation for political change and a real reconciliation resulting from that, the conditions for a unitary state will be there and it will in itself be an answer to violence or conflict once that condition has been met.

Chairman: On behalf of the Forum, I should like to express our thanks to you, Dr. Dallas, for sharing your views with us.

We will now have a presentation on behalf of the Irish Information Partnership. This is a non-profit-making, voluntary organisation which is headquartered in Belgium. It has been in existence for over two years and publishes in-depth studies and maintains a data base in relation to Northern Ireland. Representing it here today are David Roche, Chief Executive Officer, who is by profession a banker, and Brian Gallagher, who is a professional barrister. He is Executive Officer and head of the legal section of the partnership. You are both very welcome. To open the proceedings, I call on Senator Mary Robinson on behalf of the Labour Party.

Senator Robinson: I would like to welcome you both to the Forum and to thank you not only for the paper you prepared for the Forum but also for making available your researches into British policy in particular compiled by the Irish Information Partnership. I would like to begin with the part of your introduction where you note that the parties in the Forum recognise the importance of consent and where you point out, correctly, that that consent has at least four dimensions: the consent of the Northern Unionists, of the Nationalist community in the North, of the people in the Republic and of the British. In examining the role of the Forum you put it very much as a two-fold operation. You say that the Forum must present a programme capable of winning the consent of these parties and also, and you even use the words "perhaps more important or at least as vital" — you say it must discuss how such consent is to be forthcoming. I would ask you to discuss this aspect — the forms of persuasion. You are people with an expertise in communication. It would be helpful if you would develop this aspect of persuading, on the basis of a report of this Forum.

Mr. Roche: There are two forms of persuasion. The first is that what the Forum comes up with has to be creditable and credible to all the parties concerned. There is, however, in addition to that the question of what consent means when one is dealing with affairs discussed between states as opposed to affairs discussed between people. In this context I think it is worth remembering the words of a British Foreign Secretary who said: "Britain has no friends, only allies". This applies to all the parties concerned in this project. What we are not talking about is people simply discussing ideas and saying "That is a nice idea". We are discussing achieving a level of acceptance which might fall well short of what would normally be called acceptance when acceptance is discussed between people. What that means is, that using indirect persuasion is going to be very important. What indirect persuasion means is, that the proposals put forward by the Forum are acceptable to the parties concerned because if they are not agreed to then each party is clearly aware that the costs involved are too high. The tools available to the Irish Government to achieve this, other than the tool of producing an excellent proposal, one which persuades of itself, one which is properly communicated, the tools of indirect persuasion include approximately seven different types of instrument. First of all, I must say that our presentation and ideas are that there is a sense of urgency about the North. More far reaching solutions than we propose are probably in the longer run more attractive, but we feel it has to be done quickly. How we go about this is the question. We feel that whatever you come up

with, if it is not agreed to, your half of that proposal for whatever political institutions you are proposing for the North has to be implementable by yourselves. For example, suppose you decided that dual sovereignty was a good idea and suppose it was totally rejected out of hand, in that case you would have to give careful consideration to the possibility of creating representation for Northern people of both communities in instruments of State which would extend across the Border. I will dwell more briefly on another two tools of persuasion which are available. There are the normal diplomatic channels that can be used and to greater effect. I would ask you, in addition, to bear in mind that there is an Irish community which is enormous on the other side of the Irish Sea and in America and many other places. The fact that we are here today, I hope demonstrates, although we are not a community organisation, that at least young Irish people in other countries feel concerned. That community can be motivated; it can be informed and it can be used as an aid. There are other methods. For example, there is no doubt that there is a very serious security problem in Northern Ireland today and the Irish State, as all other states, has both a moral duty and in addition, a pragmatic duty to ensure the safety of its own citizens wherever they may be. But it must also be shown and felt that if one is going to co-operate on security it has to be a co-operation on security which is part of a total policy which is acceptable. At the moment in time one becomes a collaborator with a security policy which is part of a policy which might create the violence rather than solve the violence, which could happen one day in the North, then I think that role would have to be reconsidered. Many other foreign policy tools are available. There is, for example, the relative positioning of a small neutral country on an East-West axis, and making this position conditional on a resolution of the Northern Ireland *impasse*. You could move your position along the axis if you wished. There is also the pursuit of human rights. There are many international institutions for the pursuit of human rights and in our opinion, as those of you who have read our study of the use of emergency powers in Northern Ireland will know, there are many opportunities for using them. These are methods of indirect persuasion. I am trying to be as specific as possible. In addition to these means of persuasion, there is also the option of changing perceptions among the population of the Republic and the traditional methods of persuading the Unionist population to accommodate their Nationalist neighbours.

