

# Seanad Éireann debate - Wednesday, 22 Apr 1998

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## **An Bille um an Naoú Leasú Déag ar an mBunreacht, 1998: An Dara Céim. - Nineteenth Amendment of the Constitution Bill, 1998: Second Stage.**

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### **An Cathaoirleach**

I welcome the Taoiseach to the House.

Tairgeadh an cheist: "Go léifear an Bille don Dara hUair."

Question proposed: "That the Bill be now read a Second Time."

### **The Taoiseach**

I welcome the opportunity of bringing both the legislation and the Agreement before the Seanad. I thank the Members for their welcome. Some of what I wanted to say to the Upper House I have already said in the Dáil but much of what I will say today I did not have time to say in the Dáil. For those who are following our proceedings outside, the second half of my speech contains what I have not previously said.

I am laying before the House a settlement for peace in Northern Ireland. The political agreement concluded between all the participating parties on Good Friday, 10 April, represents a major breakthrough in terms of consolidating peace and ending 30 years of conflict. The Agreement is historic in the true sense of the word. It not only supersedes previous initiatives, it replaces both the legislation and the settlement of 1920 and 1921. In its place is an agreement capable, for the first time, of winning the support of both traditions in the North and the support of North and South as well as enhancing co-operation between these islands.

It is the culmination of many years of effort devoted to the peace process and of the three strands talks which began in 1991. Both have come together in one agreement. Many people have contributed to this achievement and shown real statesmanship in the process. I would like to salute the political courage and leadership shown by John Hume and Gerry Adams and their close colleagues and also the priests who brought parties together during the early years. The Ulster Unionist leadership under David Trimble made an indispensable and courageous contribution by their participation in negotiating and concluding this Agreement.

Lord Alderdice of Alliance, the loyalist leaders, the Northern Ireland Women's Coalition and Labour in Northern Ireland also played a valuable role in supporting accommodation and bridging difference. The commitment of the British Prime Minister, Tony Blair, who put his full weight and presence behind negotiations, was obviously of huge importance as was the courage and perseverance of his Secretary of

State, Mo Mowlam and her deputy, Paul Murphy. I would also like to pay tribute to the essential groundwork of his predecessor, John Major.

I would like to pay tribute to my predecessors, Charles Haughey who was Taoiseach when the process started, Deputy Albert Reynolds who concluded the Downing Street Declaration and who made the first historic breakthrough towards ending violence and made so much of the early running in bringing the parties to work together. I certainly appreciate the involvement of Deputy Reynolds and his advice over the past months and we worked for the conclusion of the Agreement.

Deputy John Bruton helped set the parameters and ground rules that started the talks in their most recent phase since June 1996. Deputy Bruton also concluded the work on the Framework Document which was so important. Deputy Dick Spring, under successive Governments, oversaw the preparation of the Framework Document.

The Minister for Foreign Affairs, Deputy Andrews, and the Minister of State, Deputy O'Donnell, also deserve our warmest thanks for the leadership they gave the Irish Government team in the talks since last summer, as do the other Ministers and Ministers of State who attended on a regular basis over many years and particularly since 1996. The Attorney General, Mr. David Byrne, provided a vital input into key parts of the Agreement. The interdepartmental team of officials and advisers also deserve our gratitude for helping to pull the strands of the Agreement together, as do the officials attached to the British side and to the different party teams, as well as the staff working with the talks chairmen. I thank all the officials who, over the past decade, have done an enormous amount of work under successive Governments and in the true tradition of the Irish public service to ensure continuity throughout the process.

I congratulate Senator George Mitchell and his colleagues, former Prime Minister Harri Holkeri and General John de Chastelain, on their great

achievement and I thank them for their wisdom and patience. I look forward to seeing Senator Mitchell at the end of next week when, as he informed me today, he intends to visit Ireland for a few days.

I have already conveyed my warm thanks to President Bill Clinton whose support and encouragement for all participants was a key element in this process. The US Ambassador, Jean Kennedy-Smith, also played a special and historic role during her period of office. I also wish to thank the EU Commission President Santer and Regional Commissioner Wulf-Mathies for the generous material support they have given to peace and reconstruction in Northern Ireland and the Border areas. I spoke to the Regional Commissioner on the Monday following the conclusion of the Agreement and she told me she would try to secure an additional 100 million ECUs for next year to continue that work. Before I arrived in the Seanad today I was informed by Commissioner Flynn that the Commission had cleared that funding this morning to ensure continuity in cross-Border activities. That resource is now assured for next year.

Our immediate task is to have the Agreement approved on both sides of the Border. This will represent a concurrent act of self-determination by the people of Ireland for the first time since 1918. Such a vote will remove any false vestige of democratic self-justification for further acts of violence from any quarter, Republic or Loyalist. All remaining paramilitary groups should cease armed activity forthwith.

The basis of the settlement is the recognition that we must live together on this island. For that we need peace, stability and reconciliation. Neither tradition has the means to impose its will on the other. An accommodation is essential for the well being and prosperity of all. Inevitably, this will involve, for everybody, changes in our ways of thinking, greater tolerance and generosity and a more sympathetic understanding of the needs of others. We must foster confidence in all sections of the community.

This Agreement is first and foremost a balanced constitutional settlement that provides a peaceful method of resolving fundamental differences in the future while creating a basis for practical partnership and co-operation now. Real balance, which we have sought since 1992, has been achieved with fundamental and important changes in both British and Irish constitutional law. We are reformulating Articles 2 and 3, not abolishing them.

If the Government had declined to enter into discussions on our constitutional position, there would have been no multi-party negotiations, no agreement and no peace. We took the same view as the Secretary of State, Dr. Mowlam, that the status quo is not acceptable and, therefore, some movement was required on all sides, including ours.

The purpose of the changes is to reinforce the principle that in Ireland, North and South, it is the people who are sovereign and who have shared ownership of the territory of Ireland. Any British territorial claim of sovereignty, made without reference to consent, going back to the Government of Ireland Act, 1920, the Act of Union or for that matter to 1170, will be superseded in the British Act and becomes irrelevant for the future. The principle of consent is paramount. From now on, everything will hinge on that. This represents a substantial change. Moreover, consent is now, for the first time, formally recognised to be a two way process. The importance of this cannot be emphasised enough.

The foundation stone of this State, as well as of the peace process, the right to national self-determination in its full political, social and cultural meaning, remains untouched in Article 1, to which de Valera attached most importance and would not let go even in the context of a united Ireland.

The reformulation of Articles 2, 3 and 29 reflects modern, progressive republican thought that is truly pluralist and keeps faith with the

inclusive tradition of Irish nationalism, stemming from Wolfe Tone and the United Irishmen. The nation is defined in terms of people, but people related to a specific territory, the island of Ireland. Henceforth, we do not insist on pressganging those who are determined that they are not a part of the nation. As a consequence of that, we no longer say, or appear to say, that the territory is ours, not theirs, but rather that it is shared by all of us.

For the first time, we firmly anchor in the Constitution and, very importantly, in international law, the Irish nationality and citizenship rights of everyone born on the island who wants to avail of them. There is no question of anyone being made an alien in their own country. The nation is not territorially disembodied. It is defined in clear terms as a Thirty two county entity. The State remains as it was interpreted to be in the McGimpsey judgment in 1990, a Twenty Six county one. On a different level, we also recognise for the first time the Irish diaspora which played its own notable part in the peace process.

A nation normally has, other things being equal, a right to statehood. Our position, as reiterated in the proposed Articles 2 and 3, is that the Thirty two county Irish nation has a right to statehood, but we recognise that for that to come about the consent principle must first be satisfied. The firm will of the Irish nation to unity is expressed in the language of the 1967 Constitutional Review Committee but it can only be achieved by consent, North and South.

The words "in harmony and friendship" apply to the process of seeking unity. Whereas under the present Articles 2, 3 and 29, Northern Ireland and the unity of Ireland are treated as issues to be settled between the British and Irish Governments on their own, without necessarily any reference to the wishes of the people in Northern Ireland and, therefore, demonstrably lack effectiveness, the new Articles provide a realistic mechanism for bringing about Irish unity by agreement between the people of Ireland, North and South.

The consent principle reflects the political reality that we have long accepted for all practical purposes. As far back as August 1921, de Valera declared that "we do not contemplate the use of force", and in 1957 he told the Fianna Fáil Ard-Fheis that a forced unity would ruin national life for generations. What is contained at present in the Irish Constitution was inserted in 1937 as a protest against the Boundary Agreement of 1925, and as a reassertion of the essential unity of Ireland in circumstances where Northern Nationalists had been entirely abandoned to the mercy of an unsympathetic and often hostile Stormont Government. In the opinion of many lawyers, it is questionable whether Articles 2 and 3 ever had much standing in international law, given that the 1925 agreement was registered at the League of Nations, but they were certainly a challenge to the legitimacy of Northern Ireland. In the present negotiations it would have been illogical to seek fundamental changes in order to secure a new, fair and equitable political dispensation if we were still determined to deny the result of any democratic legitimacy.

If we want civilised relations on this island, which we do, and the ultimate coming together of the people of Ireland, which we do, we do not need, nor is there benefit from, any claim of right to include the people of Northern Ireland in a united Ireland against the will of a majority there. Equally, however, Unionists now increasingly accept that the consent of Nationalists is needed for stable government in Northern Ireland.

The first Hume-Adams statement of April 1993 stated that while the Irish people have the right to self-determination, they are divided on its exercise. Article 1 of the new British-Irish Agreement, which will be binding internationally, recognises that it is for the people of Ireland alone, by agreement between the two parts but without external impediment, to exercise that right of self-determination. In the context of a new and fair dispensation, where jurisdiction is to be founded in rigorous equality, as stated in Article 1 of the new British-Irish Agreement, we are prepared to recognise the legitimacy of the right of the people of Northern Ireland to choose whether to belong to the United Kingdom or a united Ireland. As the late Mr. Paddy McGrory, the Belfast solicitor in the Gibraltar Three case, wrote to Gerry Adams in May 1994, there is a crucial difference between consent imposed by the British and consent freely accepted as a condition for unity by the Irish people themselves, as expressed in an act of collective and concurrent self-determination.

The new position is more in keeping with our dignity as a people and, if the people of Northern Ireland have the freedom to choose, a majority may some time in the future decide to become part of a united Ireland.

None of us can pre-empt what decisions will be taken by people in the future, and it is they, not us, who will decide if the present Agreement is to be a transition to a united Ireland or the basis for a continuation of the Union. For our part, we can work to make such unity as attractive a proposition as possible by developing our economy and improving our society in every way, including its pluralism and its respect for the

diversity of identities and traditions on the island.

The proposed new Article 3, taken in conjunction with the changes to take place in British constitutional legislation, with the new British-Irish Agreement and with elements of the multi-party Agreement accepted by the pro-Union political parties in Northern Ireland marks a change of immense positive significance for the aspiration towards Irish unity in that it establishes a legal mechanism whereby the reunification of Ireland can come about without the interference of any person outside the island of Ireland. In this respect, the new Article 3 represents a considerable improvement over the existing Articles 2 and 3, which provide no such mechanism.

The mechanism that will now be established under the new Article 3 is the consent of the majority of the people, democratically expressed, in both parts of the island and thus reflects the agreed approach to self determination and consent, set down in the Downing Street Declaration of 15 December 1993.

The implication of the acceptance of this proposed provision of the Constitution by the British Government as well as by Northern Ireland parties supporting the Union – the Ulster Unionist Party, the two Loyalist parties and the Alliance Party – is the recognition, not only of the separate existence of Northern Ireland for as long as a majority of its people wish it to continue, but also of the right of Northern Ireland to become part of a united Ireland if a majority of the people of Northern Ireland so declare. The achievement of a united Ireland is made entirely conditional on decisions made by people on the island of Ireland, and it would no longer, for example, be possible as a legal proposition for a majority of the electorate in the United Kingdom or a majority in the United Kingdom Parliament to block a united Ireland if a majority of the people of Northern Ireland wanted it. This is an important change in the existing situation and, as a matter of law, the British Government will now be bound by a solemn treaty obligation as well as by its own

legislation, once the agreed changes in that are made, to give effect to the wishes to the people of Northern Ireland should they decide in the future that they wish to become part of a united Ireland.

It is proposed to insert a new second section into Article 3. This will enable the creation of institutions with executive powers and functions that are shared between the two jurisdictions on this island of Ireland and will enable them to exercise powers and functions in respect of all or any part of the island. There is a complementarity between this provision and the new provision which is proposed to Article 29.7.2°.

The focus in the proposed new Article 3.2 is to enable the exercise of executive power in the island as a whole, notwithstanding the limiting provisions in the proposed Article 3.1 on the exercise of jurisdiction outside the area of the State, whereas the proposal in Article 29.7.2° has as its focus permitting all-island institutions to operate in the South, notwithstanding the existing constitutional provisions conferring legislative, executive and judicial powers exclusively on the organs of Government established under the Constitution. It has to be borne in mind that the North-South Ministerial Council and its related implementation bodies will operate in both parts of the island and people in the South will have to accept that these bodies will be exercising functions which heretofore have been reserved to institutions established under the Constitution. The proposed new Article 3.2, in conjunction with Article 29.7.2°, will for the first time permit the exercise of governmental functions by all-island bodies – something which is not envisaged under the existing Article 3, which contemplates no all island arrangements short of eventual unification.

Time constraints in either House do not permit a full outline of the provisions in the multi-party Agreement. In the Dáil yesterday I concentrated on Strand One and Strand Two arrangements, in addition, of course, to the constitutional issues. Today in this House I wish to focus on Strand Three and on the other vitally important sections of the

Agreement. However, before I do so, let me touch on one innovative element, in the Northern Ireland context, in Strands One and Two.

One of the most positive new developments to emerge in recent years in Northern Ireland are the new voices of reason – voices of women, of community groups, of the business sector. These people have sensible views which they want heard. They also want peace. Their contribution to making this Agreement work has perhaps not been as widely recognised as it deserves to be.

We in the Republic have long recognised the importance of social inclusion. We have given this institutional expression in the form of national agreements which have worked very well for us and also through the National Economic and Social Forum. When the Northern Ireland Women's Coalition, who have been like a refreshing breath of fresh air in Northern Ireland politics, recently sought the support of my Government for the inclusion in the Agreement of a consultative forum to give a greater and stronger voice to civil society, I was pleased to give that support.

I am delighted that this provision has been included in the Agreement and I am convinced that this new body, by giving community stakeholders a voice, will strengthen democracy in Northern Ireland society into the 21st century. This far sighted provision has, I believe, the potential to empower those men and women working in various fields on the ground and simultaneously to feed into democratic institutions valuable informed opinions. It can help, I believe, to foster a consensual and co-operative approach and to inject a dynamic into the new institutions in all three strands. The forum will operate as a consultative mechanism on economic, social and cultural issues. It will be made up of representatives drawn from the business, the voluntary and trade union sectors and such others as may be agreed and it will have appropriate administrative support.

In Strand Two, the Agreement provides that consideration will be given to the establishment of an independent consultative forum to be appointed by the two Administrations also representative of civil society, comprising the social partners and other members with expertise in social, cultural, economic and other issues. Such a body, I believe, holds out the same prospect for acting as a source of creative initiatives and I very much hope that it will be agreed finally to establish this proposed forum.

The key to the Agreement is that it addresses all three relationships — those within Northern Ireland, between North and South and between these two islands. The Irish Government has always recognised the importance of addressing the relationship between these two islands. We believe that the Agreement fully achieves our goals in this regard. It involves essentially the establishment of two new institutions. The first of these is the British-Irish Council to bring together representatives of the British and Irish Governments, devolved institutions in Northern Ireland, Scotland and Wales, when established, and, if appropriate, elsewhere in the United Kingdom, together with representatives of the Isle of Man and the Channel Islands. Its role will be to promote the harmonious and mutually beneficial development of the totality of relationships among the people of these islands.

The Council will meet in different formats — at summit level twice a year, in specific sectoral formats on a regular basis, with each side represented by the appropriate Ministers, and in an appropriate format to consider cross-sectoral matters. A range of issues has been identified as being suitable for early discussion in the Council including transport links, agricultural issues, environmental issues, cultural issues, health issues, education issues and approaches to EU matters. The role of the Council will be largely consultative although it will be open to the Council to agree common policies or common actions. The Government sees the Council as offering a very useful forum in which to consider a range of east-west issues without detracting from the centrality and

independence of the North-South Council. We will take every opportunity to explore its full potential to the mutual benefit of the people of these two islands.

The second element of the Strand Three arrangements will be the establishment of a new British-Irish Intergovernmental Conference which will subsume both the Anglo-Irish Intergovernmental Council and the Intergovernmental Conference established under the 1985 Agreement. It will cover all matters of bilateral interest but will have a special focus on Northern Ireland issues. The main differences from current arrangements are that many of the issues now considered by the Anglo-Irish Conference will have been devolved and that Northern Ireland representatives will be involved in meetings of the new conference. These arrangements are in line with our long held view that once arrangements for devolution were agreed, new intergovernmental arrangements would also be necessary.

Yesterday in the Dáil I outlined some of the balances which will ensure that consensus will operate in the context of a new Northern Ireland assembly; I focused in the main on institutional aspects. Today I want to focus on some of the other major advances which this Agreement will confer in the areas of rights, equality and social justice, including policing aspects. We want to bring about a situation in which people living in Northern Ireland can enjoy life in the same way as those of us living in Dublin or in London. That will involve many changes. This Agreement sets out to create the conditions to bring about that change.

The Agreement we have negotiated is broad based and far reaching. In it, we recognise the central importance of the equality agenda. The Agreement includes a major section on human rights protection, social, economic and cultural issues, including the Irish language. We have made provisions to recognise all identities and to ensure equality, fairness and a voice for all.

The British Government will complete the incorporation of the European Convention on Human Rights into domestic legislation and my Government will bring forward measures to strengthen the constitutional protection of human rights so as to ensure that human rights protection will be equivalent North and South of the Border.

In addition, the two Governments have agreed the establishment of new Human Rights Commissions in both jurisdictions. They will advise citizens on their rights and can bring court proceedings where they believe breaches of human rights have occurred. The new Northern Human Rights Commission will be asked to advise on the scope of a new Bill of Rights which it is envisaged will include additional rights to those contained in the European Convention on Human Rights, and which will reflect the principles of parity of esteem. There will be a new statutory obligation on all public bodies in Northern Ireland to promote equality of opportunity.

For the first time there will be real recognition for the Irish language in the North. Resolute action will be taken by the British Government to promote the language and remove restrictions which would discourage or work against the promotion of the language. Financial support will also be given for Irish language film and television production in Northern Ireland. The Irish language community will be consulted and the authorities will investigate any complaint which they receive from it. These initiatives represent an unprecedented advance for the Irish language in Northern Ireland.

All of us know how divisive and emotive symbols can be. This is particularly true in the context of Northern Ireland. That is why in the Agreement we have agreed on the need to ensure that symbols and emblems are used in a manner which promotes mutual respect rather than division. Arrangements are to be made to monitor this issue and consider appropriate measures or actions as would appear merited.

Taken together, the developments I mentioned – and those I mentioned are not exhaustive – represent potentially hugely significant progress in meeting the long standing and just needs of Nationalists in terms of the principles of equality, but on a basis which threatens no one and is fair to all.

Equality is so paramount that it is dealt with in the first Article of the Agreement. I quote from Article 1, which affirms that equality and impartiality:

. the power of the sovereign Government with jurisdiction there shall be exercised with rigorous impartiality on behalf of all the people in the diversity of their identities and traditions and shall be founded on the principles of full respect for, and equality of, civil, political, social and cultural rights, of freedom from discrimination for all citizens, and of parity of esteem and of just and equal treatment for the identity, ethos and aspirations of both communities

Progress on decommissioning will play a vital role in building up the trust, which will be crucial to making the institutions and arrangements provided for in the Agreement work effectively for the good of all of the people of Ireland. Both Governments will take all necessary steps to facilitate the decommissioning process. We want to see decommissioning achieved as quickly as possible.

Under the new Agreement Northern Ireland will be different. A different more peaceful society requires a different policing response. The RUC will need to change, and that has been recognised in the multi-party Agreement. Provision has been made for this. Perhaps one of the most visible changes will be the removal of military trappings, as in a peaceful environment a police service should routinely be unarmed, as ours is.

The parties have agreed the principles which must govern policing in post-Agreement Northern Ireland. The police service must be

representative of the entire community; it must be professional and seen to be so; it must be effective and efficient, fair and impartial; it must be accountable and it must have public confidence.

We have agreed to establish an independent commission with expert and international representation to make recommendations on appropriate future policing arrangements for Northern Ireland. The remit will be to consult widely, including on the aspect of how to ensure widespread community support, and to report by the summer of 1999. To ensure the reformed police service will have the widespread confidence and support of the community, it is envisaged that the independent commission's proposals will cover important aspects, such as the recruitment, training, culture and ethos of the service. It will focus also on the issue of symbols.

For the first time in modern Irish history, working together the various traditions on this island have come up with a fair and balanced Agreement which all of us can support. The consensus of support which we are witnessing proves that this Agreement is a balanced one. It is a very real victory for ordinary people, for democracy and for the level-headed representatives who have negotiated it on their behalf. I am not saying that everyone will like everything in the document because I know that is not so, but what we must do is look at the package as a whole. What the people are being offered is a finely balanced package. That is why it will get the support it requires from the people. The very fact that both Unionists and Nationalists are supporting and campaigning for this agreement shows how fair and balanced it actually is.

Besides proving — as it has already done — that representatives of all of the traditions on the island can sit down and work together to come up with a workable plan on which they agree, this Agreement also sets out how in the future we can peacefully resolve differences, and it creates — right now — a practical basis for co-operation. By recognising and

enshrining in the Agreement the supremacy of consent the negotiators have ensured that never again will supremacy or second-class citizenship characterise the Northern political landscape.

### **Mr. Manning**

I sincerely welcome the Taoiseach. The applause he has received is an eloquent expression of the gratitude we feel for his efforts on our behalf during a difficult personal period. He is a generous man so he would be the first to accept that our applause is also a tribute to the work of the Taoisigh who preceded him in the last 30 years — the late Seán Lemass, Mr. Jack Lynch, Mr. Liam Cosgrave, Mr. Charles Haughey, Dr. Garret FitzGerald, Deputy Reynolds and Deputy Bruton — because their efforts played a vital part in bringing him to the point where he was able to conclude this Agreement on our behalf on Good Friday. As the Taoiseach did, I also pay tribute to the work of Deputy Spring, who was Minister for Foreign Affairs during much of the period leading up to the final settlement.

Many people deserve praise for what has been achieved. Some have worked from the beginning, like Mr. John Hume, Mr. Séamus Mallon — one of the great unsung heroes of recent times — and Lord Alderdice. These people said consistently that only through accommodation, tolerance, peaceful methods and compromise would a solution such as we now have be possible. They have been proven right. What they were prescribing 20 years ago now appears in the Agreement. Great credit is also due to those who turned their back on their pasts, who have accepted that the only constant in life is change and have changed themselves. Mr. David Trimble's courage must be saluted, as must be the willingness of Sinn Féin and Mr. Gerry Adams to move towards democratic politics and an acceptance of that essential concept of consent without which no democratic structure can long survive.

We should also thank the many midwives of the process — the

wonderful work of the British Prime Minister, Mr. Tony Blair; the unceasing efforts of Dr. Mo Mowlam; the extraordinary, sustained, practical commitment of President Clinton; his great gift to the Irish people of Senator George Mitchell, a supreme negotiator whose dedication and resourcefulness must never go unrecognised. We also owe thanks to the many American politicians who have worked hard to bring this about, especially the US Ambassador to Ireland, Mrs. Jean Kennedy-Smith, who played a vital part in bringing us towards where we are today.

We must also remember, as the Taoiseach did, the work of our civil servants in his Department and the Department of Foreign Affairs. They worked hard through the most difficult and despairing of times, never giving up hope that a resolution could be achieved, and for the most part they have received little public acknowledgement of their great efforts. I thank them on behalf of all of us.

However, it would be wrong to be carried away by a false sense that all is now over. The gap between where we are and we want to be is still considerable and there are many dangerous problems to be surmounted before we get there. The alternative to success was seen all too vividly last night in the murder of Adrian Lamph. It was callous, brutal and demonic but done for a sinister purpose – to stir up fear, to provoke retaliation, to inflame sectarian passions and to force people back into entrenched tribal positions. In short, it was done to create a situation where a no vote would triumph. That is why it must not succeed and why their efforts will not succeed. Let us offer sympathy to the family of Adrian Lamph and hope that he will be the last innocent victim of these terrible troubles.

