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NEW IRELAND FORUM

Public Session

Thursday, 20 October, 1983

Dublin Castle

REPORT OF PROCEEDINGS

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Rev. W. Sydney Callaghan ... 1

No. 7



Public Session Thursday, 20 October, 1983 Dublin Castle

11.30 a.m.

FIANNA FÁIL

FINE GAEL

MEMBERS

Mr. Charles J. Haughey T.D. Mr. Brian Lenihan T.D. Mr. David Andrews T.D. Mr. Gerry Collins T.D. Mr. Jim Tunney T.D. Mr. Ray McSharry T.D. Mr. John Wilson T.D. Mrs. Eileen Lemass T.D. Dr. Rory O'Hanlon T.D. Dr. Garret FitzGerald T.D., The Taoiseach. Mr. Peter Barry T.D., Minister for Foreign Affairs. Miss Myra Barry T.D. Senator James Dooge Mr. Paddy Harte T.D. Mr. John Kelly T.D. Mr. Enda Kenny T.D. Mr. Maurice Manning T.D.

ALTERNATES

Mr. Paudge Brennan T.D. Mr. Jackie Fahey T.D. Mr. John O'Leary T.D. Mr. Jimmy Leonard T.D.

LABOUR

SOCIAL DEMOCRATIC AND LABOUR PARTY

Mr. David Molony T.D.

Mrs. Nora Owen T.D.

Mr. Ivan Yates T.D.

MEMBERS

Mr. Dick Spring T.D., The Tánaiste and Minister for the Environment.
Mr. Frank Cluskey T.D., Minister for Trade, Commerce and Tourism.
Mr. Mervyn Taylor T.D.
Mr. Frank Prendergast T.D.
Senator Stephen McGonagle Mr. John Hume M.E.P. Mr. Séamus Mallon Mr. Austin Currie Mr. Joe Hendron Mr. E. K. McGrady

ALTERNATES

Mrs. Eileen Desmond T.D. Senator Mary Robinson Mr. Seán Farren Mr. Frank Feely Mr. Hugh Logue Mr. Paddy O'Donoghue Mr. Paschal O'Hare **Chairman:** (Dr. Colm Ó hEocha): Members of the New Ireland Forum, ladies and gentlemen, with your approval we shall go into a public session the purpose of which is to hear a presentation from Rev. W. Sydney Callaghan, a former President of the Methodist Church in Ireland. His appointments have been in various stations, in Dublin in the theological college of his church in Ireland and presently in Belfast in the Shankill area. He says himself that he was born in Dublin in the Republic of Ireland, works in Belfast in Northern Ireland and that Ireland is his home. His factual statement encapsulates his awareness of and his central indebtedness to the different traditions which are his heritage and form a background to his life and work. The first questioner of Rev. Callaghan is Mr. Frank Prendergast of the Labour Party.

Deputy Prendergast: I was very impressed by your contribution when I read it last night. Could I begin by asking if you accept that the educational system in Northern Ireland is religiously controlled and what effect do you consider this has?

Rev. Mr. Callaghan: No, I do not accept that it is religiously controlled at all. If you look at the 1944 and 1947 Education Acts what happened was that there were schools that decided they would want to come under State Government and they opted into the scheme. By the very nature of things those in the main were Protestant schools and they came to form the backbone of the educational system. My Catholic friends decided that they wanted to stay out of that scheme in that way and they opted to retain their own educational system with its own particular ethos. That is a very valid decision which they made and one respects that. They are, of course, eligible for Government grants to a considerable extent and they are therefore benefiting, as is right and proper, from taxpayers' money so that their children may be educated in the ethos which they have chosen and which is of their desiring. But there are those who would say that it would be beneficial to society generally if there could be an integrated education system. so that is a matter for some debate. I do not think the case is proven but it might well make a contribution.

Deputy Prendergast: You speak of political instability, sectarianism and violence in Northern Ireland. What would you say are the causes of that?

Rev. Mr. Callaghan: I would think the causes are quite numerous. First, one has to understand something of the historical background. I tend to subscribe to F. S. L. Lyons's thesis not of the two traditions in Ireland but the four main emphases which one finds first in the English input, the Anglo-Irish input, the

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Gaelic input and the Ulster Protestant input. That has come from the settlers who came to Ireland and who brought with them Calvinistic puritanism of the best and the worst sorts. The positive factors of that tradition were individuality, integrity and industry but by the same token the negative factors were rigidity. inflexibility, a lack of elasticity. It is my perception, and some of my friends would disagree about this, that you cannot begin to understand the North of Ireland in toto until you recognise the total ethos has been influenced by that Calvinistic tradition, that puritan tradition and not just the Protestant one, the two-thirds majority but the Catholic one-third minority, with respect, I would maintain, are tarred with the one brush. Both of them have those rigid stances which make it very difficult for them to make compromises because compromise in the North of Ireland is a dirty word. People cannot compromise there without feeling that they have betrayed the past and have sold their heritage. That is an ingredient in it, a remote ingredient.

Coming near at hand, undoubtedly in recent times there have been factors which have exacerbated that and brought it to the surface. I would maintain that in both communities there are a series of fears and anxieties. One recognises that those who have made an analysis of fear would distinguish between fear which is real and fear which is imaginary. They would also say that imagined fears are much more profound and provocative than those fears which can be intellectually countered. In that society there are fears in both the minority tradition and in the majority tradition. My friends in SDLP are well able to articulate the fears in the minority tradition and do not need me to spell them out but simply to underline that they could be encapsulated in words such as discrimination and intimidation both of which are felt. If on occasion some would counter the "felt" business by rationality they are nonetheless felt and that which is felt is far more provocative than that which is intellectually perceived.

As regard the majority tradition it must be recognised that they also have their fears and I would spell them out under these headings because they are relevant and germane to the discussion. First of all, there is the recognisable fear that they have of annihilation. One of the traumatic visits in my Presidential year was to go to Fermanagh and the Border areas and as I visited there I made what was a very clear decision that I would not go to talk but to listen which is possibly as difficult for a preacher to do as for a politician — perhaps more so. But I listened to what folk were saying there and one thing they said as I talked to people in the Border area was: "We are not afraid so much of what is going to happen next but we are concerned about which one of us is going to be next." It is with that fear that they live. They feel that they are being exterminated and if you say that is irrational, nonetheless that could factually perhaps be evaluated in that one can look at the decimation of the Protestant population in the Border areas.

If one wants to move on from the fear of annihilation, they also feel a sense of diminution. They feel their power is being eroded politically and that potentially it will be eroded economically in that they do not want to identify with something which they feel is on a hiding to nothing. It may be that their perception is all incorrect. I have noted in this Forum for example that the economists have said one thing and the politicians have said another about that evaluation, but nonetheless that is their perception. They feel they do not want that sort of elimination. Further, they feel in this whole thing a sense of rejection and there is a gut reaction in the Protestant community that in fact the day will come when Westminster will reject them and they feel that they are therefore nobody's children. They have the recognition. despite all the affirmations which are made by politicians, that as and when appropriate they will be rejected because they recognise that of course politics is the art of the possible, that there is no morality in politics per se, whatever about the people in it, save the morality of expediency and pragmatism. As they study history they recognise that any empire or colonising group drop folk when it suits them. So, they have a feeling that they will be dropped. Also, they are afraid that they will have absorption into a Thirtytwo County Ireland and they find that absorption offensive because they feel - and this is not meant to be offensive, as I am trying to interpret what they feel as distinct from necessarily what I perceive because I see my role in part as an interpreter not as a propagandist - that if they came into a Thirty-two County country they would have to cope with the predominant ethos of the Roman Catholic tradition. They find, some of them at any rate, that is alien and offensive. Therefore, all of those factors in terms of fear factors, be they real or imaginary, are part of a situation and exacerbate the strain and stress. We all know, if we have made any study of human nature, that when people feel threatened they feel at risk and when they feel at risk they are liable to act irrationally and those are elements in the scene.

The other thing that is part of the scenario is the fact that my friends in the North of Ireland, unlike some of us here, have an identity crisis in that they do not really know who they are. It may be that some of the one-third know or feel themselves as Irish; it may be that some of the two-thirds see themselves as British but by and large many of them do not know who they are and it is those of us who have to deal with adolescents who are coping with the identity crisis now. To cope with somebody who is trying to think his way through that is very difficult. I very often encapsulate it with the comment of my wife who is a Northerner and who says: "It is all very well for you; you know who you are; you are an Irishman" — and I am; I travel on an Irish passport; this is my country; I know it like the back of my hand. With respect, I know it better, I am sure, than most folks here in that there is no part of the thirty-two counties in which I have not been. There are no towns I have not visited and very few villages.

I have been from Fair Head to Mizen Head, from Galway Bay to Dublin Bay, so that I know this country like the back of my hand. She would say to me: "It is all very well for you, you are Irish; I do not really know who I am. I do not relate to London. I certainly do not relate to Dublin because I do not trust you people as far as I would throw you." That may be offensive but that is what she says to me, a Southerner, and she classifies me along with the rest of us. That is the perception of the average Northerner and because they do not trust they feel insecure; because they are insecure they may sometimes act irrationally but that is part of their sense of vulnerability, the personality crisis, the identity crisis and the feeling that they are under siege.

Deputy Prendergast: As a Limerick man may I say that your distrust of Dublin is not entirely the prerogative of people from Belfast?

Rev. Mr. Callaghan: That I would know. I also have many friends in Cork who might say it is even more serious there.

Deputy Prendergast: I take very fully the point you have made about the distinction between psychological fear and the logical fear, the psychological one being far more difficult to deal with, but do you ever foresee a day when this Forum and the people we represent could come to a position and say to the people who are genuinely fearful as you describe, that we are prepared to the point not of generosity but to the point of nobility to allay those fears and to join with them in a situation whether it is — and I would not foresee it in the immediate future — one unitary system but whatever the arrangement may be an outcome or a proposition which would allay those fears entirely?

Rev. Mr. Callaghan: We must be realistic about this and recognise political realities. If you think of the scenario which is dear to the heart of any Nationalist — remember I am a product of this society and this where I belong — you must look at this and think

it through. There has not been sufficient thinking about this. If you are thinking in terms of any long-term unity and in the meantime you have to allay the fears about the present situation you must think of these factors. First, you would bring into this island identity $1\frac{1}{2}$ million people, the majority of whom have indicated that they do not want to be there, a small proportion of whom have learned the techniques of urban guerilla warfare in one of the most sophisticated theatres in the whole world and who would wreck it if they had the opportunity. Then you have to cope with the fact that you would be dealing with the good old Protestant work ethic which perhaps in industrial terms might put some Southern firms into bankruptcy with the laissez faire attitude we so often adopt and the unwillingness to accept new technology. Another thing is that there would have to be an accommodation to a pluralist society and in fact I do not see any evidence in the Republic of Ireland that there is a desire for a pluralist society. Here and there there may be more provocative speakers and here and there more profound thinkers may be affirming that we want a pluralist society but the predominant ethos here — and I say this as one who is a product of the society, who loves it and cherishes it - is that of the Roman Catholic Church. That is not very accommodating to pluralism. Whatever may be said of individual folk within it, and my relationships go right across the board from Tomás Ó Fiaich to the parish priest locally and we are on personto-person name terms, the fact is that the predominant ethos here is not accommodating to a pluralist society and therefore they do not see in the North any way forward. There is a further factor that while we have a common language - some would say two common languages — we certainly use it very differently. In our Southern ethos we play with words: we bandy them about; we throw them around and we all know the game. We know many of them are not meant to be taken seriously. So, my Northern friends say, "I do not believe a word that you people say because you are past masters of the art of small print, the innuendo and the halftruth." I do not mean to be discourteous when I cite in recent times examples of this when we can have a meeting of heads of State, a communique issued and people interpreting differently what those same words mean. We live with that ball game; we understand it and we recognise it; it is a built-in recognition that we have. My Northern friends say, "Say what you mean, mean what you say but on the basis of your track record I frankly do not believe a word you politicians utter." That may be unpalatable but that is what they are saying and you will have to work very, very hard to convince them of the reality of what you want to offer.

Deputy Prendergast: What are your views of present British Government policy on Northern Ireland?

Rev. Mr. Callaghan: I would say, strange as it may seem, that present British policy is wanting to let things lie and to just go on. They have no real policy. They wish the whole thing would go away just as it must be said that many of my Southern friends wish it would go away. If they had their way they would take a little scissors at the Border, cut the six counties off, push them out into the Atlantic, pull out the stopper and hope they would go to the bottom. That sort of thing will not be said here generally because of course we make political political noises. But that is the perception I have of the average person here and it is the perception of the average person in the UK — they wish the whole thing would go away. Strange as it may seem for an Irishman to say. I tend to think that they seem to have a keener will to find a solution than we do in the North of Ireland or the Republic of Ireland. They may have their political reasons for that and I am sufficiently long in the tooth to know of the lack of morality, save the morality of expediency and pragmatism: they may be thinking of their international reputation but by and large it seems, whatever the motivation, that there is a keener desire to find some sort of solution although they have not a clue how to find it because they do not understand us: they do not understand how we tick. They play their politics like a game of cricket whereas with us it is almost a game of hurling where we beat hell out of each other and then turn on the referee because we do not like his position. They try to play it like a game of cricket and they come unstuck. They do not understand. They think the English thought forms into the Irish scenario and that is how they come unstuck. They seem to me on occasions to be attempting to do the impossible, because fundamentally we do not really want the answers.

Deputy Prendergast: I hope that your estimate of the British Government will be proven correct when we come to speak to them on some ultimate type of solution. Thank you very much.

Chairman: Thank you, Mr. Prendergast. Deputy Wilson on behalf of Fianna Fáil.

Deputy Wilson: First, I would like to welcome Rev. Mr. Callaghan. I know of his work for a long time and appreciate very much his submission on which I have a few simple questions. You speak in your submission of the ignorance of the North in the South. Would you not have to admit that there is a great deal of uninformed and prejudiced comment about the South in certain sectors of the population in the North?

Rev. Mr. Callaghan: Yes, I have to agree with that and part of my time is spent attempting to be an interpreter. I feel it to be part of

my role in life, not a propagandist which is a different ball game, but an interpreter. In some ways I feel I am in a privileged position in that I come from the Republic. I am part of the minority. I can, therefore, with some credibility, afford to speak to minorities in that I am part of a double minority, in that my Church is a very small one within that minority. I spend part of my time trying to interpret the Republic of Ireland to Northern Ireland. Let it be said in all fairness that lack of understanding is two-sided. This again will be unpalatable in some circles. It has always intrigued me that we in our Constitution — note my wording — claim sovereignty over the 32 counties of this island and vet there are many political figures in the Republic of Ireland who have never been in the Six Counties in their lives and who know nothing absolutely about it and who have no desire to go and some who would be scared to go. It seems to me that we in an island which has always resented absentee landlordism are really a bit phoney when we claim sovereignty over 32 counties and we do not know the area over which we claim sovereignty. It is a two-sided thing; there is lack of understanding in the North and vice versa.

Deputy Wilson: I want to assure you that no week goes by but I am in the Six Counties at least once and I am glad also that I have a very intelligent little group of Methodists in my constituency, some of whom are members of my party.

Rev. Mr. Callaghan: I am glad to hear the exception rather than the rule.

Deputy Wilson: Second question — do you believe that Unionist politicians should be willing to talk directly with other Irish politicians?

Rev. Mr. Callaghan: Yes, I have no doubt at all about this. This seems to me not only sensible but essential but there again we have to understand the ethos of the Northern temperament. There are folk who say why cannot Unionists come down here and talk with this Forum and there are folk who say why cannot the SDLP go along to the Assembly. It is my perception which some will want to dismiss that this is not so much a political difficulty; it is a temperamental difficulty. The fact is that if either group went to either assembly they would lose face; they would have egg on their faces and they would have to go back to the constituency which would maybe dismiss them next time around at an election. That is a political reality whether unpalatable or not. It is part of the Northerner's difficulty that he cannot compromise with panache because to him it is betrayal.

Deputy Wilson: Is Unionist opposition to a united Ireland backed by the threat of violence if it is over-ruled, a sufficient democratic basis for an artificial political entity which has obviously failed when 80 per cent of the population of the island wish for a united democratic Republic?

Rev. Mr. Callaghan: I think with respect that is a valid comment. I would have to question some of the figures and the political reality of it. It is my perception and I am prepared to stand by it that I do not detect in the Ireland I know — I hope I am not arrogant when I say I know it very well — that there is either in the North of Ireland the wish for a solution or in the Republic the will for a solution. My friends in the AA are very perceptive about the drink problem and they say that you can never help the alcoholic until he is totally committed to finding an answer. In fact if you meet the alcoholic very often he will say, "I am giving it up, Mick"; "I am giving it up, Paddy". But what he is saying inside is "after the next bender, after the next bout". AA say that until the man comes to the place with the totality of personality that he wants a solution, he will not find it. It is my perception about Ireland, which I dearly love, that in the North they have no real wish for an answer and in the Republic we have no real will for an answer because if we were sincere about it we would have made greater progress long before now. It is easy to articulate the political verbiage; I am talking about the reality of things on the ground.

Deputy Wilson: Are you not inconsistent when you support majority rule in Northern Ireland — this is referring to your paper — but reject majority rule in Ireland as a whole?

Rev. Mr. Callaghan: I am not making a case for some sort of political theory. I am merely trying to interpret the situation as it is and I have no great difficulty with the general thrust of the identity and aspiration of the majority of people in this island, none at all; that is part of my heritage. But that being said, I have to perceive and understand what the realities are. My perception is that the realities are not as they are sometimes spelled out in the political speeches.