One final comment on them: each of these policy options has to be assessed to see if it is commensurate with both the moral and political goals of the Government of this country and, in addition

to that, one must have due regard to the response such a policy option will adduce. None of these options can be taken in a vacuum; there will be a response. Many of them call into question the degree of commitment — and it is above all the degree of commitment on behalf of the people of this country to achieving a solution in the North which will determine the degree and type of response which the Irish Government can take. I am sorry the answer has been so long but it is a very key question.

Senator Robinson: Still focussing on the response: you both live and work largely in Britain. Do you see a shift of attitude by the British political parties and specifically would you envisage a willingness to respond to a proposal of joint authority or joint responsibility?

Mr. Roche: There is still, at least in public, a very strong commitment to a policy of containment and the idea that the problem in Northern Ireland is one which can be solved by a policy using the twin prongs of criminalisation on the one hand and military strategy on the other. I detect, however, beneath the surface in the people that we are talking to that there is a realisation that this is simply not going to work. Particularly at this time and given the events of the last week, one can see the sort of tit-for-tat type of violence and the escalation it can lead to and which no amount of locking up or gunning down by security forces will solve. People of commonsense can see that the fundamental issue is a political one. On the other hand, there is not very much of that sort of analysis or that awareness to be seen in the popular press or in some of the intellectual media in addition to that. I do not think it has got to the base but it may be percolating to the top.

Senator Robinson: I think you were here for most of the contributions today and that you heard Dr. Cullen and Dr. Kearney develop their submission on the proposal for joint sovereignty. Do you agree with their joint approach or are there differences in the proposal outlined in your paper — differences you would like to bring out?

Mr. Roche: There is one I should like to bring out and I would ask Mr. Gallagher to comment on this also. There is probably a greater degree of toughness on our part, if I may say so, in this respect: we believe that the right to representation in the power structure of Northern Ireland for the Nationalist community is an inalienable human right. It could only not have become so if the origins of the Northern Ireland state were totally different or if the politics of consensus had developed after its initial inception. We are,

therefore, in a position where, while it is quite certain that we are not prepared to pressurise, in the short-term or the long-term, the Unionist population into a united Ireland, neither are we prepared to countenance a continued veto of recognition of the minority rights by the Northern Ireland Unionist population or part thereof — and I stress that there are many Unionist traditions some of which have presented more positive viewpoints to this Forum. We would not countenance a continued veto there, so we are talking, certainly in the initial stages, about a more imposed, and very rapidly imposed form of dual sovereignty. I stress — because somebody is going to ask me the question — that what I mean is a split of the total power structure from top to bottom. I do not mean starting at the bottom with security policy and I do not mean starting at the top without control over security. I mean a total split from top to bottom as a right of the Nationalist community. I should like to stress that we are a multi-origin group in the sense that we have in our group Northern Irish people who are of the Protestant tradition and if I were to try to produce a paper which said: “Let us go immediately for a united Ireland” I would not produce the paper. We, the Partnership, too, operate in fact in a microcosm which is very close to the macrocosm which you are dealing with.

Mr. Gallagher: In making the thrust of our proposals we are endeavouring to influence and change the position of the British Government. That is a factor in this matter and if one wants, in any assessment of the Emergency, it is the repository of power. We must accept this if we want to see changes there and to influence them in the direction of dual sovereignty as we suggested in this submission and in the document — I want to emphasise that point in answer to the question.

Senator Robinson: I want to turn to the part of your paper where you are rather critical of the Republic's stance, of its Nationalist stance. On page 7, you say that the Republic's stance has contributed to driving the Northern problem into a *cul-de-sac* of rather theoretical nationalism and to the definition of that nationalism in particularly Catholic terms. Again, on page 10, when talking about the role of the Forum and its report, you emphasise the need to persuade the Republic also. Could you develop your perception of Irish nationalism, and also the job that needs to be done to persuade people here in the Republic following the conclusions of the Forum?

Mr. Roche: We feel that the *lacunae* in the position of the Irish Republic have been that a wider definition of the non-recognition

of Nationalist rights in terms of human rights would have prevented the public image, particularly in the international sphere, of the public policy, as being presented, as mutually exclusive to that presented by the Loyalist community. In other words, I am struck in talking to people, particularly in America, the Far East, Australia and so on, by the fact that most people when they talk about Northern Ireland throw up their hands and say: "It is insoluble. On the one hand we have people who wish to be considered Irish; on the other we have people who wish to be considered British and the poor British are caught in the middle and unable to do anything about it". I would think that the way to break the log jam in the perception of the Northern Irish dilemma is to say: "All right, but let us look at the recognition within the instruments of state in Northern Ireland of the duality of the Northern Ireland communities as it now stands and I think one can find that the duality is not reflected in the instruments of state and, therefore, a broader and more human rights oriented approach is warranted. Within the Irish Republic — and I must stress that our research in the Republic was carried out not by poll or anything so sophisticated but by talking to people — we are rather surprised, particularly among the youth, at the degree of either unawareness or disinterest which is manifested in the problem. As a part of the indirect persuasion tools which I discussed in the first part of my statement, I think a much greater awareness should be cultivated.