It is rare in history to live at a time when a country has such a clear choice of future direction as this country has now. Not since the Treaty debate of 1922, or our decision to stay out of the Second World War in 1939, or our decision to join the then European Community in 1972, have

we been at such a crossroads. What we are now faced with is not a choice between two broadly similar packages. This time, as it was in 1922, 1939 and 1972, the choice before us is a fundamental one.

One road, that signposted by the Agreement, offers peace, civilised politics and a chance to develop the potential of both parts of this island. It offers political maturity by allowing the people the most fundamental of all democratic rights – the right to choose their own destiny. It offers recognition in diversity and space for all groups. It creates a stakeholder democracy where everyone is involved, where everyone has a stake and where no single group or individual has ownership or domination. It offers people space and time to heal wounds, to reconcile and to forgive. Most of all, it offers peace: no more killings, no more fear, the rule of law without fear or favour, the freedom for people to go about the ordinary, everyday things of life and the freedom to live ordinary lives without risk or fear. That is what this document offers. It may not be perfect, but that it exists at all is in its own way a miracle, and it is one for which we have every reason to be profoundly grateful.

The alternative to this document is to admit that normal, democratic, pluralist politics, the politics of any civilised, developed country at the end of this century, are not possible in Northern Ireland. That is at the centre of the choice the people of Northern Ireland must make for themselves. The further alternative to this document is a return to violence, to bullyboy or winner take all politics, to the nightmare of the past, to make ourselves once more prisoners of history and a return to evil times. That is the alternative and, when we see it, there is no choice. We can choose to go forward with hope and belief or we can go back. There is no in between and that is why there is a solemn obligation on all political parties in this House to campaign hard for the acceptance of this Agreement.

My party will be unequivocal. We will campaign on the airwaves, in the

newspapers, at public meetings and on the streets for the highest yes vote in the history of this State. I hope, believe and know that all other parties will do likewise. There can be no ifs or buts, no picking and choosing, no winks or nods. It is the Agreement, the whole Agreement and nothing but the Agreement. Anything less would be a betrayal of this Taoiseach and those Taoisigh who have gone before him. It would especially be a betrayal of people such as John Hume, Séamus Mallon and others who have long provided the ideas which are the core of this Agreement and who have laboured so hard to bring us to where we are today. I will not tell the people of Northern Ireland what to do, nor will I parse or analyse the Agreement. However, having listened to the Taoiseach today and having read the Agreement, it is obvious it is of extraordinary substance and imagination and is pregnant with possibility. I believe it to be as fine a political document as has been produced over the 75 years of our independence and it is a document which will stand the test of time.

I welcome the removal of Articles 2 and 3. To my mind, they have achieved nothing and for years have given recalcitrant Unionists a ready excuse for not doing business with us. Few of us here saw them as a threat to those Unionists, yet many in the North genuinely saw them as such. The existence of these Articles did not do a single thing over the past 50 years to advance the cause of Irish unity, to promote a meeting of minds or to advance understanding on this island. If we judge Articles 2 and 3 by what they have or are likely to achieve, apart from giving a false sense of comfort, often to people who never actually read them but resorted to them mantra-like as a substitute for informed debate, I believe the case for their replacement is well made. The case is even more emphatically made if we add the fact that they represented an obstacle to real progress.

I do not wish to be negative. I rejoice in the eloquence and the wisdom of the new Articles 2 and 3 that we are being asked to endorse. Article 3 sums up my aspiration to unity as the old Articles 2 and 3 never did. This

aspiration is unity by peaceful means, by consent, by democratic means, unity in harmony and unity respecting the diversity of all identities. That is a novel and a noble statement and it is a prize worth fighting for. It is generous, realistic and democratic. There is no threat implied in the new Articles. Let us embrace these changes with enthusiasm. They will enhance the already noble document that is our Constitution and they will be seen as an earnest of our willingness to embrace change and to face up to the new realities.

There are and there will be problems, including that of prisoners. I welcome the statement by the Minister for Justice, Equality and Law Reform that there will be no question of releasing those charged with the murder of Garda Gerry McCabe. I hope the cases will be examined on a case by case basis. I do not wish to see the "Border Fox" or psychopaths who masqueraded as political activists let loose. I wish to see care taken in the prisoners process. I believe that care will be taken and, much as we may not like it, we have to face the fact that the question of prisoners is an inescapable part of any settlement.

There will be other problems. There is the question of whether Sinn Féin has the capacity to bring all its members along the democratic route. I wish to salute the leadership shown by Gerry Adams and Martin McGuinness. I was impressed by many of the speeches at last weekend's Ard-Fheis. There is a genuine desire to move into mainstream, democratic politics. Ironically that feeling is more pronounced among Northern than Southern delegates. We should take comfort that it is there and give every encouragement to Sinn Féin to move into full, mainstream democratic politics.

We will also face problems caused by the negative and destructive talents of Dr. Paisley and Mr. McCartney. However, against that we must place the courage shown by David Trimble, John Taylor and others over the past few difficult weeks. Most difficult of all the problems is the continuing evil of the gunmen who are ready to strike and murder in a

foul cause. When a settlement is reached there is no doubt that one of the biggest problems to be faced North and South will be that of dealing with the gunmen who refuse to accept democracy and the rule of law. When that happens we must be clear that the only law will be the supremacy of the State, the safety of its people and the right of a democratic state to defend itself against those who would subvert it. That is why the referenda will be crucial in solving this problem.

We are privileged to live at a truly historic moment. This generation has a chance to make this historic opportunity work. It must work and that is why there is an obligation on all to campaign as we have never campaigned before for its emphatic acceptance. We are privileged to have this opportunity. I think of many who have given so much and who would wish to be where we are today but have not lived to see it happen. We must not let them down. We must not let down the relatives of the people who have been murdered and maimed and whose lives have been made a misery over the past 30 years. Those of us in this part of the country will not let those people down. Fine Gael and all Members of this House will be campaigning hard for the acceptance of this document. I commend the motion to the House and I congratulate all of those who made it possible, especially the Taoiseach.

### **Dr. Haughey**

I welcome the Taoiseach to the House and congratulate him. This is a day of immense constitutional importance to all of Ireland and to its present and future inhabitants. When history is written this legislation will be ranked as the second step in the formation of this State.

The motion before the House is unique in that it is endorsed by all the parties. The Taoiseach, his team of negotiators, all the parties involved, including Sinn Féin, the Ulster Unionist Party, the Alliance Party and all others, must be congratulated. They demonstrated skill, patience and courage in arriving at this accord. Tony Blair, as Prime Minister of the

United Kingdom, has made, and I have no doubt will continue to make, an outstanding contribution to this process.

I am proud to echo my support for this very fair and practical initiative in the presence of the Taoiseach. In doing so I believe I speak for the vast majority of people. From the founding of the State almost 80 years ago there has been differences of opinion to such an extent that lives have been lost, buildings destroyed and great sadness visited upon families. Let us hope that Good Friday, 1998, was the dawning of a new era, not of blood and sacrifice but of true comradeship between the people of these islands and the statesmanship of its leaders. We have proved that Ireland can produce people, none more so than the Taoiseach, who can rise to any challenge. Our economic performance is exemplary in Europe and I believe it will be the centrifugal force which will bring Unionists into this State by agreement rather than bloodshed. The Agreement is a blueprint for democracy and a recipe for opportunity and better understanding.

I have lived in Northern Ireland for almost 40 years. I know the people and understand their psyche, attitudes and fears. On analysing the past one can demonstrate good reasons for what has taken place. However, let us not dwell on the past, but rather on the future to which we should all look forward. The Prime Minister of the United Kingdom said he felt the hand of history on his shoulder. I feel the cloud of suffering over our island beginning its ascent. Both parts of the island have suffered because of the unfortunate circumstances prevailing in Northern Ireland. I have no doubt that the South has suffered economically because of the situation in Northern Ireland. Its people must be congratulated for their enormous ability to continue to grow, develop and build the economy we now have in the face of these troubles.

Think of our future if the image of Ireland, North and South, was of a peaceful, tranquil island, with its people considered the friendliest in Europe, its fields the greenest in Europe, its air the cleanest in Europe

and its people the best educated in Europe. This is the future we can have and which we rightly deserve.

The proposed changes to our Constitution are proper and sensible. Most accept that one million reluctant people cannot be forced against their will into renouncing their own self determination. By the same token, the Nationalist minority of Northern Ireland must be allowed the right of self determination. They must be protected by the Constitution and have the right to an Irish passport, a document of which we are all very proud.

The EU and our membership of it has, in some way, helped to unite our people and thinking and free us from the shackles of political hatred. To quote Pádraig Pearse, "shameful manacles have bitten our wrists too long". This Agreement will undergo trials and tribulations; it will be discussed, praised and criticised and those who are party to it will be equally scrutinised. I have no doubt that its fundamental portent will prevail and that its architect, the Taoiseach, will be recorded in history as the person who made the greatest contribution to peace on this island. He has helped to heal the wounds caused by more than 800 years of strife and has helped to sweeten the bitterness caused by the loss of more than 3,000 lives which were sacrificed for the cause of peace.

A number of people deserve praise for this Agreement but I cannot mention them all. It would be foolish to think that questions are not being asked about this because, as with any agreement, nobody will get everything they need. People have asked whether it is possible to have cross-Border bodies with administrative and legislative powers. The Taoiseach answered that question in his speech. People also asked why it was not possible to have a mandatory plebiscite on the Border every ten to 15 years. I believe such a move would only serve to widen, rather than narrow the gap between the communities. The Agreement offers the greatest recipe to date for a peaceful future on this island. I congratulate the Taoiseach and thank him for his efforts.

## Mr. B. Ryan

Cuirim fíorfháilte roimh an Cháipéis seo. Gabhaim comhghairdeachas leis an Taoiseach, an Rialtas agus na Taoisigh eile a chuaigh roimhe seo. Ar leibhéal pearsanta, gabhaim comhghairdeachas don Taoiseach as an éacht atá déanta aige.

Tá athrú bunúsach tarlaithe dúinne. Tá rudaí nár cheapamar riamh a fhéadfadh tarlú tar éis titim amach. Tá daoine i dTuaisceart na hÉireann go speisialta ag déanamh feachtais le chéile ar son réiteach don fhadhb is mó a bhí, agus atá fós, ag an tír seo. Tá daoine nach raibh in ann labhairt lena chéile roimhe seo sásta an taobh amháin a ghlacadh. Tá siad cinnte go bhfuil siad ar an taobh céanna.

In 1981, the then Taoiseach, Dr. Garret Fitzgerald launched a constitutional crusade out of which, in a semi-controlled fashion, spun many interesting ideas. As a less mature individual than I am now — even though I have never claimed maturity and poise among my stronger qualities — I recall saying something then which I would love to have thought of myself but which James Connolly said. He said that Ireland, without its people, meant nothing to him. If ever a phrase encapsulated the philosophy of this Agreement, it is that. It is extraordinary that that was said by a man who was viewed as a revolutionary and a Marxist and who was both. However, James Connolly's focus was always on the people of this island, not on its territory. He encapsulated that view in many an acerbic comment on the colour of post boxes and other matters.

This Agreement concerns people and it is one in which holes could be picked. However, I have no intention of referring to anything which I do not like in the Agreement as it is far too important. The Agreement represents the coming to fruition of ideas and values on which people took a long time to agree. We now communicate with each other on this island and we communicate with the people in both communities in

the North who, I believe, were treated as pariahs for a long time. We communicate with Sinn Féin and with those who have connections with Loyalist paramilitaries. People to whom we refused to talk in the past are now part of politics on this island.

My own education was advanced both by visiting Northern Ireland and by the profound wisdom of a man who was a colleague of ours in this House for many years, John Robb. He was a man of impeccable Unionist roots whose grandfather, when elected in 1918, was invited to become a Member of the first Dáil. Not surprisingly he declined the invitation. John Robb was a man who, from his position as a Unionist and Protestant, could provide one with a wonderful insight into the complexities of the North and the solution which was required. He spent a considerable time during his political career listening to the people who voted for Sinn Féin at a time when they felt nobody else was listening to them. He believed that changes to Articles 2 and 3, while appropriate, could not be made in isolation because of the possibility of a counterproductive effect. He feared such changes would serve to further alienate those who were already alienated and who gave effect to their alienation by voting for Sinn Féin, thereby implicitly supporting the IRA's campaign of violence.

The commencement of dialogue with Sinn Féin signified the beginning of the process of resolution towards which we are moving. We have not reached a resolution yet as there are still far too many obstacles in our path. However, we have put together an extraordinary balance of institutional and constitutional change based on the fundamental, simple principle enunciated by James Connolly that this Agreement is about people, not territory, ownership, flags, emblems and symbols. It is about people's space and aspirations and their feelings about the way in which they want to live.

My views on Northern Ireland have been somewhat chequered because of my long held conviction that it was necessary to listen not necessarily

to Sinn Féin but to the people who felt obliged to vote for them. I found myself in situations where the gardaí, who were doubtless only doing their duty, observed me with more enthusiasm than I would have liked as I attended meetings. I do not know whether I was right or wrong but I came to the increasing realisation that the sense of alienation had to come to an end if agreement was to be reached. The alienation of a section of Northern Nationalism could not be ended simply by generating the alienation of an equally significant part of Northern Unionism.

The Taoiseach mentioned the need for comprehensive consent. It is not a question of one community's consent or even of 51 per cent consent. I would not want Irish unity based on a 50.5 per cent vote of the people of Northern Ireland anymore than I would want anything else in such a manner if the other 49.5 per cent were hostile. We have to move forward from simple head counting, although it is important, into a meeting of minds. That is about trust. While institutions cannot create trust, we cannot have trust without them. The extraordinary institutional innovation in this document will not of itself create trust but it will create the space in which trust can develop. Already one can feel a degree of trust in the way people talk about each other which was not evident two or three weeks ago. There is a certain sensitivity in the language people use, there are issues being talked about by Nationalists which were not addressed before and there are issues being talked about by Unionists which they did not feel they could address before. This is a considerable political achievement.

If the principle of comprehensive consent is enshrined in the Agreement, then we must also say that we recognise that it involves recognising realities. The most fundamental reality is that, for whatever reason, a significant majority of the people of Northern Ireland do not want to become part of this State in any form. The difference now is that the choice between union and unity is, as the Taoiseach said, a decision for the people on this island in a format which we all agree and, I hope,

which we will all support. There is no longer room for ambiguity or ambivalence, there is no ogre in Westminster interfering in our affairs, it is exclusively our affair on this island to be resolved peacefully and by consent.

For that reason what is being asked of us in terms of Articles 2 and 3 is not only acceptable, but necessary and desirable. As one who through a succession of votes in this House, some them moved by my colleagues on the Independent benches, opposed unilateral changes to Articles 2 and 3, may I say that, with the same enthusiasm with which I opposed the amendments when they were unilateral, I now endorse their amendment and replacement. The Taoiseach is right; whatever their emotional resonance, they had no legal or other significance. As Senator Manning said, they were a nuisance and a stick which could be used to beat us. We will be well rid of them and I am happy with those changes.

I was involved in issues to do with Northern Ireland in a personal capacity, issues such as prisoners and human rights abuses in places like Aughnacloy; I gave lectures to republican prisoners in Port Laoise prison because they asked me to and I opposed extradition. I say now to the people in Sinn Féin, who are the people whom I met most in these areas, that there are people in this State and in this Parliament who stuck their necks out when nobody else would talk to them. Now they are part of the process, it is time for Sinn Féin to take risks as well. I say unequivocally, as one who was closer to them and their problems in the 1980s than many others, that I now believe it is time for an unfudged acceptance of this Agreement, whatever limitation they may see in it. I heard Deputy Blaney express his support for the Agreement, reluctantly he said but support nevertheless. I do not care how reluctant Sinn Féin are, I want them to say yes on both sides of the Border and to work from there. I want to make it clear that the world has changed and people cannot fudge anymore. There is now so much political, institutional and constitutional space that the old argument that they were, as they had been, in a cul de sac of repression and violence feeding off each other is

now gone. The only cul de sac into which people who have resorted to violence in the past can go now will be a cul de sac of their own making. There are institutional and constitutional changes and a framework within which to operate. I will be doing anything I can to have this Agreement accepted. It is not the end of our problems but it is a wonderfully promising route towards a final solution.

I have two issues which I would like clarified. I agree it is time for the question of decommissioning to be addressed but it is a valid question when people living in Northern Ireland ask what is going to be done about demilitarisation. A police force which is four times larger than the state needs is not acceptable if there is a peaceful solution. The alarmingly high numbers of privately held weapons in Northern Ireland is not something I would associate with a peaceful state. Without in any way pointing fingers and saying we want or you want – that is behind us – we do have to face not only decommissioning but a genuine demilitarisation of society.

Where cross-Border institutions make a decision which impact on an individual, what resort to the protection of the courts will an individual have in that case? It should never be possible that a citizen would be a victim of arbitrary power without the protection of a constitution and a judiciary. I am not talking about judicial challenges to the institutions, I am talking about the possibility of institutions impinging on people's other constitutional rights. There is no all-Ireland court but we should work out a process so that we do not end up with institutional arrangements which are devoid of the necessary balance which an independent judiciary makes up.

Mar a dúirt mé ar dtús báire, cuirim fíorfháilte roimh an Chomhaontaithe seo, déanaim comhghairdeas leis an Rialtas agus le gach éinne a bhí páirteach ann agus pé rud, beag nó mór, gur féidir liom a dhéanamh chun cabhrú leo, déanfaidh mé é le gach píosa fuinnimh atá fágtha agam.

### **Mr. Cassidy**

I welcome the Taoiseach to the House on this historic occasion and, with all the other Senators, I congratulate him for the great work he has done.

Three weeks ago I had a discussion with the Taoiseach about requests from all sides of the House for a debate on Northern Ireland. He said that whether the talks were successful or not, he would come to the House to address us on the first week after Easter. How wonderful it is that he is here today with the Agreement intact, looking for our approval. I also thank the Leaders of the various parties in the House for their signatures to the motion. This has never happened before.

The new Article 2 reads:

It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish nation. furthermore, the Irish nation cherishes its special affinity with people of Irish ancestry living abroad who share its cultural identity and heritage.

Article 3 reads:

It is the firm will of the Irish nation, in harmony and friendship, to unite all the people who share the territory of the island of Ireland, in all the diversity of their identities and traditions, recognising that a united Ireland shall be brought about only by peaceful means with the consent of the majority of the people, democratically expressed, in both jurisdictions on the island.

If this text had been presented to Members at any stage in its history, does anybody think it would have been rejected? If this proposition had been put before the people of Ireland while they struggled so long for dignity and recognition, would they have turned their backs on it today? If these words linked with a promise with an end to violence were addressed to any country suffering conflict for generations, do you think it would say no?

This is the content of the new Articles 2 and 3 of the Constitution which will be before the electorate on 22 May. It is an extension of the meaning of statehood and an affirmation of Irish citizenship. It signals an understanding of all our people, residing here or living abroad, which we have never been in a position to articulate so fully before. It is a recognition that sovereignty comes from the people and not from objects, wealth or arbitrary power.

A Northern Ireland settlement, of which this referendum is an essential part, has been a dream for so long that we had almost begun to doubt it would ever come to pass. We hoped but we dared not count on it. The fact that it has now become a reality is due to the courage and perseverance of many men and women, living and deceased, who not only believed it could happen but continued to work against all the odds to make it happen and to bring us to where we are today. Their courage and sacrifices should not be betrayed. However, it is not sufficient for us to agree that the referendum should be put before the people and to compliment those who made it possible. We must remind them of the long road ahead and the pain and suffering that will have to be

assessed. We must also remind them that this is the first essential step towards the peace and reconciliation for which the people of Ireland have waited so long. As I watched the televised broadcast of the peace negotiations all through Holy Thursday night and well into Good Friday, the words of W. B. Yeats echoed in my mind. He wrote: "For peace comes dripping slow, dripping from veils of mourning to where the crickets sing". Although we live in an entirely different time to when these words were first written, these words of a former Senator summed up for me the unbelievable efforts which were being put into this Agreement and the essential commitment and courage of our Taoiseach, Deputy Ahern. Our Taoiseach, with the British Prime Minister, Mr. Tony Blair, and all the political leaders present wrestled all night with the shadows of the past and together they stood shoulder to shoulder and confidently faced a new dawn for Ireland.

I, like every Member, know that here at home and all around the globe Irish people of many generations were waiting with bated breath for that special moment of history many thought impossible, such has been the pain, violence, bigotry and anger of those long dark years. In many ways the world of the Irish stood still. In the small hours of Holy Thursday night and Good Friday morning, as our leaders struggled without sleep to find the hidden words that would bring public agreement, perhaps many of them were reminded of the words penned by Mr. Seamus Heaney, a recent winner of the Nobel peace prize. He wrote: "And yes, my friend, we too walk through the valley, once in darkness, with all the street lamps off as danger gathered and the march dispersed". They bravely stuck to their task without dispersal and the gods smiled on their efforts. The Agreement reached on Good Friday, 10 April 1998, will transform the prospects of this nation and of everyone who lives and loves to live on this ancient island of Ireland which has seen so much glory and suffered so much pain.

The nation owes a debt of gratitude to our Taoiseach, his Ministers and officials, to the British Prime Minister, Mr. Tony Blair, Dr. Mo Mowlan and

their advisers, to the indispensable Senator George Mitchell and his two co-chairmen, to our dear friend President Clinton and his energetic ambassador to Ireland, Mrs. Jean Kennedy-Smith, and of course, to the courageous political leaders in the North who bravely agreed to change the flow of history and direct its future towards harmony, equality and mutual respect. These are proud days to be Irish, proud too of the political heritage passed down to us from Wolfe Tone, Charles Stuart Parnell, the leaders of the 1916 Rising and the political leaders since our Independence because the road is now clear to begin afresh and work towards binding our nation together for the betterment of all people. In days to come people will speak of these achievements in hushed tones such was the challenge, such was the risk and such was the happy result.

### **Mr. Cosgrave**

I wish to share my time with Senator Coghlan.

### **An Cathaoirleach**

Is that agreed? Agreed.

### **Mr. Cosgrave**

I acknowledge the presence of the Taoiseach and thank everyone connected with this Agreement for the work that has been done, particularly in the final hours of negotiations when the Taoiseach had suffered a bereavement.

When discussing the Agreement it is important to remember the need for this to work and it will only work if all the signatories representing political parties recommend it to the people they represent. Leadership means leading from the front and accepting responsibility for the signed Agreement. It does not allow for any ambivalence. It is not good enough

to wait to see how some people will react before accepting the obligations and terms of the document. Verbal patriotism or written affirmation may be emotionally satisfying but will not result in progress or peace without a verbal commitment to implement the terms in practice.

More talk will not necessarily solve the problems in the North. What we need now is action and talk can be an easier option compared to the hard sustained action required to make the Agreement effective. A moratorium on talk might be a great help in ensuring that the Agreement works, particularly if the moratorium was for the duration of the referendum. Verbal restraint can be of great benefit to all sections and extreme care should be taken to ensure that gestures are helpful rather than harmful.

I support what the Leader of my party said about prisoners, etc. It is important to acknowledge that the Garda Síochána and Army have faithfully rendered patriotic service to the people here since the establishment of the State. This service is gratefully and rightly appreciated by all and should not be forgotten. No action should be taken, for any reason, which would in any way cast doubt on the immense debt the country owes to the members of the Garda Síochána and Army, some of whom have made the ultimate sacrifice so that the Irish people could live in freedom.

I agree with what the Taoiseach said in relation to the many new voices of reason which have emerged in the North and who, until a few years ago, were not involved in the political process: I refer to members of the business community, the voluntary sector, the trade union movement, the Women's Coalition and others. It is important that we acknowledge the work these people have done.

I hope the Agreement will work. I will be recommending support for it. The signing of the Agreement marked the end of the beginning and

much work remains to be done by all if its terms are to be implemented.

I conclude the words of a former President of the United States, "Far better it is to dare mighty things, to win glorious triumphs even though checkered by failure than to take rank and file with those poor spirits who neither enjoy much nor suffer much because they live in the grey twilight that knows not victory nor defeat". In the days ahead we, among others, must respond to the inheritance we have taken on. I hope that what we are starting here will lead to the day when people of all persuasions can live in harmony in this country.

### **Mr. Coghlan**

I join with my colleagues in welcoming the Taoiseach to the House. I thank him for his thoughtful contribution and, more importantly, for his tremendous effort in helping to bring about this Agreement.