Deputy Wilson: Is it not just propaganda to believe that there is any substantial body of Catholic Unionist opinion? Do you think for example that Northern Unionist opinion finds it hard to face the reality that 40 per cent of the population of Northern Ireland want to be Irish and live in an all-Ireland State?

Rev. Mr. Callaghan: Yes, I think everybody finds it hard to face realities, just as many folk here find it hard to face the reality that

one million people in the North of Ireland want to stay as they are. We may find they are deluded, that they all ought to have their heads examined. That is the reality. They perceive that is as they wish it and it is very difficult to see how we can get off that hook.

Deputy Wilson: You say in your paper that the onus is on the people of Northern Ireland to solve the problem. After 14 years, since 1969, are they in a position to do so while the British remain? Would it help if the British declared they were leaving?

Rev. Mr. Callaghan: I have indicated already where I stand and let me say that first I am an Irishman and, second, I am by conviction a pacifist. That means I do not believe in armies. I am opposed to them even though I recognise that in the world of today one cannot be totally pacifist because one is compromised at any rate. For me it is part of an extension of my Christian faith. Therefore, what I say now may seem contradictory. It is unpleasant to some. It is my view that if the British Army were removed we could have a blood bath in the North. I am sorry to say that but I have worked fairly close to the ground. I would wish I was wrong but that is my view. I could extend that view and go into it in some depth if there was time and opportunity. That is unpalatable thinking but those are the realities, in that one would remind you that when the British Army came in, it was to some degree at the request, owing to their fears, of our friends in the Falls. Let me go on to say that of course we have a penchant in this island for scapegoats. It is a very human penchant; it goes back into the human psyche — "The woman who Thou gavest me; she gave me the fruit and I ate it". We have a penchant and we tend to feel that if only we could get "the Brits" out that would solve it. It is my view that that will not necessarily solve it at all. It may in fact improve the situation so far as relationships in the community are concerned. I think there could well be something of a blood bath. That is not meant to be hard talk or scare tactics. It is my recognition as one who has tried to listen to what people say on the ground.

Deputy Wilson: With regard to believing what politicians say and the difficulty of interpretation etc. of what they say, do you and your Northern friends not find in the British, apart altogether from what you said (and I do not accept it) — that they were dedicating themselves to a solution or that—

Rev. Mr. Callaghan: With respect I did not say that.

Deputy Wilson: —that they were more dedicated to a solution than we were or than the Northern people were? My contention is that they show very little interest and that the ignorance of the problem of Northern Ireland extending to very sophisticated people in British society is appalling. But that is another point. Do you not find that there is ambivalence and double-think among British politicians vis-a-vis the Irish question?

Rev. Mr. Callaghan: Yes, I think there is ambivalence and double think, not just so far as British politicians are concerned but so far as politicians generally are concerned because that is the name of the game.

Deputy Wilson: In view of what you said in answer to Deputy Prendergast's question about education, are you familiar with the work "Factory of Grievances"? Would you contend that the activity behind the education plan outlined in that and the use of the Orange Order secretly to impact on educational policy at that time was open-minded action or in any way commendable action in the body politic?

Rev. Mr. Callaghan: No, anything that denigrates any human being, anything that demeans or anything that treats a man with anything less than dignity and respect — when I use the term "man" I use it not in a sexist connotation, but generically — or does not give him his full place and work would have not only my total opposition and not only personally but vocally and consistently, if I may say so, as a churchman.

Deputy Wilson: Thank you.

Chairman: Thank you very much, Mr. Wilson. We now turn to Deputy Manning on behalf of Fine Gael.

Deputy Manning: Again you are very welcome, Rev. Callaghan, and we are very grateful for your coming here today. You state very clearly that the concept of Irish unity is an option which the Unionists simply refuse to contemplate, that in other words they will, as far as possible, maintain a veto over this particular option. Is there any evidence for the past number of years that the Unionists are in any way more aware of the genuine aspirations and sense of identity of the Catholics in the North? Is there any evidence of any freshness of thinking towards making Northern Ireland itself some sort of unit which would work as a political unit?

Rev. Mr. Callaghan: The cynic in me would tend to say no, that I do not see a great deal of evidence for this but I hope I am not totally cynical — realistic maybe. Here and there I detect some signs. It may be only a candle prick of light but it is better to light a

candle then curse the darkness and I do see some little pinpricks of light, some people willing to think on these things and perhaps think in new terms and new categories.

Deputy Manning: One of the things we have to do here is to try to think ourselves into the point of view of the Northern Unionists. Is there any evidence that they in turn are trying to think themselves into seeing things as the Northern Catholic sees things?

Rev. Mr. Callaghan: I think some would try perhaps to think their way into the minds of some of their Catholic fellow countrymen. I think it would be foolish and dishonest of me to imply that they want to think their way into how the majority of people feel in the Republic of Ireland, because they just do not want to know, full stop.

Deputy Manning: In page 2 of your submission you talk about the desirability of greater European Community involvement. Is this just an aspiration on your part or have you thought it out a bit further? Have you anything specific on this?

Rev. Mr. Callaghan: It would seem — and we have done a little bit of thinking about this; it was an attempt to provide some basis for discussion and further conversation — that if we in this island as a whole are finding great difficulty in solving this problem in the context of an Irish dimension in relationship to the other island perhaps there is some mileage in giving thought to looking at the whole European dimension and the whole European context. After all this island in the dark ages kept alight the lamp of scholarship and sanctity in the Europe of that time. While now sadly we are known not so much for our scholarship or our sanctity as for our bigotry and intolerance, there could dawn a new day when perhaps in a European context we might find some way forward. That is not something that we have processed fully but merely put into the melting pot for some sort of thought.

Deputy Manning: One of the themes in your paper is, as I mentioned at the beginning, that there is not much point in talking about unity and what you are saying is that there is not much point in talking to the people of Northern Ireland, to the Unionists of Northern Ireland, that they will not listen anyway. Side by side with that you make the point that we must as far as possible remove from our legislation and Constitution any elements of sectarianism. Could you be more specific? What sort of things could we specifically do in this area?

Rev. Mr. Callaghan: Anything obviously that enshrines the particular ethos of one religious tradition. Yet here one is in a very real dilemma. If the majority of my fellow countrymen in the Republic, 95 per cent, owe some sort of allegiance — on occasions nominal but sometimes very profound — to the Roman Catholic Church, then it is not unreasonable that that ethos should prevail in that society. I recognise that. Having said that, recognising the right of my co-religionists to take certain stances and certain points of view, there are things which I find for me are a denial of my basic human rights and which I find alien and offensive but which clearly the majority of my fellow countrymen do not see in that way. For example, some of us find the whole foolish stance about censorship a little naive and ridiculous in the twentieth century.

There are those of us who find on a more serious level the recent debate on the referendum somewhat distressing and I do not confuse the issue; I know what the issue was as distinct from what some of the controversionalists do; one knows it was about the Constitution and it being enshrined in the Constitution. That being said some of us saw that as a pointer to the fact that there was some predominant viewpoint which certainly does not augur well for the idea of a pluralist society. There are those of us who believe in the sanctity of marriage but we recognise that marriages break down and that there is a dishonesty — it would seem to some of us - in the stance of Church and State in that matter and that we need to do some fresh thinking about it. One is grateful for the indication of that. There is also the recognition that without getting bogged down in the issue about abortion per se there are those of us who feel that it is owed to us to have the right to make certain decisions and that those decisions are a God given right and no State should enshrine in its Constitution a way of taking away those rights. Those are the sort of things on which, I, having lived and worked here, can accommodate to the point of view of my fellow countrymen. That is a democratic process. What I can do is work for change and we try consistently to work for change to what I perceive may be a more liberated view — they may see it as a backward view — but I do it through the democratic processes. To say that is not to deny that there are things in the Constitution as I see it which some of us find alien and offensive.

Deputy Manning: Do you as a Protestant feel that you are discriminated against in the South?

Rev. Mr. Callaghan: Let me say a number of things about this. First, discrimination is two-edged and you can always find evidence of discrimination if you look for it. Secondly, you never

discriminate against a 5 per cent minority. You have no need to, especially if they are diminishing as they have been doing since the beginning of the State. You simply recognise that, through the process of mixed marriage and the stances adopted by my brothers in the Catholic Church vis-à-vis that one, in time we may well be decimated. You further recognise that while there is no overt expression of discrimination — why should there be when we as a Protestant community are no petty people, to quote Yeats? We have supplied some of the best of the literature and some of the most political thinking. Why would you discriminate? We are not here to rock the boat. We have made a contribution out of all proportion to our numbers. Why would you discriminate? If you ask me is there discrimination, I would have to say: Yes, there has been. You do not say that one swallow makes a summer but some years ago a member of my family circle applied for a job in a part of this island. The consultant said at the end of the interview: "Callaghan, you are the man for the job but you will not get it: you are the wrong religion." That is factual. I do not say that is universal. I do not say that at all because that would be dishonest. I merely say that I as a member of the Protestant Church, having lived and worked in the Republic of Ireland, having grown up here and cherishing my place here, never felt discriminated against save in this case, and this I did find offensive and it was a form of discrimination. My Irish identity and the reality of it was often questioned as not being authentic simply because I was not a Catholic. To have to live with the jibe of being a West Briton simply because of the religious heritage of my ancestors I find to be not only offensive but a form of discrimination.

Deputy Manning: If I may stay on the question of discrimination, because there are many here who would probably say historically that it was a two-edged sword and that there was discrimination against Catholics by Protestants in the commercial areas in the south as well—

Rev. Mr. Callaghan: True.

Deputy Manning: A point that is often made by Northerners is almost the allegation that the South has conspired to bring down the population of Protestants in the Republic. What do you see as the reasons for the fall in the Protestant population?

Rev. Mr. Callaghan: I think I have already given some indication of the reason for that. First, when the State was founded some Protestants — unwisely, I believe — moved out. I grew up in a heritage for which I am exceedingly grateful. I was taught by my parents: "This is your country. This is your land. Your forebears

have made a contribution to it. It is your Christian obligation to stay within it and see what contribution you can make to it." By that. I stand. But there were some folk who did not so feel. They felt threatened by being part of the minority. I subscribe to a different philosophy, namely, that with minorities, provided they do not become elitist or defeatist, provided they do not become proud or paranoid, they have an exciting role to play. They can be the catalysts, the leaven, the salt. But is is difficult for some people to accept that role. So some of my co-religionists decided they could not take that one. With minorities, you do not count them: you weigh them. They were a little worried about the count and they moved off because they could not bear the weight. I also think it must be said that while of course there was no policy discrimination — I state that categorically; we never suffered in terms of food to eat or a position in the community because of our religious identity — that being said. I would have to underline what was stated earlier. I have often debated this with my friends in the Roman tradition and I can understand their stance. If you have a stance that is Trent, and a great deal of the thinking is pre-Trent here and not post-Vatican II, if you have a stance which is post-Trent you will recognise that you treat people religiously not as first and second-class citizens, which initially may often have come about through an accident of birth over which they have no control, but you treat them as your brothers in Christ. I do not see that the stance of my Roman brothers in Christ vis-à-vis mixed marriage is a totally Christian point of view, though from an ecclesiastical point of view I think it makes good commonsense in that if you believe you have the totality of the truth then you will make darn sure to see that whoever comes your way really should be welcomed into the fold and should see the totality of the truth as you perceive it. That is not a caricature but a simple interpretation of how it is perceived.

Deputy Manning: I think there are very few politicians who would not agree with that last observation. Unfortunately, I have only one question left and I am still on page 3 of your submission. You mentioned there the need for the provision in Northern Ireland of a devolved administration. Have you any particular preferences as to the one you think would be best and would work best?

Rev. Mr. Callaghan: It goes without saying that you cannot have devolved government unless you have total participation and it is a foolish idea to attempt to have any sort of government that does not have participation.

Deputy Manning: But any particular structure?

Rev. Mr. Callaghan: I think that is for politicians to work out. It is their ball game, not mine. I am merely a simple, ordinary fellow who tries to relate the faith of Christ to the contemporary society, not the political structures.

Deputy Manning: Thank you very much.

Chairman: Thank you, Mr. Manning. Now we have Mr. Mallon on behalf of the SDLP.

Mr. Mallon: May I also welcome you to the Forum and say how glad I am to see you here. In page 7 of your submission you say that Articles 2 and 3 of the Irish Constitution "are an affront to your sense of identity". In the light of that statement would you consider that the constitutional position of the North of Ireland is — and I use your term — an affront to 40 per cent of the people of Northern Ireland and to the vast majority of the people of the whole island?

Rev. Mr. Callaghan: Yes, that is fair comment.

Mr. Mallon: Yet, subsequent to that you state that in your opinion Articles 2 and 3 must be revoked. I shall not go into the semantics of "revoking", but as we understand it that can only be done by referendum. First, could I ask you what do you think the repercussions of that referendum would be for the Republic of Ireland? Would it be divisive? Would it be destabilising politically?

Rev. Mr. Callaghan: It would scare the living daylights out of them.

Mr. Mallon: But would it be divisive and destabilising?

Rev. Mr. Callaghan: I think yes, it would be. It might be one of the points of political reality that we have to come to terms with in the twentieth century, but it would be a very searing and harrowing experience.

Mr. Mallon: So, in your opinion it would be justified to destabilise the Republic of Ireland politically and to introduce a very divisive political thing which could have vast repercussions to remove an affront, as you say, to the sense of identity of people in the North of Ireland?

Rev. Mr. Callaghan: There are two things I want to make quite clear. First, I think that just as I used the analogy earlier of the

alcoholic, very often he has to come to a point of desperation before he finds answers. Very often I think what we need more in the Irish scene is a greater sense of desperation than we have had hitherto. We have been waffling on but not with the sense of desperation to find the answers. Secondly, I want to make it quite clear that I take what you say about the submission but in a sense my own personal submission on which I would prefer to be evaluated was the submission as given in "The Agony of Ireland." This other submission to which I think you are referring is one in which I have related with John Dunlop and with Eric Gallagher as part of an on-going input to the thinking though here and there, being a true Southerner, I would have my small prints about that one.

Mr. Mallon: Unfortunately, I was furnished with this as the submission and I shall have to proceed on it. A second question in relation to Articles 2 and 3 of the Constitution — what effect do you think their revocation would have on the Nationalist-Catholic community in the North of Ireland?

Rev. Mr. Callaghan: I think obviously it would feel let down.

Mr. Mallon: Would you agree that such a step would be a very potent propaganda weapon for violent republicanism in that they then could protray themselves as the sole proponents of republican aims within this island?

Rev. Mr. Callaghan: That is a very real dilemma that your party have to face and I recognise the anguish you have over it — a fair comment.

Mr. Mallon: But if you were to add up the sum total of the destabilising effect on the South of Ireland and the effect it would have on the Nationalist community in the North of Ireland and the propaganda weapon it would hand to violent republicanism, would the game be worth the candle in the net result?

Rev. Mr. Callaghan: The answer to that is: it depends on the price you are prepared to pay to have a people living with each other as distinct from peopling their graveyards.

Mr. Mallon: You say at the bottom of page 5 that if the claim of the Republic of Ireland upon the whole of Ireland were revoked it would make it easier for the minority in the North to be involved in the administration of Northern Ireland. Why do you say this?

Rev. Mr. Callaghan: That is the submission you are dealing with. In a sense, while I gave my assent to that and identified with it, my far more personal submission is the one which clearly you have not got and I am sorry about that because it reflects much more my own personal thinking. It seems to me that in that statement there is some attempt to understand the Northern scene and to recognise the difficulties inherent in it for my SDLP friends who say it is only with difficulty that they could have assent to some such idea as that.

Mr. Mallon: Again — and I must stick to this submission because it is the only one I have to hand — you seem to veer within it between referring to changes in the North of Ireland and reforms in the North of Ireland. You seem to skirt around the question of political structures. At times you appear to envisage a new Ireland with the suggested political structures and yet again at times you go back and allude to adjustments to the present system — removal of discriminations, citizenship rights, etc. What precisely would you see as the type of political structures essential for the creation of a new Ireland?

Rev. Mr. Callaghan: I am not a politician and I am glad I do not have to try to find those solutions. I have to try to propound certain theses about the whole role and future of this land and that is all I am doing and I leave to the politicians the attempt to find those answers. I frankly admit that politically I am pessimistic about the future.

Mr. Mallon: I appreciate that it is rather unfair to ask you about political structures but may I ask you as a churchman: the changes, as I read them in your document, are very much akin to the arrangements that were made in the Sunningdale Agreement and how would you assess the role of the Churches in the North of Ireland and the influence that they exerted in sustaining the system of administration which had been agreed by the British Government, by the Irish Government, by the Catholic community and the majority of the Protestant community?

Rev. Mr. Callaghan: With respect, and I hope I am not being arrogant or pompous, I think that if you read the documentation which has been produced by the Methodist Church consistently across the years, we have a fairly good track record, not only for social service but for a sense of social justice and righteousness and we have been supportive of anything that has happened in the community, be it either in political structures or elsewhere, which could help towards the building of a new Ireland.

Mr. Mallon: I accept that very readily but I return to the question and rephrase it: do you think that in the event of political agreement within Ireland and structures being created that the Churches — and I mean all of them — would have a much more positive role to play in sustaining that agreement than they played in 1974?

Rev. Mr. Callaghan: I think there is possibility there but the difficulty is that so often the Churches in these lands, in this land, reflect the culture in which they find themselves and one of the failings of all the Churches is that instead of making the Christ critique — I am not being pietistic but very serious about this — of the culture we have more often reflected the culture and so, instead of saying to the culture those words which need to be of judgment and of prophetic voice, we have very often merely articulated the ideas of people and not spoken to them the word that is visionary and prophetic. In that sense, therefore, part of the *malaise* of Ireland lies at our door also. In other words, I am saying that it is very easy in our society — we love it — in Irish life to hear other people's confessions; we are not so good at making them ourselves.