Chairman: Thank you, Senator Robinson. I now call on Deputy Jim Tunney on behalf of Fianna Fáil.

Deputy Tunney: I should like to be associated with the words of welcome and indeed of gratitude to you for your interest and especially for the research you have done. I note particularly in the matter of research that you have applied yourself to security matters. Could I ask you to indicate what you regard as the main factors that have led to the rejection of the security forces in Northern Ireland?

Mr. Gallagher: The simplest and most obvious factor which has led to the rejection of the security forces by the Nationalist community is the fact that they appear, and are perceived to be, partisan. Without going into a great deal of depth, one only has to think in terms of the history of events since 1969 in terms of the B Specials, internment, the events of Bloody Sunday, the interrogations in the various police centres, the deaths caused by rubber and plastic bullets, the fact that there was an attempt to use bills of indictment to circumvent a legal procedure earlier in this year and the fact that informers have been relied upon to present cases to

the courts in Northern Ireland, courts which have been deprived of juries and, from a Loyalist point of view, deprived of rules of law whereby the judges in Northern Ireland up until the imposition of the Diplock system used to reject the admissibility of confessions brought against accused, indeed to rule cases out of order and to dismiss them, when they involved possession of weapons whether they were firearms or offensive weapons or explosives, when they were in the possession of a number of people arguably in a room. It is a list which has given great worry, great fear, and has indeed deprived people of lives and liberty in Northern Ireland. It is seen to operate against the Nationalist community.

The list does not end where I have left it. Certain matters are now *sub judice* and I will not discuss those, but they concern events which happened a year ago in Armagh. In addition to that there has been a policy of using general powers of arrest and search in Northern Ireland against a section of the community who feel themselves to be almost exclusively Nationalist. It has resulted in many thousands of arrests which, translating those into United Kingdom terms or United States terms, would mean that upwards of some 1.7 million people in the United Kingdom might have been arrested, interrogated, deprived of their liberty for some time, possibly up to seven days, and then released without charge, in America on the same percentage terms we are talking about a total of over 6.8 million. To treat that proportion of citizens without bringing a case against them is objectionable, simply and fundamentally. The policy of arrests is not just confined to arresting a person, interrogating him and then leaving him alone. It is very often confined to few geographical areas, mainly in the cities. It is confined to people who are, by and large, under the age of 30 or 35 and it consists of a policy of arrest, interrogation, release and later on — a week, a month, who knows — re-arrest, re-interrogation, release, and it continues. That is why in our view the Nationalists and, indeed, increasingly Loyalists too, have no confidence in the present legal and security arrangements.

Deputy Tunney: Would you accept that in the matter of security and the circumstances obtaining at the moment there will be no effective or lasting security unless it is joined with new, acceptable, wide political structures?

Mr. Gallagher: Yes.

Mr. Roche: Yes.

Deputy Tunney: How long do you think the present situation can

continue before an absolute collapse of catastrophic proportions emerges?

Mr. Roche: I wish I had a reliable forecasting tool to do that. It is very difficult to do because of the phenomenon which one perceives in violence, be it judged by explosions, violent attacks, deaths or whatever which has a wave-like function and often approaches, such as in the 1975 period, the brink of total collapse and then withdraws for a number of reasons which happen in the course of the initial rise of the wave of violence. I think I could say, in general terms, that we view the situation in Northern Ireland as deteriorating. Certainly at the present time the rate of deterioration appears to be accelerating. It is not possible to say when that will lead to open collapse but I think our feeling is that we are close enough to at least an erosion of the political base of the democratic parties on the Nationalist side to infuse this whole issue we are discussing here today — whatever the political blueprint which is finally adopted — with a sense of extreme urgency.

Deputy Tunney: It has been the practice here to ask those who would claim to be representative of one tradition or the other to indicate what they thought would be the rights and traditions of that particular side. I propose reversing that and asking you would you care to comment on what you regard as the legitimate rights and traditions of the Unionists?

Mr. Roche: Yes, we view the rights of the Unionists as being on exactly the same footing and as being, in every respect, commensurate with the rights of the Nationalist community. In our terms that means in practice that while one would envisage moving to a dual sovereign state structure with rapidity in a substantive and visible manner and in the manner in which I have defined a dual sovereign State earlier, we believe that at that point in time a recognition of the full rights of both communities would have been achieved. Further steps from that would depend upon the total consensus agreement of the Loyalist community or the Protestant tradition in Northern Ireland with those further steps. We do not, and I emphasise that, think that the Northern Ireland Protestant tradition can be integrated into a united Ireland state without first going through intermediate steps such as I have described and without their full consent. Otherwise, I think the rights of the Loyalist community in all matters — economic, legal, political and social — should be absolutely the same as those of the Nationalist community.