This Agreement must be hailed by all democrats as the only possible means of satisfying both traditions on this island. In accordance with its terms the people can regard it as a transition to a united Ireland or as the maintenance of the union. The Good Friday Agreement is truly the greatest landmark of our time, if not of all time in Irish history. It replaces and updates all previous initiatives and the legislation and settlement of 1920 and 1921. The referendum on 22 May to approve this Agreement will be the first time, as the Taoiseach said, since 1918 that people North and South will have the opportunity to vote together on the same issue affecting the national question. The ensuing result will, please God, finally remove, once and for all, any false beliefs some have held of a mandate for acts of paramilitary violence. I hope that all former paramilitaries will abandon violence and all associated acts for good. The new aspiration of building a structure of co-dependence that will make conflict impossible is the only sensible way forward. The proposed replacement Article 3 is a wonderful new Article, properly respecting our diversity and respect for one another.

Great credit is due to all who were associated in any way with the negotiations which led to this Agreement, to our Taoiseach, Deputy Ahern, Prime Minister Tony Blair, the leaders of all the Northern parties, Senator George Mitchell and his co-chairmen, former Taoisigh Liam Cosgrave who negotiated the Sunningdale Agreement, Jack Lynch who preceded him, Charles Haughey who followed him, Garret FitzGerald who negotiated the Anglo-Irish Agreement, Deputy Albert Reynolds who assisted with the first IRA ceasefire and with the the Downing Street Declaration, Deputy John Bruton who, with John Major played a John the Baptist role in preparing the way for the Agreement and all of their teams, President Bill Clinton and his administration for all their help and generosity, people like David Trimble, Deputy Dick Spring who assisted under various Administrations, Séamas Mallon, Mo Mowlam, David Irvine, Gary McMichael, Gerry Adams and Martin McGuinness. These last mentioned deserve our thanks and great credit for the courage they have shown in choosing the democratic route.

If one person stands above the others for his dogged and determined patience and persistence regarding the goals enshrined in this Agreement that must be John Hume. How many times have we heard him call for precisely what this Agreement represents, the enhancement and recognition of the traditions of the two communities while threatening neither. He was largely instrumental in persuading the British Government to declare that it had no selfish, strategic or economic interest in remaining involved in Northern Ireland. It was he who set out to engage Sinn Féin and others with paramilitary links, believing that dialogue and democratic means alone would win peace. It was he who devised and recommended the idea of an all-Ireland referendum to ratify any settlement, to properly give ownership to the people as a whole and to recognise and promote the fact that the people are sovereign. It was he who, most of all, mobilised international, and particularly American, opinion behind the ongoing peace process. We must all be very grateful that his persistence endured and survived all the obstacles to the achievement of this Agreement.

I believe that people on both sides who have held allegiances blindly in the past are now coming to accept that a no vote in the referendum would lead all of us into a political cul-de-sac. I heard a lovely story yesterday of a little old lady in east Belfast making a very spirited criticism of the Rev. Ian Paisley and his stand against the Agreement. That is a sign of hope.

I look forward to campaigning for the overwhelming acceptance of this Agreement by the people.

### **Mr. Dardis**

Cuirim fáilte roimh an Taoiseach. Molaim an obair atá déanta aige agus ag daoine eile ar son na síochána agus ar son mhuintir na hÉireann.

I was conscious as I came to the House this afternoon that I was passing

under the portraits of Tone and Emmet. I wonder what they might think of what we are discussing. Is it too much to believe that Protestant, Catholic and Dissenter may live in peace and harmony? What we saw on Good Friday was momentous and historic. The word historic is often used in the House but it sits comfortably and well in this context. That was a historic day. A surge of emotion gripped us as we saw what had been thought impossible come to fruition and agreement between diverse strands of political opinion in Northern Ireland become a reality. As we watched history unfold on our television screens it was difficult for many of us to believe what was happening and that such ground for hope and optimism existed.

We have had grounds for hope and optimism in the past. One such occasion was the first IRA ceasefire in Northern Ireland in 1994. There were those who counselled caution then and they were prudent and well advised. I believe we can be genuinely hopeful that what was achieved on Good Friday will bring us the peace we all wish to see.

We have all too often had to record mad deeds in Northern Ireland. Since I came to this House in 1989 we have had to record and condemn such madness in Loughan Island, Greysteel, the Shankill Road, Warrington and many other places. I hope we have come to the end of that condemnation, although even today we must record our condemnation of the events which took place yesterday in Portadown. Democratic politicians in the Republic, Britain and particularly in Northern Ireland deserve our gratitude for never losing faith during those black, dreadful days, for never abandoning hope and for remaining focused on the elusive prize of peace. They dedicated themselves to achieving it.

Like the Taoiseach, I pay tribute to all those involved in this and in previous Governments in the Republic and in the United Kingdom for their efforts. The Taoiseach listed their names and I do not intend to repeat them. However, the officials in both the Taoiseach's Department

and in the British Foreign Office have played an outstanding role over a long period in achieving this solution and their contribution must be acknowledged and saluted. It is also in order, on a partisan basis, to salute the role the Minister of State, Deputy O'Donnell, played in the process. She performed a good task.

Good Friday was unique in the affairs of Northern Ireland because, for once, the politics of accommodation and agreement took precedence over the politics of division and difference. However, this is only the beginning. There will be hiccups, but we must be prepared to see them through in order to proceed to the promised land, if I can use that phrase.

The task facing Members of the Oireachtas and of other elected chambers throughout the country is to convince the people of the Republic of the merits of the Agreement so there is no doubt in anybody's mind about the wisdom of a yes vote. The alternative to the Agreement is almost too horrible to contemplate. Those who see fit to vote no should be conscious that it could provide encouragement to groups which see democratic politics as unnecessarily restrictive and who believe the bomb and the gun are more straightforward tools to achieve their goals.

We are well aware of the sheer mindlessness of this attitude and we have recorded it in the House on many occasions. Yesterday in Portadown we saw its latest manifestation. A Catholic council worker was gunned down in a cleaning depot. Our litany of sympathy and of condemnation unfortunately continues. That is the type of future some people, a small minority of evil minded people, want for this country. Thankfully, they are a minority but let us not forget that a modest or small vote in favour of this Agreement would give comfort to those who wish to return to the bad old days.

The potential for a lasting political accommodation is now greater than

ever. Many people believed the circle could not be squared and that there was no room for compromise between the competing allegiances of Unionism and Nationalism. The years of bitter conflict acted as a difficult backdrop to the talks process. All the time the questions of trust and confidence were essentially the heart of the matter. It is an extraordinary achievement, given the background of more than 3,000 violent deaths in Northern Ireland, that people of such diverse opinions and views could sit around a table and reach an agreement of this nature.

The Agreement underpins the position of Northern Ireland as part of the United Kingdom and ensures that its status will not change without the consent of a majority North and South. The Taoiseach eloquently described that aspect of consent which is so critical to the Agreement. It is worthwhile to read the relevant provision. It states:

. British-Irish Agreement.will:

recognise that it is for the people of the island of Ireland alone, by agreement between the two parts respectively and without external impediment, to exercise their right of self-determination on the basis of consent, freely and concurrently given, North and South, to bring about a united Ireland, if that is their wish, accepting that this right must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland;

That was a sticking point in the Forum for Peace and Reconciliation. It is an important aspect of the document.

For the first time Northern Ireland gives true and proper recognition of the Nationalist aspirations of a growing number of its citizens. That is also embodied in the document, as it should be if parity of esteem is to mean anything.

Articles 2 and 3 are of spiritual and ideological significance but they do not have relevance to, or advance the cause of, a united Ireland to any degree. A nation is more than a piece of earth. The new words to be inserted in the Constitution, if they are adopted in the referendum, articulate the concept of a nation extremely well and in far better terms than just a territorial claim to a piece of earth.

Nobody can claim outright victory as a result of the Good Friday Agreement, although one understands the hyperbole used by some party leaders in trying to sell it to their constituencies. It is an even handed, fair and balanced agreement which offers us the opportunity of a new political order and a lasting peace. The devil, of course, is in the detail. However, it is a monumental achievement to have an agreement which draws support from all ends of the political spectrum.

Those who are uneasy at the prospect of a new Northern assembly, particularly Nationalist parties, can draw comfort from the substantial and meaningful cross-Border element of the Agreement. The cross-community dimension is also expressly contained in the Agreement. It is evident that the majoritarian model of democracy is not suitable for the situation in Northern Ireland. Other models from the European experience which feature weighted majorities have been included in the document and they are welcome.

The Unionists' misgivings about the cross-frontier element are assuaged by the reaffirmation of their position in the Union which is underpinned by the principle of consent. The tragedy of Northern Ireland for too long has been the absence of proper democratic structures. In the Republic we take such structures for granted and we are often critical of how the Houses of the Oireachtas conduct their business. However, in this instance, we have been the haves and the people and politicians of Northern Ireland have been the have nots.

The day for democratic politics in Northern Ireland has come and we

should cherish it. When we go to the polling stations on 22 May we must think of the fundamental change in people's lives which this Agreement has the potential to achieve. In that context, there should be a ringing endorsement of the Agreement not just by a majority of the people who vote but by the total poll being greater than it ever has been in any referendum in the history of the State. The will of the people should be expressed comprehensively in the referendum. This is a chance for those who marched and wore ribbons for peace and those who were active in the peace movement to express their will in the ballot box. It is a chance which must be grasped with both hands.

There are elements in the Agreement which cause unease. I share the concerns of my party colleague, Deputy O'Malley, about the prospect of murderers being released from prison within the two year timeframe. The memory of the appallingly cold blooded murder of Garda McCabe is still fresh in our minds and it is inconceivable that anybody convicted for it would come within the remit of the Agreement. I am glad that both the Tánaiste and the Minister for Justice, Equality and Law Reform made it clear that anybody who is convicted of that murder will not fall into the category of qualifying persons, although one wonders what is the qualitative difference between the murder of a garda and the murder of another human being.

The spirit of compromise was eloquently described and articulated by the Taoiseach. In that context I am prepared to accept that prisoner releases are part of this process. Everybody must be prepared to make those compromises in the interests of peace. The Ulster Unionists made that compromise in signing up to the Agreement. It is unpalatable and must be extremely difficult for the victims of violence to accept the release of prisoners. The Progressive Democrats are prepared to take a leap of faith on the issue. However, we should not rush into a programme of releases which could undermine other key elements of the Agreement. The review mechanism should be used carefully.

I also hope to see a swift move toward the process of decommissioning by paramilitary groups and a democratic adherence to the Mitchell principles of non-violence. The declaration of support in the Agreement states:

We reaffirm our total and absolute commitment to exclusively democratic and peaceful means of resolving differences on political issues, and our opposition to any use or threat of force by others for any political purpose, whether in regard to this agreement or otherwise. That is an extremely important statement. I also welcome the inclusion of a bill of rights and the adoption of the European Convention on Human Rights as part of the document.

I believe the groups in Stormont with links to paramilitary groups are genuine in their desire to embrace democratic peaceful politics exclusively. Tangible evidence of that commitment in the form of decommissioning would assist in the process of peace and reconciliation. There is an onus on all supporters of this Agreement to do all they can to promote it between now and 22 May. There is no inevitability about its success on polling day and any complacency on our part could spell disaster. As I stated, I do not want to see a narrow margin of victory or a low turnout.

### **Mr. Cassidy**

Hear, hear.

### **Mr. Dardis**

I want to see an overwhelming turnout and a massive vote in favour of this Agreement, to leave no doubt in the minds of our Northern neighbours that we see in this an opportunity for a bright new future and to draw a line under the bloody conflict of the past. The twenty second of May is truly our date with democracy when we will be given a

chance to give others the freedoms, entitlements and opportunities for participation and involvement in normal political structures which we have enjoyed – and sometimes take for granted – in this State since its foundation. It is a day when we can bring down the barriers of misunderstanding and suspicion even further and vote for a closer and more harmonious relationship between the peoples on this island.

### **Dr. Henry**

I wish to share my time with Senator Quinn.

### **An Leas-Chathaoirleach**

Is that agreed? Agreed.

### **Dr. Henry**

This Agreement is the result of an enormous amount of work and the Taoiseach deserves our congratulations for bringing together the work of so many other people. My only regret is that the late Senator Gordon Wilson is not with us today because if there is one man whom one could say worked himself to an early grave in his search for peace it was him. He and I entered this House on the same day and I never ceased to be amazed by the Christian charity with which he went to speak to those who had been responsible for the death of his daughter and so many others. I wish he were with us today but I am sure he knows what is happening.

I am delighted the Taoiseach spoke about the new positive developments which have emerged in recent years in Northern Ireland. I am also delighted he included in the voices of reason women, community groups and the business sector. The emergence of the Northern Ireland Women's Coalition was extraordinarily important in the development of the present Agreement. They were a truly refreshing

breath of fresh air in Northern Ireland politics. Women have not had much success in Northern Ireland politics. I often feel the attitude of most male politicians there is rather similar to what one might have encountered in the Republic in the 1950s. I look forward to a dramatic improvement for women in politics there.

It is extraordinary how many women have been important in bringing forward this peace Agreement. President McAleese has made it perfectly clear how important it is to her that both communities in Northern Ireland should be given a warm welcome here. Former President Robinson took incredible risks when she went to the North as President by extending the hand of friendship to Gerry Adams when very few others were so doing. Mo Mowlam and Jean Kennedy Smith have already been congratulated, but Veronica Sutherland, the British Ambassador, has also been extraordinarily important. Martha Pope was Senator Mitchell's assistant for two years, which is a long time to be away from Washington. The Taoiseach rightly singled out the Women's Coalition. Monica McWilliams, Pearl Segar, May Blood, Brona Hynes and others put up with an enormous amount of abuse within the talks process from some of the more ungallant members and I salute their persistence and sense of humour.

Moving words have been said by many people in Northern Ireland about the desire for a cessation of violence. However, the woman whose words moved me most was Rita Restorick, the mother of the murdered soldier, Stephen Restorick. When she spoke in Derry her words would have melted a heart of stone. It is important not to forget the many other mothers of members of the Defence Forces who were murdered in Northern Ireland. We can but hope we saw the last victim of sectarian murder last night. I particularly remember a young widow called Pauline Hegney who began the group Widows Against Violence many years ago. There are also our Nobel Peace prize winners, Mairead Corrigan and Betty Williams. The list is very long and it would be wrong to single any of them out.

Another group which should not be forgotten is all those who have prayed for peace. Those of us who believe in the power of prayer believe this has been very important in bringing forward such a strong and fair Agreement, particularly on a Good Friday. While the churches do not advise their members on how to vote, it might be worthwhile to look at the Presbyterian document entitled "Assessing Political Accommodation". It makes very sensible suggestions, such as the need to beware of a sinful tendency to see things from only one point of view and to resist supporting or being influenced by any threats of violence or civil disorder. It asks us to exercise responsibility by voting in any referenda held in Northern Ireland and the Republic of Ireland because it is important to remember God loves all the people of these islands.

It is extraordinarily important that we go out and, and as everyone has said, not just give this Agreement a lukewarm acceptance but ensure it is resoundingly supported North and South of the Border. I congratulate the Taoiseach and all who worked with him.

### **Mr. Quinn**

I thank Senator Henry for sharing her time. I congratulate the Taoiseach.

This is a historic day, not just for him but for all who played a part. It is also an emotional day for me and many others. Twenty five years ago I had to knock on the door of my sister's home to tell her that her husband had just been shot dead, leaving her seven children without a father. Her first words to me were that two year old Ronan would never know his father. We hope this Agreement will mean that no more doors will be knocked on and no more widows will think of children who will never know their fathers. We hope this is a step in a direction which will bring peace. Over 3,000 people suffered death from the bullet or the bomb of a terrorist who had an objective which was perhaps understandable, or perhaps not.

We must remind ourselves of the object of the peace process. It is not simply to achieve an end to violence, desirable as that is in itself. The main point is that we use the end of violence and the creation of the new institutions as facilitators towards a more important and wider embracing future. The real aim behind the process, the institutions and what has been put together in this document is to build confidence between the two communities in the North. That is how we should judge its success and the work of all those involved, including the Taoiseach, in the years ahead. The Agreement places a huge responsibility on the Taoiseach and all those who share that burden with him; may they fare well.

### **Mr. McGowan**

I join with the rest of the House in congratulating and thanking the Taoiseach. I believe an Agreement was reached largely because of the generosity he has shown and that took all his energy. Those of us who watched anxiously were very proud of him. It was a tense situation and we all realised the strain, stress and difficulties under which he operated. Despite this, he was generous to give credit to those who were engaged in the negotiations prior to his involvement.

The Taoiseach went the necessary extra mile and it paid off. Every reasonable person owes him a great debt of gratitude. In view of his efforts and the efforts of others, I find it difficult to stomach those who are using the Agreement as a political platform. It is evident that small groups are less than enthusiastic and are using the situation for their political ends but they will not fool anybody.

I have lived close, indeed too close, to the Border for most of my life. In 1968 I enthusiastically built a small hotel on the Border at Strabane. We enjoyed the glory of a prosperous business for a few years. However, after the Troubles broke out we lived on the edge of a volcano. Every time there was a dance or a function involving cross party or religious groups somebody demanded that they be allowed to make a political speech. In attempting to stop them I was told I would be dead the next time I was in Strabane. Others who had to survive close to the Border endured similar experiences. In view of this the House can imagine our joy and enthusiasm over the Agreement.

We employed 36 people. When a senior member of staff, a supervisor, went for a walk to Strabane she was shot dead in a battle between the British Army and the IRA. I attended her funeral. There was a wreath from both organisations, which were very unwelcome.

I would not claim to have borne any greater burden than others living in the Border areas. It has been a difficult time, yet we have neglected those who lived on the southern side. For example, approximately 11 major trade delegations from America visited the North. While it was right and proper for them to focus attention there because of the loss of life, I found it difficult to understand that not one member of any delegation stopped in the six southern Border counties. I attended a meeting in Derry with the late Ron Brown and, while his delegation and others included the southern Border counties in their remit, they never focused any attention on them. Their only involvement in the South was dinner in Dublin Castle. The Taoiseach will, therefore, understand the

enthusiasm with which we in the southern Border counties have sought a settlement.

We must be seen to make it very unpopular to oppose this Agreement, both North and South. I have had much contact with the Protestant community in the southern Border counties, including my county where there is a large Protestant population. They are enthusiastic about the Agreement and will work to support the Taoiseach on polling day.

The Taoiseach has succeeded where others have tried for more than 25 years. For example, in 1987 a British-Irish cross-Border study was announced. Paragraph 3 of the announcement stated:

Both Governments have decided to press ahead with this study because they recognise that the problems of the area are enormous and cannot be effectively tackled by either Government acting in isolation.

I hope this problem will now be resolved. Given that the Agreement means so much to us, we should all work hard, North and South, to totally isolate those who are opposed it.

The economic and social committee of the EU undertook a study of the Border areas in 1981. The report depicted a black area which included my county. I hope we will be able to encourage people to start again where we left off 27 years ago and rebuild that area. I ask the Taoiseach to keep the generous promise he made at Glenveigh when he said he would focus on and support the Border counties. I have confidence he will do so because it is so necessary for the future. His continued commitment to solving this problem is our best hope. However, the problem will not be solved in a couple of days. For example, it will take years to build the infrastructure which has been needed for the past 27 years. I wish the Taoiseach the health, energy and courage to succeed in the job he has undertaken.

## Mr. Costello

I congratulate the Taoiseach on his tremendous work on behalf of the peace process, especially at a time of difficult personal circumstance. I also commend his team for their good work on the Agreement and on this Bill. I am pleased to lead this debate on behalf of the Labour Party and am delighted to have the opportunity to give our approval to the Agreement reached in the Multi-Party Negotiations in Belfast on 10 April 1998, the Good Friday Agreement as it is being called. I also offer our full support to this Bill which provides a constitutional framework to some of the terms of the Agreement.

I congratulate all the participants in bringing about the peace settlement. It would be almost invidious at this point to name them. The Taoiseach and other spokespersons named them in the other House and it is an honourable roll call. However, I wish to include all the political parties, North and South and in the United Kingdom, the United States Government and the European Union for their tremendous support and the assistance and resources they provided through the years for the peace process.

The peace process has been in gestation for almost as long as the 30 year phase of conflict in Northern Ireland. I pay tribute to the vision of those who worked for peace during that period. I pay tribute to the vision of the Labour-Fine Gael Government which put forward the ground breaking power sharing Sunningdale Agreement of 1974 which, unfortunately, fell on the issue of an all-Ireland dimension. I pay tribute to the initiative of the Labour-Fine Gael Government in producing the Anglo-Irish Agreement in 1985 which emphasised the role of the two sovereign Governments in the affairs of Northern Ireland. It has now been replaced by a new improved British-Irish Agreement and Intergovernmental Conference. I also pay tribute to the increasing interest shown in Northern Ireland in the 1990s by the Irish, British and United States Governments and to the greater sophistication and more

holistic approach which marked that interest and focus.

The three strand approach to the totality of relationships which was spelled out by Mr. Peter Brooke in 1991 has informed all thinking in this decade. The Joint Declaration Document of 1993 and the Framework Document of 1995 are elaborations of the three strand approach underpinned by the crucial principle of consent. This was emphasised particularly by Deputy Dick Spring when he was Minister for Foreign Affairs.

The Agreement has a long and honourable genesis. It is the product of sweat, tears and endurance by those who embraced democratic politics from the outset. It is also the product of those who left democratic politics 30 years ago for the gun and the bomb and who later grasped the Armalite in one hand and the ballot box in the other. They are now prepared to lay down the Armalite and resort exclusively to the ballot box. Their progress too is colossal and it must be commended.

The Agreement is the product of those who suffered in Northern Ireland, the Republic and the United Kingdom. Thousands lost their lives through the bomb and the bullet and tens of thousands were injured and maimed. Whole communities lived in fear of sectarian strife or paramilitary violence for three decades. Their courage must be saluted and their suffering must be acknowledged.

The Agreement is also the product of the most courageous people of all, the cross-community workers and activists. They dwelt for decades in a no man's land, in a type of twilight zone, keeping the spark of decency, humanity and community alive in a suspicious and divided society. I also mention the trade union movement in that regard. It led many campaigns for equality and anti-sectarianism in the workplace and the community in Northern Ireland. Its role has not been sung to a great extent but I consider it an honourable one throughout the period of conflict in Northern Ireland. They all deserve our full acknowledgement

and praise for their generous work on behalf of the people.

The Labour Party supports the Agreement in full and will campaign for a successful outcome in the referendum on the Nineteenth Amendment of the Constitution. I wish to deal with a number of the constitutional and structural proposals. Articles 2 and 3 will be substituted by a new set of Articles in the Constitution. As the Taoiseach said, there will be a reformulation. The territorial claim to the entire island has been at the core of nationalism since Partition in 1922. Enshrined in the Constitution this was the holy grail and the justification for all the armed struggles since then. It will require enormous heart searching by many as they consider their voting position in the coming referendum. It would be a tragedy if decisions were taken on the basis of arid legalities and property, or land in this case, was put before people.

The constitutional changes bring us back 200 years to 1798 and the principles of the United Irishmen whose objective was to unite all Irishmen, Protestant, Catholic and Dissenter. They bring us back to the future. The new Articles could have been written by Wolfe Tone as they contain the principles of liberty, equality and fraternity among the people on this island. They also bring us back to the early years of this century and the joint founders of the Labour Party, James Larkin and James Connolly. They argued that national identity cannot be separated from or be secondary to matters of social, economic and cultural identity. James Connolly put it succinctly:

Ireland without its people means nothing to me. The man who is "bubbling" over with enthusiasm for Ireland and can yet pass unmoved through streets and witness all the wrong and suffering, the shame and degradation wrought on the people of Ireland, wrought by Irishmen upon Irishmen and Irishwomen, without burning to end it is, in my opinion, a fraud and a liar in his heart no matter how he loves that combination of chemical elements that he is pleased to call Ireland.

All parties should remember that the Agreement is based on the totality of relationships and that nothing is agreed until everything is agreed. It would be hypocritical for any group to campaign for the Agreement in Northern Ireland and to oppose it in the Republic. Sinn Féin, therefore, should not align itself with the DUP as the only two partitionist parties on the island.

Regarding the Northern assembly and the North-South Ministerial Council, quality of life for the people of Northern Ireland and the entire island is paramount. In this context an assembly with Executive and legislative authority operating on a cross-community basis is necessary to fill the democratic deficit in Northern Ireland. The formal linking of this assembly with the Irish Government through a new British-Irish agreement will bring together consultation, co-operation and action on a cross-Border and all-Ireland basis. Implementation bodies with a budget and secretariat will be established and this is most important. I do not share the pessimism of some commentators who think the North-South dimension will become bogged down in controversy and be ineffective. It will be the success story of the Agreement because it is apparent to all but the blind that there is enormous potential for mutual social, economic and cultural development on the island.