Mr. Mallon: If you are to summarise the elements essential to the Protestant sense of identity that you spoke of earlier, what would you say they are and, in your opinion, are there any structures other than purely British structures which could accommodate those elements?

Rev. Mr. Callaghan: Here, of course, I find myself in something of a dilemma in that obviously, first of all. I speak against a background of my life and experience in the Republic. While saying that I did not feel all that inhibited, there were issues that I dealt with and wanted to deal with and which my Church will go on dealing with in the lifestyle and structures of the Republic fair do's - I did not feel all that diminished or inhibited. My difficulty in responding to this question is that I am trying not to make propaganda out of it but to interpret what people are thinking, feeling and saving in the North. Certainly, so far as the Protestant community in the North are concerned, they simply feel that they do not want to come into that in which they will feel absorbed. It is a trite statement and an offensive one to me that Home Rule is Rome rule but that is as they perceive it. They say that anything that in fact incorporates that in the structures is to them offensive. They want this freedom and right of private judgment to be, as it were, written into the Bill of Rights which some of us have recommended should be part of the Northern scenario and Southern one as well.

Mr. Mallon: Would you agree on the other hand that the laws of the Northern Ireland State reflect the Calvinistic puritanism of which you spoke earlier?

Rev. Mr. Callaghan: Yes, undoubtedly. It would be a strange thing if to some degree a culture did not in a sense enshrine in its stances those things which were reflective of the cultural patterns. That is exactly what is happening in the Republic and I understand that. But it is difficult for the Northern people to understand it so far as the North is concerned.

Mr. Mallon: Would you agree that the absence of pluralism in Ireland is as a result of a line having been drawn through the country which has produced to some degree two confessional states?

Rev. Mr. Callaghan: In a sense I think, yes. Here, of course, many of my Northern friends would disagree. I have already stated my conviction about the role of minorities because I have a philosophy of minorities. I am not intimidated by the numbers game, by the triumphalism of the Roman tradition or any other tradition. I am not afraid of big numbers because it seems to me that if you are a minority and known what you are and are not ashamed of it, not arrogant about it, then you have a significant role and for my part the scenario of one's participation in that sort of structure is not inhibiting but that certainly would be just my mind. It would not be the mind of a great many of my co-religionists.

Mr. Mallon: Would you agree that structures within Ireland itself which would allow those two traditions to interact on each other would be one of the focal ways of creating pluralism within Ireland?

Rev. Mr. Callaghan: Yes, it would be but I do not see any evidence that that would happen. If you take the debate, and I follow the debate closely; I do not just read Northern papers — there are some I do not bother to read — but I read the papers of this whole island and I followed on the radio and television and in the papers the debate that took place in this State when we had this great discussion about the amendment etc. and I do not see evidence there of a will for a pluralist society and I respect that as the thinking and feeling of the majority of my fellow countrymen. Okay, that is a reflection of the culture pattern but I do not see evidence that that is really a starter. **Mr. Mallon:** But you do agree that the absence of pluralism is centrally tied to the fact that there is a line dividing North and South in this island?

Rev. Mr. Callaghan: It is an interesting thought. The conclusion of that sort of *rationale* is that if you took the Northern situation out of it that the Republic would be pluralist. I do not know that we have a great deal of evidence to prove that.

Mr. Mallon: The other question I would like to put is this: you speak in the document about political instability, sectarianism and violence casting a shadow over Northern Ireland society. In your opinion are these elements the disease or are they merely symptoms of something which is much more fundamental and must be dealt with?

Rev. Mr. Callaghan: I think there is a great danger of dealing with symptomatology and our medical experts are very clear that we no longer talk in terms of symptoms; we talk about the total man and sometimes you can deal with a symptom and still have the *malaise*. One of the insights of modern medicine is that you talk holistically about man. There are times when a person who comes to me, for example, as their spiritual director needs a psychiatrist. There are times when folk go to a doctor when they need a spiritual man. Those who have any wit and wisdom recognise the totality of personality and that you do not just deal with a symptom because sometimes you can clear up a symptom without dealing with the *malaise*.

Mr. Mallon: You referred earlier, I think it was in the first answer you gave, to attitudes within colonising groups. Do you regard the North of Ireland as a colonial State?

Rev. Mr. Callaghan: No, I do not regard it as a colonial State in this way that if you take that thesis then there are a great many colonists in Ireland. I think of the settlers who came here, the Huguenots, the Palatines who incidentally helped to produce American Methodism in that it was some of those settlers who went from this land. If you think in terms of the migration of peoples across the years then all seem to say the same thing about America, that this is a settlers' paradise and if the scenario of that is followed and you say: "Settlers, go home", a great many of my Irish-American friends would have to come back here and a great many Greeks would have to go back there. I tend to say that if you have been here — and it seems to me sad that so often we put a numbers game on it — you have to be here apparently for 1,000

years to be considered an Irishman. My fold have been here a very long time. I am an Irishman and proud of it and I think the whole idea of the sort of settler input, the colonise input is part of our past history. Obviously, there were settlements in Ireland. I have done my Irish history and I know about the plantations. Surely their successors have been here long enough to be considered as Irish people. If you study the cultural input that they have made then I think it is quite a considerable one.

Mr. Mallon: I would like to point out that I raised the question only because you yourself used the term "colonial" earlier and rather than saying: "Settlers, go home" what we are saying, all of us is: "Settlers, come and join us and make a decent country out of this — settle".

Rev. Mr. Callaghan: I have no difficulty in that. My people have settled here for a long time and we have made our contribution and we shall go on making it.

Chairman: Thank you, Mr. Mallon, and on behalf of the members of the Forum, Rev. Callaghan, I would like to thank you very much indeed for making your submission and for sharing your views with us here today. Further, we would like you to convey our thanks to your colleagues who collaborated with you in making the submission, Rev. Dunlop and Rev. Gallagher. That concludes the public sitting of the Forum this morning. We shall adjourn for five minutes and resume in private session.

12.36 p.m. Session concluded.

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No. 8

NEW IRELAND FORUM

Public Session

Thursday, 3 November, 1983

Dublin Castle

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NEW IRELAND FORUM

Public Session Thursday, 3 November, 1983 **Dublin Castle**

11.50 a.m.

Senator Mary Robinson

Chairman: Dr. Colm Ó hEocha.

FIANNA FÁIL

FINE GAEL

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ALTERNATES

Mr. Seán Farren Mr. Frank Feely Mr. Hugh Logue Mr. Paddy O'Donoghue Mr. Paschal O'Hare

Public Session Itursday, 3 November, 1983 Dublin Castle

11.50 a.m

Mr. David Molony T.D. Mrs. Nora Owen T.D. Mr. Ivan Yates T.D.

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Chairman (Dr. Colm Ó hEocha): This is a public session of the Forum and the first presentation is by Rev. Dr. William T. McDowell who is a Presbyterian Minister. He has been educated in Dublin and in Edinburgh and also at the Union Theological College in Belfast. His first ministry was in Bangor. He subsequently ministered in the Dublin area and is at present the Presbyterian Minister at Christ Church, Sandymount. He is Clerk of the Presbyterian Synod of Dublin which covers the area of the Republic of Ireland and is Joint Convenor of the Government Committee of the Presbyterian Church in Ireland. I welcome Dr. McDowell and ask Mr. Austin Currie to ask questions on behalf of the SDLP.

Mr. Currie: Welcome to the Forum, Dr. McDowell. You state in your submission that as a Presbyterian you are in a position to see things in Ireland from both points of view — the Nationalist and the Unionist. Would you care to tell us what you understand by "Unionist fears" and what credence you give to them?

Dr. McDowell: May I say that I am speaking on behalf of the Synod of Dublin of the Presbyterian Church? There are five synods in our Church. Four of them are in the North of Ireland and one is in the Republic so I must confine what I am saying to the Synod of Dublin. Many of us who come from Dublin, myself included, travel a lot to the North and we meet many of our fellow Presbyterians and others and, be it right or be it wrong, there is no doubt that they have these fears. They have fears basically of a take-over by the Republic and they are afraid that if they go into an All-Ireland Republic they will be a minority in that Republic. They have a sort of siege mentality because they are afraid that they will not be able to have things as they would like them to be and they would be confined within a State which they do not particularly want.

Mr. Currie: What are the fears, as you understand them?

Dr. McDowell: The fear is that there is a certain culture, a certain way of life, religious and otherwise, which the Northern Presbyterians are able to follow at present and they feel that if they were submerged in a larger whole they would not be able to follow these.

Mr. Currie: All of the parties in this Forum are committed absolutely to unity by consent. In your submission you describe that phrase as being ambivalent. What precisely do you mean?

Dr. McDowell: The meaning there is that unity by consent is stressed and, at the same time, there is objection to what we call the guarantee by the British Government that the North of Ireland

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would not be forced or otherwise coerced into a Republic against their will. This is where the ambivalent part comes in. What does "unity by consent" mean? If we mean absolutely free consent with no constraints and no pressures — be they violent pressures, economic pressures or any kind of pressures — then they understand that but they feel that there are these pressures being exerted.

Mr. Currie: We have difficulty in understanding why Unionists consider there is ambivalence when we stress unity by consent. Would you accept that there are at least three aspects of consent? One is the consent that is required of Unionists before they would join a united Ireland and, of course, we stand by that. There is the consent of the Nationalist population in Northern Ireland to remain within Northern Ireland. There is also the fact that the people of the United Kingdom must consent to Northern Ireland remaining inside the United Kingdom and so the guarantee that is given is not an unconditional guarantee. Would you accept that?

Dr. McDowell: Yes, I think it is not an unconditional guarantee but what do you draw from that?

Mr. Currie: Unfortunately, from our perspective, a large number of Unionists in Northern Ireland have taken the guarantee given them by the British Government to be an unconditional guarantee and a veto on political progress not only in relation to the constitutional issues but on institutional arrangements inside Northern Ireland.

Dr. McDowell: Yes, but I do not feel competent to comment on the arrangements within Northern Ireland. What we are concerned about is that there is a certain guarantee given that the North of Ireland would not be coerced into a Republic and it seems to some of us who go to the North a lot and talk to Unionists that there is an attempt to get rid of that guarantee in certain ways so that when the guarantee is gone the Unionists will be more or less forced either into a UDI or into an Irish Republic.

Mr. Currie: Can we pass to point No. (3) of your submission which reads:

That the immediate task is to promote in every possible way, and at every level, closer co-operation between the two parts of the country: and to encourage the formulation of schemes for an acceptable partnership or federation for a future date when the political climate makes this possible.

Are you suggesting that an acceptable partnership or federation should be a long-term goal?

Dr. McDowell: I think you must take parts (1) and (2) before you come to part (3). Parts (1) and (2) make it very clear that we would regard it as important that all Irishmen genuinely accept one another's aspirations as legitimate. In other words, there are different aspirations. There is an aspiration for a united Ireland and there is also an aspiration for a Northern Ireland. Secondly, the claim in the Constitution of the Republic of sovereignty over the Northern State is a very great stumbling block in our view.

Mr. Currie: I did not refer to point (I) because I totally agree with it. I did not refer to point (2) because I intend to refer to it later. May I home in on point (3) and ask you again do you see that as being the long-term goal — an acceptable partnership or federation?

Dr. McDowell: Yes, but I think that the way forward is for the Republic to become such a desirable State in which to live, having such desirable laws, having solved economic problems and so on that, when it has done that it would be acceptable to have a long-term goal of a federation. There are some people who would be very happy with that but we think that the present moment is not the correct moment to introduce that.

Mr. Currie: You say:

when the political climate makes this possible.

I would hope it would be the view of all of us that we ought to help to promote and to create that political climate.

Dr. McDowell: I would be 100 per cent behind that.

Mr. Currie: Going on from there you say:

a "new Ireland" will be created when society in the Republic becomes so attractive that a majority of the citizens in the North of Ireland will actively want to establish closer relations with us.

What evidence have you that, no matter what was done to make the Republic more attractive to the majority of the citizens in the North, it would have any effect on them? I refer specifically to a speech, which was reported last week, by Robert McCartney who in certain quarters is put forward as a liberal Unionist. He expressed the sentiment that it would not make any difference.

Dr. McDowell: May I explain that the actual submission is in the first sheet? What follows are submissions which we received from two members of the synod and they are not official documents. We do not necessarily subscribe to all that is in them but we sent

them forward because there were a number of ideas put forward which we did not think should be lost. We do not have any evidence at this stage but it seems to us that if the Republic is made a very desirable place in which to live and work, in the long term any objections by Unionists and others will be put aside but that is on the condition that the Republic is made that place that we all would like it to be.

Mr. Currie: Are you saying that the North would only be attracted by the highest bidder and that the creation of a new Ireland is not something the North should play its part in?

Dr. McDowell: That is a difficult question for me to answer. I do not think the question of the highest bidder is what we have in mind. I think that if the situation was right and the climate was right and everything was right, it is something that might well fall into place but I do not see it happening immediately and I think our way forward is to attempt to get the two States of Ireland living in as close accord as possible at this stage.

Mr. Currie: Evidence has been given to the Forum that the Catholic population of Northern Ireland is now 42 per cent. Those figures have been disputed but there appears to be a consensus that the Catholic population of Northern Ireland is at least 38 per cent and that, in fact, there is a majority of Catholics in the major part of the land mass of Northern Ireland. Is there any advice you would care to give your co-religionists in the North in those circumstances?

Dr. McDowell: I do not understand what you are getting at. I think we cannot very well give advice to the North. We try to understand the situation, we discuss it and so on but I do not think we would be in a position to give advice.

Mr. Currie: You emphasise the importance of a pluralist State in the Republic. Do you not think that the addition of almost a million Protestants from the North would make the job of creating a pluralist society a lot easier?

Dr. McDowell: Yes, it may well. I suppose it is a chicken and egg situation. I do not think you will entice a million Protestants in too easily. I think you must have your blueprint ready for what it might be like and then put it into effect and put it into effect not only because you have that long-term view but because it is the right thing to do. That is very important. If it is the right thing to do then it should be done. The long-term effect that you desire may well follow.

Mr. Currie: Would you make any suggestions as to the role that the British Government ought to be fulfilling in the present situation?

Dr. McDowell: I would not like to enter that sphere because I would not feel competent to do so except that the British Government are obviously very much involved and we would all like to see much better relationships within these two islands which are so close to one another not only geographically but culturally and in any many other ways.

Chairman: Thank you, Mr. Currie. Now we pass to Senator Mary Robinson on behalf of the Labour Party.

Senator Robinson: May I join in the welcome to you, Dr. McDowell. I should like to come to this word "blueprint" which figures in both the submissions which accompanied the submission from the synod itself. Paragraph 5 of the first one reads:

We strongly believe that the strategy of the Forum should be to create a blueprint for a new Republic,

and the other submission, again at paragraph 5, reads:

Accordingly we believe that the aim of the Forum should be to create a blueprint for a new Republic,

It is clear that this blueprint would include, among other things, constitutional and legal changes. Is it your view, Dr. McDowell, that that should be the strategy and primary focus of this Forum?

Dr. McDowell: Yes, I believe it is. I believe in the long term this is the only way the Forum would achieve its object. I think you have got to lay down what is on offer. People will say in reply: "We are not interested in your offer" but if things are very good and if the situation is as we would all like it to be the situation itself might become changed. That, as I see it, is the job of this Forum and, speaking personally, I think it was worth setting up to try to do that job.

Senator Robinson: What do you say to the contrary view that the Northern Unionist particularly has no real interest in developments in this part of the country. That when there have been developments like, for example, the removal of the reference to the special position of the Catholic Church in the Constitution no recognition was given to that as being in any way significant but other barriers were raised, and to the view that no matter what we did in this part of the country it would have very little impact? Do you share that view? **Dr. McDowell:** Yes, unfortunately I do share that view at present but a great number of changes need to be made. The one you refer to is one fairly minor change. A great number of other changes need to be made and I think the cumulative effect of making all the changes may well have a result in the long term.

Senator Robinson: Could you identify some of these changes which you think would be more significant?

Dr. McDowell: Some changes in Church-State relations for example, in the family planning laws, in the removal of the ban on divorce in the Constitution although we are not a Church that is seeking divorce for everybody or anything of that kind but I think we would all know cases where marriages have irretrievably broken down and where another start might well be wise.

Senator Robinson: Is the point you are making that unless we are prepared to commit ourselves to these changes we lack credibility?

Dr. McDowell: Yes, that is as I would see it. There should be economic changes too. We look after our old people fairly well but there is a lot of room for improvement. There is a lot of room for improvement in looking after deprived people. Something needs to be done about this whole area.

Senator Robinson: The submission from the synod itself is a relatively brief one but it affirms that the synod recognise that a united Ireland is a legitimate aspiration. How do you see that legitimate aspiration being realised for the minority in Northern Ireland over the coming years? What tangible recognition can there be for this legitimate aspiration?

Dr. McDowell: I do not know the answer to that question. We must work towards that. The point being made here is that as a united Ireland is a perfectly legitimate aspiration, so the State of Northern Ireland is also a legitimate thing. In other words, Unionists in the North wanting to keep the connection with Britain is equally legitimate.

Senator Robinson: Do you think that the keeping of the connection with Britain is irreconcilable with some substantive recognition to the Nationalist aspiration in Northern Ireland?

Dr. McDowell: No, I do not think it is. I would like to see a close connection with Britain. I think the synod would like to see a close connection with Britain as well as anything else we do because there are very close ties of language, culture, religion and everything else within these two islands.

Senator Robinson: What about the role of the churches over the. past years in both parts of the island? Do you think churchmen themselves have played an adequate role in relation to the problems on this island?