Deputy Tunney: In cases where it might appear that there was not that equality is there any suggestion you might have as to how that desired position might be reached?

Mr. Roche: Although I accept that there have been studies demonstrating that there are cases of discrimination going the other way, I find that the balance of inequality — I am talking about the North — at this time appears to be in the disfavour of the Nationalist community. However, there are injustices and violations of human rights quite apparent in the present legal system and they apply equally to certain members of the Loyalist community. In that respect practical measures should be taken and we have recommended such measures to Sir George Baker to redress immediately the wrongs which are inherent in the very structure of the legal system.

Deputy Tunney: You made a submission in respect of that?

Mr. Roche: Yes.

Deputy Tunney: Have you had any reply?

Mr. Roche: We had a lengthy, constructive and friendly interview.

Deputy Tunney: My final question is — and I appreciate that legal men are happier in presenting questions than in answering them: could I ask you to help us, by saying in a matter of a short sentence or two how we could encourage, coax or entice the Unionists in the North to move away from what appears to us and to many to be their present intransigent position?

Mr. Roche: First, on the political side, by demonstrating within the context of a dual sovereign State that you can govern in a manner which is impartial and acceptable to them while maintaining your own separate identity. I think it is very difficult in making the first step to simply sit and say: "If you were to join us we would offer you this and that." For, right or wrong, I think they are not prepared to accept that. I think one must demonstrate rapidly the ability to govern within the context of Northern Ireland. That is the best form of persuasion.

Mr. Gallagher: I think the other area where we need to act is in creating a coalition in the islands, that is Ireland and Great Britain, where we are directing all our energies to the creation of forward movement. We have suggested in our document on dual sovereignty how forward movement in terms of the Forum's final

proposals could be made acceptable to the British Government. If we can achieve such a coalition of interests, albeit the Unionists may at first stand against it, as was demonstrated, I suggest, in the Sunningdale Agreement, a significant number will see that there is a way forward without relying purely upon a guarantee or a Unionist veto. I think perhaps had there been more time we might have seen progress on that front two years ago. Should the Forum be successful, as I have no doubt it will, I suspect you will see movement along that line as well. If we can have a concerted approach throughout the islands towards the Unionist position, it is my suggestion and hope, and I would say belief, that they will begin to concede recognition to their Nationalist colleagues and citizens in the Six Counties.

Deputy Tunney: Through the Chairman, I wish to convey my thanks to Mr. Gallagher and Mr. Roche.

Chairman: Thank you, Mr. Tunney. We now come to the SDLP, and Mr. Sean Farren will ask the questions on behalf of that party.

Mr. Farren: Could I associate the SDLP with the welcome extended to you and the compliments paid to you for the kind of research you are engaged in at the moment. Your joint sovereignty proposal amounts in effect to a new definition of Irish sovereignty rejecting as it does the traditional basis for sovereignty as lying in the will of the majority of the Irish people. It seems to me to acknowledge that sovereignty in a divided society must be based on the agreed will of that society's divided communities. Nationalist Ireland has only indirectly, I would argue, if at all, accepted any qualification of the traditional definition. How do you think that Nationalist opposition to this perceived diminution of their traditional definition of sovereignty could be answered if your proposals were to be adopted?

Mr. Roche: You are quite correct in stating that by moving to a concept of dual sovereignty we are denying or stepping back from the concept of the rights of the majority but we are stepping back from the rights of two majorities. The first majority is, I assume, the totality of the Irish people which was certainly last manifested in the 1918 elections and very clearly so. The second majority we are stepping back from is the one upon whose veto the British Government bases its policy. I accept that in political theory this is an impure thing to do. However, on the basis of practicality — and I stress that I think it has to be achieved very rapidly — it is a concrete step, one which the British Government will find it very difficult to make and which they will have to be encouraged to

make by all the means available to this State. I think it is the biggest step they will make. The opportunity cost of not making it is very great. In other words, as I have said, doing nothing, continuing with the policy of containment will lead to ultimate deterioration which in our view is very likely to occur not only within Northern Ireland. Going for another policy of total integration into Great Britain which has also been mooted on various occasions and is still very much in the wind, would be a repetition of the original injustice inherent in the birth of the Northern Ireland state. Forcing the Unionist population into a united Ireland against their will would in fact be to repeat, in the short term certainly, the wrong which one seeks to right for the Nationalist community by this measure. I presume that it will not be easy to sell this notion to the Irish people. It will be very difficult to sell it to the British Government. The tasks are enormous and the persuasion would have to be done very adeptly, but I really think that, give the time scale I am talking about and the urgency of improved policy that I think is necessary to stop a worsening of the situation, this is the quickest and the best thing that can be done. We do not say — and you will see that it is notably absent from this document — we did not say it is final, durable or anything else. We said: do it quickly.