I have taken a keen interest in the transfer of prisoners from Britain to prisons in the Republic and Northern Ireland since the announcement of the first ceasefire in August 1994. Together with my Labour Party colleagues, Deputy Tommy Broughan, former Deputy Declan Bree and former Senator Seán Maloney, I visited prisoners in Britain and Northern Ireland on many occasions. We campaigned for the Transfer of Sentenced Persons Bill which was eventually passed in November 1994.

The issue of prisoners was always likely to be difficult and delicate. The Government in the Republic has been releasing prisoners on a piecemeal basis since the first IRA ceasefire. I and my party welcome the latest release of nine Republican prisoners last week. However, we are

aware of the concerns surrounding this issue, particularly of those who have suffered at first hand the violence of the past 30 years. One problem is that the vast majority of releases thus far have been of Republican prisoners. The Loyalist parties for whom the release of prisoners is as crucial an issue as it is for Sinn Féin have little to show on this score for their commitment to the talks process.

The Agreement would never have been signed were it not for the prisoners' involvement and the determination of both Governments to act in concert on this and other issues over the past four years. I welcome the commitments in the Agreement on prisoner releases and I urge the Governments to press ahead on their joint commitments as a matter of urgency. I acknowledge the remarks the Taoiseach made in this regard.

Likewise, my Labour Party colleagues and I have taken a keen interest in the issue of parades in Northern Ireland and have regularly attended in a monitoring capacity at the flashpoints in Drumcree, the Lower Ormeau Road and Derry. The success of the Parades Commission in rerouting the first major march of the season from the Lower Ormeau Road is significant. Like the issue of prisoners, the marching season has huge potential to spark conflict and to derail the Agreement and it must be constantly worked at by both Governments.

We have got this far despite the enormous difference between all sides at the beginning of the process. By harnessing the spirit which has informed the Agreement before us, we can resolve the difficulties which lie ahead. The Labour Party will campaign for a "yes" vote in the referendum to change our Constitution and to give Ireland's assent to the contents of this Agreement on 22 May. However, we recognise this is merely a new beginning and that an important amount of work has yet to be done. That work will not be easy and we will have many crises and political impasses which will test all the skills and commitments of all the political parties in Northern Ireland and the Republic. The assembly elections which will take place before the end of June will be critically

important. It is essential Sinn Féin is an active participant in these elections and that it is committed, if successful, to a taking its seats in the new assembly.

Proposals for a bill of rights, for incorporating the European Convention on Human Rights into Northern Ireland legislation, for an unarmed police force in peace time and for the establishment of civic forum are the stuff of long-term reform for a stable and pluralist society in Northern Ireland. Indeed, we would do well in this Parliament to study carefully and take to heart many of the reforms proposed in the Agreement. I hope our work today will give us a new deal for a new millennium.

### **Dr. M. Hayes**

I welcome the Taoiseach and congratulate him. It is a great parliamentary occasion in that few of us in our lifetime are allowed to share in the sense of a nation examining itself, about to change gear and move into a new and forward drive. As Séamus Heaney said, once in a lifetime the confluence of the tides of justice rise and hope and history rhyme. We are in that type of situation today thanks to the Taoiseach, his colleagues and all those who took part in the negotiations.

I suppose I am in an odd situation in that I do not represent anybody but reflect the views of many people. The views I reflect are those of the ordinary people one meets on the streets, in shops, in queues and on the factory floor across the North. Those people are hungry for peace and the Taoiseach has helped to assuage that hunger. Those people caused the politicians to come together and to reach agreement. I pay tribute to politicians in Northern Ireland who we have all seen grow and develop in recent months. People who were merely representatives have shown themselves to be politicians and people who were politicians have shown themselves to be statesmen. The Taoiseach played a key role in that because what he and Tony Blair did

over Holy Week was to conduct a master class in politics as the art of the possible and in negotiation as the art of compromise.

The Taoiseach, quite rightly and with great generosity, paid tribute to his predecessors and others who were engaged in the process and I do not propose to go through the litany again, except to endorse it. I would, however, like to add the name of Peter Brooke who was one of the more subtle and perceptive of the Secretaries of State. I am delighted the Taoiseach saw fit to pay tribute to the Women's Coalition, because the women were the secret weapon driving towards peace in Northern Ireland, and to the contribution made by people on both sides who have been in prison. Some of the most interesting and innovative political ideas came from people who had been through the mill in the prisons. Those people, more than any others, as well as the victims knew the cost of violence and the importance of dealing with it. That is why we should not be too ready to anathematise prisoners.

I am glad the Taoiseach paid tribute to the Civil Service. There has been a sustained and brilliant performance by teams of civil servants. As a former civil servant of some experience and evaluation of their work, it is right the House should pay tribute to them. I have a slightly nostalgic feeling because I spent most of my professional life trying to push this great stone up a hill and watch it roll down again. For once, we have got it up that hill and let us hope it stays there.

It is not the end of the story but the end of the beginning. We are through to the playoffs and there are tough matches ahead and the first of those is the referenda, the next is the elections to the assembly and then making this work. It will be a bumpy ride and this Agreement will be assailed by violence from both sides. It will take all the courage and fortitude that people have shown up to now to carry it through. I have great faith in it because those people who brought it off in concert with the Taoiseach and his colleagues have learned in that there has been a bonding experience and they have a commitment to it. Those people

have the will, ability and commitment to carry it through to success. We are carrying through the possibility for peace and a new life for this island.

The Agreement which has been achieved is a remarkably subtle document because it enables us to harmonise two concepts which were regarded as totally exclusive until now – the idea of the United Kingdom and the united Ireland. The situation in Northern Ireland has often been described as two minorities – a Nationalist minority in the North with a possible majority in the island as a whole and a Unionist majority in the North but a potential minority in a united Ireland. Both have shown the insecurity of a minority while at the same time showing the arrogance of a majority. Any change in that would only exchange one problem for an equal and opposite one, which is as bad.

Northern Ireland is place where Britishness and Irishness overlap and where people live regarding themselves as British and as Irish. The challenge was to find a constitutional envelope which would enable those two groups to live together in peace and harmony, which is what the Taoiseach has done in the Agreement. It makes both groups secure in themselves, their tradition and identity. As long as they were insecure or alienated, there was no hope of them ever taking their defences down.

We are seeing the beginning of the build up of trust. One of the most remarkable examples of the build up of trust was the confidence which the Taoiseach was able to engender in the Unionist community and in a Unionist leadership which had been deeply suspicious of any politician or statesman from this assembly. I think that is a great personal triumph and I hope it is an omen for better times ahead.

What we need to do now is to ensure the referenda are carried North and South by huge majorities. I will address myself mostly to the referendum in the South. Like so many seminal ideas in the peace

process, the idea of having two referenda on the same day throughout the island was first proposed by Mr. John Hume many years ago. His reasoning was that this would delegitimise violence. The will of the Irish people for a peaceful settlement and against violence would be completely and unequivocally expressed and in doing so they would cut any shred of legitimacy from people on both sides who claimed a mandate from any sizable group of people, North or South, for the pursuit of political ends by violence. That remains a hugely important purpose of the referenda. It is why we require a huge turn-out and a huge "yes" vote to establish that point beyond peradventure and, even more importantly, to assure those people who are frightened and doubting among the Unionist community of Northern Ireland that we really mean it.

The second purpose of the referendum is thrust upon us by the need to make constitutional change. As the Taoiseach has said, without constitutional change we would not have had agreement and without agreement we would not have had peace or the prospect of peace. People in Northern Ireland coming to this Agreement have all found something they disagree with and something they accept. It is a model of compromise in that no party came away from the table without something or without paying a price. There was gain for all and pain for all. I do not like every part of it – there are things I would like to see in it and other things I would like not to see there – but it is a package which was painfully achieved, with great skill and assiduity, and it goes to the people as a package. As against the pain of people in the North, what is the pain for people in this part of the country in supporting a reformulation of Articles 2 and 3? There are gains in it. First, it restates the idea of citizenship and of the nation in a much better way than in the current Articles. Second, the current provisions, if they mean anything, could only be achieved by consent, so what is lost by writing the principle of consent into them? It is that principle of consent which is the keystone for everything.

I was delighted to hear the tenor of the speeches today and was extremely pleased that every party spokesman called for a "yes" vote because that is the hope for the future. If we do not ask for such a vote we are asking people in the Northern Ireland to go back to where they were. We shall replace the hope that has welled up with despair; we will send them back down a road with no turning. What happened in the North was that both communities had virtually fought themselves to a standstill. They were like the women in O'Casey's play, mothers on either side of the scales of sorrow weighed down by the bodies of their suffering sons. The great hope of this Agreement is that no other sons or daughters need lower those scales — people can begin to live together, to pick up their lives and to build trust bit by bit as they work together for the future in the new institutions. We should have the courage to set them free to do so and to let the future look after itself.

Each of us has made sacrifices of different sorts. I am not particularly enamoured with the idea of releasing prisoners because I do not think there is any such thing as a political crime, but it is an essential part of this Agreement. I have sat with people on both sides who have killed some of my best friends. Some of those people have made crucial, critical and positive contributions to the search for peace, so I am prepared to put up with this.

There is a wonderful poem by the Northern poet Michael Longley; it is called "Ceasefire" and was written after the first cessation. It concerns the things we have to do to achieve peace and it spoke in terms of Priam, the King of Troy, going to Ulysses to ask for his son's body. Priam says:

I do what must be done—

I kiss Achilles' hand,

The killer of my son.

All of us will have to do that sort of thing and begin to build the peace. The Taoiseach has given us the opportunity to do that. He has released hope and changed what appeared to be an intractable and insoluble problem into one which can at least be managed and lived with. His efforts and those of all who co-operated with him deserve the support of everyone in this House and the country and I thank him for them.

### **Mrs. Jackman**

I wish to share my time with Senator Ridge.

### **Acting Chairman (Dr. Henry)**

Is that agreed? Agreed.

### **Mrs. Jackman**

Like other Senators I feel privileged to be here on such an historic occasion. In the last 30 years, throughout my adult life, the images I have associated with Northern Ireland – whether from the print media, radio or television – are those of senseless killing, mourning faces, parentless children and interminable lines of coffins. Underpinning all those images was a sense of overriding fear and little co-operation between people in the South and North, either through travel or through forging other links. I am hopeful that those images will be replaced with others associated with words used in the document such as "reconciliation", "forgiveness", "tolerance", "mutual trust" and "peace"— Senator Henry mentioned those words when speaking about the late Senator Wilson. The last image mentioned by Senator Hayes was a lovely idea, one of an inclusive constitutional envelope which would cover both traditions. After the referendum is passed – and I hope it is – let us pray that the Irish people will have images such as this in our minds to replace the previous harsh and arid images.

When we list the many Taoisigh associated with working for peace in Northern Ireland we see how long that thorny road was – Mr. Cosgrave, Mr. Lynch, Mr. Haughey, Deputy Reynolds, Deputy Bruton and the present Taoiseach. Senator Manning, in his moving contribution, pledged that Fine Gael would work hard to ensure the referendum was carried.

It is essential we are aware of the woolly nature of the meaning of Articles 2 and 3 for a great percentage of the electorate, be they older people who feel replacing the Articles would cause a loss of identity or the younger generation who do not know the importance the Articles had in the past. It is incumbent on all political parties to work hard, not for a vague 51 or 52 per cent endorsement of the referendum but for a more resounding yes vote, especially as it appears from opinion polls that the people of Northern Ireland do not seem to have the same problems we do. For that reason, I question the holding of the referendum on the Amsterdam Treaty on the same day because a great deal of explaining must be done to the Irish people.

In the context of what the Taoiseach said, there is a hidden world to which many speakers referred and it is one I hope will have a much stronger voice – the Northern Ireland Women's Coalition. They have had a much harder time achieving representation, whether on local authorities or in the old Stormont assembly. One of the women who comes to mind is Bríd Rogers who made an enormous contribution and who was a Member of the Seanad. That was an important aspect of what the Taoiseach said about the civic forum. They are the real people of Northern Ireland, they have suffered and they will make this Agreement work. I am glad they have been affirmed. I am speaking of people such as Bronagh Hynes and Monica McWilliams especially. They worked hard to ensure the voices of ordinary people were included in the Agreement, despite being dismissed as mere women on many occasions. They are not in the first tier but they are present and I hope there will be a stronger role for them.

I believe the British-Irish Council will allow us to forge links across a range of issues important to Senators and councillors, such as transport, agriculture, the environment, culture, education and approaches to EU issues. That is important for us because we were elected by county councillors who have been to the fore, through the Local Authority Members' Association, in forging links between councillors from the South and from the North over the past number of years through joint conferences. Tremendous friendships have been forged between local representatives from both sides of the Border and from the United Kingdom. That in itself is something which will be strengthened in future.

The notions of inclusiveness and agreement by consent should form part of our approach to this referendum as well as emphasis on positive aspects so that we all play our part in ensuring a strong resounding vote when the votes are counted after 22 May.

## **Mrs. Ridge**

I welcome the Minister for Foreign Affairs and congratulate him on the important role he has played in this historic period in our lives and the people of Northern Ireland. If one had to be weary, it would be nice to be weary from a surfeit of congratulations. I endorse what my colleague, Senator Jackman, stated about the part played by former Taoisigh and Northern politicians. I acknowledge the contribution of the Women's Coalition in particular. Senator Maurice Hayes referred to the women as a secret weapon. They certainly got the work done, whatever they were called. It is a long time from Sunningdale in 1974 to Good Friday 1998 and it has been a very long Via Dolorosa for many people. It is to be hoped we are moving towards a new dawn, the long awaited fáinne geal an lae. This is the Taoiseach's finest hour and I congratulate him.

I note from the newspapers that it is possible members of the newly elected assembly in Northern Ireland will be able to take a seat in the Seanad. They would be welcome. This House has made its contribution to the debate on Northern Ireland through such luminaries as Bríd Rogers, Sam McAughtry, John Robb, Senator Maurice Hayes, and especially the late Gordon Wilson. The presence of our fellow countrymen and women would enhance this House further.

The people have spoken through their representatives at the political process and will speak for themselves through the referendum. I hope they will give a resounding yes to the Agreement and to peace. I hope all critics of this historic Agreement, both inside and outside the political process, will keep their big mouths shut for once and acknowledge the democratic process and the will of the people, both North and South. I congratulate the Minister. There is a long road ahead, but I believe we have started on what I hope will be a successful journey.

## **Mr. Farrell**

Fáiltím an t-Aire go dtí an Teach leis an dea-scéal atá aige. Ba mhaith liom mo fhíorbhuíochas agus comhghairdeachas a ghabháil leis an Taoiseach maidir leis an obair mhaith a rinne sé leis an Socrú seo, chomh maith leis an fhoireann a bhí ag obair in éineacht leis. Is lá mór, stairiúil é seo sa Teach. Níor cheap mé, ná a lán daoine eile, go dtarlódh an lá seo riamh. Tar éis an reifrinn, le cúnamh Dé, beidh síocháin inár dtír, Thuaidh agus Theas.

The Minister, the Taoiseach and their team have done a wonderful job in bringing peace and harmony to our country. Many years ago at school I learned a poem by Thomas Davis and I remember this verse:

What matter that at different shrines

We pray unto one God?

What matter that at different times

Your fathers won this sod?

In fortune and in name we're bound

By stronger links than steel;

And neither can be safe nor sound

But in the other's weal.

Thank God the day has arrived when Unionists and Nationalists, Sinn Féin and the UDA, can sit down together, talk and try to solve their differences. That they have done.

No part of Ireland suffered as much as my area of north Sligo. Our tourism business was decimated because of a terrible tragedy when a

man we regarded as a resident but whom others regarded as a visitor — he came for two months each year and mingled with the crowd in the local pub — was cruelly murdered. I am speaking of Lord Louis Mountbatten. That was a sad day for north Sligo and the west and we have suffered sorely since. I hope we will see a regeneration of business and tourism in my area.

Driving from Enniskillen one evening I was in the first car on the scene at which two men lay dead on the road at Belleek. They had been shot coming from work at 6 p.m. Had I not stopped to talk to someone I knew I probably would have been in the middle of the ambush. One had to see the terror in Northern Ireland to believe it. I saw that terror. I attended Gordon Wilson's daughter's funeral. I also attended the funeral of a brother of a neighbour who was also killed in the Enniskillen bombing. I attended many funerals in the North and I know only too well the horror and the sorrow that families endured.

I thank God that the Taoiseach and his team and all concerned in the talks did a great job in ending that sorrow. There will be a few who will try to perpetrate and create disharmony. However, they will be beaten by the great majority of us. They will not have sufficient backing to establish a bridgehead from which to do much damage. We all pray that the peace will be a huge success.

We all have a job to do, from now until the last minute of the referendum, to make sure that our people get out and vote. All parties must work hard to ensure that apathy does not set in or that people do not say that the referendum will be carried anyway. We must show that a huge majority of the people want peace, harmony and a working relationship North and South. In time this will lead to the goal we would all wish to achieve — a united Ireland. However, that will be a united Ireland achieved through peace and harmony. It will be an Ireland united by the democratic will of the people and not by the bomb or the bullet. Too many lives have have been lost and too many families have

been left without fathers, brothers and sisters. I hope that we will see an end to the violence and that from now on we will all work towards a better, happier, more secure Ireland. I thank the Taoiseach, the Minister and all who worked on the peace initiative.

### **Mr. Lydon**

I welcome the Minister and acknowledge the great part he played in this Agreement. It is worthwhile asking why we need this or any agreement. To answer this we need to recap a little. For centuries Britain has occupied some portion of our country. Since Partition it has continued to occupy the Six Counties. Some people may not like the word "occupation" but if it was good enough for Eamon de Valera and John A. Costello it is good enough for me.

For the past 60 or 70 years a puppet statelet has existed in which discrimination against Nationalists and Catholics has taken place on a massive scale. There were pogroms, beatings, arrests, interrogations, gerrymandering, the hated B Specials, discrimination in housing, jobs and so on. It is not so long ago that John Hume was campaigning for one man, one vote. It is not so long ago that the civil rights movement led to clashes between Nationalists and the British security forces. It is not so long ago that internment was introduced. Gradually a resurgent IRA began a war with Britain. It also gradually dawned on both sides that neither could achieve its objectives militarily – the British could not defeat the IRA and the IRA could not defeat the British. It is to the eventual credit of Gerry Adams that he saw that the only way to achieve the objective of a reunited Ireland was through political means. I hope that his followers will not forsake him at this important juncture but that they will stand by him as he tries to bring this Agreement to fruition along with the rest of us.

I would like to remind the House that the IRA has not yet ended its war. We do not yet have peace, we have a long ceasefire. An agreement is

needed to achieve a permanent ceasefire and to establish lasting peace in our country. This is not an Agreement for the IRA, it is an Agreement for all the people of Ireland. By definition an agreement is something to which the different parties can subscribe. No one gets all that he wants but everyone gets something. We were blessed to have someone acting on our behalf whose consummate skills at the negotiating table are almost legendary, namely, the Taoiseach, Deputy Bertie Ahern. I never had any doubt that a man who has not missed Arbour Hill since he was six years of age would not let down the Nationalist side. However, I was pleased he was able to accommodate the Unionist point of view in his vision of a new Ireland.

To succeed this Agreement must contain something for both sides. The Unionists do very well out of this Agreement. The British claim to rule Ireland is included in the Government of Ireland Act, 1920, as amended by the Ireland Act, 1949, and the Northern Ireland Constitution Act, 1973. These Acts represent a territorial claim which is undemocratic and is a hangover from the time when Britain was an empire. That was a time when Britain bullied, threatened and occupied small nations, islands and poor countries all over the world. Our claim is democratic. It is the claim of the Irish people to the reunification of our country. Although the Government of Ireland Act, 1920, is to be repealed, the fact remains that the British claim over the Six Counties remains. When we in the Republic change Article 3 we will be accepting the British claim to part of our country. We will also be guaranteeing a Unionist veto on any change without their consent. The Unionists have not been short changed. Most of them recognise this and are working to have this Agreement accepted.

Fianna Fáil's raison d'etre is the reunification of Ireland through peaceful means. As a member of that party the question arises for me whether my acceptance of this Agreement will further the primary aim of the party of which I have been a member for 40 years. Will the acceptance of this Agreement bring about a permanent ceasefire and a lasting

peace with justice for all? I believe the answer to both questions is yes. I will be doing all in my power to see that this Agreement is accepted.

The importance of this Agreement cannot be over-estimated. We are all being asked to change, to modify our views and to reach out to those we felt we could not trust. It behoves those who seek a united Ireland to prove to Unionists that we in the Twenty-six Counties can be real friends and, in the long run, perhaps better friends than those they now look to across the water. The importance of this Agreement cannot be over-estimated when we consider the death and destruction that has taken place during the past few decades. Over 3,000 people have died. Most were Nationalists who died in tragic circumstances. Very few of them volunteered to die. The tragedy has touched almost every family in Northern Ireland. Some did volunteer to die, I suppose — Bobby Sands, Francis Hughes, Raymond McCreech and Kieran Doherty. I would rather be able to say that Kieran Doherty was a TD than that he had died in Long Kesh. Too many people have died for Ireland, for God's sake let us have some people who want to live for Ireland. Let us have people who want to work and do something for future generations.

I wish to pay credit to some people who were instrumental in this Agreement. President Clinton's intervention was pivotal. I also want to pay credit to a man who is much maligned these days, namely, Charles Haughey. Shakespeare wrote: "The evil that men do lives after them. The good is oft interred with their bones; So let it be with Caesar". I do not think this need be the case with Mr. Haughey. At a lunch in the White House in the early 1980s when Ronald Reagan was President, it was Mr. Haughey who first asked that the settlement of the problem of Northern Ireland be placed at the top of the American agenda. It was he who held meetings with Fr. Reid of the Redemptorists in the early days. When he retired he quietly passed the baton to Deputy Albert Reynolds who did such sterling work to establish peace in this country. I do not need to list all the people who contributed because there are so many and other Senators have done so, but there is one person whose subtle touch

appears on every page of the Agreement, who must be credited and that is Dr. Martin Mansergh. He is a patriot if ever there was one.

This Agreement is not a final solution but has the potential to lead to the ultimate solution so desired by all members of Fianna Fáil, by Irishmen through the ages and by the great patriots who paid the ultimate price in attempting to realise it. The final solution, namely, a reunited Ireland, is the dream nurtured by all true freedom loving Irish men and women. If accepted freely by the people of the Thirty-two Counties the Agreement will bring that dream one step nearer reality.

On Easter Sunday His Holiness, Pope John Paul II, asked us to give thanks to God for the positive developments in Northern Ireland. He said: "we pray to the Lord that each person listening to his own conscience will have the courage to make responsible and concrete gestures that will allow all to walk together along the path of peace, preventing anything which could lead again to hatred and violence". The Agreement, if accepted by both parts of the island, will go a long way towards establishing peace and we must welcome it and encourage people to accept it.

Again I give credit to the Taoiseach who did more than anybody else to bring the Agreement to fruition.

**Mr. O'Dowd**

This is a historic debate and an important time in the history of our country. It is a culmination of the work of this and former Governments. Everybody in the South has worked for many years, probably since the foundation of the State, to bring about peace between Catholics and Protestants and a meeting of hearts of minds. I compliment the Government, my leader, Deputy John Bruton, Deputy Dick Spring and the others who worked so hard to bring about this day. We are sharing a great moment together, and this is reflected in the speeches here today.

Coming from a Border county I have been saddened and sickened by the violence over the years, the hooded bodies lying in south Armagh and the murder of innocent people, especially the young, by the men of violence. We have been reared on such things in County Louth and it very much impinged on our conscience and the local economy. Historically County Louth has suffered because of the troubles in the North. Industrialists would not locate there, despite the presence of the best and most talented workforce. We have also suffered because of people's perception of the geographical location of Louth. There is a great feeling in the county among all parties and citizens that something big and good is happening for our country and towns and that County Louth in particular will benefit greatly, as will the entire country, from the new Agreement between the two sides in the North. I very much look forward to this.