Dr. McDowell: I do not think anyone has played an adequate role but the churches have the advantage that each of them is a church in Ireland, not in either the North or the South. Therefore, we quite freely cross borders and feel no problem about it. We, like other churches, exist in two jurisdictions and although we are very heavily weighted in numbers in the North of Ireland — about 350,000 members in the North and about 15,000 in the Republic it can be said that the Presbyterians in the Republic have been loyal to the State and have played their part in the years that are past and we would want to do this even more so.

Senator Robinson: You say that you are very familiar with and frequently travel to the North. Do you think there is sufficient travel and knowledge of both parts of the island by the leadership figures in both parts?

Dr. McDowell: No, I do not think there is nearly enough travel between North and South and all forms of co-operation. We would like to see very much more of this. As a family we went frequently to the North. Largely, I suppose, because of the troubles this has tended to die out and people North and South do not meet sufficiently often. We would like to see all forms of co-operation develop.

Senator Robinson: Would you accept that there is a certain problem in the emphasis you have placed on this part of the country seeking to create a perfect and attractive society while no structural change takes place in the other part of the island over an indefinite period? Is that not a rather one-sided response to the problems of how to make progress in this area?

Dr. McDowell: Yes, I accept that, but we were dealing with the New Ireland Forum and with this part of the country. Of course, changes need to be made everywhere. No society is perfect.

Senator Robinson: What changes specifically, in the short term, within Northern Ireland could you see as recognising the legitimacy of the Nationalist aspiration and helping towards what the synod would see ultimately — an acceptable partnership or federation at a future date?

Dr. McDowell: Again I would not like to pontificate on this because I do not know enough to do it. One thing we could stress is that people in the North could have much more comings and goings among themselves. There is not an awful lot of communication within the communities in the North and that surely would be a way forward.

Chairman: Thank you, Senator Robinson. I now call on Deputy Brian Lenihan of Fianna Fáil.

Deputy Lenihan: You are very welcome, Dr. McDowell. Would you agree that while desirable social and economic improvements are necessary in the whole island, they are not really central to the problem we are discussing here — the problem of seeking an accommodation between two traditions on this island, seeking to accommodate them in some form of united Ireland?

Dr. McDowell: No, I would not agree. There are so many things that people who do not want to have anything to do with a united Ireland can object to, that as long as those are there they will object to them. If, in the long term, we can succeed in making our country a better place in which to live and these objections are removed and safeguards given, then it has a lot to say to the situation. I do not think it is the complete answer because I think there is almost an irreconcilable element, in other words whether it is Irish or British Irish. I think there is an element there that has to be dealt with but one of the essential steps forward is putting our own house in order.

Deputy Lenihan: Would you not agree that that irreconcilable element, to use your own words, exists in a situation where a permanent guarantee is being given to the existence of the Northern Ireland State and the result of that is that the position, as far as they are concerned, remains frozen in an immobile political attitude?

Dr. McDowell: It is not a guarantee to the State as such. If there was a situation in which people in the North of Ireland wished to change their minds and if you had a majority wanting to agree to come to a united Ireland the British Government would say there is nothing against that. We are not going to get that or anywhere near that, if that is what we want to get, until we put our own house in order.

Deputy Lenihan: Would you not accept that the aspirations of the Nationalist community have an equal legitimacy with the aspirations of the Unionist community?

Dr. McDowell: Yes, we have said that here.

Deputy Lenihan: Would you not accept that the purpose of this Forum is to seek an accommodation between those two traditions?

Dr. McDowell: Yes.

Deputy Lenihan: Does it not follow from that that the only way this reconciliation can take place and get away from what you describe as the irreconcilable element is to ensure that we have an unlocking of the situation by removal of the guarantee so that meaningful negotiations can take place?

Dr. McDowell: No, I do not really. I do not think the removal of the guarantee is any way forward. I think that as long as the Unionist people in the North of Ireland wish to remain British, and that is quite a legitimate aspiration and indeed it is a fact, I cannot see that the removal of the guarantee would be any help at all.

Deputy Lenihan: Would you not agree, Dr. McDowell, that as long as they feel that way and are strengthened in feeling that way, this does represent what you describe as the irreconcilable element in this situation?

Dr. McDowell: Yes, but I do not think it necessarily ties in with the guarantee.

Deputy Lenihan: Would you accept my definition of the guarantee as being one that heretofore has prevented a meaningful discussion on the options open to us, North and South, to devise structures that will make for reconciliation?

Dr. McDowell: No, I do not accept that because I think what we have got to do is to make people want to come in. If there is any form of coercion and if the removal of the guarantee is a form of coercion, which it might be, then you will create more problems than you will solve. You will be trying to get unwilling partners into an Irish State which would be worse than what we have at present.

Deputy Lenihan: In your experience in the Presbyterian Church, and it has been considerable, have you or any of your members or the Church as a whole here in the Republic been discriminated against in any shape or manner? **Dr. McDowell:** No, there were isolated incidents in the thirties and forties but I must pay tribute to the State that except for these one or two very isolated incidents we have had a very fair crack of the whip. I must also say that we, for our part, have tried to be loyal members of the State.

Chairman: Thank you, Deputy Lenihan. Now I call on Deputy Myra Barry on behalf of Fine Gael.

Deputy M. Barry: I should like to welcome you to the Forum, Dr. McDowell. It has been pointed out on many occasions that the Presbyterian leaders led the struggle against the union. Could you tell me at what point in history did this direction change and for what reason?

Dr. McDowell: I am not a historian and I cannot tell you accurately but certainly it happened during the nineteenth century when, for various reasons, the Unionists in the North of Ireland seem to have considered that their best interests lay with Britain rather than with the rest of Ireland.

Deputy M. Barry: Mr. Currie asked you about the pluralist society you envisage. Could you tell us exactly what you mean by "pluralist society"?

Dr. McDowell: We would mean a society in which everyone would feel at home whether they are various kinds of Christians or whether they are Christians at all and where the laws of the land would not reflect the teaching of one church but where that would be left to the churches themselves to impose their own discipline on their own members and where everybody would be quite free.

Deputy M. Barry: You say that all Irishmen should genuinely recognise one another's aspirations as legitimate. Do you feel that the Nationalist aspiration in Northern Ireland to date has not received practical recognition?

Dr. McDowell: I suppose the answer is yes but I do not see how it could be given practical effect. We were more or less thinking of the whole island. In other words, we were saying that even as certain people wish the island to be whole and wish it to be Ireland other people wish a certain part of the island to be associated with Britain. We think both aspirations are legitimate and both should be considered legitimate. I think that does not happen today. We each have our own aspirations — I am not identifying myself here with Unionism or anything of that kind — and we think the other aspiration is not legitimate.

Deputy M. Barry: Would you not agree that the Nationalist population in Northern Ireland feel threatened as well as the Unionist population?

Dr. McDowell: Yes, I would agree. I think both communities feel threatened. This is the sad feature of the situation. They both feel threatened and if we can do anything to remove that threat this has been worthwhile.

Deputy M. Barry: You speak in your submission of a new Ireland that would be very attractive but is it not a fact that no matter how attractive Ireland became in terms of economics, the Constitution or social change there would still be an element within Northern Ireland, even within the Presbyterian Church, who would feel subject to the British Crown and would want to remain part of Britain?

Dr. McDowell: Yes, I think there would be some but long term no progress will be made unless we aim the other way. There will always be certain people who will want this.

Deputy M. Barry: Do you think this is a large majority of the Unionist population or a minority?

Dr. McDowell: It is a large majority at present.

Deputy M. Barry: What do you believe is the reason for the widening of the gap and the polarisation of the two communities in the North over the past ten years?

Dr. McDowell: One of the answers would be violence. I would hate to come here and not to condemn violence utterly. The result has been that since 1969 the two communities have become much more polarised. This would be my experience from travelling to the North. Before that things were getting on reasonably well and we might have been much further along the road if the violence had not started. One must understand that the people in the North of Ireland are akin to the Scots and violence does not have the effect of making them say: "Let us give up and get rid of this". It has the effect of making them say: "We will certainly not give up in face of violence". Violence has made this situation much worse and we will make no progress until the violence is removed.

Deputy M. Barry: How do you view the part played by the paramilitaries in Northern Ireland?

Dr. McDowell: I would condemn both sides.

Deputy M. Barry: When the General Assembly met in Dublin and we were speaking to the Presbyterian community one got the distinct impression that there was a suspicion of politicians in the South and a lack of trust. Would you agree with that?

Dr. McDowell: Yes, I think that is probably true. Not necessarily the people who live here. You are talking about the whole Church and I am not free to talk on the whole Church unfortunately but I think there is an antipathy there.

Deputy M. Barry: Is there anything we could do to remove that antipathy?

Dr. McDowell: Try to make the country as good as possible for people to live in and try to remove obstacles which can be defined and try to show that this is a good country in which to live.

Deputy M. Barry: You put a great emphasis on making the country as good as possible. Is that connected with a difference between the values of the Presbyterian Church and those of the Catholic Church — the work ethic?

Dr. McDowell: Yes, it would have to do with that. It would also have to do with broader differences between the Presbyterian Church and the Catholic Church. Of course, there is a great deal of common ground. Perhaps I should specify one area that causes great problems and distress for people, North and South. That is the area of mixed marriages. I know the State does not come into this officially but this does cause great difficulties and our numbers here have been greatly reduced for a number of reasons but the chief reason is the marriage laws of the Roman Catholic Church.

Deputy M. Barry: Do you think it is important that the marriage laws be changed?

Dr. McDowell: I do, but I realise that the Forum does not have power to change them.

Deputy M. Barry: Nothing is impossible.

Dr. McDowell: Good. That is very cheering.

Chairman: I have no crozier, I am afraid. Dr. McDowell, on behalf of the Members of the Forum I thank you very much for sharing your views with us.

The next presentation is by Michael O'Flanagan. Mr. O'Flanagan is a printer by trade and is active in the trade union movement. In 1975, he joined Sinn Féin and for a period was PRO in Dublin for that organisation. He left Sinn Féin in 1982 after its federal policy was dropped from the constitution of that organisation. Today his presentation is on behalf of the Federalism and Peace Movement, an organisation that was formed in May 1983. To put the first series of questions to Mr. O'Flanagan I call on Senator James Dooge on behalf of Fine Gael.

Senator Dooge: Mr. O'Flanagan, you are very welcome here. We thank you for your submission and for forwarding to us the proposals of your movement. You indicate in your submission that you have changed your position radically, you have turned your back on all violence and tolerance of violence and now wish to bring forward a solution that you feel will achieve peace and stability without forcing the desires of the members of one tradition on the members of the other. Would you tell the Forum briefly how this change in your thinking came about? What were the factors that influenced you in this significant change of position?

Mr. O'Flanagan: I believe that the operation of section 31 of the Broadcasting Act in the Republic has had an extraordinary effect within the Republican movement. It has frozen out the moderate leaders and allowed the hardline Republicans from the Six Counties to gain total dominance. The leaders of the Republican movement originally and up until the dropping of the federalism policy, as I would see it, were men who were guided by religious. moral or philosophical principles. Unfortunately, we have seen the arrival to power of the Northern Republicans. These people tend to be soaked in bitterness and resentment as a result of the treatment they have been subjected to up there and they are often motivated by a naked desire for revenge. The operation of section 31 has in effect, brought these people to power. The result is that moral, religious and philosophical principles have been pushed into the background and the modern leaders of the movement appear to be operating on a totally pragmatic basis, that is that whatever advances the Republican cause is good and whatever inhibits the advance of the Republican cause is bad. I think morality should be brought back into the struggle. I reject violence and always have done as a means of achieving any particular goal. However, it must be remembered that all individuals and all nations collectively have the right to defend themselves and that includes defence against foreign aggression. That right extends to the Nationalist people in the Six Counties as well as to the Nationalist people in the Twenty-six Counties.

Senator Dooge: You have put forward a proposal for a new Ulster. You have proposed that in your federal system there should be a return to a nine county province of Ulster. Do you think there is a real feeling of identity, an Ulsterism, that transcends the two communities in the Six Counties and crosses the Border to take in the three counties now in this State?

Mr. O'Flanagan: Since we published our policy I have received communications from people in East Belfast who have welcomed the proposals. I have also received communications from people in East Belfast who did not welcome them. They pointed out that the term "Ulstermen" is a term commonly used by Unionist people and rarely used by Nationalist people. However, this would not seem to be a bar, in my estimation, to Nationalist people assuming an Ulster identity. The people in Donegal, for example, clearly see themselves as Ulster people and ultimately the idea would be for all of the people there to assume a similar identity.

Senator Dooge: To turn from the sense of identity which, of course, any federal system would require to the details of the proposal you put forward, you suggest that in this two-tier structure the federal Government should be concerned with foreign affairs, with defence and with national finance. Would you not think that security would also need to have a federal aspect, not necessarily all matters of security and certainly not local community policing, but do you think that your system could work without security being at the federal level?

Mr. O'Flanagan: We believe that when communities were happy security would not be a great problem. The drive should be towards community-based police forces and that is how people should think. People should ultimately be able to defend themselves and to have control of the forces that they elect to defend them.

Senator Dooge: You have put forward a federal system rather than a confederal system in which, in the main, sovereignty would rest with the four provinces and then be transferred to the federal Government. Your proposal indicates that the power would be at the federal level and then devolved. Would you be prepared to accept, in the interests of agreement, that the power would come from your four sections to the federal Government?

Mr. O'Flanagan: There are definitely two ethnic communities within the country. In fact many people would say there are more. We believe that federal government should be based on the unity and sovereignty of the Irish people as a whole and that the federal identity is something that even the Unionists could aspire to. The suggestion you are making that Dáil Uladh could be outside of the federal solution would not appeal to us at all.

Senator Dooge: You propose it should be just a unicameral legislature. Your extended Ulster would contain 40 per cent of the population but it would only contain, on my reckoning, 32.5 per cent of the seats. Does this not involve an under-representation of the people you are trying to attract?

Mr. O'Flanagan: All States in a federal system should be considered equal. This is the case in America, in Australia and in other places. Eact State is considered to be of equal value in a federal system. That is what keeps them together.

Senator Dooge: Do you think it is essential in a solution, whether it be federal or confederal, that it should be based on four units? Do you think there could be a solution based on the two units that are there at the moment?

Mr. O'Flanagan: I do not think so. The treatment of the west of Ireland has been a deplorable thing within the Republic since independence was secured. I think Government should be devolved to the west of Ireland and to the South of Ireland.

Senator Dooge: You think that if you had a federal system and if the west of Ireland had more control over its policies and its finances it would be better off?

Mr. O'Flanagan: It would be better off. People will say that the federal Parliament would not be ready to transfer finance to it. That is a tug-of-war that goes on in all federal States but it is overcome successfully.

Senator Dooge: An bhfuil ceist na teanga agus áit na teanga Gaeilge ina mbac do theacht le chéile an dá thaobh den phobal sa Tuaisceart?

Mr. O'Flanagan: Ní chítear domsa go bhfuil aon dímheas i measc na Unionists do Ghaeilge. Ní dóigh liom go bhfuil an Ghaeilge ina bac idir an dá traidisiúin.

Chairman: Go raibh mait agat. We now pass to Mr. Eddie McGrady on behalf of the SDLP.

Mr. McGrady: I should like to endorse Senator Dooge's welcome to you. What, in your opinion, has been the effect of the campaign

of violence on the aspiration towards Irish unity both in the North of Ireland and in the Republic of Ireland?

Mr. O'Flanagan: I think there is a slight diminution of the aspiration among people in the Twenty-six Counties but I think that the resolve of the Nationalist people in the Six Counties has become stronger than ever. As to the progress towards unity itself and the oft-repeated phrase that violence puts off the day of unity, consideration should be given to the opinion that while the violence continues the question is being discussed. When the violence stops the question ceases to be discussed, as was the case for over 50 years.

Mr. McGrady: From what you have said it appears that you believe communities and individuals have the right to exercise violence in their own defence. What right do you think the Provisional IRA have to exercise violence in the North of Ireland without the consent of the people for whom they purport to act?

Mr. O'Flanagan: Each individual has the right to resist aggression from a foreign invader. The fact that the invader has been here for a long time does not interfere with that right. It is easy for people in the Twenty-six Counties to say the problem has been solved and we reject violence but the problem has not been solved for the Nationalist people in the Six Counties and they are being oppressed and they see themselves as being oppressed. They see their identity as being obliterated. They have the right to resist foreign aggression. They never accepted the settlement.

Mr. McGrady: The question I was posing was not whether an individual had the right to defend himself but whether an organisation had the right to arrogate to itself, without any authority, the right to use violence against another section of the community. How do you respond to that?

Mr. O'Flanagan: Up until the hunger strike, when attitudes changed drastically within the Republican movement, I would dispute that there was any direct antagonism within the Republican movement, I would dispute that there was any direct antagonism towards the Protestant or Unionist people as such. The aggression was directed against the British invader.

Mr. McGrady: And all the civilian deaths were simply innocent bystanders?

Mr. O'Flanagan: I will accept that civilian deaths occurred. It was never the policy of the movement at that time. It may be the policy

of the Republican movement at this time and this is something that appals me.

Mr. McGrady: Your submission says that you resigned from Sinn Féin when they dropped their federalism policy. Could you indicate why that happened? Did you feel that the movement then had ceased to have any consideration for the Protestant and/or Unionist people in Northern Ireland at that time?

Mr. O'Flanagan: The Republican position has been that the Unionists and the Protestant people in the Six Counties are entitled to all the rights of every other citizen but their rights do not extend beyond that. There are always individuals within organisations who have motives other than the main motive of the organisation itself. The problem now is that the hard-line leadership have gained control of the Republican movement with the aid of outside forces — section 31 is a good example — and the moderate leadership has been frozen out.

