

DÁIL ÉIREANN

AN COISTE UM ACHAINÍOCHA ÓN BPOBAL

COMMITTEE ON PUBLIC PETITIONS

Dé Céadaoin, 13 Feabhra 2019

Wednesday, 13 February 2019

The Joint Committee met at 1.30 p.m.

MEMBERS PRESENT:

Deputy Shane Cassells,	Senator Jerry Buttimer.
Deputy Martin Heydon,	
Deputy Denise Mitchell,	
Deputy Eugene Murphy,	

In attendance: Deputy Peadar Tóibín.

DEPUTY SEAN SHERLOCK IN THE CHAIR.

Business of Joint Committee

Chairman: As we have a quorum, we are in public session.

The joint committee went into private session at 1.40 p.m. and resumed in public session at 2 p.m.

Decisions on Public Petitions Received

Chairman: The first petition for consideration is Petition No. P00047/18. It seeks the organisation of an all-Ireland citizens' assembly to negotiate and agree the basic structure of an independent 32-county Ireland, and to negotiate an all-Ireland referendum on Irish unity. The decision of the committee is to propose to forward a copy of the response from the Department of Foreign Affairs and Trade to the petitioner and close the petition. Before we make a decision, I will open it up to the floor for members to make a submission on the issue.

Deputy Peadar Tóibín: The way the petition is phrased is unfortunate and its phraseology probably prevents the committee from being able to bring it forward for greater debate. The substantive desire in the petition, however, needs more debate in Leinster House. There is a increasing number of people, North and South, who wish to seek Irish unity and there has been a change in the demographics on the island. We have the issue of Brexit, which is barrelling along and will happen less than 50 days from now. The only solution to a hard border is no border for many people. This Government and the Oireachtas need to get to grips with the issue of Irish unity in a far deeper manner and start to prepare for it. It is dangerous for the Oireachtas to have its head in the sand with regard to what is happening North and South. The Government needs to start instituting plans for the development of Irish unity. There are many steps we could take in advance of Brexit which would strengthen the all-Ireland economy, help to ameliorate the worst threats of Brexit and lead to convergence on both sides of the island in a range of areas such as healthcare, taxation, education and so on. This would lead to economies of scale, efficiencies and larger markets and have positive outputs for everybody and improve lives of people across the island of Ireland. We have seen a number of political developments in the past week or so which have led to more of an all-Ireland perspective in politics of Ireland. While the language of the petition makes it impossible for the committee to continue with it, the issue of Irish unity contained within it needs to be one that demands far more debate in Leinster House.

Chairman: I thank Deputy Tóibín.

Deputy Denise Mitchell: I echo the points made by Deputy Tóibín. We are all aware that a conversation on an united Ireland is taking place in villages and towns. More recently, a major conference was held in the Waterfront in Belfast where civic nationalism society came together. The conference was addressed by the Minister for Education and Skills, Deputy McHugh, and the deputy Leader of Fianna Fáil, Deputy Dara Calleary, also spoke at it. I am concerned that the conversation is happening outside the walls of the Houses of the Oireachtas and believe we need to have some dialogue. It is unfortunate that the petition is written in a manner that does not allow it to move forward. However, we need to be mindful of what is happening. I do not accept that the movement is premature. It is 100 years since the inaugural meeting of the First Dáil; therefore, let us get real about the issue. I do not believe we can use the excuse that it is

a sensitive subject or that it causes divisions. If that is the case, we would never have held a referendum to repeal the eighth amendment, on marriage equality and so on. We have to be mindful of the language to be used in the response as this conversation is happening across the land. People are talking about the issue. This House needs to get itself in gear on it.

Chairman: I thank Deputy Mitchell.

Deputy Shane Cassells: I am delighted to have a conversation in the Houses of the Oireachtas on achieving the goal of an united Ireland. The pathway towards that goal has been laid clearly after decades of negotiated positions and making sure there will be no more bloodshed, leaving people maimed or dead on the streets, either in the North, Dublin city centre or the cities of England. I have no problem in having a forthright debate here, but anything that goes outside the parameters of a negotiated position between the two Governments cannot be endorsed by the Houses of the Oireachtas.