This Agreement is guaranteed by three Governments, namely, the Irish, British and US Administrations. I pay tribute to the work of President Clinton and the tremendous effort which he, George Mitchell, Senator Kennedy, the US Ambassador, Jean Kennedy-Smith, and many other Americans have put into forging it. It would not have happened without the tremendous work and commitment of the Irish-American community in New York, Boston, Washington and other places. It is very important that President Clinton took on board the needs of this country and left no stone unturned in bringing about this historic change in opinion.

I also applaud the pragmatism and idealism of John Hume and Seamus Mallon who have spent a lifetime fighting tooth and nail to make this breakthrough and we must listen to them. I am concerned, not by those who are worried about Articles 2 and 3 whom I respect — there are valid arguments why the articles should not be changed, although I do not share them — but by the 20 per cent of people who, according to opinion polls, have no view on the Agreement. How can anyone not have a view on this historic Agreement between Unionists and Nationalists in the North? People cannot afford to sit on the fence nor have they the luxury of not exercising their vote on the day. It is very important that by 22 May the minds of these people are changed and that they vote. It is important that the six party leaders are at one on this matter. I am surprised that 20 per cent of people have no view. The future of our children and their children, of our economy and these islands is bound up in this matter and every citizen should exercise their franchise on this most important constitutional issue.

Difficult as it is for those in Fine Gael to do so, I pay tribute to Sinn Féin which has come a long way in this debate and is, hopefully, part and parcel of the Agreement. While it cannot campaign for a yes vote in the North and a no vote in the South, I recognise that, in its view, mountains have moved and it is on board. It is also important to recognise the movement made by Protestant paramilitaries who have signed the

Agreement. They have come from the dark, shadowy murder fields of Northern Ireland into the light of meeting and doing battle with their political opponents, not with guns, bombs or bullets but across the table in a democratic fashion through a sharing and a meeting of minds. The importance of the Agreement is that the mainstream parties and those who come from a difficult and violent past are on board. We must recognise that the latter group will have difficulties.

The American Administration should continue to have an involvement in the ongoing discussions in the North. What has taken place would not have happened without the work of President Clinton, George Mitchell and his team. We should ask the American Administration to continue to use its good influence, through whatever party or person it nominates, to be on hand as there will be difficulties in the future in working out the realities of the new situation. We need the continued presence of the American Administration. The internationalisation of the Agreement makes it different from any previous agreement.

This year we are celebrating the 200th anniversary of the United Irishman Rising of 1798. It is important and good that the Agreement has been signed on the anniversary of this very sad event. As a Nationalist and follower of Wolf Tone, I recognise that Tone's ideal was that Catholic, Protestant and Dissenter would come together under the common bond of Irishman. This Agreement recognises the different political perspectives and respects all traditions. The Rising of 1798 was led by Wolf Tone, a member of the Church of Ireland, by Presbyterians in the North and by Catholics. I hope that liberal Protestant spirit of which we have not seen much evidence until recently, will once again flourish in this land and that we will be able to work together for the sake of the future of all our children.

**Ms Leonard**

I wish to share time with Senator Dan Kiely.

### **Acting Chairman (Mr. Costello)**

Is that agreed? Agreed.

### **Ms Leonard**

I join with previous speakers in paying tribute to the Taoiseach, the Minister for Foreign Affairs, political leaders in Northern Ireland and all the other participants in the talks. We, in the Border counties, owe a debt of gratitude to all of those involved for their resilience, determination and commitment to achieving peace in this country. From my perspective as a Border county political representative, I am extremely hopeful and optimistic that a definite yes vote will be achieved on 22 May.

I am probably in the unique position of being the only person in the House born in the year in which violence broke out in Northern Ireland and it is with great pride that I stand here today on such a historic occasion. Living approximately one mile from the Fermanagh border, I am also the representative who lives nearest the Border. The parish in which I live is divided by the Border, part of the village being in Northern Ireland and part in the South.

My mother's family comes from Northern Ireland. When I was a small child, I could not visit my maternal grandmother without being stopped at a military checkpoint within 100 yards of her home. In fact, the British Army were her closest neighbours for many years. My grandmother's farm, together with the farms of many other people, was divided by an Army checkpoint. People who lived in the area had their work and daily routines constantly interrupted. This was not merely a physical inconvenience, it also proved a source of huge resentment to ordinary law abiding citizens to be restricted in their movements. Thankfully, the

military posts are no longer manned but their presence continues to be a reminder of the years of division and separation.

The Border has caused not only physical division, it has also caused social and economic division. Unfortunately, for many years, our hospitality, for which we are renowned, and our booming economy have been overshadowed by what was happening in Northern Ireland. I feel this Agreement will be of paramount importance to all Border counties, particularly from an economic and tourism point of view. What multi-national company would consider setting up in a Border region?

For too long, there has been an international perception that it is unsafe to go near Northern Ireland. This is not only felt internationally; some of my friends from the South feel we all go around wielding weapons. For this reason, I believe the Border counties have been neglected both by investors and tourists. I hope that, with the co-operation of the North-South bodies, we will see equality both in Northern Ireland and the counties south of the Border.

The greatest injustice which occurred in Northern Ireland in the past 30 years was the inequality which prevailed among its citizens. The Agreement states that the political parties affirm their commitment to the mutual respect, civil rights and religious liberties of everyone in the community. In this regard, I welcome the establishment of the new Northern Ireland Human Rights Commission. I particularly welcome the obligation placed on Government and public bodies to fully respect the principles of equality of treatment, identity and ethos in both communities in Northern Ireland. I welcome the obligation placed on them to respect people's right not to be discriminated against as well as their right to equal opportunity in the public and private sectors. If that can be achieved – and it appears the necessary goodwill exists for it to happen – this will prove to be the most fundamental aspect of the entire Agreement.

During the past 30 years, the inequalities which people in Northern Ireland have felt have led to resentment, hatred, distrust, violence and, ultimately, death. For the past 30 years, people North and South have prayed for this day and many of my parents' generation felt they might never see it. The Agreement represents only the first step, though admittedly a momentous one, on the road to a new Ireland. However, we should not forget what we are leaving behind through the acceptance of this Agreement. We are leaving behind hurt, suffering, broken communities and broken families, not to mention the 3,000 people who died prematurely as a result of the Troubles. Is that a legacy of which anyone would be proud or wish to hold on to?

There will continue to be murders in Northern Ireland, carried out on both sides of the divide by the paramilitaries who will exercise the only power with which they are familiar. They will kill people in an effort to overturn the Agreement. We, as parliamentarians, cannot let these people win. That is why I particularly congratulate Mr. David Trimble for the courageous stance he took in calling a vote among Unionists in spite of opposition from his own party. He put his own political career in the balance in his efforts to achieve consensus among Unionists. I would urge Sinn Féin who, for many years, have wished to be recognised as a mainstream party, to let their followers know that this Agreement offers the only way forward. I urge them to seek a resounding yes vote. Politicians, North and South, will be thanked for this Agreement, particularly in the Border counties.

**Mr. D. Kiely**

The debate on this very important document is a historic one. I am sure that the negotiations were very intense and many people must be commended on their bravery in putting the Agreement together. A great deal has been given by all sides and, for the first time in our history, we have a real opportunity to do something positive which will move Ireland into the next millennium. I look forward to that.

Some people may be sceptical about parts of the Agreement but they will have to be brave and look towards the future. I did not expect to see the day when such an Agreement would come before the people of Ireland. I will be working to ensure that we achieve a resounding yes vote and I am sure our counterparts in the North will do likewise. Mr. Trimble is to be complimented on the stand he took. I urge all the people of violence to give the Agreement and the country a chance and to remember all the people who forfeited their lives in the fight for peace. We must look to the future of our country and of our children.

This is a historic time. People will read this Agreement 50 years from now and comment on the bravery of those involved in drawing it up. This is a time when we can move forward. This Agreement will be looked at in 50 years time and people will say that we were brave people who achieved this by negotiation and not by the bomb and the bullet. Years ago people may have had to do things in that way to get their rights.

It is great that the President of the United States, the British Prime Minister and the Taoiseach played such a part in this. The teams of experts who put so much time and effort into this document should be commended as well. The people of Ireland will answer the call in this Agreement with a resounding yes vote.

### **Mr. Gallagher**

It is a privilege to contribute to this historic debate. In the few years I have spent in the Oireachtas, it has been an honour to be present to

witness truly great steps along the way to peace – the IRA and loyalist ceasefires, the Downing Street Declaration, the Framework Document and the start of the negotiations in 1996 which concluded with the Agreement on Good Friday.

On that day most people were avidly following the proceedings by way of television, radio or newspapers. There was an almost palpable sense of relief when Senator Mitchell finally called the participants together to declare that agreement had been reached. As has been said by many speakers today, that end was only another beginning. It is now our responsibility to ensure it is accepted by the people on 22 May and to put in all the hard work which will be required in the months and years ahead to make sure it does work.

There will undoubtedly be difficulties along the way, but if this process has taught us anything it is that political will and hard work can make things happen which are in the people's interests. One of the main attractions of the proposed changes to our Constitution is the emphasis which will be put on the people of the island of Ireland. I am reminded of the moving statement by James Connolly, patriot and founder of the Labour Party, that Ireland without its people meant nothing to him. That quotation has been used in the debate, in the both Houses, and in its fullness encapsulates what is intended in the amendments to Articles 2 and 3 of the Constitution. It is important that we get it across to the people that we are being asked to amend and reformulate these Articles, not to delete them altogether.

In common with every Member, I have carefully studied the text of the Agreement. It is a fair, balanced and imaginative document which seeks to produce a solution to the years of heartache and terror which the people of this island, in particular the people in the northern part of the island, have endured. The Agreement is based on respect, compromise and consent. It is a document in which the language is inclusive, generous and respectful of diversity. It is part of the tragedy of modern

Irish politics, in Northern Ireland in particular, that these values have until recently been overshadowed by the twisted values engendered by the bomb and the bullet.

For the first time in decades there is an opportunity to move beyond sectarianism and division and to create a genuinely new future for all the people of this island. It is difficult when formulating one's views on this matter not to be seen to speak in clichés, but the terminology and enthusiasm expressed here today is very genuine.

Over the coming weeks and months, strong and brave leadership will be vital to ensure this opportunity is grasped. The leadership shown by all participants to the talks in the recent past has been commendable. It gives us all hope for the future, hope that the dynamic contained in the Agreement will be harnessed to achieve a better island for all our people.

In my previous experience in community and youth work, I was involved for many years in promoting joint ventures in youth work, education and training involving young people from both sections of the community in the Greater Belfast area and young people from my county, County Offaly. It is from this experience that I wish to commend two sectors: first, the many community groups and representative organisations which make up the voluntary sector, North and South and, second, the bodies which have provided the financial support for their efforts — such as Co-operation North, the International Fund for Ireland, the Ireland Funds and the European Union's Peace and Reconciliation Initiative.

Many speakers tonight have alluded to the credit due to the politicians in respect of this Agreement. There is, however, another section of society which deserves our recognition and gratitude, the multitude of community and voluntary organisations which have worked, often behind the scenes, to foster trust and understanding between the divided communities in Northern Ireland. These groups, and the courage

and dedication they have shown, often in the face of severe adversity throughout the years, helped to pave the way for this Agreement. Their influence and the groundwork they set out so tirelessly to achieve will prove invaluable over the coming weeks as we, the citizens of both jurisdictions, prepare to vote on this settlement. I was delighted to see this sector has been given a place, through the proposed civic forum, in the future structures for Northern Ireland and the proposed structures for co-operation between North and South.

We in the Republic have a huge role to play in this process. The Members of Seanad Éireann and Dáil Éireann have an onerous task to complete in the coming weeks. The referendum to be held on 22 May in both parts of Ireland is one of the most important dates with the ballot box for the people on this island. We have a responsibility to ensure the electorate in this State understands the choice put in front of them and that as many of them as possible fully endorse this historic Agreement. It will be the overwhelming assent of all the people of the island which will ultimately secure the future of the Agreement. In the recent past there have been referenda with low voter turn-out. The responsibility rests with us to ensure this does not happen on 22 May.

The Agreement reached at Stormont represents a victory for common sense over the forces of evil. It presents us with the structures to develop a new political reality on the island of Ireland. It presents no side with a victory and every side with a future. It will take a long time to build that future, just as it will take a long time to forgive the people who murdered a loved one or to recover from the bitterness of a generation of violence. There are names which still resonate across the recent history of these islands: Darkley, Enniskillen, Greysteel, Warrington, Poyntzpass and many more. Every vote for peace in the coming referendum is way of saying never again; never again will we allow our future, or the future of our children, to be dictated by violence or coercion. More importantly, every vote for peace is a way of saying yes. It is yes to a better future for all of us. The unity of purpose displayed in this

House today is an excellent start in bringing the message home to everyone. It behoves us all to continue this work until polling day to ensure this island never revisits the dark days which cloud so much of our history, and our recent history in particular.

### **Labhrás Ó Murchú**

Cuirim fáilte roimh an Aire. Tá ádh orainn a bheith beo agus páirteach sa tréimhse stáiriúil seo.

Le blianta fada anuas bhí díospóireacht ann conas is féidir dlúthbhaint a chothú idir muintir an Tuaiscirt agus muintir an Deiscirt. Bhí aniarraacht déanta ó am go chéile go mór mór i measc na n-eagras deonach, ach sa Socrú nua a bheidh á chur os comhair an phobail anseo, ní amháin sa Deisceart ach sa Tuaisceart fosta, tá i bhfad níos mó ná sin ann. Má tá struchtúr úr déanta ar an chomhoibriú seo, struchtúr a bheidh thar a bheith láidir, ba chóir dúinn a bheith buíoch de na daoine a chabhraigh i ngach slí chun an Socrú seo a chur i gcrích.

I join other speakers in complimenting all who were responsible for giving us the opportunity to vote on what is a very historic Agreement. A great sense of history was palpable in this House today and that is why each Member wanted to make a positive contribution. I, too, compliment the Taoiseach and all involved, including the Minister for Foreign Affairs, Deputy Andrews, who played such a pivotal role in the final negotiations. I was also glad that the Irish people abroad and those with regard for Ireland received credit for all that they have done. Undoubtedly, that influence and support was crucial as we entered the final stages of the negotiations. The support of President Clinton was particularly appreciated.

I am sure most Members will agree that the Agreement does not mean a united Ireland. While many people would have had such aspirations, the Agreement has the potential to ensure that we have an island

working together in unity. It greatly diminishes the interference of Britain in Irish affairs and presents a mechanism for people North and South to have real control over their destiny.

Many people will mourn the passing of Articles 2 and 3 of our Constitution. Their importance should not be underestimated even though we feel it necessary to justify the change. In many ways they are a stepping stone to an oasis of peace, justice, co-operation and opportunity.

The Agreement being presented to the people for ratification is also a stepping stone to a better Ireland – co-operative, harmonised and united in pursuit of common goals. If it were given a large measure of goodwill and generosity for all it could be a magic vessel – the more we take from it in terms of co-operation and mutual trust the more it will grow in substance.

History will be kind and generous to those who spent long hours in negotiations to achieve the impossible. These people have provided us with a map to guide us from the pit of despair and derision to a road of hope. Everyone in Ireland knows that there are many crossroads and distractions on this journey but most people are prepared for this long journey and will help each other over each new hurdle as it emerges.

The negotiators had to build a bridge between the abhorration of history called partition and the new open, co-operative and barrier free world which is offered to us all, particularly the young and all freedom loving people here and throughout the world. At this time we should remind ourselves that our ancient cultural heritage which is shared by all traditions on this island is much older than many of our modern political divisions. It is conceivable that this same heritage that underpins our nationhood could act as a cohesive influence in blending our traditions and aspirations. People make history and they own it. They need not be dominated or coerced by it.

Yesterday, I returned from a convention in San Francisco which was attended by over 1,000 people representative of all sections of the Irish community. Between the formal deliberations the main subject of discussion was the peace process. It was interesting to see that, in the United States where there was always a strong view held on Ireland and its problems, there was so much goodwill that this process would succeed.

Over the years I have worked with Ceoltas Ceoltoirí Éireann and the Irish Family History Foundation in the Six Counties. I was fortunate to be chairman of the Irish Family History Foundation and the vice-chairman was Sir Robert Kidd, the former chairman of the Northern Ireland Civil Service. In all my dealings I have found people willing to work together towards set goals, irrespective of their political affiliation or tradition. Sitting in that forum I often wondered where the media headlines came from. I never found any bigotry or selfishness when we were working together.

The Agreement and the new climate created by it will have no effect on how well people work together. People who have aspirations for a united Ireland should continue to do so and work towards that goal. I was pleased the Taoiseach referred to this point in his statement after the Agreement was concluded. I do not say this in a selfish manner but

because Ireland would be best served if everybody worked together as a united people. Everybody will accept that to inflict injury on any individual for political reasons is no longer justified. It is encouraging that people involved in the Northern struggle are now prepared to sit at the same table with those who felt they were on the receiving end of that struggle but this has been a long time in coming. If we cast our thoughts back 25 or 30 years I do not believe anybody, even the most optimistic among us, thought this Agreement could have been reached.

Having read the new Articles 2 and 3 I am encouraged that some sections are much stronger than the previous ones. Reference is still made to territory, which is the island of Ireland, and there is also a constitutional reference made to the active implementation of that.

When altering these Articles it would be most ungenerous of us not to recognise people who have Irish citizenship throughout the world and to see them as full and active members of the Irish nation. This has been mentioned many times in a rhetorical manner but it is true. We should never under-estimate what they have done to advance our image, particularly in such places as the UK, the United States, Canada and Australia. At the meeting held in San Francisco I supported the Agreement and made the point that I genuinely believed President Clinton and his people must also have been influenced by the Irish community abroad.

In conclusion, I hope everybody North and South will support this Agreement. I appeal to all who suggested that they will continue a military struggle in the North to have a rethink on the issue and to be part of the momentum which has been created. If they do that history will judge them favourably.

### **Mr. Doyle**

I will, with the agreement of the House, share my time with Senator Tom

Hayes. I welcome the historic Agreement between the Irish and British Governments and the Northern Ireland political parties. The Agreement provides a framework to enable the community, particularly in Northern Ireland, to live in peace and harmony. I sincerely congratulate all those who worked hard to bring this Agreement about. The Taoiseach named these people and his words were endorsed by my Leader, Senator Manning. I would like to add to that list the name of Peter Brooke, the former Secretary of State for Northern Ireland who declared that Britain had no economic or strategic interest in Northern Ireland. That was the first step towards the peace we have achieved. He worked extremely hard to bring about Strand Talks and I pay tribute to him for his contribution.

Since 1969 I have been saddened by the loss of life and destruction of property brought about by the troubles in Northern Ireland. I sincerely hope that the Agreement will bring that sad conflict to an end. One of the most courageous participants in the talks was David Trimble who showed real leadership in the face of hostility from his own party and persuaded the Ulster Unionist Party to support the Agreement. One hopes that the Unionist grass roots will listen to him and will not be distracted by the Democratic Unionist Party and their ilk who have nothing to offer. Having long predicted the failure of the peace process they have a vested interest in ensuring that their predictions are fulfilled. I have no doubt that the majority of people in Northern Ireland and of Ireland as a whole will say yes to this Agreement and that the amendment to our Constitution will be carried by a large majority.

It is now time for the republican movement to tell its supporters that they can play a full, proportional part in the North's new devolved administration but only if they put the physical force tradition behind them. I congratulate the leadership of the party in bringing their supporters in that direction.

South African success in moving from apartheid to a multi-racial

democracy was well described by Bishop Tutu when he said, "We have prevented the trickles of blood from becoming rivers of blood through compromise and forgiveness". The Stormont Agreement has achieved a political compromise but it has failed to secure any sense of real forgiveness which could lay the foundation stone for future trust between the North's two deprived communities. I hope the main churches in Northern Ireland will play their part in preparing the way for acts of public atonement that will bring peace and prosperity to our whole country.

### **Mr. T. Hayes**

I thank Senator Doyle for sharing time. I join other Senators in congratulating the Taoiseach, the Minister for Foreign Affairs and all the representatives of the Irish Government on their part in bringing about this historic Agreement. I compliment and congratulate all who have been involved in every aspect of the peace process for the past number of years. It was a long and tedious process and its conclusion was a great victory for democratic politics. One is proud to be a politician at a time such as this. I was happy to see the maturity with which politicians on both sides of both Houses stood to congratulate the Taoiseach yesterday and today. We have an obligation to our children and grandchildren to bring about a peaceful Ireland. If we play our part in politics we will hand on a peaceful and prosperous nation which will be one of the best in the world.

The potential for cross-Border institutions is vast. I can speak with some experience of two areas of possible co-operation. We live in one of the most beautiful islands in the world and the potential for tourism development in both parts is vast. We must market the whole country throughout the world. There is, likewise, potential for co-operation in agriculture. We share the same land and farmers North and South of the Border share the same problems, be they disease eradication or negotiating with Brussels.

I commend all who have been involved in this process. I hope our nation will go from strength and I am proud to be involved in politics on a day such as this.

### **Ms Keogh**

I welcome my colleague, the Minister of State at the Department of Foreign Affairs, Deputy O'Donnell, to the House. It is encouraging to have someone who has been so intrinsically involved in the peace negotiations in the House to hear this part of the debate. This is a proud day for all and for democracy. Tributes have been paid to the Taoiseach and the Taoiseach himself, rightly and most graciously, recited the long roll of honour of those who have worked to bring about the Agreement. I was particularly glad to hear him point to the role of the Women's Coalition. Their position points to an era of change in the politics of Northern Ireland. Those of us who are close to the women involved in Northern politics are conscious of the struggle they have had to make their voices heard. I hope they will continue to be part of the political process in the future because I have seen at first hand the enormous influence their commitment to community involvement has had.

Most of us could never have dreamed that this day would come. So many times we seemed to be on the brink of a final breakthrough only to see our hopes dashed and our dreams thwarted. At last, the spirit of compromise has prevailed. We tend to think of compromise as

something small and grudging that is dragged from us. In this case, however, we have seen creative and generous compromise, as is clear from our own willingness to redraw Articles 2 and 3. Many people considered the assumptions in those Articles to be basic to the existence of our State. However, how could those assumptions weigh up when trying to save lives, preserve potential and make this country into what it can be?

The response of politicians must be unequivocal. The generosity shown by the participants in the talks must be matched by our enthusiastic endorsement and our active support in campaigning during the referendum campaign. It is wonderful to hear the Members speak as one on this Agreement. We must bury the bitterness and hatred of the past and we should remember, with humility, the victims, their relatives and loved ones, those who were most hurt by the conflict. In particular, we should remember the late Senator Gordon Wilson. How proud he would be of this day. We should also remember that those who were most deeply hurt were usually the first to forgive.

We must not under-estimate the scale of the challenges ahead. It will be a long haul. However, we are steeled by the knowledge that there is no alternative to this Agreement and that there must be an end to the legacy of fear, pain and revenge to ensure that peace and democracy will prevail. There is something else we must say to the participants in the talks, especially Sinn Féin. The Agreement is not an a la carte menu from which one can cherry pick and discard the unpalatable parts. One either signs up for everything or for nothing.

The Agreement comprises a set of institutional and constitutional arrangements which are interlocking and interdependent – the assembly, the Ministerial Council, implementation bodies, the British-Irish Council, the British-Irish Intergovernmental Conference, the amendments to British legislation and amendments to the Constitution of the Republic. These arrangements are so closely inter-related that the

success of each depends on the other. All participants will find some aspects of the package difficult to accept. I find it difficult to accept the early release from jail of people convicted of serious terrorist offences, particularly murder. However, it is an essential confidence building measure which will show the men of violence that there is a real peace dividend.

Everybody must make compromises. That is the essence of constitutional politics. What has been agreed must be accepted and there can be no retrospective negotiation by any side now. It is regrettable that not everybody in the country can support the Agreement and campaign for a yes vote on polling day. The opposing campaign will bring together some strange bedfellows. However, we must ask those who oppose the Agreement if they have a better solution. Can they offer an alternative? Can they put a vision of the future before the people of this island? The answer is no.

It is up to Members of the Oireachtas to show leadership and we must seek leadership from the participants in the talks. An overwhelming yes vote to this Agreement is essential. That is the least the people can give to the politicians who have shown leadership, and I believe it will happen.

### **Mr. Gibbons**

I pay tribute to all the parties involved in this Agreement, particularly the Taoiseach who had to endure extremely difficult personal circumstances in the course of the talks. It showed the huge commitment he gave to the process. Similar commitment was shown by the British Prime Minister. I also wish to compliment the Minister for Foreign Affairs and the Minister of State, Deputy O'Donnell. Many others played a huge part in this process over many years and they have been mentioned in this debate.