Mr. McGrady: Do you see any provision or concession within the present policy of Sinn Féin to the accommodation of a different opinion within Northern Ireland or within Ireland?

Mr. O'Flanagan: So long as the current leadership of the Republican movement hold sway, i.e., people who are steeped in bitterness and resentment, it is possible that they will disregard the Unionist position.

Mr. McGrady: You have described these leaders as men of bitterness, full of revenge, etc. These are the people who want to take over the leadership of the community that they are purporting to represent. Is that your opinion of the present position?

Mr. O'Flanagan: This is the danger but you must realise that the Nationalist people have also become bitter and resentful and they have shown their support for these men. The bitterness may extend throughout the community. It is a danger that the Forum and all political parties, North and South, must realise might come to fruition.

Mr. McGrady: What prerequisites do you consider necessary in order to achieve the agreement of the Unionist or Protestant community for your propositions?

Mr. O'Flanagan: So long as they wish to remain on the island of Ireland they should give their allegiance to a sovereign parliament, a federal parliament. This would not interfere with their beliefs, their traditions or their rights. 17

Mr. McGrady: In regard to Dáil Uladh, with whatever counties it contained — six to ten and half you mentioned — you state they would have a majority in any of those projections. Do you consider that majority rule would be a return to what was there pre-Stormont or do you see them having a new vision in that concept?

Mr. O'Flanagan: I see them having a new vision and I consider that the British guarantee to the Unionists is probably one of the most fundamental problems. So long as the British remain in Ireland the problem remains.

Mr. McGrady: What guarantee or series of guarantees would have to be made to the minority in that new division you speak of that would prevent a recurrence of what happened between the twenties and the seventies? What would have changed to make this more workable?

Mr. O'Flanagan: The actual federal arrangements would have a balancing and checking effect on the situation in Dáil Uladh, or the Northern parliament. People in the rest of Ireland are entitled at this point to ask whether the Northern Nationalists are being pandered to too much.

Mr. McGrady: Your map shows a considerable number of people who are now citizens of the Republic of Ireland who would be transferred into the new Dáil Uladh. What do you think their reactions would be to being put in under what would then be Unionist domination?

Mr. O'Flanagan: Maybe not favourable but in the national interest —

Mr. McGrady: But is that not a problem?

Mr. O'Flanagan: It might pose a problem but there are many problems posed by all solutions. In the national interest many things have to be carried out which are not appealing to individual communities.

Mr. McGrady: Your series of propositions have to be sold in another quarter, to the British Government, assuming that they were acceptable to the people of Ireland. What sort of reasoning would you use to indicate to the British Government that this was a desirable way forward? **Mr. O'Flanagan:** First of all, I would have to point out that the British Government have no business being here in the first place. After that I would say that the cost of security to the British Government would be greatly reduced. Indeed, the cost of security in Ireland as a whole would be greatly reduced.

Mr. McGrady: There is not much difference from the British point of view between having a unitary Ireland or a federal Ireland if they are got out. You only mention the time element in the last page of your submission. The question I am posing is: how and when for British withdrawal?

Mr. O'Flanagan: The first move would be for the British Government to declare openly its intention to withdraw from Ireland. As regards the time scale it would not have to be particularly urgent, but it would not want to be too long either. Various television programmes have put about the idea that Ireland will be united within 100 years, so why worry? People took this attitude when the Treaty was signed. The result of this attitude has been violence throughout the decades.

Mr. McGrady: I have been asking you how do you persuade the British because your original premise, before you resigned, was that violence could be the means of persuading the British to withdraw. That is rejected in your paper and in your comments, so what is the method you would use to carry out this persuasion?

Mr. O'Flanagan: This Forum is a good example of one of the methods that can be used, but the Irish people as a whole should show by their voting patterns that that is the way they wish the situation to be resolved. Through international Fora of course as well.

Mr. McGrady: That is a pleasant note to end on.

Chairman: Now we pass to Deputy Frank Prendergast on behalf of the Labour Party.

Deputy Prendergast: 1, too, should like to welcome you and to thank you for coming to us. Could you let us have some idea as to what kind of support your organisation or your political philosophy enjoys?

Mr. O'Flanagan: There has already been a submission made to this Forum by Mr. Desmond Fennell who is broadly of the opinion that a federal solution is a desirable one. There has been a submission made to the Forum by Mr. John Robb in similar vein and by Scán MacBride. The problem that our organisation finds at this time is that people within the Republican movement who support us decline to join us for one reason and people who are outside the Republican movement decline to join us for the opposite reason.

Deputy Prendergast: I presume it would be the intention of your organisation to consult the people of Donegal, Cavan and Monaghan in order to set up Dáil Uladh as you envisage it. Is there not a lot of unreal expectation in the sense that if they rejected that proposal where then would your organisation stand?

Mr. O'Flanagan: It would be our opinion that we should consult the people of Ireland as to whether this is acceptable and not consult individual counties as to whether they would like to opt in or out of a particular solution. This is one of the reasons we are in the situation we are in.

Deputy Prendergast: But, with great respect, is there not a lack of realism in some of the scenarios you posed? For instance, that the British would go, that three counties would go into a Unionist North and that the Unionists would have a new view, namely, that they would not fight?

Mr. O'Flanagan: I do not think there is any lack of realism. Once the British are removed from Ireland or leave Ireland the situation will be drastically changed and everybody's views of Ireland will alter considerably, probably even on the Nationalist side.

Deputy Prendergast: How would you reply to the suggestion that your proposed names — Dáil Uladh, Dáil Laighean and so on would be insensitive and would be a cause of grave offence to the Unionist people?

Mr. O'Flanagan: Simply because they are in the Irish language?

Deputy Prendergast: Yes.

Mr. O'Flanagan: I never felt that the Irish language was a great barrier between the two traditions. Many eminent Irish scholars have been of other persuasions.

Deputy Prendergast: I think you would agree that they were very much in the minority rather than the majority and we have to deal with Realpolitik, the facts of life. We have to address ourselves to the vast bastion of opposition to the concept of a united or a federal Ireland. Is that not the reality of the situation?

Mr. O'Flanagan: I would not think that is the reality.

Deputy Prendergast: You speak about four levels of Government structure. Would you not agree that this would not only be unwieldly but would militate economically against the likelihood of such a proposal being adopted, that it would be a very costly type of structure for the taxpayer?

Mr. O'Flanagan: The cost of it is one thing, but whether it would be unwieldly is another. We believe that the more tiers of Government there are the better the people are protected from possible dictatorships and take-overs from the right or the left.

Deputy Prendergast: You say in your letter requesting an oral submission that many things have happened since the hunger strike at Long Kesh. Could you identify what these things are and how you could see the importance of this Forum?

Mr. O'Flanagan: The Republicans have become more hardline and bitter in their attitude, possibly because they did not get the support they expected from the people in the Twenty-six Counties for the sacrifices that were being made by the hunger strikers.

Deputy Prendergast: Does that not open up the question of your philosophy, while you might be opposed to violence as a principle? Does it not also highlight the fact that violence as a strategy has failed? As the Reverend McDowell has already said, not alone has it failed to diminish the opposition of the Unionists but instead has hardened their stance? It has also undoubtedly alienated or diminished the support of the vast majority of the people in the Twenty-six Counties for what would be called the Republican movement in the North.

Mr. O'Flanagan: I do not take your point that it has alienated the vast majority of the people in the Twenty-six Counties from the Republicans in the North. There has been a diminution in the amount of support but not a vast diminution in that support.

Deputy Prendergast: Is that not a recognition that violence as a strategy has failed?

Mr. O'Flanagan: This is a myth that is perpetrated. All states come into being through violence, albeit the legitimate violence of the masses of the people, and all states maintain their independence by violence or the threat of violence. That is why the Republic has a standing army. It is a myth to say that violence always fails. The question is: can violence be restricted by moral forces?

Deputy Prendergast: You are speaking on a generalisation. I am confining myself to a particularisation, that in the particular with which we are concerned it has failed so far to achieve anything.

Mr. O'Flanagan: There are people of the opinion that this Forum is sitting today because of the violence in the North.

Deputy Prendergast: You say that the Northern Unionists enjoy only second class citizenship in the United Kingdom. Could you expand on that?

Mr. O'Flanagan: That is correct. Their representation does not entitle them to any great say in the government of the United Kingdom.

Deputy Prendergast: How do you think the Unionist people in the North could be induced to come into the type of overall political arrangement we would all hope for?

Mr. O'Flanagan: If the proposals are acceptable enough, and I believe these proposals are acceptable, they might be induced but, at the end of the day, it is not simply a question of inducing the Unionists into a United Ireland. The fact is that as people living on this island they have a duty to take part and to come in.

Deputy Prendergast: You say that conditions might be brought about that would make it attractive for them. Can I bring you back to a proposal made by Reverend McDowell, namely, that Irish should be taken out of the curriculum of national schools, that it has militated against the interests of some children? Would you see that as being an acceptable pre-condition, among others, for the overall unity or federalisation of the whole country?

Mr. O'Flanagan: That would be a matter for the provincial parliaments. It might be possible for regions to have Irish in and other regions to have it out, just as it might be possible for one of the provincial parliaments to allow for divorce and another not to allow for it.

Deputy Prendergast: You say that all political prisoners should be freed. Surely this would not be acceptable to the Unionists?

Mr. O'Flanagan: What is the life span of any prisoner? It may be unacceptable in the short term but all the prisoners would eventually die and they would not be in prison anyway.

Chairman: Thank you, Deputy Prendergast. Finally, we will have Deputy MacSharry on behalf of Fianna Fáil.

Deputy MacSharry: You are welcome, Mr. O'Flanagan. Some of my points have already been touched on. If federalism is to have any point does it not mean effectively re-establishing Protestant control over the Six Counties albeit within an all-Ireland state and would they, under such a system, not expect to have an entirely free hand? Is this not a reason why the Nationalist community have tended to move against the federal solution?

Mr. O'Flanagan: I agree that is a danger. It is a threat that is posed. I believe that our system proposes balances and checks which would militate against such a regime coming into power. I repeat the opinion that as the Unionist population in the Six Counties do not have the right to a veto on the ultimate destiny of Ireland neither have the Nationalist population in the Six Counties a veto on the ultimate destiny of Ireland.

Deputy MacSharry: In practical terms is it not unrealistic to expect the Ulster counties inside the Republic to rejoin the rest of Ulster and submit themselves to Protestant majority?

Mr. O'Flanagan: I do not think the Ulster counties within the Republic have a veto either.

Deputy MacSharry: On the one hand, you say the attraction of your proposals is devolving power and, on the other hand, you say where certain counties should go and how they should be governed.

Mr. O'Flanagan: They still would have power over day-to-day affairs, community policing etc., within their province. The people would have a genuine democratic say in the running of their province but no individual county should have the right to veto the ultimate destiny of Ireland.

Deputy MacSharry: Would you accept that federal systems can create great practical difficulties and often conflict with regard to the division of powers and revenues between the federal and the subordinate parliaments?

Mr. O'Flanagan: I would accept that and I think it is one of the prices that has to be paid for genuine democracy.

Deputy MacSharry: Do you believe that Nationalist politicians would have any interest in attending a subordinate Stormont Parliament following the establishment of Irish unity? **Mr. O'Flanagan:** There may be reluctance in the present situation to such a development but with British withdrawal from Ireland all present perceptions will be altered.

Chairman: Thank you, Deputy MacSharry, and thank you, Mr. O'Flanagan, for sharing your views and those of your colleagues, Mr. O'Mahony, of the Federalism and Peace Movement, with us.

The Forum will now adjourn until 2.30 when it will reconvene in private session.

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1.20 p.m. Session concluded.

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No. 9

NEW IRELAND FORUM

Public Session

Thursday, 17 November, 1983

Dublin Castle

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NEW IRELAND FORUM

Public Session Thursday, 17 November, 1983 Dublin Castle

11.30 a.m.

Chairman: Dr. Colm Ó hEocha.

FIANNA FÁIL

FINE GAEL

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Mrs. Eileen Desmond T.D. Senator Mary Robinson

Mr. Seán Farren Mr. Frank Feely Mr. Hugh Logue Mr. Paddy O'Donoghue Mr. Paschal O'Hare

Chairman (Dr. Colm Ó hEocha): Members of the New Ireland Forum, ladies and gentlemen, we now go into public session and the first presentation this morning is by the Women's Law and Research Group. The group is represented by three of its members, the chairman, from Belfast, Mary Clark-Glass; Eileen Evason, who is a lecturer at the New University of Ulster and Clara Clark who is organising secretary of the Council on the Status of Women. Without further ado I will call on Deputy Eileen Lemass to lead the questioning for Fianna Fáil.

Deputy Lemass: What grounds have you for believing that any changes in law and levels of benefit could affect the political community and the religious position which exists in Northern Ireland?

Ms. Evason: If I understand the question correctly, you are asking me what are the grounds for believing that we could see some diminution in our difficulties in the North if there are various legal and other changes in social benefits - is that the question?

Deputy Lemass: I am afraid I cannot hear you.

Ms. Evason: I should like some clarification of the question.

Deputy Lemass: I am asking you what changes in the law and levels of benefits would you think necessary? What kind of laws would you like to see changed and what level of benefits do you think would need to be changed? What effect would that have on the community in the North?

Ms. Evason: Could I ask our chairperson to respond to that?

Ms. Clark-Glass: We are interested in the practicalities of the law mainly as they affect women and we see in the study that has been done by Eileen Evason and Clara Clark wide differences. For example, talking about social welfare, supplementary benefits and so on we find that our provisions for the disabled, for example, are far better and far better applied uniformly throughout the North - things like mobility allowance, attendance allowance. We do not see as good provisions in the South. We would think that in any movement to change politically you would have to indicate your willingness to change by taking practical steps to introduce the same sort of wide provisions that we have in the North before we could ever feel that you are truly politically motivated to equality. In other areas which are not necessarily social welfare areas we see essentially wide differences in the rights of women, particularly when it comes to separation and divorce. Our provisions on divorce acknowledge things that have happened and then take care of the women. We find from the work that Clara has done that this does not happen in the South. Again we see written into your Constitution a bar against divorce. We are not in favour of broken marriages but we do accept that they happen. There again we could not accept any political move unless there were those practical legal changes. This is why we see it as a great problem unless some sort of move is made from the South to clarify those points. Those are the changes we want.

Deputy Lemass: You think that would be more important to women than having a peaceful society? If there was peace in the country do you think that would be a major consideration, over and above the fact that there could be peace and stability?

Ms. Evason: I think the issue is that if you are looking for peace and stability you need to think perhaps in terms of new structures. If we are thinking about new structures for a new country we must remember that half of the population across the island consists of women, that women's interests cannot always be subsumed under the interests of men; that there is considerable concern in the North at the discrepancies that exist between North and South with regard to law and social policy. If we are considering new structures we must start to examine and identify the differences and we must come up with concrete proposals for dealing with those differences. Our paper is a contribution to that. We have dealt with 21 issues. In our examination we have indicated - we think — that overwhelmingly the differences are to the advantage of the North. In considering new structures for the future we must take account of that. We cannot move forward if people in one part of the country are concerned that new structures may be evolved or proposed which would involve a loss of rights for them. You cannot move from A to B as quickly as you suggest. We have to think in terms of new structures, new policies and those new structures and policies must take account of the differences that exist and of the fears that exist on the part of those who have gained rights, having struggled for them and are concerned that they may be lost. Certainly, if you ask what matters more to women in the North, I think it depends on which woman you talk to. Certainly, from the discussion that has occurred among Northern women since our paper was published there has been great concern expressed to us about the differences. Women in the North are very concerned about health care, housing and about the level of social benefits. They are very concerned about the treatment of single parent families and the treatment of battered women. Those matters that we are expressing are central concerns in Northern discussions. We are not spending our time in the North totally discussing one issue.

Deputy Lemass: When you say they are concerned about housing and all these problems, are you talking about the South or are you talking about their own problems in the North? What is the major conern of women in the North at the moment?

Ms. Clark-Glass: That is a very simplistic question, one might say. We are very concerned obviously about the political situation but many women feel they can do nothing about it. They look to politicians to deal with that. What does concern them is their own everyday life. Therefore, those domestic issues which are probably non-political would be the ones that would bother the majority of women. Obviously, everybody in Northern Ireland is concerned about the troubles, about the lack of peace, about the deaths; but ordinary women tend to think in the micro when it comes to their own protection and they would be concerned that the protection they have under the law in the North of Ireland might be lost or diminished in some way if there was a change in structures. That does bother people. You can be bothered on different levels about different issues. You cannot give a simple answer to that question.

Deputy Lemass: You have said that employment and equal pay provisions are better in the Republic. Is there a need to improve the Northern Ireland Equal Pay Act? Are we better at that level in the South?

Ms. Evason: Yes, this is one issue that we identified. We do not want to get into a conflict situation here. There is a strong point to our submission in that we have two states side by side and perhaps we could learn from each other by comparing notes. I felt when I looked at the equal pay legislation down here that it was rather better than ours. Certainly there are recommendations now going forward in the North that our legislation should be strenghened but at the same time there is a limitation in the South in that our legislation goes on to encompass a lot of other things like housing, goods and services. The Southern legislation is limited to equal pay: we have much broader sex discrimination legislation generally and we feel that is an advantage. We are not sitting here saying that everything in the North is better. We have identified areas where we think the North could learn from the South.

Ms. Clark-Glass: Could I just add a rider to that? Our own Equal Opportunities Commission in Northern Ireland has criticised the English legislation to which ours is very similar, our order under it, and the EEC provisions on equal pay are better than what we seem to have in practice. Certainly, we are not satisfied with what we have on equal pay but we consider that our sex discrimination legislation does not have a parallel in the South.