There is significant work being done by Members inside these walls, including Senator Mark Daly who has been working consistently on the issue, privately going to meet members of the unionist community on a monthly basis, attending and briefing meetings in Orange halls on the issue. These things are not talked about. Documents have also been laid before the Houses of the Oireachtas indicating what the structures of an united Ireland would look like and how much they would benefit the economy as a whole as opposed to a partitioned state.

Deputy Mitchell talked about the conversations happening in towns across the country. She is 100% correct. It happened in our town, where last year on this very issue in front of a couple of hundred people Deputy Tóibín, the Minister of State at the Department of Housing, Planning and Local Government, Deputy English, and I had a conversation, moderated by Seán Boylan, whose father was an operative for Michael Collins at the time of the creation of the Irish Free State. The public is engaging in that conversation.

This morning the former Taoiseach Bertie Ahern, a primary negotiator of the Good Friday Agreement, appeared before a select committee in the Houses of Parliament at Westminster. When asked by one MP how he thought the Irish people would feel about “rejoining” the United Kingdom, I think he said in a kind way, “not a lot.” He has spoken about the fact that we do not need to see a hardening of the two sectarian positions in achieving the goal of an united Ireland in a settlement that would be acceptable to all sides.

In the context of initiating plans, there is a mountain of work to be done in the background before we would even get to the position where a Border poll could be held. Some 12 years ago I remember taking part in a peace and reconciliation tour to the Peace Tower as part of the First World War commemorations. There were marching bands from both sides of the community, including one from County Cavan and one from County Tyrone from the unionist community. I got to talk to some of its members over lunch. They did not even know where County Meath was. I might as well have said I was from somewhere in America.

Chairman: Cork.

Deputy Shane Cassells: They would probably have had a better chance of finding it on the map. They had no idea of the geography of the Republic of Ireland. As far as they were concerned, their country came to an end at the Border and extended no further. It was a frightening realisation that these Irish people had no concept whatsoever of the geography of the Republic of Ireland. If one has people on the same island who could not find County Meath on the map,

just down the road from them, that gives an insight into how far we have to go in the journey towards peace and reconciliation. There are, however, incremental steps being taken. When the First Minister, Ms Arlene Foster, attended the Ulster Final last year, it received acres of news coverage. Until that becomes the norm, we have a long way to go.

In that respect, sport can play a significant role. Organisations such as the Irish Rugby Football Union, a 32-county organisation, have a buy-in in both sections of the community. The GAA has always been a 32-county organisation and is making strides in communities in the North to try to ensure sport can be a builder, but what was insightful was that when the Republic of Ireland played the North in a soccer friendly match before Christmas at Lansdowne Road, there were terrible scenes, with people booing during the playing of both national anthems. It resonated the hate still felt in the country. Given this lingering level of hate in communities and having regard to recent dissident activity, including the car bomb, there is still significant work to be done. That is why I have referred to the work taking place week in and week out in communities. It must be remembered that it is happening at a time when the political parties in the North cannot get their act together to form a parliament, now the parliament which has been suspended for the longest period anywhere in the world, bar none.

The petitioner refers to the fact that the people must decide their own future. They have decided. We had a protracted discussion on the amendment of Articles 2 and 3 of the Constitution. The extraction of the words in those articles from the Constitution was a major issue for all republicans, but it was done to create a pathway towards an united Ireland. Has the petitioner forgotten this? I have not. I know what a significant and seismic shift it was for people living in this state to make that change to the Constitution. People, North and South, bought into it in order that the children who come to the Houses of the Oireachtas on school tours would not have to listen to weekly reports on news bulletins on RTÉ and the BBC on people being blown to smithereens. Let us remember that this happened in Omagh 20 years ago.

I welcome this discussion. It is welcome that there is a pathway towards an united Ireland and that there are people working quietly to try to make it happen.

Chairman: I thank Deputy Cassells. I invite Senator Buttimer to contribute.

Senator Jerry Buttimer: We made a decision not to proceed with the petition for a number of reasons. Notwithstanding the language used, it would send the wrong message in terms of what was referred to by Deputies Mitchell and Cassells about the pathway to an united Ireland and what we have voted on. The important point is that we are having the conversation. I ask members to cast their minds back to two years ago when the former Taoiseach, Deputy Enda Kenny, was speaking about the consequence of Brexit and the issue of an united Ireland. It is important to recognise, as Deputy Cassells said, that work is being done, for example, by people in my party such as Senator Feighan, who is very clear in his approach and has been involved in meeting, discussing, liaising and engaging with many different organisations, both community and political, in the North. I had the pleasure of canvassing and meeting members of the SDLP and the Alliance Party. It is important that we recognise what has been said in the recent polls on “Claire Byrne Live” on a united Ireland and a Border poll. The last thing we must do is to create a political football whereby we can kick this back and forward and up and down. This is far too important, sensitive and precious. We must avoid language that polarises people with the hardening of sectarian positions.