The Agreement gives hope for the future. That is its greatest significance. The principle of consent means handing the process over to the people and that is its most important feature. The people will take over. The silent majority, the victims of the violence in Northern Ireland, will have their say. That is exemplified by the attitude of the Women's Coalition and the role they played in securing this Agreement.

The Agreement provides a basis to bring people from many backgrounds together. That must be applauded. It has taken many years to reach this point and many sacrifices have been made by people from those backgrounds. It is only when there is such co-operation and commitment that one can move forward.

The Agreement provides a process for people to live together in peace and stability. If people work in that way and if there is reconciliation between them, there is tremendous hope for the future. The Agreement provides a foundation for that hope to develop in the years to come. It is incumbent on everybody to nurture that process so that real and positive developments can take place.

The Agreement is a victory for pluralism and for people from different backgrounds casting aside, to a great extent, old ideas and facing the difficulties of today. That is shown in particular by the proposed changes to Articles 2 and 3 which demonstrate real pluralism at work. I applaud the Agreement for that reason.

The one element that caused me great concern was the proposed release of prisoners. However, in any situation which involves people of different backgrounds and opinions there must be compromise and the release of prisoners is a necessary element in order to show there is a reward for peace and for moving forward.

It is incumbent on everybody to ensure there is a resounding yes vote in the referendum. There must be no cherry picking in this regard. I look

forward to putting my shoulder to the wheel to ensure we achieve that resounding vote.

### **Ms O'Meara**

It is a great honour and privilege to contribute to this debate. History is usually built on the stories of those who fought wars and it is good to be present when the peace is made.

On Good Friday we saw a vision of the Ireland of the future. We saw a vision of an Ireland in which we can genuinely aspire to unity, not a unity built on the bodies of the bombed, maimed and shot but a unity of our people around a shared notion of nationhood. On Good Friday our leaders put the past behind them on our behalf and laid a foundation stone for the future.

This Agreement is the most historic document since that which established the State almost 80 years ago and I, like many others, will call for a solid and resounding yes vote in the referendum on 22 May. Our leaders are to be congratulated for their courage. Their predecessors who put the building blocks in place are also to be congratulated and thanked for their sacrifices and the sacrifices made by their families. They include Deputy John Bruton, Deputy Albert Reynolds and former Taoiseach, Garret FitzGerald. In particular, I wish to praise the contribution of Deputy Dick Spring and the sacrifices he made in the interests of peace. His hand can be seen in this Agreement. He and others brought Ireland into a new era.

I have lived in an Ireland in which we had little or no memory of life before the current round of so-called Troubles. I can remember Bloody Sunday and the horror on adults' faces, the tension of the hunger strikes of the early 1980s, the despair of bombs in Dublin, Belfast, Derry and Britain, and the anger at those who claimed to kill on our behalf. As that killing went on and bombs continued to go off, and as the shouts of "no"

seemed to be the only sound coming from Northern Ireland, the temptation was always there to give into despair and to believe the prophets of doom that it could never be any other way, that we were slaves to our history, that we would live with this forever and that a security solution was perhaps the only way to keep a lid on the violence because there would never be a political solution.

However, that is never the answer and, as politicians, we can never accept it. Good Friday saw a victory for politics and one of those rare moments when it was clear — as clear as the bright new dawn which it represents — what politics are really all about.

I have no doubt this Agreement will succeed. I do not subscribe to the fears expressed by the prophets of doom. I believe peace will prevail because it has been coming for some time and when peace comes it is unstoppable. Ceasefires have given our people a taste of what life can be like without guns, bombs, security alerts and the constant tension of not knowing what the future will bring, who will die tonight and who will be injured forever.

Peace is a tangible thing, it is almost organic. If nurtured it will thrive but if neglected or sown in infertile soil it will wither and die. However, the commitment, courage and vision shown by everyone connected with the current process in recent weeks and the last number of years ensures that delicate flower of peace will continue to prosper.

The people of all these islands deserve and demand peace. As a nation, we demand the men and women of violence choose the democratic road, change their ways, listen to the voices of the people and, most importantly, grasp the great potential of this Agreement and exercise leadership. The leaders and groups who reject this Agreement have no long-term future unless they embrace the spirit of compromise at its centre and work with us to build on it and make the peace grow.

I am seriously disappointed by the attitude this weekend of Sinn Féin which, having been given a place at the table and having seemed capable of exercising political leadership, now seems to have opted for what can only be described as the cowards' solution. Its attitude seems strangely partitionist for a party which has proclaimed the unity of the island to be its central aim.

When the history of this peace process is written and the Stormont model is practised elsewhere we will recall landmarks which occurred along the way. One such landmark which might not be readily remembered is the lifting of section 31 of the Broadcasting Act by the previous Government. There have been times when we have been afraid to think for ourselves and have let strident voices tell us how we should think and what we should hear before we make up our minds on issues. That was not a society mature enough to produce this kind of Agreement and I have no doubt the lifting of section 31, with other developments, changed the atmosphere sufficiently to result in the change of climate, thinking and heart which produced the Agreement we are debating and celebrating today.

Section 31 was one of the most regrettable pieces of work ever used, supposedly in the interests of protecting the State. It did no such thing. Only genuine dialogue and listening and the tolerance necessary to hear one's opponents' and enemies' points of view will produce real democracy and real peace.

I concur with the many tributes which have been paid today but I wish to single out two for special mention. The women of Northern Ireland took their courage in their hands, showed the way forward and fought the fight for peace with vision, courage and determination. Community workers all over the province have done a great deal of work, silently behind the scenes and out of the glare of the cameras, in bringing communities together and in growing that fragile peace.

Much work remains to be done. This Agreement is only a beginning but it is a great beginning. It has great potential to grow the peace on our island which we have all desired for so long.

### **Mr. Kett**

I wish to share my time with Senator Bohan.

### **An Cathaoirleach**

Is that agreed? Agreed.

### **Mr. Kett**

I welcome the Minister of State, Deputy O'Donnell. I thank her most sincerely for her fine contribution to this historic Agreement.

If we needed reminding, the tragic murder yesterday of a young Catholic man in Portadown brought into sharp focus once again the deep well springs of bigotry and hate which still remain in Northern Ireland. For 30 years there has been a never ending sad litany of violence, destruction, murder and mayhem as either side lashed out mindlessly at the other. This has resulted in more than 3,000 dead, hundreds of thousands touched by violence, billions of pounds worth of destruction and many in the two communities left traumatised and polarised.

This was the mountain that had to be climbed by those who believed the time had come to radically change our approach and seek out new arrangements which could be agreed together. For many years the task seemed daunting and, at times, impossible. I was often reminded of the words of Éamon de Valera in the La Scala Theatre in 1926 at the founding of our party when he said:

We must not allow ourselves to be hypnotised by our prejudices and

feelings on one hand, and our opponents' propaganda on the other. To underestimate our strength is even a worse fault than to overestimate it. We must not let our opponents dissuade us from attempting a task which is well within our power by suggesting that it is impossible.

As the eyes of the nation watched and waited through the night of Holy Thursday and into Good Friday, we all wondered whether the Taoiseach, the British Prime Minister and all the party leaders would be able to cross the historic barriers of prejudice and deep misunderstanding and succeed in that task which was well within their power.

The excellent TV coverage, by Sky and CNN in particular, around the clock gave Irish people everywhere the opportunity to participate by proxy. As the clock ticked and the deadline set by Senator George Mitchell came and went, we silently urged them on, hoping against hope that the virtually impossible could somehow become reality. We felt much like Michael Collins in 1922 when he wrote:

The new spirit of self reliance and our splendid unity, and an international situation which we were able to use to our advantage, enabled our generation to make the greatest and most successful national effort in our history.

As an elected Member of Seanad Éireann, I am proud to stand here and applaud all those efforts, but I do not exaggerate when I say our team of the Taoiseach, Ministers, civil servants and advisers achieved the greatest and most successful national effort in our history during Holy Week of 1998.

In a week which brought great personal sadness to the Taoiseach on the death of his mother, it took great energy and commitment of an extraordinary calibre to leave aside that grieving and work for days and nights on end to broker consensus where there had been conflict and new structures to replace strife.

The leaders had reached the crossroads of destiny. It reminded me of the words of John Hume in his "Personal Views" in 1996 when he said "Now is the moment when political leaders in Northern Ireland, in the Republic and in Britain must radically re-examine their own fundamental assumptions". That is precisely what happened before our eyes and we are proud, grateful and overjoyed that it did.

There was never before such a happy conjunction of leaders and officials who were so totally immersed in the detailed understanding of the complicated history of Northern Ireland and so committed to solving its political gridlock. President Clinton, Prime Minister Blair and the Taoiseach, Deputy Bertie Ahern, were the three leaders whose personal drive and conviction powered the process. The Minister, Deputy Andrews, and the Minister of State, Deputy O'Donnell, with Dr. Mo Mowlam, Senator George Mitchell and his two co-chairmen played vital roles in moving the parties forward, line by line and paragraph by paragraph. In the crucible of the action were the Party Leaders in Northern Ireland – John Hume, David Trimble, Gerry Adams, Lord Alderdice, Gary McMichael, David Ervine, Monica McWilliams and their colleagues, each of whom deserves our warmest congratulations.

John Hume when speaking on the challenging task which was their lot said:

We have to have the moral courage to seize this opportunity. It is clearly going to take time and effort to arrive at an agreement. No instant package will wipe away the damage done over centuries. But I am absolutely certain that agreement will eventually emerge.

No words of mine could express it better.

Although he uttered these words in 1996 they accurately reflected not only the difficulties and the challenges which were to lie ahead, but also the agreement which eventually emerged. No man of his generation has done more to articulate the fundamental problems of the northern state. He created much of the language of consensus and mutual understanding, which we all use now in our political discourse. From the early 1970s he has been the consistent voice of reason, clear explanation and debate without rancour, and of practical proposals for new structures.

At a Fianna Fáil Ard Fheis in 1933 our founder member, Eamon de Valera, said:

There is no use pretending we can solve that [meaning partition] by mere words. We cannot: nor can we solve it by force.

In the Declaration of Support at the beginning of the Agreement, the signatories acknowledged that they:

. are committed to partnership, equality and mutual respect, as the basis of relationships within Northern Ireland, between North and South and between these islands.

In his contribution to Dáil Éireann yesterday and here today those sentiments have underpinned all the Taoiseach has said.

The principle of consent is paramount in this Agreement. From hereon

every political development, North and South, will hinge on that two way process of consent. The spirit of concord, which inspires the entire document, is the best possible guaranteed that, despite the substantial differences between the continuing and equally legitimate political aspirations in our respective communities, the way forward will be based always on partnership, equality and mutual respect.

With our right to national self determination, the foundation stone of our State, untouched in Article 1 of the Constitution, we can confidently claim that the reformulation of Articles 2 and 3 in terms of people rather than territory is fully in tune with the principles of republicanism which were espoused by Wolfe Tone. This is consistent with the inclusive, pluralist and all embracing foundation of true republicanism. I am sure that the leaders of Easter week would fully approve and support these changes and the way that Irish nationality and citizenship will now be firmly anchored in the Constitution.

The Good Friday of 10 April 1998 will forever be etched in our minds and will be recorded in the history books as the day that political leaders here stood shoulder to shoulder and made a great leap of faith in our future. It was a most patriotic deed and one which Irish people will appreciate where and when they talk about those special days.

I do not suggest that the way forward will be straightforward or without major problems; far from it. However, the spirit of partnership at the heart of the Agreement should be strong enough to help all parties surmount these difficulties and create the living structure which will bring the benefits of the Agreement to every street corner and townland in the North.

This Agreement is for our day, our children and our children's children. What better legacy could we bequeath them? I congratulate the Taoiseach, his Ministers and officials on writing this first chapter in the new history of Ireland.

### **Mr. Bohan**

The signing of this peace Agreement is a watershed in the history of this country. The bringing together of the various strands of political, cultural and religious institutions is very welcome and augurs well for the people of the whole island, laying down as it does the foundation stone for peace and economic prosperity. I congratulate the Taoiseach on his painstaking efforts, his undaunted mediation abilities and, above all, his total commitment to peace in our time.

We should never forget the efforts of former Taoisigh, Charles Haughey and my old friend Deputy Reynolds, who succeeded in bringing about the first IRA ceasefire. Future Irish history will record the contribution of each Fianna Fáil Taoiseach in the evolution of the Agreement. In addition, the vast and statesmanlike contribution of my friend for over 30 years, the Minister for Foreign Affairs, Deputy Andrews, should be noted. The Taoiseach made a wise choice in appointing him to this most prestigious ministry knowing that the talks would be in good hands.

The Minister was ably assisted by our charming Minister of State at the Department of Foreign Affairs, Deputy O'Donnell. It was nice to see her on CNN and the other national and international television stations. It demonstrated that there are some beautiful women in the Government.

### **Mr. Manning**

What about the men?

### **Mr. Ross**

On a point of order, if the Senator is going to continue in the present vein he can have some of my time.

### **Ms Cox**

And some of mine.

### **Mr. Bohan**

I wish to especially commend Martin Mansergh. In the years since Charles Haughey was Taoiseach he has been a reliable, authoritative and trusted mediator who won the respect and confidence of all who dealt with him.

Republican demands for lawful, equitable and democratic institutions have been met in this document. The establishment of North-South bodies will allow for interaction between Ministers, North and South, to bring about co-operation on political, economic and cultural matters that are vital to the well being of all the island's citizens.

All of us republicans aspire to a united Ireland. This aspiration lives on through the mechanisms set out in this document. If we unite our people in a common purpose it is rational to suggest that territorial unification will follow. I strongly support the tenets of the document and I am confident that those involved in the process have the support of the people of this country, North and South.

### **Mr. Ross**

All the Independent Members are in favour of this Agreement. As one who is used to being divisive in all areas, especially on Northern Ireland, I can say without much equivocation that I am pleased with what has

happened. I congratulate all those involved in this settlement.

It is an extraordinary and rare day for Ireland that all the political parties can vote unanimously for an agreement of this kind. It is a great tribute to the fact that Ireland has come of age, that the politics of the civil war are over and that petty politics are sidelined at a time when more important matters, such as those involving human lives, take precedence. That is what we have seen today. It is very rare.

The last time there was unanimity on an issue of this nature was in 1982 when all the political parties united against the Independents in voting against the extradition of people suspected of terrorist offences to Northern Ireland. Things have changed much since then. There is unanimity behind this settlement about which many people have reservations. Parts of it are unacceptable to many of the republican and Unionist traditions. However, it is a great tribute to all Members of the House and the various leaders involved that they are prepared to bite the bullet and say they will swallow it for the sake of saving human lives.

It is probably right that Members on this side of the House who opposed much of what was said, particularly by the Fianna Fáil Party, about Northern Ireland should pay tribute to the Taoiseach for the particularly mature role he played. Some say his lack of ideology was a great asset in the talks and that is possibly true. However, that does not mean he lacked principle rather that he was prepared to compromise. It is a great tribute to him.

I apologise to the House for missing much of today's debate. Others may have mentioned it but it would be wrong not to acknowledge the primary role played by Deputy Albert Reynolds in this long series of talks. I was particularly critical of Deputy Reynolds and Mr. Hume when they started their conversations with Mr. Adams. I make no apology for doing so and I do not regret it. However, the genuine initiative taken by Deputy Reynolds has borne fruit today and I am sorry that he is not in a position

to take the main credit for it at this time. He deserves his place in history which was stolen from him a few years ago. This point is not meant as an interference in the internal matters of a political party, but it should be acknowledged.

I do not have time to deal with the details of the Agreement. However, any agreement which brings together the SDLP and the Ulster Unionist Party is acceptable to me. The great tragedy for many years was that Mr. Trimble, Mr. Hume, other UUP leaders and SDLP people were so far apart. The lack of personal contact between the Ulster Unionist Party and the SDLP struck me as strange in my dealings with them. Northern Ireland politics for a long time has been poisoned not only by political divisions, but also by personal divisions. Members of these Houses find it easy to have political divisions in the House and to get on well outside the Chamber. This was not the case in Northern Ireland. There were real enmities outside the Chamber. For them to come together at this time is a historic achievement and this should be acknowledged.

I have a large number of constituents in Northern Ireland and I spent part of today ringing some of those who supported me in the past to ask them what they thought of the Agreement. Almost unanimously they were in favour of it. Most of them were Protestants and Unionists and almost all of them said they did not like various aspects of the Agreement. However, they said they wanted it because it is their best hope. This is a most encouraging sign. These people are politically opposed to many in this House and those who signed the Agreement.

However, they expressed a reservation. I do not wish to introduce a note of discord because the reservation is not large enough to persuade them that the Agreement should be dumped. Nevertheless, the issue of prisoners is more difficult for people who feel they have been victimised by the violence of the IRA in the North to accept than anything else. It may be a price that must be paid but there is confusion in this area. Many of the terrorist prisoners in Northern Ireland were plucked from a

naive youth and sucked gradually into organisations. Before they knew where they were, they found themselves involved in armed robberies and murders of which they did not ever dream they would be a part. They were young and innocent and they did terrible things. There is a case for an early amnesty and mercy for such people.

However, another problem has not been tackled properly. There are also psychopaths in jail in Northern Ireland who enjoy killing. They have killed once, twice or three times. I do not wish to be specific but it is worrying that, for example, people who were seen on television around the world shooting others in graveyards should be released early. I am not sure that is acceptable. It is not a reason for stopping the Agreement, but we should think again whether that type of early release should be granted.

I welcome the courage shown by the Taoiseach in particular and the Fianna Fáil Party in accepting the changes to Articles 2 and 3. This is the last Nationalist taboo. It is the last Nationalist sacred cow which must be sacrificed to remove some of the fears of the Unionist population. It is a real sacrifice and it is obvious there are real difficulties on the Fianna Fáil backbenches. However, these will be surmounted because people are prepared to swallow it. The Agreement does not in any way reduce the aspiration to a united Ireland for those who really want it. One of the problems all along with Articles 2 and 3 was that they were flawed because they did not refer to the people. If they originally referred to an aspiration to unite the people of Ireland, it might have been more difficult to change them. The fact that they referred exclusively to the territory made them particularly offensive but easier to change. I congratulate those who say they will compromise on this matter.

We should also congratulate Mr. David Trimble on the courage he has shown. Everybody knows what happened to Captain Terence O'Neill, Major Jim Cichester-Clarke, Mr. Brian Faulkner and every Unionist leader who was prepared to compromise with the Nationalists. We should make no bones about it; this is a second Sunningdale Agreement. This

may not be helpful to the Unionists in their cause but this is close to the Sunningdale Agreement, although it brings the Unionists further down the line in many ways. There is a doubt about what the North-South bodies mean and whether they will be effective. However, the symbolic effect is difficult for any Unionist leader to sell to his flock, let alone his MPs. It appears that hurdle has been jumped and Mr. Trimble and Mr. John Taylor have shown a great deal of courage. They have decided to fight this battle, take the moderate line and go down the road of peace.

I am delighted with the Agreement. It is a wonderful day for the Irish people, North and South. It is a great tribute to all the politicians in this House that they are able to say they will forget the deep feelings they have held since birth in aid of compromising with those who disagree with us.

### **Ms Ormonde**

I welcome the Minister of State, Deputy O'Donnell, and acknowledge the part she played in the achievement of the Agreement. I congratulate the Taoiseach on the skilful way he is handling the various steps towards the final agreement at a time of great personal sadness. All praise should go to him for the time and energy he has put into the Agreement and for his tenacity of spirit. Many people have asked me to express their admiration for his work.

I would also like to talk about the courage of those involved in the multi-party talks – the leaders, former Taoisigh and those at the coalface in communities both North and South who have gone beyond the safety of their communities to reach this Agreement and to give people some hope for the future. They should also be congratulated.

During the debate we did not pay tribute to the many people who have sat in this and the Lower House, who talked about and expressed their views on the achievement of this goal and who are no longer with us. Let

us remember them and their contributions. I pay special tribute to those people.

This Agreement is a starting point to heal the wounds of 30 years of conflict. It puts in place a framework in which new relationships will be built only with commitment and hard work by communities in Ireland and the United Kingdom and with support from the US and elsewhere. This is a historic Agreement. It is an achievement when people with traditionally opposing views can sit down together and recognise their common humanity. What has been achieved has been difficult. Getting the Agreement on its feet and to function will be a major undertaking. Finding a way forward is the best way to come to terms with past pain and sacrifice. The choice was stark – either force with the accompanying misery or peace.

I go back to the history books and to the de Valera era from 1921 onwards. At no time did he ever mention the word "force". He said we cannot contemplate the use of force. The Agreement is the most comprehensive political settlement since 1920 with more direct engagement between the Unionists and the Government of the Republic than ever before. The historic nature of the talks and the Agreement has been the acceptance by all the participants of the need to change and engage in that change. The framework is the skeleton on which we must put flesh. This is now reflected in Strand One, the assembly, and Strand Two, the North-South concept within which many bodies will be set up in which there will be cross-Border consultation and co-operation. Another aspect is the reformulation of Articles 2 and 3. We now identify that every person born on the island of Ireland can be part of that nation, which reflects modern republicanism. We are now defining the nation in terms of people.

A united Ireland can only be achieved by consent and by a majority decision, which is a political reality. A united Ireland cannot be imposed by political or military means and must be brought about by peaceful

engagement and political persuasion. Unionists also reluctantly accept that the basis for stability is partaking in the structural links between the two parts of Ireland. This Agreement will go a long way to establishing peace.

I was asked if the Agreement was capable of securing peace now and in the future. I believe it is. It will improve the position of Northern Nationalists and bring the two sides into a close working relationship. We have a framework and a huge vote will endorse this Agreement and the move forward to full co-operation and harmony between the people on the island. I commend this Agreement to the people.

May I share the remainder of my time with Senator Glynn?

### **An Cathaoirleach**

Is that agreed? Agreed.

### **Mr. Glynn**

Cuirim fáilte roim an Aire Stáit. Ba mhaith liom chomhghairdeas a ghabháil leis an Taoiseach, an Aire, an Aire Stáit agus an fhoireann as ucht an dea-obair a dhein siad agus a bhfoireann sna caibidlí chun téarmaí an Chomhaontaithe a chur ar bun i mBéal Feirste ar 10 Aibreán 1998.

I am deeply honoured to be a Member of this House on this historic occasion and would like to say a few words about our great Taoiseach and his team and what they have done in brokering this peace deal. On the day an Irishman died as a result of the actions of a republican freedom fighter the fight for freedom was lost. Similarly, on the day a loyalist or Unionist died as a result of the fight to preserve the Union, that fight in turn was lost. In the context of the European Union, it could be argued that the issue of partition on the island of Ireland is

anachronistic. It is ironic that we are voting on matters pertaining to the strengthening of the European Union on the same day we vote on the all-party Agreement on the peace process.

Bringing about the Agreement has taken considerable time, effort and bravery by all involved. As with any document, it is capable of favourable and unfavourable interpretation, depending on one's standpoint. Surely when considering the Agreement it is safer to view the spirit first and the specifics of its contents second. In the spirit of those brave and hard working people who contributed to it, we recommend the Agreement to the people. The only test of the Agreement which will be of any value will be the test of time when a genuine effort has been made by all to make it work.

Many glowing tributes have been rightly paid to the Taoiseach and his team for bringing this about. I also fully recognise the great input of previous Taoisigh and many other politicians in this and the Lower House. It is incumbent on me to compare the successful conclusion of this Agreement with a game of football or hurling. When the work is done leading from the backs to the halfbacks to centre field, it is the all important touch at the end which registers the score on the scoreboard.

We will hear many utterances from those who have nothing but bankrupt policies. Like the child in grammar class who fails to learn the verb and, consequently, never composes a sentence, those who have denounced the Agreement have nothing to say or contribute. We must work together for a lasting peace and no more innocent blood must be shed; I am thinking particularly of Adrian Lamph who died within the past few hours. We must expend the perspiration of honest toil in our endeavours to sustain a lasting peace on this island. When people refer to the division of Ireland, it is not a division of land but of minds. As an elected Member of the Oireachtas, I will work hard to ensure that a resounding yes vote is registered on the day of the referendum.

I have many relatives in south Armagh and last Monday when I left the church in Cullyhanna after my late sister's first anniversary mass, the first grave stone I caught sight of was that of Fearghal Carragher who, at 20 years of age, was a victim of the Troubles. We have at last something we can all work for.

I appreciate this Agreement's recognition of ár dteanga dhúchais. I trust that all people North and South who identify with the basic tenets of the Agreement and the aspirations of those who foster the language will work hard to achieve a lasting peace.