Deputy Lemass: Would you agree that there are more women involved in Nationalist politics than in the male-dominated Unionist political parties? Are there more women involved in politics on the Nationalist side than on the Unionist side?

Ms. Evason: What is your evidence for that?

Deputy Lemass: I am asking do you think that is the case?

Ms. Evason: Personally, I would not say so but I have never done a head count.

Deputy Lemass: Do you think that women should become more involved in politics in the North, that perhaps they could have some input into the political scene by which they could bring about peace?

Ms. Evason: Yes.

Deputy Lemass: What I am trying to say is that I do not believe that the women are becoming sufficiently involved in politics in the North. I think they should and I wonder what your opinion would be.

Ms. Evason: I would agree with you that women in the North, as is the case in the South and most countries of western Europe, are not sufficiently involved in politics. The Women's Law Research Group is made up of women with different political opinions, so while we would support generally the idea of women becoming more involved in politics we would not seek to dictate to them or suggest which politics they should become involved in.

Ms. Clark-Glass: We have not done any research or head counting of women who are involved in Nationalist *vis-à-vis* Unionist politics. We could not really answer that question. Women's involvement in political matters in Northern Ireland is abysmally low. You only have to look at our representation in Parliament and in the Assembly to see how badly served women are. Women's issues are not discussed enough and I fear women themselves are to blame for not getting politically involved.

Deputy Lemass: Can you see any reason for that? Is it because the economic situation is so bad, so much unemployment, bad

conditions and problems in the North? Do you think that frightens women away from becoming politically minded, joining political parties and being involved?

Ms. Clark-Glass: I think it is not an Northern Ireland problem; it is a general problem throughout the United Kingdom. Political parties themselves do not gear their meetings or their whole running with women in mind. Women are expected to run the homes. It is a change of attitude that is needed; much of it has to with conditioning. I think it is not just an Ulster problem.

Deputy Lemass: Attitudes are changing here.

Chairman: Thank you, Deputy Lemass. Now on behalf of Fine Gael I call on Mrs. Nora Owen.

Deputy Owen: I should like to thank you for your submission, ladies. I think it will be a very useful document to circulate not only to the Forum but also in social and legal circles North and South. It gives a very good survey of the differences. For the sake of continuity perhaps I could continue with the question Deputy Lemass raised and ask you how many women are in the Northern Assembly?

Ms. Clark-Glass: If I remember correctly, about three, but it could be more.

Deputy Owen: Do you have any evidence to show that the low number of women involved at any high level in politics is as a result of the violence situation in the North?

Ms. Clark-Glass: No, I think if you look at the nominations from each political party for people standing, it is at that level you do not have enough women. Then they do not get through to being elected. The political parties should look to themselves as to why they do not nominate more women.

Deputy Owen: For the most part your document, despite what Ms. Evason said, seems to highlight the fact that we are worse off here in the South in a number of areas. Out of your recommendations it looks as if you say that the North in ten areas wins hands down and we draw in about three. Even on the equal pay legislation you suggest changes in the South. From that point of view I think your document is over-critical because I think it implies that everything in the South is bad and, if we could change it all, we would come right in the North. Would you not accept, for example, that in the South there is a far more vibrant and hopeful women's movement,

a coming together of women across all political divides which does not exist in the North? Can you account for it not existing in the North?

Ms. Evason: I would question your assertion about the women's movement in the North. There are a number of very active women's groups. There was a conference attended by 300 women active in the women's movement three months ago in Belfast. We have some very good groups and they work extremely hard on a number of different issues. We have had half a dozen women's aid groups; we have ourselves on the law research side and we have various women's groups running advice centres. If you turn up in Belfast once a month you can attend the women's information day where about 200 women from working class estates across Belfast come together to explain to each other and discuss what they are doing. So, I am not sure that there is such a vibrant movement in the South or that it is more vibrant than in the North. You also say that we are over-critical of the South. To be clear about this, there are 21 topics in the paper. On one of those topics — rape, I think - we would say that it is level pegging between North and South. The question of the jurisdiction of courts is not an issue. On most of those we would suggest - and this was a joint paper by somebody from the North and someone from the South - that in fact the Northern position is in advance of the South. To be honest, it is difficult to avoid being critical when one looks at some of the provisions down here. Women in the South have a great deal to be discontented about and there is much to be discontented about in the North, but in the South I think there is rather more to complain and be concerned about. We have had great difficulty explaining to people in the North the situation that prevails down here in regard to nullity. It seems to us there is a great deal of unreality in law and in policy in regard to marriage breakdown. We ask what kind of society it is where, rather than recognising that marriages break down, people jump through hoops proving that they did not exist in the first place. Yes, we are critical. Yes, we are pointing out the differences, but at the same time we are trying to be constructive and saying: "Let us work out the differences. Let us compare notes. Let us see what we can learn from each other and also let us do a lot more research on it."

Deputy Owen: Do you imply that if the South does not amend some of the legislation, particularly in regard to divorce and family planning, an area on which you dwell a lot in your submission, that those will remain stumbling blocks to any hope of unity with the North?

Ms. Evason: They are a very significant consideration. One can

over-emphasise the extent to which women are concerned with political, with a big P, issues and under-emphasise the extent to which they are concerned about what happens if the marriage breaks down, what happens to the family home, what happens to the single parent. I know that women in the North are astounded when they discover the comparable provisions in the South. That has to be recognised if we want to work towards new structures towards peace and reconcilation. Let us not dodge the issues or differences. Let us accept that women in the North have worked hard for ten years and have made a good deal of progress in many areas. They would obviously be reluctant to give this up. They also of course have a concern for women in the South and would obviously be very reluctant to see any situation proposed whereby they enjoyed rights not enjoyed by their sisters in the South.

Deputy Owen: Would you accept that — because there is always a great deal of suspicion when women's groups get together, they are hatching some kind of plot — we might move forward a little bit faster if instead of calling these women's issues they were called family issues because in a divorce situation there is also a man and children involved? Would you accept that we as women should now approach these issues more from a family point of view than specifically from a women's point of view?

Ms. Clark-Glass: We call ourselves the Women's Law and Research Group and we have been working for nearly ten years looking at the law as it affects women and their families; and where we feel the law is unfair or discriminates, we work to change it. We have to work from our own perspective. The title of the document is *Women and Social Policy*. We say it is women's, then social policy. We have to stand and talk from our own viewpoint. I would not apologise or try to cover up the fact that we are primarily interested in the law as it effects women and their children. When I look around and do a head count here today I feel that we do not need to apologise for talking on behalf of women. May I ask a question? I know it is not the form but how many other women have sat in these chairs during your meetings? How many women have you heard from on issues affecting women?

Deputy Owen: You are the first group of women here but we have been covering a cross-section of documents coming into us. Have you done any assessment of the cost involved in bridging this enormous gap?

Ms. Clark-Glass: No, we have not.

Deputy Owen: Perhaps I could address this question to Eileen

Evason: in your involvement with community projects with the North have you found that relations between the two communities have deteriorated or have they improved in recent years?

Ms. Evason: Again, that is a vast question. At some points obviously they have deteriorated because of specific things that are going on in the North at the moment. But then at women's level — in terms, for instance, of women's information exercises that I mentioned — it seems that there is growing contact between women. Obviously, a particular thing can happen and that can undermine that. It is very difficult to measure that kind of thing.

Deputy Owen: Have you managed to assess whether in all the 21 areas there is any indication that Catholic women are more discriminated against than Protestant women?

Ms. Evason: No. Women from both communities would have need of and would make use of and be concerned about all of these issues that we have discussed here. I do not think there would be any sectarian division with regard to women's views of their rights.

Deputy Owen: What about facilities for women, family planning clinics, jobs and employment — is there any discrimination made there between the women as a group that you have been able to assess?

Ms. Evason: I would not be briefed on that. I think there is information available but I do not have it to hand.

Ms. Clark-Glass: If you look at the statistics of applications for divorce it is very even handed. It is surprising that Catholics, male and female, in the North go forward for divorce because it is available from the State. You might find that perhaps more Catholic women would go for separation orders but again you would need to check the statistics in the North. Certainly, talking to lawyers in the North and looking at the figures it does not matter what a person's religion is, they are using the law they have been given.

Deputy Owen: Following on that, on what grounds do you base your assertion that "there is clearly widespread dissatisfaction with health care in the South"?

Ms. Evason: That was a comment I made first after looking at various documents, reports of various conferences and also from contact I have had with women's groups and with women down here because I have actually been coming to Dublin, down to

Limerick and places like that and moving around quite a bit over the last ten years because of my involvement in Women's Aid. I think there is a good deal of evidence of dissatisfaction.

Deputy Owen: It would strike me that what you are saying right through your document is that all these changes should be brought about for their own sake.

Ms. Evason: We are saying two things, first, that there are these differences and they must be taken account of. The views of women in the North must be considered. Secondly, we are saying that many of them are good things in themselves. We believe that the kind of legislation we have, for instance, on matrimonial property is rather better than the situation that prevails in the South of women having to seek an endless succession of barring orders. To us that seems more logical. The kind of health service we have in the North seems to us rather better, but at the same time it is a good thing in itself. Regardless of any overall structures that might be proposed for the future, clearly there is much to be said for people in the South adopting these changes because they are worth adopting and at the same time looking in the North and everywhere else to see what can be learned.

Deputy Owen: On the question of violence you rightly say that in the Forum we should reject violence in any form, political and domestic. Can you assess the effect of political violence on family life in the North? Has it destabilised families in working class areas or has it bonded them together?

Ms. Clark-Glass: I think the document you had on the cost of violence is one that we would basically agree with as regards cost. Obviously, that cost is going to be borne by the family. You only have to go into the areas where the violence is occurring to see the strain on the families. It is interesting to look at the prescribing levels for drugs like librium and valium. At the moment I am doing some research for a programme I am doing and it is over 10 per cent higher in the North of Ireland as compared with the mainland, England and Wales. We must ask ourselves why is it in certain areas of Belfast that there is this very high level of prescription of valium. Is it because you are trying to keep the women ticking over? Is it some sort of crutch, that the only way they are keeping going is through the very high level of prescription? Obviously, the violence is part of it. It is not just the violence; it is the poverty, the high unemployment, the struggle to keep going on the state benefits that they have. It is much wider than just political violence.

Chairman: Thank you. Before calling on Dr. Joe Hendron on behalf of the SDLP Party, Mr. John Hume has asked for the floor.

Mr. Hume: I just want to record that Mr. Séamus Mallon asked me to apologise for his absence today because he is attending the funeral of the chairman of the Armagh District Council.

Chairman: Thank you. Now, Dr. Hendron, please.

Dr. Hendron: Welcome, ladies, to the Forum and thank you very much for your submission. First, I should like to make a few general comments on your document and then ask you a few questions. I have studied your document very carefully and I would say in all sincerity that it is an outstanding contribution to this Forum. In your summary you emphasise, as you see it, the gap between North and South and also the gap between the best achieved and what is needed, for example, in justice to women and eradication of poverty. I would accept that. Also, you said there would be tremendous opposition from Northern women, that if the Forum proposals were to have any loss of rights or inequality between women to groups such as the unemployed, they would be unacceptable. I do not think anyone would argue with you on that. In terms of your actual study you said no detailed comparisons had been made between North and South. I presume you are fairly sure on that point. Do you find that surprising?

Ms. Evason: Yes, I find it astonishing. I began collecting information in this field a year or so ago and this paper represents the first attempt — a very crude, limited attempt — to start putting the material together. Obviously, in the paper we have not dealt with housing, personal social services, education. There is scope for a very large piece of research on this and it should be undertaken immediately not simply with a view to proposals on structures and so on but so that we can put the information together and start to learn from each other. I find it odd that we sat by side, North and South, and never compared notes.

Dr. Hendron: Would you agree that while benefits tend to be higher in the North, nevertheless there is still very great poverty in the North of Ireland and that violence plays a major part in promoting that? You did refer to violence earlier — the increasing violence, especially that which we have seen in recent times.

Ms. Evason: The poverty in the North is appalling. I have done considerable research on it. We know, and it has been demonstrated over and over again, that we are the most deprived part of

the United Kingdom. We know that one third of our families are living around the poverty line. Mary has already referred to the side effects of this, consumption of drugs, problems with children and also the difficulties, and clearly it is difficult to imagine how one can start to solve these problems unless we reach a position where there is peace and stability in the community. We cannot launch any initiative or make any progress effectively while we have the current position.

Dr. Hendron: You also say that one-parent families account for 10 per cent of all families in the North of Ireland and that there is no figure for the South. Would you agree that one-parent families both North and South are very much at the top of the poverty tree?

Ms. Evason: Yes, indeed. The problem with the single-parent families is that unlike any other group the majority of them are living in poverty. The survey I did in the North showed that 70 per cent of our single-parent families are living on or below the poverty line. So, they are a very important group. But there is another problem with single-parent families and that is that they tend to find themselves on the nastier benefits, the less adequate ones. So, they end up on supplementary benefits to a greater extent than other groups likely to fall into poverty. Certainly, I think from looking at the social security system here they seem to end up on the less eligible benefits to a greater extent. Then, of course, poverty leads on to problems of housing and various other difficulties. So, single-parent families are a very important group in the poverty population.

Dr. Hendron: I note you recommend the abolition of Articles 41 and 42 in that regard in the Constitution. You also say that divorce, legal aid, domicile should be available. You have written a great deal on those matters and you say that divorce and legal aid should be available in the South — sorry, rather that legal aid should be improved, it is available in the South. I do not think anyone would argue on that in terms of comparing it with the North. You have written much about marriage breakdown and the need for proceedings in the case of the South which would facilitate speedy resolution of matters such as maintenance, custody and access. Would you not agree that if it became too easy in this matter it might encourage young people, 18 and 19 year olds, to become irresponsible towards marriage?

Ms. Evason: I think there are two sides to that. First, any society ought to encourage responsibility with regard to entering marriage. I do not think there is much evidence to show that the

kind of legislation you have affects people's behaviour. In other words, marriages will break down regardless of the kind of law you have. In my mind it is a question of changes in culture, in society: marriage breakdown rates are related to those. Therefore, it is very important that we disentangle the two issues. If you have very tight legislation on divorce that does not prevent marriages breaking down. All that happens is that you do not register all the marriages that have broken down and you do not afford to the people involved the opportunity of clearing the decks and starting a new life or whatever. Law, I think, tends to follow society and culture. We could export the law of the South, say, to the United States tomorrow and I do not think the marriage breakdown rate would change a jot in the US as a result. The issue is: marriage breakdown; can we get the best possible legislation so that the mess — and divorce is always a mess — is sorted out as quickly as possible and as fairly as possible to the parties concerned and with as little emotional unpleasantness as there can be in a situation like that? We are saving that the law simply should recognise what is happening.

Dr. Hendron: You emphasise that the illegitimate child is stigmatised in law and society. We could all agree with that. On family planning you recommend that the 1979 Act be repealed and that a comprehensive contraceptive family planning service be made available in the South as in the North. I should like to ask Clara Clark about this point as she is in the South. Do you believe, for example, that contraceptives should be made available for young people, say girls of 15 or 16 years of age? There has been a lot about this as you know in Britain.

Ms. Clark: There are mixed views on this subject and it is a fairly thorny one. I think it is very clear and evident that the existing legislation is totally unworkable and is being flouted. The thing to do is start again rather than try to do a sticking plaster job and amend it. Rather the thing to do would be to draw up new legislation. Family planning must be available to couples not on the basis only of marriage. If you look at the realistic situation that if young people are going to have sexual relationships, it is better, more responsible and far more realistic that we accept that as a fact and that provision is made to accommodate them. It is totally unrealistic and unacceptable to have a situation where we have just had the most ludicrous amendment to our Constitution which will make it more difficult and put people in a far more difficult situation. There is no family planning available: we have now had a referendum which says that abortion is not only illegal but unconstitutional and we totally ignore the fact that young people do experiment sexually. It is far better that they would do it

responsibly and with contraception than have the situation as it exists at present. Young people are rushing into totally unsuitable and unsuccessful marriages as a result of the present position.

Dr. Hendron: I am glad that in your document you do not mention the 1967 Abortion Act; there has been much talk about that coming to Northern Ireland and you have left that out and I am very pleased about that. One point that is made here, that the mother, an adult with rights and responsibilities, seems to have only equal rights with, for example, a three-month foetus. Then you ask: "Is this the imposition of one religious viewpoint on another?" Are you, in fact, saying that the unborn child has fewer rights than the mother?

Ms. Evason: I think we are saying that we find it surprising that the rights of a mature woman, say in her mid-thirties with a number of children, with heavy family responsibilities, with all the opportunity she has before her and all the knowledge she has from the past, that all of that should add up, if it comes to a choice, to nothing more than the rights of a three months' foetus. We find that surprising. I cannot frankly accept that. I think in a question of choice there is no doubt about it: it is the woman.

Dr. Hendron: I would have thought they would have equal rights.

Ms. Evason: No, I cannot see that it is an equal situation. You are not talking about equal beings.

Dr. Hendron: In terms of child benefit you point out that in real value in comparison it is three times higher in the North than in the South. Say children of five years of age starting school, would you accept that such a child from an underprivileged area like West Belfast and similar areas in Dublin is at a gross disadvantage compared with children of more privileged areas?

Ms. Evason: Absolutely. One can take all sorts of reports that have demonstrated that. If you take, for example, a report that was produced in England — the Black Report — we know that as a result of poverty children born in those areas are less likely to survive the first year of life, less likely to get through their teen years, more likely to have accidents, more likely to die of chest diseases or infections. Poverty is not just unpleasant; it kills and it kills children from those areas to a much greater extent. So clearly for the future we have to think in terms of massive programmes to rehabilitate those areas, do something for the families in them, do something about housing and bring the standard of living of those children up to what we find in South Belfast. As you know, it is only a stone's throw to the Malone Road where you see children who enjoy a totally different lifestyle, a far superior range of opportunities in life. Clearly these inequalities are grotesque and unjustifiable.