Mr. Farren: Are you suggesting that your proposal would be perceived within the international community as one based on a considerable degree of generosity and openness on the part of Nationalist Ireland?

Mr. Roche: Yes, and I think importantly, it will be seen as being a gesture of generosity by the British Government and, if accepted, by the Unionist population. I think it is important that everybody concerned should get credit because that is how you make the proposal attractive. As you know, if you talk to people in the US or elsewhere in the world, the degree of acceptance, logic, reasonableness of such a proposal is very appealing to them and I think may help to achieve that proposal itself by bringing them in behind it.

Mr. Farren: Moving to another section of your paper, when you say that your proposal emphasises the human rights aspect of the conflict, could you elaborate on what particular rights you have in mind and why you view it from this perspective since Britain could argue — indeed I think we heard the point made this morning — that considerable progress has been made and will be made in the human rights area within the present political context in Northern Ireland?

Mr. Roche: I might not agree with what was said this morning, which is my privilege, I hope. I think that the ultimate human right is the right to have a State and the institutions of State which represent you. Northern Ireland was conceived as a massive violation of human rights and anybody in their senses admits that today. After that what the British say with some justification is: "Okay, but it has happened; so what do we do now that the origin of the State was a violation of human rights in your judgment?" Thereafter that initial wrong could only have been put right if a consensus type of politics had grown. It did not grow because there was no give at all within the system. So today we have a collapsed system in Northern Ireland, a total log jam and people calling in a referee rather like when a scrum collapses or players get entangled and say: "We need a referee here". We called in a referee and the referee, the Secretary of State, the arbitrator of direct rule from Westminster, who was originally called in to protect the Nationalist community, unfortunately, has turned out to be unacceptable to the Nationalist community. So, what has changed? The instruments of State are still unrepresentative. All we are saying is that if the normal democratic process and consensus politics with majority rule and the possibility of a change of government now and then cannot work and you need a referee, at least let the referee be representative of the communities. That is my point.

Mr. Farren: You have stressed in several of your answers to the Forum the need for immediate action. This morning and on previous occasions, particularly when Church people addressed the Forum, emphasis was placed on the need for a change of attitude, for reconciling steps to be taken at grassroots level before political advance could be made. Yet your proposals for Anglo-Irish joint sovereignty would be essentially a top-down imposition and not a product of change at grassroots level. How would you answer those who advocate the need for the attitudinal changes and the reconciling gestures to take place before political advance can be made?

Mr. Roche: You have not time. There is no time. That is all I would say. Certainly one has to change attitudes but the best way to change attitudes is to show that you can govern impartially and in a credible manner and that as a result of that government the allegiance of the Nationalist community is attracted to the instruments of state and the attitudinal change you are talking about occurs. As regards working on attitudinal changes and then on politics, there is no time.

Mr. Farren: Are you suggesting, therefore, that, whatever proposals might be taken up and attempted, an initiative promoted by the British and Irish Governments should be taken perhaps even without, in the first instance, the consent of all the parties ultimately to be involved? In particular I am asking that because of the constant Unionist opposition to change which challenges their basic demands for a place within the United Kingdom.

Mr. Roche: Yes, we are. The point, we feel, is that it is a basic civil right and a human right of the Nationalist community to have reflected in the instruments of state of Northern Ireland their traditions and that thus the instruments of state of Northern Ireland would reflect the duality of both communities. We see quite clearly that it is not the right of any one community to exercise a veto over that right for the other community. What I think must be said is that the workings of a dual sovereignty state must be boycott-proof — let us assume that we had a dual Secretary of State and let us assume that below that we had an appointed Executive, which could come from the Assembly if the Assembly members chose to be members of it. Supposing you were in the position that not only were the Unionists unprepared to participate in the appointed Executive but, in addition, to that they were unprepared to take part in the Assembly, then I am afraid one must just go ahead and appoint people from one Unionist tradition or from another Unionist tradition who would be prepared to take part until such time as the whole instrument was shown to work and that people were prepared to participate in it. My colleague, Mr. Gallagher, is the constitutional expert. Perhaps he would like to add to that.

Mr. Gallagher: I would like to just endorse what Mr. Roche has said, that in terms of the dual sovereignty as we have outlined, it I would expect that in the failure of Unionist consent, that matter would be implemented by the British and Irish Governments acting together, but I would say to the Unionist community: that is the challenge of modern unionism in a pluralist society. They must recognise that they live in Northern Ireland, which is not just their private preserve but is shared in all sorts of respects by themselves and the Nationalists and if they refuse to accept that voluntarily then, hard as it may seem, it would be up to the two sovereign Governments to implement the system as we have outlined it. We do not go as far as to say that the joint Governments should force them into a united Ireland. I can understand their right to national identity, their right to representative institutions as they understand and revere them.