### **Ms Cox**

I wish to share my time with Senator Fitzpatrick.

### **An Cathaoirleach**

Is that agreed? Agreed.

### **Ms Cox**

Tá an-áthas orm a bheith sa Seanad ag an am speisialta agus stairiúl seo. Ba mhaith liom ar dtús chomhghairdeas a dhéanamh le gach duine a bhí ag obair ar an gConradh seo. The superhuman efforts of all involved in the process will be recorded in history and the role of women and the value of their contribution must not go without due recognition. I stand here tonight to give my fullest support to this Agreement and formalise my absolute commitment to the totality of the process. I call on the people of this country and Northern Ireland to open their hearts and open their minds to give this country, North and South, the opportunity to live their lives in peace, reconciliation and harmony. Every person living here should have the right to live a life devoid of the fear of sectarian violence or inequality. This is our greatest opportunity to move forward in hope towards a country where men, women and children can

live together in harmony, safety and peace.

Change of the magnitude contained in the Agreement is difficult. Overcoming hatred, pain, sorrow and the death of loved ones is incredibly hard for anyone. Forgiving the wrongs which have been perpetrated on both sides of the Border and in both communities will be difficult. Let us accept that fact while acknowledging that if we do not take the opportunity before us we will plunge into a state of despair where we will again face horrors previously known and endured and we will leave our children a legacy too awful to comprehend.

Many people say they are waiting to be convinced; they should help us by convincing themselves. This Agreement, methodically and precisely worked out, gives us the vehicle to travel towards the destiny of a Thirty-Two County Ireland. Everyone should jump on board. The key issue of consent is, in my opinion, the concept which underpins this Agreement. The choice for the people of Ireland is stark in its simplicity – accept the Agreement and take a step forward, reject it and return this country and its people to unacceptable violence. I plead with the Irish people, North and South, and the British people, North and South, to support this Agreement. Let us not be afraid of change. The answer is yes or no, there is no room for maybe. Let us stretch the hand of reconciliation and harmony, facing the future with confidence, the confidence that believes that life after this Agreement will be better, safer and more prosperous for everyone living on the island of Ireland.

### **Dr. Fitzpatrick**

I welcome the Minister of State, Deputy O'Donnell to the House on the occasion of our debate on the terms of the Agreement reached in the multi-party negotiations in Belfast on Good Friday, 10 April 1998. It was an historic day which will live in the annals of Irish political history. Exhaustive negotiations during Holy Week made European and world news. After 30 years of murder and mayhem, we succeeded in laying

down a framework for the future conduct of political business on this island. The Agreement, when working, will give the Irish people and their politicians the encouragement and power to pursue the greater good of this island people and will also impose constraints on everyone involved in the political process.

The late John Healy, a noted columnist wrote over 20 years ago that the problem facing politicians at that time was to manufacture a spencil that would allow the two traditions on this island to move forward in agreement and constrain them when one tradition or the other refused to co-operate. This is an Agreement for the benefit of the people on this island. It is not a triumph for one faction over the other. Rather, it obliges them to take cognisance of each other's needs and respect their aspirations. It also creates a framework in which we can all work as politicians for the greater good of the people on the island and that is what representative democratic politics is all about.

Without the good will of all of those gathered at Castle Buildings in Holy Week Good Friday could have been as it is called as Gaeilge, "Aoine an Chéasta". The Agreement is an amazingly subtle document but it is entirely about hope for the future. Could we publicly elected representatives face our children and grandchildren if we turned our backs on or were niggardly in its implementation?

Na focail a ritheann trí gach leathanach den gcáipéis seo ná toiliú, comhoibriú agus meas ag gach éinne ar thraidisiún a chomharsan. Gan an meas, an toiliú agus an comhoibriú sin as seo amach, titfidh an Conradh as a chéile. D'aithnigh na daoine a chuir an Conradh seo le chéile chomh contúirteach agus baolach a bhí a n-obair. Bhí na fir cruaidh taobh amuigh den doras ag coimead súil ghéar orthu agus freisin bhí na gnáthdhaoine ó gach taobh ag cur a muinín in a dtoscairí. Níor theip na toscairí ar a bpobal is cuma cad as a dtáinig an pobal sin. Cathfimíd tacaíocht iomlán a thabhairt do na daoine a chuir a láimh leis an gConradh seo. Ní d'aon gnó a deineadh an Conradh. Tá sé scríte i

bfuil trí mhíle dár muintir Thuaidh is Theas. Molaim don Teach glacadh leis an gConradh.

### **Mr. Chambers**

I congratulate the Minister of State, Deputy O'Donnell, the Minister, Deputy Andrews, the Taoiseach, the Government and all the political parties who have been involved in this long process of political development in Northern Ireland. It is most interesting to see that at the end there is always a new beginning and it is tremendous to realise that time can heal. Consensus, discussion and a commitment to change and shake off the baggage of the past has brought us to a new level in this Agreement. It is a great honour to be in this House during the passage of this provision. I relish being part of this great occasion, which is how I describe it to my friends North and South. It gives great comfort to the ordinary people of Ireland who have persisted in maintaining good relations between North and South. There is a large agriculture and food exhibition in the RDS at the moment at which a sizeable contingent of northern business people is present. They are interacting, developing their businesses and seeing the potential in the South.

Outside the political dimension, the growth in and attraction of the Irish economy and the improvement in the quality of life here compared to the North has focused attention on the fact that people can achieve reasonably good living standards in a sound political framework in which there is equality of opportunity for everyone. It has helped create awareness that the Twenty six Counties is a good State which recognises the rights of its individuals and has done a great deal in the past years in the area of social justice. In tandem with political developments, that has been responsible for what we are discussing today.

I praise those who have been involved in the past — Deputy Albert Reynolds, Charles Haughey, Deputy John Bruton and Garret FitzGerald — who, in their own inimitable way, have played a significant part in

creating the consensus. The Taoiseach and those involved in the recent negotiations have been outstanding; they have been conciliatory, they have not adopted entrenched positions and they have always focused on coming to an agreed and equal settlement which safeguarded the rights of all citizens, North and South. This Agreement protects the human rights and future of the people and provides an opportunity for peace and reconciliation. Such aspects as the hurt felt by many people will be dealt with in time.

At a time when there is such focus and attention, it is important that those who still look to the old ways of conducting business, who believe that might is right, who believe in the use of the gun and the bomb, are asked to reconsider because those ways belong to the past. We should ask those people to look at the inevitable; the people have come to a decision and they want the Agreement to work. In a European context, groups such as the Baader-Meinhof have decided to lay down their arms. They have asked themselves what is the purpose. Nothing has been achieved by killing 3,500 people except that it might have focused attention on the political approach and defining goals.

When the Agreement was announced, one felt it was a great achievement and that feeling is still there. It is amazing to think we have at last reached this point. It is important the Irish people, North and South, give the Agreement their full and resounding support and respect the views of people who have decided this is the way they want their country to go and that this is the future they want. I understand from having spoken to Northern people, that some of them are concerned the relationships between groups in the North and South which existed, before and the support measure of the willingness of the Irish Government to help people in difficulty, may be weakened with the changes in Articles 2 and 3. While those worries are important to an extent, they will be surmounted in the working of the process. The important point is that the Agreement is adopted and passed by an overwhelming majority. However, it is important the Irish people are

given a leaflet outlining on what they will be voting as this is a very detailed Agreement. Since some elderly people may have strong opinions on Articles 2 and 3 and the proposed new Articles are quite long, it is important to get the message across to the public that they must support the Agreement.

As regards concerns about policing, once the Agreement is passed North and South, I believe those involved in politics will address these issues in an equitable way. The issues of policing and prisoners are important aspects of the Agreement and they underpin its strength and the commitment of the parties concerned. These issues must be dealt with in a manner which is reasonable and fair to all. I believe this document is the most positive development I will see in my political life and I hope we will build on it and develop from it.

### **Mr. Bonner**

I wish to share my time with Senator Finneran.

### **An Cathaoirleach**

Is that agreed? Agreed.

### **Mr. Bonner**

Ba mhaith liom fíorchaoín fáilte a chur roimh an Aire Stáit ar an ócáid speisialta seo. Ba mhaith liom comhghairdeachas a ghabháil léi, leis an Taoiseach, leis an Aire Gnóthaí Eachtracha, an Teachta MacAindriú, agus le gach duine a bhí páirteach sna cainteanna a tháinig chun críche ar Aoine an Chéasta. Tá buíochas an náisiúin tuilte acu uilig as ucht torthaí a gcuid oibre. Tá súil againn go n-aontóidh muintir na hÉireann uilig ar lá an reifrinn leis an Aontas atá sroichte acu.

I welcome the Minister of State, Deputy O'Donnell, and thank her, the

Minister for Foreign Affairs, Deputy Andrews, the Secretary of State for Northern Ireland, Dr. Mo Mowlam, and all the officials of the Department of the Taoiseach and the Department of Foreign Affairs, together with their counterparts in Britain, for the great work they carried out for our country. I congratulate the Taoiseach and the Prime Minister, Mr. Blair, for their sustained efforts in the last days before the Agreement. I especially thank the Taoiseach that, in what was a trying week for him and his family, he was able to give so much effort to the peace process culminating in the solution on Good Friday.

I congratulate all parties in Northern Ireland for reaching a consensus with the British and Irish Governments. This is an Agreement, not a settlement. It is to be hoped over the coming years it will enable us to reach a final settlement to the troubles in our country. I praise the leadership of Sinn Féin, Gerry Adams, Martin McGuinness, Mitchel McLaughlin and others, for bringing Sinn Féin into the peace process. I trust they will not cherry pick but will, with the assistance of their Ard Chomhairle, help bring about a resounding yes vote on referendum day. I hope after the long tedious years of striving for peace in Northern Ireland through the democratic process that it will now be achieved for John Hume, Séamus Mallon and all the members of the SDLP.

I wish to thank previous Taoisigh, particularly Deputy Albert Reynolds, who worked so hard to achieve peace. I would also like to refer to Senator George Mitchell and his team and the great work done with the support of President Clinton. Above all I wish to acknowledge the contribution of David Trimble and Lord Alderdice for their efforts and wish them well in trying to reach a final settlement. I have criticised both men in the past. I also wish to remember former Senator Gordon Wilson, a man of great tolerance and forgiveness who strove so hard for peace after the death of his beloved daughter, Marie.

History will judge the Agreement and the significance of what took place in Castle Buildings. There are many difficult days ahead. Everyone

must hold their nerve to ensure that the conflict of the last 30 years, especially the naked sectarianism of recent years, is not again forced on our people.

I come from a county in which the majority of people support the republican ethos and have a deeply-held conviction of republican idealism and an aspiration to a united Ireland. We have had many months of soul searching on the proposed amendments to Articles 2 and 3. I have read the proposed amendments many times in the past week and I am convinced that, for the first time, it is the birthright of every person born on this island to be part of the Irish nation. For the first time, there is also an acceptance by the British Government of the right of the people of Northern Ireland to hold Irish citizenship. The rights of Northern Nationalists have been copper-fastened. My wife is from Northern Ireland and my eldest daughter was born in County Tyrone. They no longer have to rely on statute to determine their right to Irish citizenship.

The amendment to Article 3 will establish a mechanism for the proposed reunification of Ireland. The previous Articles did not give us any mechanism to attain that aspiration. It is a legitimate aspiration that we in turn have a responsibility to pass on to future generations and it is one that can only be achieved by democratic and peaceful means. It is an aspiration which is acknowledged by the British Government for the first time in 800 years.

I congratulate Deputy Blaney on his contribution in the Dáil today. I discussed this issue with him last night and he was having very serious thoughts on the matter. For the entire lifetime of this State his family has tried to achieve the republican ideal through the democratic process. I hope that he will be happy with the direction in which we are going and what we will achieve.

There are difficult days ahead. A number of matters will cause many

problems in the years to come, especially in the next 12 months. I am a life long member of the GAA. I played football for my county in every county in Northern Ireland and I know many of the GAA people in those counties. They want the peace process and the Agreement to succeed. However, I trust that they will be given time and space to reflect and, hopefully, within a period of one or two years they will be able to reach a decision to repeal Rule 21. We have to remember that there were difficult times. I remember the murder of Sean Browne, the Chairman of Bellaghy GAA Club in Derry. I also remember the death of Aidan McAnespie on his way to the football pitch in Aughnacloy. I hope that people appreciate that this change should not be imposed too quickly on the GAA. I have always believed that the rule should be removed but I hope that people will be given time to reflect.

I wish the process well. It is now the responsibility of all elected Members to sell the Agreement and to educate those who still have doubts. People will have fought and thought about the ideas and the amendments to Articles 2 and 3. Hopefully this will lead to a peaceful future and, eventually, the reunification of the country through peaceful means.

### **Mr. Finneran**

I thank Senator Bonner for sharing his time. I welcome the Minister of State. There may be some repetition in what I have to say but it is everyone's wish to put their contribution on the record of the House on this historic day. I wish to be part of this day and to congratulate everyone involved in brokering this Agreement. It was a fine day's work which culminated on Good Friday. It was a long, difficult process which involved many people over many years.

We must acknowledge all those who contributed and made compromises in the interests of reconciliation, peace and reaching agreement. I know from family connections that the Irish-American

lobby has always had a great interest in Irish affairs. Some would say that its involvement was detrimental and there may be a section of that lobby which went to an extreme. However, many thousands of Irish-Americans genuinely felt that reconciliation should take place in Ireland and worked towards that end. Eventually they got that message through to the American Administration. In conjunction with President Clinton, in some instances they rekindled and restarted the peace initiative.

This is a balanced Agreement. It takes into consideration the wishes of many people. It tries to be fair and to give an opportunity to people to claim that their stance has been catered for. The two Governments have compromised. The amendments to Articles 2 and 3, the repeal of the Government of Ireland Act and other measures introduce balance to the Agreement. They are attempting to reach an understanding that there is only one way forward. That way is that people will change by consent and that they will never have to live under the threat of violence and intimidation. If one message is sent out to people on both sides of the Border it is that we, as a country, do not wish to see change take place other than by consent.

Sinn Féin has played an important part in this Agreement. Gerry Adams walked a tightrope but he has shown great courage and a steady hand since the Agreement was signed. Let us hope that 22 May will prove to be another historic day on which Ireland, North and South, will support a balanced, fair Agreement which will bring peace and reconciliation to this island.

### **Mr. Callanan**

I wish to share my time with Senator Liam Fitzgerald.

### **An Cathaoirleach**

Is that agreed? Agreed.

### **Mr. Callanan**

It is a great pleasure to be part of this debate. I welcome this Agreement and I join with other Senators in expressing my appreciation for all those who played a role in this Agreement. Twelve months ago peace did not exist in Northern Ireland. With the coming to power of the Government peace was again restored. I pay tribute to the Minister of State at the Department of Foreign Affairs, Deputy O'Donnell, the Minister for Foreign Affairs, Deputy Andrews, and the Taoiseach, Deputy Bertie Ahern, who under the most trying and difficult personal circumstances played a vital and key role in the final days in achieving this great Agreement.

It is important that a copy of the Agreement be sent to every household – I note the Minister is indicating this will be done. I come from a rural republican area and concern was expressed by many people, especially in west Cork, regarding Articles 2 and 3. The elements of the Constitution are of concern to many of us. In his address to the House the Taoiseach said:

What is contained at present in the Irish Constitution was inserted in 1937 as a protest against the Boundary Agreement of 1925, and as a reassertion of the essential unity of Ireland in circumstances where Northern Nationalists had been entirely abandoned to the mercy of an unsympathetic and often hostile Stormont Government.

The new wording of Articles 2 and 3 creates hope.

The Agreement, which is only the start of a new beginning, brings about an equality which did not previously exist. This and previous Governments negotiated from a position of equality with the current and previous British Governments. A previous British Government and Prime Minister presided over the death of ten people from hunger strike.

The same Prime Minister replied "Out, Out, Out" to certain aspects of an agreement which Garret FitzGerald – whom I congratulate – wanted to conclude when Taoiseach. On this occasion the attitude and receptiveness to equality of the Irish and British Governments ensured equality is embodied in the Agreement. Regarding rights, safeguards and equality of opportunity, the Agreements states:

1. The parties affirm their commitment to the mutual respect, the civil rights and the religious liberties of everyone in the community. Against the background of the recent history of communal conflict, the parties affirm in particular:

the right of free political thought;

the right to freedom and expression of religion;

the right to pursue democratically national and political aspirations;

the right to seek constitutional change by peaceful and legitimate means;

the right to freely choose one's place of residence;

the right to equal opportunity in all social and economic activity, regardless of class, creed, disability, gender or ethnicity;

the right to freedom from sectarian harassment; and

the right of women to full and equal political participation.

Achievement of these high ideals will be a huge step forward. It is the Irish people and not us who will change Articles 2 and 3. With such change, and the implementation of Strand Two and the equality rights, much will be achieved for those torn by strife for the past 30 years, over

which time there was institutional violence perpetuated by successive British Governments against people on this island.

We have arrived at a state of greater maturity. The British Government is ready, willing and able to play a lesser role but support the equality of the two communities in the North. I wish the Agreement well as do the people. We must give whatever encouragement we can. It is strange to see unanimous support for the Agreement in the Chamber. The Government side welcomes what has been said. The mark of the Opposition parties is on the Agreement, something which must be acknowledged and appreciated.

### **Mr. L. Fitzgerald**

I join with other Members in celebrating this occasion. Perhaps it is preemptive to speak of celebration, but I think we have occasion to celebrate. I acknowledge the huge contribution of the Minister of State and wish to state how proud we were of her. On occasion she travelled to the North on her own to handle an extremely difficult situation in a very competent manner. I also compliment other speakers, including Senator Manning who set such a wonderful tone to the debate by his eloquent contribution. I congratulate the Taoiseach, the Minister and the other participants in the negotiations. Their commitment, courage and vision were spectacular.

We have reached a milestone in the history of Anglo-Irish relations, the fruits of which we will all enjoy in the years ahead. A good foundation stone has been laid and the structures which can be built upon it will form an inheritance for future generations of which we can all be proud.

### **Mr. Walsh**

Ba mhaith liom comhghairdeas a ghabháil leis an Taoiseach agus a fhoireann as ucht an obair agus an iarracht a chuir siad isteach chun

síocháin a ghabháil don tír. The euphoria which greeted the Multi-Party Agreement was symptomatic of the war weariness, the desire for peace and, in particular, the recognition of the need for change. It was manifested in the widespread goodwill for the participants of the talks and their genuine efforts to secure a lasting solution and agreement. The Taoiseach, the Minister for Foreign Affairs, Deputy Andrews, the Minister of State at the Department of Foreign Affairs, Deputy O'Donnell, and the civil servants deserve our highest commendation for their efforts. Individually and collectively they played a major part in securing the Agreement. Political reputations have, as a consequence, been enhanced and the body politic is being acclaimed in a manner to which we are not normally accustomed.

The contributors to the debate have recognised the contributions of many people. The main architects were John Hume and Gerry Adams through the Hume-Adams talks, which resulted in criticism in particular of John Hume, David Trimble and Deputy Albert Reynolds through the initiative he took as Taoiseach. In a courageous move he placed Northern Ireland at the top of his political agenda. In many ways his courage and contribution in doing so paved the way for the recent achievements. The Taoiseach, Deputy Ahern, deserves our gratitude for his efforts.

At midnight on Spy Wednesday I had occasion to telephone a Unionist councillor with whom I am friendly in regard to another matter. He told me how impressed the Unionist delegation was by the communication from the Taoiseach that morning apologising for his inability to meet Mr. Trimble until later that evening owing to his mother's funeral. That had a very significant resonance among Unionists. At a time of deep personal trauma, it was a measure of the man that the Taoiseach was prepared to place the future of the island above his own pain and suffering. He deserves all our credit for that.

Conflict between Ireland and Britain has been ongoing for many

centuries. There is a certain irony in the fact that we were probably one of the first countries to achieve independence this century. Yet, over the past 30 years, we have experienced the suffering and pain of what is the last bastion of colonial government in the world and that is quite sad.

Senator Quinn and others referred to the terrible scars left by republican and loyalist violence over the years. We should not forget the institutional terrorism which led to Bloody Sunday, the shoot to kill policy which prevailed in the late 1980s and the Dublin and Monaghan bombings. All of those events have left scars but, hopefully, as happened in South Africa, there will be a reconciliation process here to help the healing as this Agreement takes root and bears fruit. It is important that we do not allow ourselves to become prisoners of the past. Rather, we should look to the future and, in particular, to the wellbeing of future generations so that they may never experience the atrocities we have witnessed.

This Agreement may not be a solution in itself but it will hopefully provide the foundations which will lead to a lasting solution to the troubles which have bedevilled this island. The Agreement is a very complex and finely balanced document which will be welcomed by people of goodwill, north and south. If those people assert themselves, the Agreement will provide the foundation for lasting peace, harmony, co-operation and friendship which will be essential to the future betterment of the people of this island. I hope that Wolfe Tone's dream may yet be achieved in our lifetime.

The Agreement deals with constitutional issues. As I read it initially, I had some difficulty with it in that it appeared to legitimise British occupation of the Six Counties. However, when one looks at the particular clause in the Agreement, it equally acknowledges the legitimate wish of the Irish people to have a united Ireland. The constitutional change of Articles 2 and 3 will obviously focus the minds of people with a Nationalist and republican ethos when they come to vote in the referendum. This is the first time that the British Government has accepted Ireland's assertion of

the right of persons born in the North to be Irish citizens. That is a very significant acknowledgement and it is one which will belie any future claims that Northern Ireland is as much a part of Britain and the United Kingdom as Kent, Sussex or any other part of Britain. The Irishness of the Six Counties is acknowledged and the aspirations of the Nationalist community, North and South, are strengthened. That, in my opinion, represents an advance on the territorial claim which, while part of our Constitution, was never very actively pursued by any Government in the past.

Strand One is very finely balanced and contains many in-built safeguards which ensure that no one community can dominate the other. Because of the history of the past, those safeguards are very necessary. Hopefully, they will ensure a well managed and working assembly which will develop the various other principles outlined in the Agreement.

A significant part of Strand One relates to the fact that there is no requirement for any oath of allegiance to be taken to a British monarch. This is something which has not been articulated very much in the media but I believe it will enable people with a republican outlook to fully participate in political life.

I am somewhat disappointed with Strand Two. I would have liked to see it providing for the establishment of independent bodies with implementation powers, provided for in legislation, which would not be accountable either to an assembly or the Dáil. It contains, in my opinion, the ingredients for success if the necessary goodwill is available. However, it also has the potential for failure should people desire it to fail.

Clause 2 states that all Council decisions are to be by agreement between the two sides. Clause 6 states that each side will remain accountable to the assembly and Oireachtas respectively and clause 13 states that the North-South Ministerial Council and the Northern assembly are mutually interdependent and one cannot successfully

function without the other. I wonder why the word "successfully" is included. I would have thought these bodies would have been mutually exclusive and that one should not function without the other. The use of the word "successfully" causes me some concern.

I am particularly encouraged by the disposition of SDLP and Unionist councillors who attended the conference in Rosslare last weekend. The tie I am wearing was given to me by the Mayor of Ballymena, a strongly Unionist area. He opposed the bigots who picketed outside the church in Harryville for many months. That epitomises the courage, independence of thinking and progressive vision necessary to make this Agreement work in the future. I hope his vision and disposition and that of others in the Unionist community will be the predominant influence in ensuring this island will have a good future.

In conclusion, I would like to borrow and adapt a line from the beautiful ballad, "The Derry Air", written by Phil Coulter. I believe we can now pray with greater hope and expectation because of the efforts made by the few in the pursuit of the interests of the many. We can only pray for a bright, brand new day on this island that we love so well.

### **Mr. T. Fitzgerald**

Ba mhaith liom an Bille um an Naoú Leasú Déag ar an mBunreacht, 1998, a mholadh. Molaim na daoine go léir a raibh baint acu le blianta anuas ag déanamh sárobair don tír seo chun an dá thaobh a thabhairt le chéile. Not only will this Agreement bring the two sides of our island together but it will bring the two communities in Northern Ireland together.

I congratulate all of those who have been involved over the years. All sides of the House have always expressed a wish for a united Ireland, I believe we now have a united Ireland; North and South we have a united people. The majority of people, North and South fully support this

Agreement.

I was very impressed with the contributions by Senators Manning, Maurice Hayes, Cassidy and others. I was impressed by Senator Ross in particular. It was enlightening to note that Senator

Ross said most of his constituents are Protestant Unionists living in Northern Ireland, that he spent time telephoning them and they all agreed that the Agreement would have to be passed because it was the only hope.