Ms. Clark-Glass: May I come in on this and say that as somebody who lives in South Belfast and had children who are very privileged because of where they live and because of the family, I am ashamed that we enjoy those privileges while less than a mile away there are families in inadequate housing and in debt who are not as well off as we are.

Dr. Hendron: You said at the beginning of your document that there should be a levelling of standards across Ireland. Would you agree that in a new Ireland with a brand new Constitution it might be possible to have a happy land where all men and women and children are truly equal?

Ms. Evason: Yes, and I hope that is what you are working towards and what we are working towards and I hope we have made a contribution towards that.

Chairman: Thank you. I am calling Senator Mary Robinson on behalf of the Labour Party.

Senator Robinson: I should like to extend a warm welcome to you and thank you for the very full report submitted to the Forum on the laws and social policy affecting women. North and South. It has been very valuable and I hope it will have a significant influence on the work of the Forum. I would like to begin with a general question which arises from the reference in your introduction to what Dr. Hendron has just been talking about: equalising upwards. You say in your introduction on page one: "With regard to women, we would consider as intolerable any proposal on the future of Ireland as a whole which involved any loss of rights or opportunities." We have had a number of other valuable submissions in this area, for example, from the Divorce Action Group and also from Sylvia Meehan, chairperson of the Employment Equality Agency here in the South. She makes an observation in her submission which I think is very relevant to our discussion. I shall read it and invite you to respond to it. She says: "There are obvious areas for comparative study of the situation of women in the North and in the South of Ireland and their access to employment, health and social welfare and education. An intention to harmonise legal and administrative measures to eliminate sex discrimination, however, is an insufficient objective. A minimal bureaucratic approach will not be sufficient to make women

relinquish the boundaries of their own traditions or to reconsider their lack of interest in or their opposition to a vision of a new Ireland which this Forum will propose. Esssentially, there must be an acceptance in advance that in the formulation of economic, social and political policy that the situation of women must be seen to be a crucial factor." How would you respond to that approach which is not just equalising upwards?

Ms. Evason: I would endorse it totally. I think she is pointing to two things. First, as I said, women are half the population. If there is to be a new Ireland we want it to be a better Ireland for the whole population but particularly for women. Women are tired of watching changes and revolutions and upheavals and so on in other countries and we are always told: "When we get this done, or when that happens, we will sort out the problems of women." If we are having a real discussion about the future of this country let us recognise for once the importance or significance or extent of the oppression of women and let us say that in a new structure that will have as high a priority as any other matter. Secondly, the point she is making is that it is not just a question of levelling up. There is the gap between the North and the South. There is a gap between what we have across the whole country and what we would require, what we would regard as appropriate. Across the whole country, women are discriminated against in employment, have unequal education opportunities, are limited in their aspirations. They are not geared or taught I think to make the best use of their skills. Across the country there is an assumption that basically women are just things to be put in the home and taken out occasionally. There is a contempt for women across the country which we should not ignore. There is violence against women within the home. We have talked about violence in the streets. I reckoned some time ago that there is as much violence going on indoors as there is outdoors in some areas of Belfast and indeed in many areas of Northern Ireland. We have a rape problem which we do not talk about, an abortion problem that we do not talk about. We have an oppressed class within our country which will not go away if we move towards a new political structure which does not take account of the needs and circumstances and wishes of women.

Senator Robinson: Coming to some of the more specific areas dealt with in your report I should like to begin with the section where you discuss remedies for marriage breakdown. You recommend the removal or abolition of the ban on divorce in the South, but you go significantly further. You also seek the deletion of the whole of Article 41 as a whole relating to the family being the fundamental unit of society because you point to the fact that "the family" in that context has been interpreted as the married family, and is confined to the married family so that family rights are confined to the married family. As you know, there is now a Joint Committee on Marriage Breakdown examining remedies for marriage breakdown which will be looking at this area. Would you positively recommend that it examine the deletion of the constitutional reference to the family in view of the interpretations of the family as being based on marriage and if so why? Could you spell out more fully why you would recommend it?

Ms. Evason: Yes, we would recommend the deletion of that Article and perhaps rather more also. It seems to me that it would be very difficult to frame an Article which took account of all the variations you might have in a society. It seems that there is little point in saddling yourself with a provision and then something comes up that you have not thought about and you therefore have to try to find a way around it or amend it. I cannot see what purpose such Articles serve. If a society is concerned about the family you will see that not from the Constitution but from the level of child benefits, the health services provided, the children services provided through social policies and legislation. Constitutions often seem to me to be quite empty and often they can be more of an obstruction than a help. I am not sure that there is much time spent on bending one's brain to try to frame an Article that will take account of absolutely everything and then if you miss anything you have to go back and amend it and change it around. I also think this kind of Article does lend itself to a particular philosophy and ideology which might not be totally endorsed by the whole of society at any point in time. Only a minority of households will actually be families in the sense of husband, wife and 2.3 children or 3.4 children. I worry a little bit about a society where we say we are preoccupied with the family; we put it at the centre of our Constitution. What about all the people who live outside families? What about the elderly? What about people who live alone? I would wonder about the whole tenor of that. I wonder if it is a lot more trouble than it is worth.

Senator Robinson: Another issue which you consider under this section is the kind of court system for dealing with problems in the area of family law and marriage. You raised the question of whether the adversarial judicial system is the proper one. Could I have your assessment of how the courts in Northern Ireland have dealt with either separation orders or divorce and how in your estimation they have coped with these problems?

Ms. Clark-Glass: This is a problem about which I think the Judiciary and members of the legal profession are concerned. The

position is not perfect in the North or in England or Wales. There is a great feeling that we should move towards a family court. There are points for and against this. What happens in the North in practice is that many cases at a lower level are dealt with in a Magistrates' Court. These would be actions dealing with domestic proceedings where a woman is seeking an order to ban - like your barring order — the husband from the home. We were behind England and Wales in our legislation but when we got it it was better and this week we have a draft order which will be going before Parliament which will give the same protection to cohabitees. It is denied to co-habitees at the moment; it is only spouses. We have good indication of movement in that field. That is the Magistrates' Court. You can also get a separation order in the Magistrates' Court and maintenance. We move then to the County Court where we now have divorce actions - this is a recent development — which are undefended. Until fairly recently all divorce was done in the High Court because it was adversarial. We are moving more towards where we have the no-fault basis for our divorce: it is the irretrievable breakdown with the five causes. Our actions are taken in various parts and for a woman whose husband has left her or whose husband is violent, our law is unsatisfactory. She has to go down to the Magistrates' Court with a solicitor to get our equivalent of a barring order. If she is starting separation order proceedings she might have to go to the Magistrates' Court or it might be a High Court action. We ourselves are not terribly satisfied with our present provisions in the North and neither are women in England and Wales and there is movement for change there. It could be easier to effect that change in Northern Ireland because of the procedural point in that the Lord Chancellor's Office is responsible for both sets of courts and any changes towards a family court could come about far more easily in Northern Ireland than it could, say, in England or, which is quite interesting, because of the way our courts are supervised.

Ms. Evason: I think you wanted our assessment in practice there also. In the case of separation proceedings our experience is that in fact the Magistrates' Courts deal with them quite quickly. I think there is a good point of comparison here, that if a woman goes for separation the case will be heard within a matter of weeks and on the same morning she will get custody, access and maintenance dealt with. It is very important to have those things dealt with together. Then at the same time she can start divorce proceedings. She does not, in fact, have to go for separation before she goes for divorce. Divorce takes longer. That is often because of the need for social reports on the children. We have no great complaints from women that they had a bad time in the Magistrates' Court. They seem reasonably satisfied. We have no great complaints on the divorce side either. We have had that legislation in operation for only a few years. It does seem to be working out now.

Senator Robinson: What would be the approximate cost of a separation order or a relatively simple divorce application?

Ms. Clark-Glass: Most women would be doing this on legal aid and the solicitor would put in alegal aid certificate. If you go through to divorce — I hate to quote prices because it depends on your solicitor; some of your members might be able to answer — it could be anything between £200 and £400 for an undefended divorce action.

Senator Robinson: Coming back to the particular constitutional Articles in which you seek change; we have already looked at Article 41 in the broader context, in which it refers to the concept of the family, but you also want the amendment of Article 42 in relation to education. What is your objection to Article 42 as it stands?

Ms. Evason: This is something that I would like to look at much more closely but I have an impression from the Article that it may be the impediment to the development of a fully rounded educational system. It seems to me that it somehow puts the State and parents almost in opposition on the matter of education. I cannot see the purpose of it. Presumably, it could be used against various educational reforms with which parents might be in full agreement. It seems rather oddly worded to me.

Senator Robinson: Your objection to it is more than just the fact that "parents" means married parents in the context of Article 42? It is broader than that?

Ms. Evason: It is, yes. It is a question of the rights of parents. It seems that all the time throughout those Articles it is a question that parents have rights over their children; children are property. I find the whole ethos of that offensive.

Chairman: Thank you and thank you Senator Robinson. I fear I have to cut you off at that point. Finally, I thank the ladies who presented their views to us this morning, the members of the Women's Law and Research Group, Mary Clark-Glass, Eileen Evason and Clara Clarke, co-author of the submission. Now we go into recess for a few minutes while we prepare for the next presentation.

Sitting suspended at 12.30 p.m. and resumed at 12.35 p.m.

Chairman: Members of the New Ireland Forum, the next presentation is by Dr. S. J. Park who is very well known for his role in the Presbyterian Church in Ireland. He has served as Moderator. He is presently senior minister in the Dun Laoghaire church and while he is here today in a personal capacity he has the support of the Dublin Synod. To start the questioning I call on Senator Stephen McGonagle on behalf of the Labour Party.

Senator McGonagle: I welcome you to the Forum, Dr. Park and my compliments on your thought-provoking suggestions. First, a general question. In what way would you advise the Nationalist people of Ireland to go about convincing the Unionist and Protestant people of the North that they should meet with us towards seeking peace and stability in Ireland on the basis of goodwill and tolerance?

Dr. Park: I think that this is the right method to set about it, to try to work out a kind of blueprint of the kind of Ireland that is envisaged and then say: "This is what would be." Surely this is the sort of situation where we can all learn to live together quite easily, each of us having got a reasonable share in the country as a whole. I do not see any other way in which it can be done by means of words or anything like that. Basically, it seems it is a matter of whether you can say to people: "Here is something: surely it is reasonable; surely if it stops all the violence and bitterness here it is well worth striving for by both of us?"

Senator McGonagle: Do you think we will get a positive response from the Unionists if we approach them?

Dr. Park: I think there are enough decent people in Ireland, North and South, to ensure that if a reasonable proposition is put forward to them in which they do not think that in any way they are going to be, as it were, taken over or put upon, any kind of solution would be carried by them in that situation.

Senator McGonagle: In your preamble you put forward the proposal that power sharing should be the basis of a solution for the whole of Ireland. Since the Unionist leadership, that is their public representatives in the North, have rejected power sharing from a majority position there, how do you come to the view that they will accept power sharing in all Ireland occupying as they would a minority position?

Dr. Park: It would seem to me that is a reasonable attitude to take up. The reason why power sharing is suggested in the North, or has been, is to give the minority an opportunity of sharing to some

extent in the government of the country. It would seem to me that if you have a situation where the Protestants and Unionists are a minority that it would be reasonable for them to accept the same kind of thing. This is really more a question for the Southern Government to say: "Would we be willing to accept power sharing?" I imagine if this were put to the Unionists, that while a fair number would be absolutely diehard about it, there would be a very considerble number who would accept it if it meant the end of the violence and what not, the bitterness in the country.

Senator McGonagle: In paragraph 1 of your preamble you referred to the fear of a minority being discriminated against. There is a body in Northern Ireland known as the Fair Employment Agency which aims at preventing and eliminating discrimination. Are you suggesting that there should be a similar body in the Republic and, if so, why?

Dr. Park: No, I am not suggesting that. I think that the whole business of the Fair Employment Agency is really working with a very difficult situation. As I am sure you know, when you have a very large work force composed, say, of Protestants, and say "We will bring in 20 Catholics" it is very difficult to co-ordinate them, and *vice versa*. It is a very difficult thing to do. I do not think it is really working in the North. I do not know but my opinion is that it is really of very little value in Northern Ireland. It is good as an ideal but it does not seem possible to me to be able to work out that kind of thing.

Senator McGonagle: On page 2 you suggest that the British Government subsidise health and social services and pension schemes in the North for a period of 25 years in the New All-Ireland context. Is the implication here that the British carry a responsibility and this suggestion is one of the ways in which they should meet it?

Dr. Park: I understand that most of these schemes of social services, pensions and health — particularly social services and pensions — are on an insurance basis and if you have paid insurance for 30 years to the British Government they are surely entitled to pay you to some extent. It could easily be arranged with the Irish Exchequer that gradually the thing is phased out. Obviously, the British Government have a responsibility, having taken the insurance to begin with, to pay it back to the people who have paid it.

Senator McGonagle: Yes, but I intend to take you into a much wider area on the basis of the British responsibility. The next

question will do that. Would it be right and proper to suggest that the British responsibility should cover much more ground? Should they not be seen to provide leadership and by persuasive means to induce the Unionst people and leadership to start talking to the Nationalist people about the serious problems facing all the people of Ireland?

Dr. Park: I do not think they are mutually exclusive. I quite accept that I would like to see a fair amount of leadership from Britain in this respect. I think they do give some but I honestly feel that Irish people only can ultimately decide an Irish question. This is my own feeling. I may be wrong but that is how I feel.

Senator McGonagle: I now have a comment to make on this particular aspect of the situation. I think I should comment in this way, by adding that in all the circumstances it is not good enough for the British to sit complacently behind the theory of consent while democracy itself is in danger in Ireland. Do you agree?

Dr. Park: I disagree that they are sitting complacently. I doubt how far democracy is in any danger in Ireland, North or South.

Senator McGonagle: I must disagree with you. I believe that democracy is under a very severe challenge at this moment and the years ahead will be very testing for democrats in Ireland. You say that the first step in your proposed scheme of things would be the suspension of the Constitution and that in the interim the European Code of Human Rights should become the Constitution until a new one was drawn up for the whole of Ireland. Who would draw up the new Constitution, elected representatives of Northern Ireland jointly with elected representatives of the Republic? Does this presuppose that the Unionists in the North would have agreed to your suggestions, these having been put to them in the form of proposed action in the event of their agreement?

Dr. Park: A very complicated question. Could you give me the gist of it again?

Senator McGonagle: You want the Constitution suspended and a new one drawn up. The first part of the question is: who would draw it up? Would it be the elected representatives of Northern Ireland with the elected representatives of the Republic?

Dr. Park: Yes, that would be my idea.

Senator McGonagle: You would be presupposing that the Unionists would agree and would come to the negotiating table. Do you think this is possible? **Dr. Park:** This would be after the referendum and it had been agreed to accept this kind of solution. I would not ask them before. If the Northerners accepted by the referendum this sort of solution that I have suggested here then I would think there would be no difficulty in getting representatives of Northern Ireland to come to arrive at a Constitution.

Senator McGonagle: In your last paragraph on page 2 you go on to say: "After a lapse of time the British Government having been kept informed would hold a Referendum in the North, (either 'pro' or 'con'). If there was a majority of 'pros' they would proceed... to bring the Scheme into operation." I would assume that the offer of the scheme to the North would have been accepted by the Unionist leadership prior to the referendum or, are you proposing a referendum without agreement? Would you clarify this please?

Dr. Park: I think it was suggested some time ago that there should be a referendum every ten years on whether the Northerners wanted to stay in with Britain or not. My idea would be that having had some scheme, this or something else — I am sure it would be amended but something along this line — then there would be a referendum and if there was a majority this would give the British Parliament the right — they have said they will not do it until there is consent; if there is a majority there is consent, let them then proceed to legislation which they would have to do. I presume they would have to promulgate it to bring the scheme into operation.

Chairman: Thank you, Dr. Park, and thank you Senator McGonagle. We now have Mr. Brian Lenihan on behalf of Fianna Fáil.

Deputy Lenihan: You are very welcome, Dr. Park. Your excellent suggestion of power sharing on an all-Ireland basis was in fact made by our party leader, Deputy Haughey, in his opening speech to the Forum and following on that would you agree that this willingness which we share with you to contemplate power sharing on an all-Ireland basis is in sharp contrast with, and reflects rather unfavourably on the absolute refusal at the moment of the Unionists in Northern Ireland to contemplate power sharing within the Northern Ireland context?

Dr. Park: I think it would be a very generous gesture. I think we have to deal with this question both justly and generously. I think if this kind of thing came out in a bi-partisan or tri-partisan way from the Southern politicians it would create quite an impression in the North. I shall not pass any verdict on what the Northerners

have done. I just say that I think that if it were done here it would be a fine gesture and very helpful.

Deputy Lenihan: Would you agree in general that it ought to be feasible on the basis of discussions and negotiations to devise the appropriate guarantees to accommodate the legitimate wishes, aspirations and interests of the people at present living in Northern Ireland and who will live there in the future?

Dr. Park: I think it is not sufficient to have guarantees, that you must have something written into the Constitution structures which I have tried to write in through the idea of a House of Representatives as a substitute for the Seanad. That would have a certain weighted majority necessary in cases where human rights were involved which to my mind ought to satisfy any reasonable person that no discrimination of any kind could be practised and that it was absolutely as cast-iron as such a thing could be.