Mr. Farren: With respect to the passage on indirect persuasion, you seem to be suggesting that the hopes that Nationalists have traditionally placed in the Irish American influence may not be as well founded as many Nationalists might have thought. Could you elaborate a little more on that and indicate what you might think might be expected from the American source by way of assistance in reaching a solution?

Mr. Roche: I must preface my remarks by saying that the Irish-American connection is a tool, among other tools, and that our observations about it do not apply to this particular administration. They apply to any administration. Within that context it is fair to say that we see Northern Ireland as being of a lower priority than a number of other issues, in regard to some of which friendship with Britain is extremely crucial for, particularly, the NATO alliance and the Irish issue would, therefore, be subjugated to that interest. I do not think you can expect the United States to get into a situation of confrontation with the British Government over the question of Northern Ireland as long as the NATO link is as important as it is and I see no sign of that changing. That does not mean that the United States does not have an important role to play. It has an extremely important role to play, both in terms of providing an audience or a forum for discussion of the issue, possibly in financial terms, when it comes to refinancing or restructuring the Northern Ireland economy in conjunction with a political initiative and in situations like that. I do not think you can expect the United States to sacrifice other primordial and primary diplomatic ties to the Northern Ireland conflict. That would be unrealistic.

Chairman: Thank you, Mr. Farren. Now we pass to Deputy David Molony of the Fine Gael Party.

Deputy Molony: You lay great emphasis in your submission and also in your research documents on the question of human rights. This has been discussed already in your answers to the Forum. You say:

Dual sovereignty is a proposal which transcends the historical division of Nationalism and Unionism. Instead it emphasises the human rights aspect of the conflict, human rights which Unionists as well as Nationalists are entitled to enjoy.

This morning and on previous occasions at the Forum the point has been made that, in a unitary state situation for example, the rights, say, of the Unionists could be guaranteed in a constitution or in some other form, that there could be a Bill of Rights backed

and guaranteed by an international convention on human rights. What is it about dual sovereignty that makes the situation so different? Is it impossible to guarantee the human rights of one or other community in the North of Ireland in any other form?

Mr. Gallagher: The distinction we would seek to draw between the type of human rights we are talking about is that, in terms of the human rights of a citizen in society under law and under God, the right to life, to liberty and to the pursuit of happiness certainly could be protected by a Bill of Rights and indeed by state legislation and, if necessary, in divided societies could be further guaranteed by reference to an international institution such as many European countries do and indeed on a wider but perhaps not so strong a scale by reference to the United Nations. The human rights we bespeak go beyond those of the citizen in society under law and under God and go to the citizen who has his allegiance to a particular society and indeed to a particular set of institutions. That is the difficulty in Northern Ireland, that the two communities have different allegiances and seek to address themselves to different institutions. We feel that those are basic human rights — the right to be French, to be German, to be Irish, to be British, the right to have your loyalty expressed through a particular set of institutions. For example, I do not think one could ever persuade an American that he should swap the Presidency for the crown and *vice versa*. When you have those human rights clashing in a territory one has to adopt one of three answers. In the case of Northern Ireland either the Unionists are allowed to have their way and the place is British — I would suggest we have seen the results of that over 60 years — or the alternative is that Ireland is to have its way. We do not know how that would happen. What we do know and what is generally conceded is that we are going to find it very difficult in the short term to win consent for such a proposal. What I suggest as a method of breaking the log jam is the proposal of dual sovereignty whereby recognition and appreciation and understanding of those human rights to which I have referred would be met and, in my submission, nourished.

Deputy Molony: I want to come to the question of the guarantee given to the Northern Unionists. You say in your submission that, in giving its word to the Unionist community in Northern Ireland that its identity will be guaranteed, Britain has effectively treated Unionists as the sovereign power rather than as British subjects who are bound by decisions of Parliament. In view of this and in view of the unwillingness of Northern Unionists to share power, for example, with the SDLP and in view of their unwillingness to

have respect and regard for the legitimate aspirations of the minority community in Northern Ireland, is there any justification for the British Government continuing to give such a guarantee to Northern Unionists? Is it not the case that, if we were to move at any stage towards dual sovereignty or to any other development, that guarantee would have to go?