I congratulate the Minister of State, Deputy O'Donnell. It has been said already that we are very proud of her. Even though we were far removed, I assure her that she was in our hearts. Minister Andrews is a tall man but I want to speak highly of him. He also put in long hours. I congratulate the Taoiseach on the tremendous work he did with Tony Blair. I also mention Deputy Albert Reynolds, Charlie Haughey, Deputy John Bruton and the Government of the time and everybody who strove for the same ideal.

We do not name civil servants and I have no intention of doing so, but somewhere along the line the advisers who worked through the years with the various Governments, Ministers and Taoisigh, should have their names recorded. We owe a debt of gratitude to all of them.

I hope there will be a massive turnout on the day of the referenda. It is unique that both Houses have signed this motion to pass this Bill. That is gratifying to everybody. Today we have a united Ireland and a united people.

**Mr. O'Donovan**

I welcome the Minister and concur with the tributes paid by all sides of the House. It was very encouraging on such an historic occasion.

The Minister of State came across as dignified, capable and mature in the job she did in very difficult circumstances, as did the Minister, Deputy Andrews and the Taoiseach. One must always remember that if peace can be achieved among the people of this island, Nationalist and Unionist, it will be the icing on the cake. There is hope in the air as we process this legislation on this most historic occasion for the Oireachtas.

We have seen the deprivation caused by the mayhem of the last 30 years in Northern Ireland. As a young student in London in 1973, I was held for two days because I was Irish. This was a time when there were travesties of justice with cases such as the Guildford Four and the Birmingham Six. We can now set these aside and look to a future where there will be co-operation in trade, tourism, commerce and agriculture between North and South. This can only be good for the economy of the entire island.

I come from an area in west Cork where the population breakdown is 60 per cent Catholic and 40 per cent Protestant or other denominations. We grew up together and there was never a problem. It often baffled me why there was this malicious divide between those in Northern Ireland who professed belief in the union with Britain and those with Nationalist aspirations. I always held Nationalist aspirations and I am proud of that, but the recognition that these aspirations can be achieved by peaceful means is a huge step forward.

I would like to put on record my praise for the teams involved in the negotiations. In the run up to the deadline, there was great fear that a deal would not be stitched together. In particular I praise the Taoiseach and his negotiating team, the civil servants whom we cannot name. These people did a tremendous amount of work in the weeks and months leading up to the deal.

I am pleased human rights issues have been addressed and that Nationalists, be they SDLP or Sinn Féin, will be pleased with the provisions of the Agreement set out in the various strands. Policing is of great importance to Nationalists, as are cultural issues such as gains for the Irish language.

It is a historic dawn for the Fianna Fáil party to lose its attachment to Articles 2 and 3. As the Taoiseach said today, they are of no great standing in international law. Instead of losing particular wording in a somewhat antiquated Constitution, we are gaining major improvements for the Irish people, a built-in provision, in particular, that if in ten or 20 years time people in the North, by democratic decision, decide to vote for a union of the two peoples in Ireland this can be achieved and that the British government acknowledges this.

I am delighted to be in this House to contribute in some small way to this historic occasion. I pay tribute to the magnanimous contributions made by all sides of the House and the enthusiasm shown towards a commitment that when the referenda are held on 22 May, there should be a big turnout. That will be important not alone to those who have forged the Agreement but to the people in the North, Unionist and Nationalist. That will be important not alone to those who have forged the Agreement, but to the people in the North, Unionist and Nationalist. I hope there will be a massive yes vote for the Agreement.

In conclusion, I thank the Minister and Members for their contributions. I heard some very emotional speeches from people who are directly

involved with the North. This is an historic occasion and I know there is still a lot of work to be done, but with the veracity and sincerity of speeches here today and the enthusiasm expressed by all parties I think this can be a huge success. Again, I thank the Minister of State, Deputy O'Donnell, and everyone involved in the negotiations for all their efforts. Earlier plaudits were heaped upon the Taoiseach. Previous Taoisigh and Ministers for Foreign Affairs were also praised for their efforts. Hopefully, there will be a successful conclusion to this historic occasion.

### **Mr. Mooney**

As a young boy I often read about Irish historical events, especially the Anglo-Irish Treaty of 1921. My political pedigree is somewhat catholic because my late grandfather, an elected Sinn Féin councillor, decided to support the 1921 Treaty and subsequently joined the Cumann na nGaedhael Party. In the 1940s my late father remained an Independent for some time after his father had died and when I was a young he joined the Fianna Fáil Party. I think I am a better politician because I had the opportunity to know the two opposing political viewpoints. Oddly enough, there was never any great dissent in my home even though there was a great deal of political debate. I am sure many Members had the same experience. My abiding memory is of two photographs hanging on two separate walls in my home, one had been inherited from my grandfather and the other had been acquired by my father. One photograph was of General Michael Collins, the Commander in Chief of the Irish Army in full battle dress. The other photograph was that of Eamon de Valera and dated back to the time he addressed Winston Churchill in a famous speech following the war. With all this memorabilia around me I often wondered what it would have been like to have witnessed all these great historical events. I wondered if I would have been for or against the Treaty and whether the decision taken at that time would have adverse effects for future generations.

All that is now in the past and we have learned a great deal from the

divisions of the past. There is an old cliché that states: "Those who ignore history are condemned to repeat its mistakes". This Agreement has gone some way to restore the imbalance that was created following the settlement of 1921. Although all of us on the southern side of the Border have enthusiastically welcomed this, the reality is that we, with some notable exceptions, have not suffered in the same way as the Nationalist and Unionist communities in the North. All the people in the North have suffered over the past 30 years, and in particular the Nationalist community has suffered since the foundation of the Northern Irish state in 1921.

I, like many of my colleagues, have sought guidance or a reaction from the people in the North as they reflect on the momentous events of the past few days. It is obvious that the people in the North have a universal desire for peace; and coupled with the historic arrangements that have been entered into by all parties representing all of the tribes, political and otherwise, in the North, this is a real and meaningful opportunity to set aside the cobwebs of history and to embark on a fresh beginning. As my colleague Senator O'Donovan and others have said, this is a new beginning, not an end. It is an end of a chapter but I hope it is the beginning of another glorious chapter in the history of this island.

Like many people living in the South – and it seems to be a concern of the people in the North – I would be very concerned about the implications of changes to Articles 2 and 3 of our Constitution. Wild comments on the Constitution are being bandied about like snuff at a wake. There have been comments to the effect that the Constitution is outdated, archaic and antiquated and it could be dispensed with. A constitution is a fundamental document which reflects the consensus within the territory in which it operates. I am reassured by the fact that the Taoiseach and others have given assurances that the changes to Articles 2 and 3 will enhance rather than diminish our sense of nationhood and national identity. Unfortunately, people in the North have a national identity but have not been able to express it.

I agree with the Taoiseach's comments earlier today that Articles 2 and 3 were inserted into the Constitution by Eamon de Valera to comfort Northern Nationalists who felt totally abandoned by the fledgling State in 1921. These Nationalists were subjected to outrageous discrimination from 1921 until the agreement in Stormont in 1973 just because they were on the wrong side of the Border. Therefore, can we in the South afford ourselves the luxury of deciding that Articles 2 and 3 can be done away with without considering the views of the people in the North, particularly the Nationalist community. I have been reassured about this fact. I hope Sinn Féin, currently wrestling with their own ethos, will come to the same conclusion that this will not diminish their sense of nationhood, their national identity or their right to be Irish people on this island.

One good aspect of the Agreement is that it has resulted in the blurring of the Border, particularly in relation to Nationalists. Obviously, this document cannot provide Nationalists or the Unionists with everything they want. As an observer in the South, I feel this is not a bad thing. The period from 1921 to the Sunningdale Agreement in 1973 was a time of political stagnation. The only legislative changes were on the British side – for example, the 1949 Act. Any initiatives taken during the past 30

years have not been universally welcomed, either the Nationalists or the Unionists did not like them. The fact that all sides support this document and that everyone wants it to be passed augurs well for the future.

I suggest that one of the early benefits of this new wind of change is that organisations outside the political spectrum can broaden their outlook. In that regard I applaud the brave initiative taken by the President of the GAA, Mr. MacDonagh, in the past week whereby a special conference will take place to debate the abolition of rule 21. I am fully cognisant of reality and of the Northern counties reluctance to abolish this rule without a political settlement. It is obvious to all of us that the continuing illegal occupation of Crossmaglen Rangers GAA Club by the British Army has been a source of bitter indignation among Northern Nationalists. I understand that the Taoiseach has intervened personally in this area and that he is hoping the British Army will withdraw from that portion of Crossmaglen, which will lead, by the end of May, to the withdrawal of rule 21 from the GAA rule book. If this offering of the hand of friendship by the GAA results in loyalist thugs no longer identifying people going about their lawful business as members of a voluntary sporting organisation and if even one life is saved, then a good day's work will have been done.

I hope, now that the GAA have taken this initiative, that the Football Association of Ireland and the Irish Football Association will come together to achieve a cherished dream of all sports people in this island, an all-Ireland international soccer team. When one remembers that it was the Southern football association which opted out, it may be appropriate that we, on this side of the Border, should bring forward that initiative. This would be appropriate, as I understand the result in Lansdowne Road this evening was two nil against the Irish.

**Mr. Manning**

The Senator should tell the truth. He was there.

### **Mr. Mooney**

If we had an all-Ireland team we might not be subjected to such beatings. Prime Minister Tony Blair said that the hand of history was on the shoulders of the participants at Stormont. The various hands which were working in Stormont over those days have fashioned a historic agreement and they should all bask in the reflected glory of an outstanding achievement.

I pay particular tribute to the Minister of State at the Department of Foreign Affairs, Ms O'Donnell who is here and who made an outstanding contribution, as did the Taoiseach and all those associated with this Agreement.

### **Mr. O'Brien**

I congratulate the Taoiseach, and the Minister of State, Ms O'Donnell for their contribution to this Agreement. Friday April 10 will be viewed by future generations as one of the great days of Irish history. The signing of the peace Agreement marks a new beginning for the entire island of Ireland where all people can live in peace and harmony respecting each others traditions and allegiance. The signing of the Agreement marks a new set of opportunities and hope for the people of Ireland. There is now an enormous responsibility on all of us to ensure that the hope of Easter 1998 becomes a permanent reality. There will be difficulties and diversions on the road to the future to which we all aspire, but the determination and courage shown by all involved in the peace process must continue to receive every support possible.

This process has involved many, and to them we must be enormously grateful for their determination, in the face of great difficulties, to bring this process to a conclusion. I was always confident we would reach an

agreement because there was a great hunger for peace on all sides, with both Governments leading by example. There are those who will attempt to undermine and destroy the process but the responsibility is on each one of us to ensure that they fail and are left, with the events of the past 30 years, to the pages of history.

I live a short distance from the Border and I know at first hand the great gratitude of the people of the Border areas to all involved in bringing this Agreement about. On behalf of all the people of Cavan-Monaghan I compliment the Taoiseach and the Government on their great work in securing this Agreement, which brings enormous possibilities and hope for the future in every walk of life. The economic life of the Border area was disadvantaged during the years of the Troubles and I hope the development of the area, which is continuing since the first ceasefire, will now grow faster with new North-South links giving great opportunities for the future in developing markets and planning for the area.

As we approach the referendum I know there are those who are evil enough, as we saw in Portadown yesterday, to attempt to destroy the process; but all right-minded and right-thinking people in this country must unite against these people to ensure a peaceful future for all our families.

I urge the people of Ireland to grasp this opportunity for a better future to which all political leaders have made a great contribution over the last number of years and, particularly, over the last few weeks. I congratulate each and every one who was involved in the successful conclusion reached on Friday April 10.

### **Minister of State at the Department of Foreign Affairs (Ms O'Donnell)**

I am delighted to join with the House in their consideration of the Bill and of the Agreement to which it relates which was reached in Belfast

on Good Friday. In concluding the Second Stage of the Bill, I thank the 42 Members of the House for their contributions. They were at times emotional but at all times enlightened and progressive. There is, thankfully, a resounding unanimity in this House that the Bill deserves to be validated by the people in a referendum.

This House clearly shares the view of the Government on the historic nature of the Agreement and on what I have called the panorama of opportunity for all people on this island which it opens up.

I thank, personally, the many people who have paid tribute to myself, Deputy Andrews, the Taoiseach and all the Government delegation. We all regard it as a profound honour and a great privilege to be involved in these historic talks. This was a long process. It was a team effort involving many people in many parties over a long time. Those of us who were most recently involved were acutely mindful of the critical roles played by previous Governments and by Members of both Houses and appreciative of them. Many of those are no longer with us to enjoy and savour the success and its historic nature.

There was much intellectual investment in the negotiations. Most particularly I must commend the excellent work carried out by our officials. We are fortunate to have the expertise of those private patriots, the civil servants, who worked with us so closely and who, at critical times, negotiated critical aspects of various agreements at official level with our counterparts on the other side. They are excellent people.

As it was a team effort over the years, everybody can now share in what has been achieved to date. There is a great deal of work to be done to give effect to the aspirations and institutional change contained in the Agreement. There has been a full debate on the Agreement today but I wish to draw Members' attention to a number of its elements.

This Agreement is about change or enlightened compromise, as it was

described by some Senators. It represents the collective view of the political process on this island that it is time to do things differently. The status quo is an option we can no longer afford. In the context of Irish and Anglo-Irish history, the Agreement represents a profoundly important development. For the first time, if the Agreement succeeds, we now have a common understanding between the two major traditions on this island on core issues in respect of which we have been in conflict for generations, if not centuries. In a sense, this Agreement charts a new way of looking at ancient absolutes. The outworking of what that means in practice represents an enormous challenge for everybody, North and South, and one which will engage us over the months and years ahead.

Cathal Daly once said our society was in desperate need of a change of heart. Peppered throughout this Agreement is a willingness to have a change of heart and to move from optimum positions towards the hallowed space where accommodation can be found. I wish to commend the churches for the efforts they have made, in a quiet way on many occasions, towards reconciliation and for always condemning violence and proffering a peaceful way forward for the divided people of Northern Ireland.

One of the core issues is constitutional change and the special position of Northern Ireland. On behalf of the Government, I am delighted by the overwhelming support expressed by Members of this House and of the Dáil for the proposed changes to our Constitution. As Senator Manning said, Articles 2 and 3 have not been seen by most people in this jurisdiction as expressing a hostile claim over the territory of Northern Ireland and were certainly not pursued in that spirit. However, they were sincerely perceived by many Unionists as a major obstacle to the development of a new relationship of partnership and trust between North and South. The symbolic status of the Articles, on both sides of the argument, far outweighed their practical importance in terms of the lives of people in Northern Ireland.

It was clear from the 1991-2 talks that a comprehensive accommodation would require constitutional change on our part to be matched by equivalent legislative action by the British Government. Each Government made solemn commitments in the Joint Declaration and the Framework Document. The proposals before the House honour those commitments.

Our aim in framing the amendments was to remove those aspects which might cause difficulty, while preserving and indeed strengthening the elements we believed to be essential. The politicians concerned had to make the political judgment as to how far we could bring our people and we hope we framed the amendments in a way which will find favour in the referendum. The recast Article 2 copperfastens the right of all those born on the island of Ireland to be part of the Irish nation. Article 3.1 restates our aspiration to unity, making it clear that it is, above all, the people of Ireland we wish to unite and setting out a clear mechanism for the achievement of that goal peacefully and with consent. Article 3.2 will allow for the establishment of North-South institutions with executive powers and functions which will serve to bring us together for our mutual advantage.

It is highly significant that Senators and Deputies have, in their remarks over the past two days, not merely accepted the proposals as a necessary part of an overall accord but have displayed positive enthusiasm for what is envisaged. When people study these proposals they will need political leadership. We cannot take anything for granted and we must persuade people to accept them. A copy of the Agreement will be sent to every home and people will realise not only that the scaremongering of opponents of change is outmoded and misplaced but that there is much to be welcomed for its own sake in the proposals. People are intelligent, reasonable and compassionate. They will study the proposals and, no doubt, will seek clarification of them if necessary from their political representatives.

The British Government, by its undertaking to repeal the Government of Ireland Act and its expansion of the consent provisions in its constitutional legislation, has made it clear that the people alone will determine the future of Northern Ireland.

Oddly, some critics of the Agreement on both sides claim that, in essence, one or other Government has merely recycled previous undertakings on the principle of consent. It is true that the development of the concepts given expression in Article 1 of the British-Irish Agreement and in constitutional proposals can be traced to previous documents – to the Anglo-Irish Agreement and even to Sunningdale. Of course, these ideas did not come out of the blue. There has been an evolution of political thought on these matters and that is as it should be in politics. The Agreement is the latest stage in a long process of evolution but never before have the two Governments been able to set out together a shared position on these issues. As a consequence, we have been able to sign a uniform single text of an international agreement between us, with each State prepared to use the name by which the other is generally known.

Constitutional change is only one part of the Agreement but our

achievement, in arriving at a definite agreement on the status of Northern Ireland and on the ground rules to govern any future change, is the key which has unlocked the door to a new era of practical partnership and reconciliation.

Another area of deep concern in the course of the negotiations was the issue of institutions within Northern Ireland. There was considerable and understandable unease among Nationalist parties about the prospect of a return of a Northern Assembly. Those fears were based on the extremely negative memories of the old Stormont regime and, more recently, on the unacceptable behaviour and practices of some Unionist dominated local councils.

However, the new arrangements agreed in the Strand One negotiations should serve to ease and remove those fears. The inclusion of the concept of parallel consent in the decision making process effectively means that neither community can dominate the other and that the only way forward is through cross-community co-operation. The new focus is on partnership. The arrangement for the allocation of posts of responsibility in the Executive is an inclusive one, based on the d'Hondt system. It will ensure that all parties which enjoy significant levels of electoral support in the community can be represented on the Executive. The Strand One arrangements are satisfactory and will ensure there can be no return to the divisive policies of the past.

Some Members expressed concern that writing in the concept of parallel consent will effectively institutionalise sectarianism. This view was expressed in particular by Lord Alderdice of the Alliance Party, a party which has fought long and hard to become a third or middle force in the tribal and political divide in Northern Ireland. I understand why that case is made but I believe the fears underlying it are not warranted. The votes of those not declaring a designation will be counted equally in all assembly votes.

It is true that one basis for the parallel consent provision is the need to provide safeguards for Nationalists against a return to the days of domination of one community by the other. However, an equally important rationale is to provide a basis for a new partnership between the two major traditions and all sides in Northern Ireland.

The whole premise of the Good Friday Agreement is that it offers the chance of a new beginning. In regard to institutions in Northern Ireland, the parallel consent provision ensures that this new beginning can be on the basis of a level playing field and that both sides can have the confidence to move forward together in partnership. How this process progresses over time will be a matter for the parties themselves, and they will be a good judge of whether it needs to be changed or adjusted as they go along. What matters for now is that the structures are there to enable both sides to put the past behind them and build a new future based on equality and mutual trust.

This brings me to the whole human rights area, or the "equality agenda" as it has been called, an area of particular personal interest given my role as Minister with special responsibility for human rights. Both Governments have long recognised that any new institutional arrangements must be complemented and underpinned by an explicit undertaking by each of them to ensure, as the Framework Document put it, "the systematic and effective protection of common specified civil, political, social and cultural rights" on the island.

This was, as has been acknowledged tonight by some Senators, an important undertaking against the background, both of the perception and fact that the past abuse of human rights was a major cause of instability in Northern Ireland, and of the need to demonstrate tangible change on the ground, based on the principle of equality. I noticed throughout the negotiations that the equality agenda was very much to the fore of the negotiators on the Nationalist side because the people they represent are not so impressed by institutional and constitutional

issues but need to see tangible changes in their lives and not feel like second class citizens.

This undertaking by the two Governments has been delivered in full in the new Agreement, which marks a significant step forward in the systematic and effective protection of human rights throughout the island of Ireland. I believe that the provisions contained in this section of the Agreement will have a critical role in the building of the new dispensation which we are seeking to create, and will come in time to be seen as a central strength of the accord as a whole.

Our priority must now be, in the words of the Agreement, to "work to ensure the success of each and every one of the arrangements to be established". Clearly, of particular importance for the Irish Government will be the operation of the North-South Ministerial Council and of the implementation bodies which are to carry out the decisions of the council on policies and action at an all-island and cross-Border level. Much attention has rightly been focused on the initial implementation bodies, which are to be established simultaneously with the other institutions to be set up under the Agreement. This means that, right from the start, meaningful action will be taken, under the aegis of the council, by North and South working together. No other aspect of the Agreement, including constitutional change, can come into force until these bodies are set up.

In the longer run, however, what is surely of at least equal importance is that the North-South Council will provide a framework within which North and South can come together to consider and, by agreement, co-operate and take decisions on all matters of mutual interest, across the board. Meetings will take place regularly and frequently in each of the sectoral formats. The council will be supported by a standing joint Secretariat. This will create an absolutely unparalleled opportunity for the two Administrations to work together, in a systematic and concentrated fashion, and for the members of the Council to develop

bonds of understanding and trust. I am convinced that, over time, the logic of geography and economic interest will work steadily to increase and deepen co-operation between the two parts of the island. Of course, this co-operation should have happened naturally but it was stunted by violence.

Like all decisions of the council, this will only happen by agreement and on the basis of democratic accountability. Both sides must operate "in accordance with the rules for democratic authority and accountability in force in the Northern Ireland Assembly and the Oireachtas respectively". I have repeatedly emphasised that this is the only conceivable basis for solid and durable interaction between North and South. Indeed, this has been the consistent position of Irish Governments. It is worth noting that almost identical language was used in the Framework Document.

However, let us also recall that the Northern Assembly will be light years away from the old Stormont. It and the new Executive Committee will only be able to function through and with cross-community agreement. Northern Nationalists and Unionists will be working as partners, both with each other and with us in this jurisdiction.

As is clear from the document and many of the debates on these issues, this is a complex and detailed Agreement. I said at the time that if we finally completed it and got agreement around the table it would be a masterpiece of drafting and negotiation, which I believe it is. However, ultimately, words alone will not lead to real change. The test of these arrangements, if agreed, will be whether they lead to a new era of tolerance and reconciliation on our island.

We must reciprocate here the tolerance which we are requesting from Unionists in Northern Ireland. We must change our own mindset in relation to how we see unionism, understand the diversity of their culture and instead of talking about accommodating Unionists we should start about liking them, making friends with them and enjoying

those aspects of their culture which have been divisive in the past. Tolerance and reconciliation must come from all sides, and not just from the people whom we feel should compromise.

We, as politicians, can point the way but it is up to the people to decide. The people of Ireland will have on 22 May their collective future in their hands. It is the first time since 1918 that the people, North and South, will have an opportunity to consent to the institutional and constitutional arrangements which we envisage in these documents. The people, North and South, will, I hope and believe, vote overwhelmingly for change, reconciliation, and peace.

I appeal to those who are negative about the Agreement – there were none in this Chamber tonight but some people still have concerns – to look to their politicians for leadership and read the document. They must not be lazy Nationalists but must look to the future and be optimistic. They can take it from me that this is the best Agreement which could have been brokered in the circumstances. This is truly a historic opportunity for us to start living for Ireland, bury the hatchet and forget about the past, although we cannot forget the past completely because we must learn from our mistakes. The Taoiseach has delivered the greatest prize that any Taoiseach could deliver to this Oireachtas, which is to give us this Agreement with the agreement of the British Government and the support of the parties in Northern Ireland. It is a unique opportunity for permanent peace on this island.

Cuireadh agus aontaíodh an cheist.

Question put and agreed to.

### **An Cathaoirleach**

When is it proposed to take Committee Stage?

### **Mr. Cassidy**

Now.

### **Mr. Manning**

On a point of order, I know this Bill must be out of the House, like Cinderella, by midnight. However, it is a constitutional amendment and I said on the Order of Business that I hoped there would be some time for discussion on Committee Stage. I know that no changes will be made to the Bill but I hope some change can be made to the Order of Business agreed this morning whereby the debate must conclude by 10.30 p.m. I ask the Leader to allow a certain flexibility. There will not be any obstruction from this side of the House but it would be wrong in principle for the House to spend a short time on Committee Stage.

### **Mr. Cassidy**

I am pleased on this historic day to be able to accede to the wishes of all Members as long as the Bill is passed by 11.15 p.m. I ask the House to confirm my proposal that we conclude at 11.15 p.m. as the Minister must sign the Bill by 11.45 p.m.

### **An Cathaoirleach**

Is that agreed? Agreed.

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