The best we can do is to recognise that all of us who aspire to a 32-county Ireland know that we have reached the point through the Good Friday Agreement whereby we have a pathway.

Many people voted to get rid of Articles 2 and 3 of the Constitution and to insert amended articles into the Constitution. That is the present position.

The substantive text before us for consideration is divisive and sends a wrong message. I wish to reinforce the point the Chairman made earlier.

Chairman: I am not opening up a big debate, Deputy Tóibín. I am telling you now.

Deputy Peadar Tóibín: Not a big debate, but a small debate.

Chairman: No, not even a small debate, and I will be very clear and succinct. There are other fora to debate the nature and extent-----

Deputy Peadar Tóibín: May I come in very briefly, because this is the first debate I have had on the issue of an united Ireland in eight years in the Dáil?

Chairman: That is not the fault of this committee. I suggest that this is not the time for that and there are other more appropriate fora. That is a ruling I am going to make, Deputy, but please do intervene, if you want to - for a short time. We are not doing political football now. I can tell you that now.

Deputy Peadar Tóibín: To be honest, a Chathaoirligh, it was not my desire to introduce political football in my contribution.

Chairman: No, but this is your second intervention.

Deputy Peadar Tóibín: I did not seek to raise the hackles of anybody. I was careful not to raise the hackles when I contributed. A couple of years ago I carried a study on the all-Ireland economy, and I do think this is important. In that, I spoke to well over a hundred people: academics, business people, trade unionists-----

Chairman: No, I am making a ruling now.

Deputy Peadar Tóibín: A Chathaoirligh-----

Chairman: No, I am making a ruling now. I am very amenable as a Chairman and the members present will attest to that. I am not opening up a discussion or a political debate on the future of the island. The committee has already made a determination in respect of-----

Deputy Peadar Tóibín: It has not made a determination.

Chairman: The committee is about to make a determination, and I am asking the committee now-----

Deputy Peadar Tóibín: Chairman, may I have a second? I do not want to be rude.

Chairman: I do not want to be rude either. I am making a ruling now.

Deputy Peadar Tóibín: In eight years, it is strange that the minute there is a debate on Irish unity-----

Chairman: I am not giving the Deputy any more oxygen. I am asking the Deputy to obey the Chair.

Deputy Peadar Tóibín: A 20 minute conversation in committee.

Chairman: I propose that we forward a copy of the response from the Department of Foreign Affairs and Trade to the petitioner and close the petition. Before I ask for agreement on that, I want to state that the petition was deemed to be premature on the basis that the petition clearly said, “The Irish people must decide on their own future instead of awaiting a Border poll from a nation that has blatantly dismissed their grievances and sentiments”. There is very clear language in the Good Friday Agreement in respect of the Border poll which we have all signed up to. We are all republicans, so we all have a perspective on the future of the island and there is a lot more common ground on that than people might think. Is it agreed that we would forward a copy of the response from the Department of Foreign Affairs and Trade to the petitioner and close the petition? Agreed.

The next petition for consideration is Petition No. P00220/19 from Ms Laura Hackett. The petition concerns the well-being of breeding dogs in Ireland. The proposal is that we forward a copy of the response from the Department of Rural and Community Development and the revised guidelines to the petitioner and close the petition. Is that agreed?

Senator Jerry Buttimer: I ask for the Chair’s indulgence. I think the issue the petitioner is raising is an important one and I thank the petitioner for bringing it forward.

Chairman: I thank the Senator. Is that agreed? Agreed. The final petition for consideration is petition No. P00049/2018 which is from Mr. Mark O’Hagan. I propose that we deem the petition inadmissible in accordance with Standing Order 111C(1)(d). Is that agreed? Agreed. I thank members for their attendance.

The joint committee adjourned at 4.15 p.m. until 1.30 p.m. on Wednesday, 27 February 2019.