Mr. Gallagher: As far as justification is concerned, as an objective member of the Partnership I would say there is no justification for that guarantee; but I can understand why a British Government, which see the Unionists as British kith and kin, would feel reluctant to dispose of the guarantee. The way I would look at the guarantee is that, to the extent that it operates as a veto upon the rights of the Nationalists in Northern Ireland, it should go and one would seek to agree with Britain in pursuing the outline we have suggested, to see an end to the guarantee as it is written, but in its stead to see Britain and Ireland give a guarantee or a constitution or a Bill of Rights, a constitutional framework for Northern Ireland which would underwrite the legitimate aspirations of both communities. I cannot say to both communities that tomorrow as a result of dual sovereignty you will be British or you will be Irish and I cannot say that that will happen in the future, but what I will say is that you are no longer a pariah in your own home.

Deputy Molony: You mentioned on three or four occasions that the joint authority solution was one that had to be found rapidly. Then you refer to the direct and indirect forms of persuasion. The national identity of the minority community in Northern Ireland has been denied, you say. They have been denied human and civil rights. The civil rights violations have been institutionalised in the practice of government and in the economy. You identify the breakdown in trust by the minority community in the security systems as a major cause in the dropping off of support for the democratic nationalist parties. Surely, after so many years of violence and lack of any successful political initiatives in the North of Ireland, the British Government must realise that its policies have not been just unsuccessful but positively harmful. I wonder what we can do to bring about a change in their attitude rapidly. I am not convinced by what you say that the indirect forms of persuasion, important though they are, will bring about a rapid solution. Have you any suggestions as to what the Forum might do to bring the British Government and British politicians generally to a realisation that the situation is desperate and that something requires to be done quickly?

Mr. Gallagher: It must be up to the Government of the day and this Forum to decide how desperate and what measures they may take. There are drastic measures that this country could take well before any nonsensical solution; but, accepting that we are confining ourselves to matters that are outside the terms of violence of any sort, we are left with these direct persuasion of arguments of the report, of prosletysing it in Britain as well as in this country, and the matter of indirect persuasion to which I have referred. I agree that, following the disasters of British policy failure we have written about, one would have expected that a British Government would realise the failure of what had gone before. I would suggest that in the past some British Governments have done so. The present one may yet be some way from the starting gate. What I want to say to the Forum is that it is a question of redoubling our efforts in political terms, a question of, for example, developing understanding of the position in England where there is sympathy and some support for a united Ireland — it is small and in some quarters it is espoused by people who do not hold a widespread following among the body politic in Britain. It is up to the Forum to widen that degree of support. It is up to those who go to England to go more often. It is up to them to go in common purpose with their fellows from other parties and other institutions to argue the line that the Forum here arrived at. In that way there will be a general thrust of policy coming from the Forum and going to England where there must be some movement in due course, where there is a feeling even among Conservatives that what we have at the moment is not right — although I fear that perhaps they would go the other way at the moment. In addition the Irish community must be mobilised. I would not like to trespass on their field but I would say they must be organised and we must create a body of opinion and argument pushing that way. We must organise in the international institutions. If, within Europe and indeed the rest of the world, we find difficulty in persuading our friends to support us on this, we must look for new friends and we must raise the ante to that degree. I will not suggest how far a Government should go — that would be a matter for the Government. I look around the table and I see that most of us have children; most of them were under 16 in 1969. It is that category and class of people who in Northern Ireland are in the jails, in the graves or in the hospitals. It is that sort of worry and impetus and realisation that we want to bring home to England, which does not appreciate or feel the pain that we all feel here today.

Deputy Molony: When Mr. Mallon questioned Drs. Cullen and Kearney he posed the problem of the dual sovereignty situation,

that if there was a breakdown of administration established under such an arrangement you would have — I think he felt — some vacuum or he questioned what might be done to retrieve the situation in the event of such a breakdown. Would you care to comment on that?

Mr. Roche: We have in a sense envisaged the possibility of there being an instantaneous breakdown in circumstances such as Mr. Mallon pointed out. I doubt if the Unionists in their present mood are going to walk into the arms of this arrangement with aplomb. Therefore, one must have due regard in designing such a system to make it workable without the participation of any member who wishes to walk out. This encourages people to participate. Obviously, in the longer run, by demonstrating that the system represents both communities, that it governs and that it works, we think the people will come back to it; but we also allow for the fact that if people do not want to participate then an Executive can be appointed to continue the functions without the support of whatever assembly it would in normal and democratic times respond to. In addition, even if people were not participating in that assembly itself, it would continue to function. I would be very much inclined to make it a completely foolproof arrangement for anyone who wished to walk out of it because I am not sure that it will take off on its wings or on its sweet own.

Deputy Molony: How would you envisage the security system operating under such an arrangement? Do you see the possibility of a joint police force or do you envisage the possibility of bringing in a United Nations group or what?