Deputy Lenihan: I take it then you would agree with the view that such a new Constitution for a new Ireland could be negotiated around a table between the various interests North and South who would be concerned with devising the sort of society guaranteeing such basic aspirations in a new Ireland situation?

Dr. Park: I would hope so. I think that if once the general idea were accepted and we had an idea of the kind of new Ireland that was proposed one would find the Northerners far more amenable. What seems to me to stick in the Northern gullet is the fact that it is a kind of take-over by the South. Once we give them the idea that they are going to get a certain amount of power, a considerable amount of power in the House of Representatives, and if they have that feeling that we are sharing in it, that we are getting a fair deal, that we are still to a certain extent a separate State but that we are joined together'' — I think all this would make a very profound impression.

Deputy Lenihan: Would you agree that could be done most appropriately by all the interested parties agreeing together on the matter?

Dr. Park: You mean all the public parties in the South?

Deputy Lenihan: North and South.

Dr. Park: I think this kind of offer has to come primarily from the South, and if it could be agreed by all the parties in the South I think - I may be wrong - that it would make a profound impression on the North.

Deputy Lenihan: Would you agree that the Northern Ireland interests would have an input into the nature of such a new Constitution for a new Ireland?

Dr. Park: I think the average decent person in the North, Protestant or Catholic, is absolutely fed up, absolutely distressed with all the violence, bitterness and what not and I think they are willing to consider anything which they do not feel is a complete take-over by other people. That is my opinion. I may be wrong.

Deputy Lenihan: A final question. Do you believe that Britain has a very real obligation to smooth over the transition period in a financial way to ensure that a united Ireland over a reasonable period can make the transition from the present situation to a viable all-Ireland situation in the future?

Dr. Park: I think there would not be any problem with Britain. I think Britain would be very happy to see the situation resolved. I think in some ways the less Britain does and the more we do ourselves the better the solution it is. I think we Irish understand each other better. We have our idiosyncracies and we understand each other better. I feel that if Britain said: "The majority in the North have agreed to this kind of thing. Here is authority to go ahead with it. Now get together", they would phase themselves out. I would hope so. I think they have an obligation to finance to some extent all these pension schemes, social insurance schemes and so on, having taken the insurance to begin with. I think the British probably would be generous in regard to finance and that it would be a matter between the two Exchequers to phase out the existing system and gradually the whole country would take over the insurance and pensions and health services.

Chairman: Thank you, Mr. Lenihan. I now call on Mr. Ivan Yates for Fine Gael.

Deputy Yates: Thank you, Dr. Park, for your submission. You are most welcome. You said at the outset that your submission was purely personal. How representative of or acceptable to the Presbyterian Church in Ireland as a whole, would you think your submission is?

Dr. Park: That is a very reasonable question. To answer, I have spoken to various people, to prominent representatives of the Church of Ireland and of the Methodist Church and showed them the scheme and asked them what they thought and how far their people would be willing to accept it. It seems to me from what they said and from what I know of my own Church that a pretty good

percentage of people in the North — you are thinking now of the Unionists and Protestants generally — would be willing. It may not be what they really want but for the sake of the country, for the sake of their children and for the sake of getting away from all the awful bombing and so on, while they would say that this may not be ideal, I think there would be a fair percentage who would accept something of this nature.

Deputy Yates: Would it be fair to say that your proposed solution or scheme is either confederal as you say there would be two States, or some form of rolling national power sharing in a unitary state? Which do you think would be a more accurate description of what you are suggesting?

Dr. Park: It is very hard to distinguish between the words "confederal" and "federal". I think even Americans have difficulty in doing that but in our particular situation I think we must think in terms of an almost unique solution. If I were thinking of a name for a new Ireland I would say "The Federated Irish States". They would both have a certain amount of power. There would be the House of Representatives in Stormont and the House of Deputies down here. There would be both Governor and an Uachtarán and so on. It has to be, I think, a federation almost that we evolve ourselves in our particular circumstances. I would go for the word "federated". To me that is a stronger word than confederal. I may be wrong about this use of the word.

Deputy Yates: Do you not see a difference between the powersharing concept in a subordinate state and a unitary sovereign state?

Dr. Park: I think there is, but I do not think there is that big a difference.

Deputy Yates: Would you not envisage that there would be difficulties in a unitary sovereign state with power sharing if there was an intransigent minority view that might destabilise certain aspects of national policy?

Dr. Park: It is my opinion that if we have something of this nature going that we would have no difficulty in dealing with the dissatisfied minorities on either side. I think, to use the famous simile, that there would not be enough water for the guerilla fish to live in.

Deputy Yates: How realistic do you think your proposals are, given that Unionists to date are fairly unwilling to share power in

an in-built majority set-up, if we translate that into a situation where they would be in a minority power-sharing role? What evidence do you have of their willingness so to do?

Dr. Park: I have nothing that you could call evidence but I think I understand, being a Northerner myself, the Northern temperament fairly well and I feel and believe that in the circumstances they would be willing to accept this kind of thing.

Deputy Yates: Evidence?

Dr. Park: It is not possible to get evidence, particularly for that sort of thing. You can only say what you can gather from talking to people and this is my opinion about the matter.

Deputy Yates: How important to Northern Unionists do you think is the development of pluralist-liberal laws in the South?

Dr. Park: Quite honestly I think they use the thing that in a way they use the pluralist state — I am not going into detail. I think they use that as another sort of whip with which to say this is obviously not a pluralist state here. They use that kind of thing. My opinion is that the Northerners do not really worry much about the Constitution.

Deputy Yates: When Northern Loyalist or Unionists state that Dublin rule is Rome Rule and that the minority here are very weak and ineffective and do not stand up for themselves, would you regard their perception as accurate or an insult to the minority down here?

Dr. Park: I have lived in this State since 1933. I would say that in the early stages of the State — there were some Protestants I know on the Republican side — but for the ordinary run of the mill Protestant to suggest anything was almost to ensure that it would be regarded as a Protestant thing. This has changed very considerably here and does not obtain any longer. I do not think that they regard this country as Rome ruled. Obviously, with a 95 per cent or a 97 per cent, whatever it is, majority it must be the ethos of that dominant religion that must prevail. I do not think it is such a very big factor with many Northerners — with some it is. I think a fair number would say that we are hopeful that the South is becoming more pluralist. We would hope that when we would come in with them on a power-sharing basis it would become even more pluralist and out of it all that we could make a better Ireland for everybody.

Deputy Yates: Given that in 60 years successive Irish Governments have failed to influence British Governments in their policy on Northern Ireland how would you advise this Forum on the best way to approach a change of policy from the British Government?

Dr. Park: If this Forum produced a blueprint along this line or something similar to it, I feel — obviously the British Government have to be informed — it would be very important to let this become well known in the North, in fact to make some effort to send Deputies from all the parties and you could even get quite a number of Protestants from the South who would join them to really explain to the Northerners what is suggested in this new Ireland.

Deputy Yates: In your knowledge and experience of Unionists in the North what aspect of their Unionism is most dear to them? Is it their Britishness? Is it their Protestantism? Or is it their present power structure?

Dr. Park: That is nearly impossible to answer. I think it is a mixture of the lot and I could not say which is the strongest. I think it varies with people but it is not possible to answer the question.

Deputy Yates: But when you are trying to deal with the problem you have to try to rationalise it?

Dr. Park: Yes. I grant you it is easier to deal with if you know exactly what you are dealing with but I think that the strongest element in the situation is the fear of dominance by the Southern Catholics. I may be wrong but that is my opinion.

Deputy Yates: In your proposals for an ultimate solution would persons be able to retain their British citizenship?

Dr. Park: Yes. There were one or two people to whom I showed this in the North who said: "We would certainly like to have dual citizenship. This is one thing we would certainly feel strongly about".

Deputy Yates: You suggest that the Forum should come up with a blueprint for a solution. Do you think that is wise, that we should narrow down options in terms of a blueprint? Do you not think that this is the initial part of a many-phase process that we are trying to coincide and unite Nationalist opinion here? Surely we have to have an open view then towards talking to the British Government and to the Unionists? Surely a blueprint would be too simplistic at this stage?

Dr. Park: Perhaps I am an old man in a hurry but I feel that the longer the situation goes on in the North the more the moderate people are being turned into extremists on both sides. Therefore it is important. While I am saying, prepare a blueprint, I do not want it all set out rigidly but to give a general idea with possible options as introductory and then eventually in the light of how the matter develops, provide some sort of blueprint. But I think it is important to do it quickly because this thing has now gone on for 15 years and the longer it goes the problem is nearly increasing as the square of the years.

Deputy Yates: Finally, above all else, what would you like to see in our final report?

Dr. Park: I would like to see something along the lines I have suggested here. I should like to see the Southerners and the various parties here coming up with a just, generous solution presented saying: "Here is what we offer" making it as generous and just as one can. This is what I would like to see.

Chairman: Thank you, Mr. Yates, and now, on behalf of the SDLP, I call Mr. Paddy O'Donoghue.

Mr. O'Donoghue: May I just agree with the stress that you, Dr. Park, put on the urgency of doing something about the situation and the fact that the longer it goes on the more the situation will deteriorate. Answering Senator McGonagle you said that only Irish people can solve an Irish problem. Would I be right in thinking that you believe in an all-Ireland solution to the Northern Ireland problem as your paper sets out some of the mechanisms and safeguards which might make such a solution possible?

Dr. Park: Would you repeat the question, please?

Mr. O'Donoghue: Would I be right in thinking that your hypothesis is based on an all-Ireland solution to the problem we have in this island? Your paper sets out some of the mechanisms and safeguards which Unionists would require and it also deals with an all-Ireland State or two States forming a confederation or federation?

Dr. Park: I think it would; that is fair comment. Nobody can be absolutely objective. One is bound to some extent to be influenced by one's upbringing and various things but I tried to be as object-ive as I could. Also I tried to do something that might be perhaps more biased on the Northern side, if you like, in the hope of getting it sold to the Northerners.

Mr. O'Donoghue: I would like to deal with your three points on page 1 of your submission. The first one refers to the question of possible discrimination. In your experience as a Protestant who has lived north and south of the Border do you believe that the Protestant-Unionist fear of discrimination in a new set-up is justified or that there would be any real difficulty in providing safeguards in the laws and practice of a new Ireland to eliminate discrimination or make sure that it did not occur?

Dr. Park: I think it is necessary to have some kind of safeguards. I do not go around with a chip on my shoulder looking for discrimination. If you do that you will find discrimination anywhere and everywhere. Let me give one example. Divorce is forbidden in our Constitution. I am a Presbyterian. Our confession of faith goes back to 1642 in which under certain very guarded circumstances divorce is permitted. I could argue, if I wanted to make a song and dance about it, that here there is discrimination. The problem is, of course, that I as a Christian, and as a Minister in particular, do not want any divorce but I could argue that the Constitution is definitely discriminating against my religious teaching. But I am not arguing that. If you want to look for things you can find them. I think that in a State such as this federated Irish State would be. with a majority of four or five to one of Roman Catholics it is very necessary for a Protestant to feel you have certain safeguards written in and carried out by the law that can be easily applied to ensure that it does not almost unwittingly develop into a Catholic State for a Catholic people.

Mr. O'Donoghue: From your knowledge of the State in which you now live would you feel there would be any difficulty in having those safeguards written into a new Constitution for a new Ireland?

Dr. Park: I would hope not. I do not think there would be any difficulty. As you will appreciate, it is a very different analogy between a handful of Protestants in the Republic as we are now — Presbyterians in particular would be an even smaller handful — and a large minority in the North of Ireland who did not want to go into Northern Ireland as such. If you have this sort of federated Irish State you would have one Ireland with a large minority of Unionists, Protestants largely, who were not that anxious to go in really but who would go in for the sake of peace and concord. Therefore, I think it is necessary that Unionists should have these safeguards. I hope they would never need to be invoked. From a Unionist point of view I would feel they should be there to make sure that almost unwittingly the thing does not happen — you see things happen and go on without anybody deciding them; it is just

the way things go particularly if you have an overwhelming majority, one may say: "They are only a handful anyway." This is always the human factor.

Mr. O'Donoghue: On your second point here, do you think that significant changes in family law in the South would have any real effect on the attitude of the Unionist population in the North towards a United Ireland?

Dr. Park: I do not honestly think that for the Dáil to change the law about contraception and so on would make any impression in the North at all but I think if you had a House of Deputies here which had, say, an overwhelming majority who wanted to change the law for the whole country — which is what they would be able to do if you had a House of Deputies in Dublin on the sort of suggestion I make — you could have them wanting to change the law and say: "You can only have contraception on this basis." This is what I am trying to say in this paragraph. Perhaps it is not very clear but this is what I was thinking of.

Mr. O'Donoghue: On your third point, about the independence which Northern Ireland has had for more than 50 years with a Parliament and Governor of its own, you mention an ethos created by that situation. Do you consider that the independence and ethos which existed in Northern Ireland for more than 50 years was a barrier to the peace and stability of this island?

Dr. Park: I could not answer that question. I do not know. I think when you have the relative independence of Northern Ireland you have created something there which is almost part of the way in which people have grown up. This is the situation. As far as I read Irish history I do not think anything else could have been done at that time than setting up Northern Ireland. It left problems but I do not think anything else could have been done. It is up to us now in our generation to try as best we can, out of the problems that have arisen, to try to arrive at a solution which we feel will be acceptable at least to all the reasonably decent people both North and South.

Mr. O'Donoghue: You advocate power sharing in a new Ireland and you have spoken about it to other questioners. Would you not think that a bloc of about 40 or 50 Unionists, which is your estimate of how many would be elected to a new Dáil, would create its own power base and dynamic in any new arrangement? Is it not possible in fact that they would hold the balance of power and would be an important element in any coalition that might be formed in the South?

Dr. Park: Yes, that is a point that is often made but nobody knows how the situation is going to change. We have Fianna Fáil, Fine Gael and Labour and so on at present but as things go on, in 25 years time you might have a very different line up from that. I do not think it is enough to say: "Come in: the chances are that you will hold the balance between the two". I do not think anybody could go in on that basis; it is too long a shot. There must be something more specific than that. In any case it seems to me that this is the way, to give the minority a share as I think your party have stated again and again in the North. Why not apply it again in the South and say: "We are doing the same thing here"? I would hope that in 25 or 30 years time the kind of things we are discussing here would have disappeared and they would all be working together and would hardly ask whether you were a Protestant or a Catholic. I do not know but I would hope that would be the case. You must give things time to evolve but you must start from where you are and then try and hope that they will evolve.

Mr. O'Donoghue: I think we would all share your hope and we welcome the fact that you have made proposals that move away from the situation we have. But all your proposals rest on the agreement for change having been achieved. How do you think we could achieve agreement for change?

Dr. Park: If the British Government hold a referendum and if the majority say that they are in favour of something like this — how do we get that majority? I may be wrong but I worked it out this way. I thought that the voting is approximately 60-40 at present in the North. I would say that 80 per cent of the Catholics, the 40 per cent, would vote for something like this probably. So that will give you 32 per cent. It only demands getting about 30 per cent of the Unionists to vote for this to have a majority of 52. I would say that if the British Government once got that, even a 52 majority, they would proceed immediately and say: "This is what you voted for. This is what you are going to get."

Mr. O'Donoghue: Thank you very much. I do not want to get into percentages but while looking for an Irish solution to an Irish problem you clearly envisage that the British Government have a role in any new arrangements — you mention a role in pensions and so on stretching over a period of years. What do you think the British Government could do now to promote circumstances which would enable people in this island, particularly the Unionists, to come together and have some new arrangement which would enable us all to live in peace and harmony? What should the British Government be doing just now?

Dr. Park: I think that if the SDLP went into the Assembly it would be a good solution. It would help things along. You cannot do anything if you do not talk. I know I should not have said this but I am saying it. I think this is the point, to talk. I have heard and I recognise the points you have made but it is a pity that you have not gone in to talk there. I know you are fed up talking and all that. At the same time, I think we have all found ourselves fed up talking in life and have to begin again. I think if the British Government are willing to take on even more generously the sort of payments that are needed to phase this thing in, if they are willing to take the results of this Forum and if it can be presented so that a majority in the North agree with it in a referendum, then I think the British Government will have done the best thing they can do.

Mr. O'Donoghue: We are not fed up talking but it depends on whom we are talking to. Why do you think that the SDLP should go into the Northern Ireland Assembly?

Dr. Park: It is a cliche but you cannot do anything if you sit in another room. It is only when you get in together and talk that anything may happen. Something may but not necessarily will happen. As long as you are separated it is a pity. I have heard and I accept part of the arguments but I still think, having said all that, that it is a great pity that the SDLP did not and does not go to the Assembly. I think it would be a very good gesture if they did, a gesture of goodwill all around. It seems to me that the problem can only be solved if we are all willing to exercise a fair amount of goodwill and try to forgive and forget.

Mr. O'Donoghue: We have not stopped talking to Unionists or to the British Government and we do not need an Assembly to talk to either. My final question is: Are you optimistic about the future of this island?

Dr. Park: Yes, I am optimistic. I feel that we have it in us, with a little bit of give and take and a little effort not always to be dwelling on the past and not picking out all the places where you think you are discriminated against and blowing them up in the media, to do something. I would be optimistic.

Mr. O'Donoghue: Thank you very much. We would welcome more people like you in this new Ireland.

Dr. Park: I should have said thank you very much at the beginning for asking me to come. I am sorry for that omission.

Chairman: Dr. Park, you are very welcome. I need hardly say my

usual few words of thanks. It is quite obvious that the members of the Forum are very pleased indeed that you shared your very stimulating ideas with them. This public session has now come to an end. We shall re-assemble in private session in one hour 15 minutes, at 2.40 p.m.

1.30 p.m. Session concluded.



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