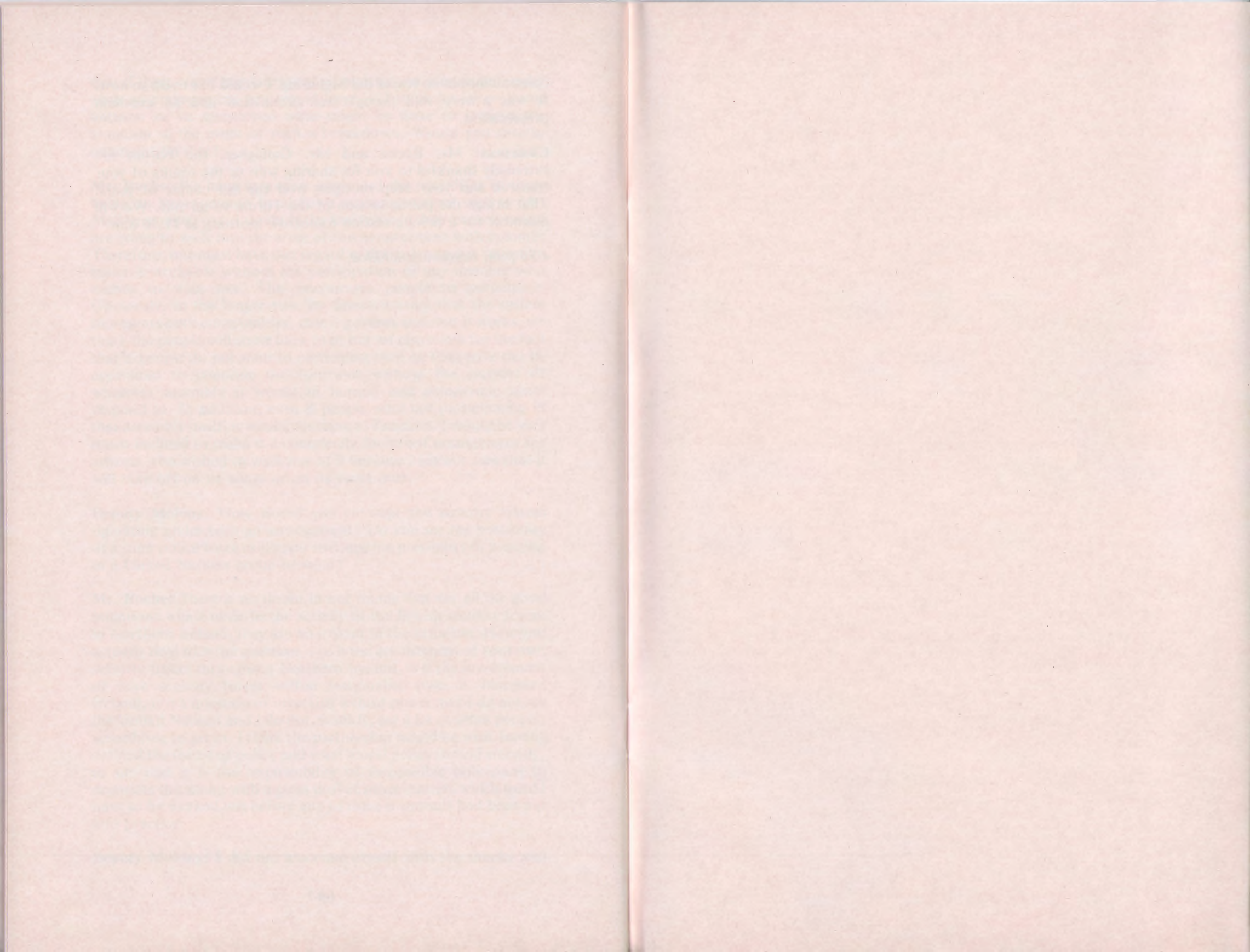
Mr. Roche: There is no doubt in our minds that for all the good intentions which underlie the activity of the British security forces in Northern Ireland, they are an irritant in the situation. How you actually deal with the question — is it the involvement of your own security forces throughout Northern Ireland, is it the involvement of Irish security forces within Nationalist areas in Northern Ireland, is it a question of involving a third power and I do not see the United Nations and I do not, frankly, see a lot of other people, scrambling to get in. I think the partnership would be wise, having defined the thrust of policy and what moral policy should embody, to say that it is the responsibility of responsible politicians to negotiate this along with a great deal of other matters which would have to be worked out before any of these proposals had been put into practice.

Deputy Molony: I did not associate myself with the thanks and

congratulations to you at the beginning. I would like to do so now. It was a very well thought-out submission and an excellent presentation.

Chairman: Mr. Roche and Mr. Gallagher, the Forum are extremely thankful to you for sharing with us the results of your research and your deep thoughts over the last couple of years. That brings the public session of the Forum to an end. We will assemble for a private session tomorrow morning at 11.30 a.m.

4.50 p.m. Session concluded.





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