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DEMOCRATIC SOCIALIST

PARTY

OUTLINE POLICY
ON

**CHURCH
AND STATE**

Democratic Socialist Party.
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OUTLINE POLICY on CHURCH and STATE

The Democratic Socialist Party stands for the separation of church from state in the Republic of Ireland. We are not opposed to religion: rather, we view it as a private matter between the individual and his/her church, if he/she has one.

We recognise and defend the rights of individuals, churches and religious associations to hold and proclaim their various views; we oppose the enshrining of religious beliefs in law. In particular, we believe that religious organisations should not control public institutions. Democratic control of such institutions and public accountability for public funds: those are the keystones of our policy in this area.

THE PAST

It would be difficult to exaggerate the influence, direct and indirect, that the Roman Catholic Church has had on social and political affairs. Sean O Faolain described the situation as one where "the Catholic Church was felt, feared and courted on all sides, as the dominant power".

Nor was that influence an accident: the history of our national movement is one of a profoundly Catholic nation, building for itself a Catholic state. Until quite recent times, this was taken for granted: few saw anything wrong in the state and its laws being explicitly tied to one church. Political parties vied with each other in expressions of loyalty to Rome; the preamble to our present Constitution is explicitly religious (indeed, other parts of that document prescribe religious oaths for holders of various important posts in the state).

For a time, an attempt was made to fit a cultural straightjacket on Irish society. Soon after the foundation of the state, in 1923, film censorship was introduced. By 1929 not only was a law passed which set up book censorship, but an efficient library censorship was in force which included a weeding out of the books already in stock.

All that is changing, however, as Irish society has developed and become more open to other views and cultures; issues are being discussed on their merits. Indeed, by the end of the 1960s, both of the forms of censorship mentioned above had been relaxed. Brian Lenihan, as Minister for Justice, unbanned 5,000 books in one go. Ireland could at last read the rest of the world's literature, and her own.

We believe that no body of dogma or belief is capable of being the rule for a society that is attempting to modernise and become more compassionate and caring. We believe that the Irish people should follow their own interests in matters of public morals and social issues, and that religion ought to be a private devotional matter, and not a central feature of public social policy.

What follows is an attempt to show that Ireland would indeed be a more compassionate and caring place, if the Church's traditional role in each of the areas mentioned was curtailed.

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1. EDUCATION

History

The control of the Catholic Church over the education system in this country has given that education its definitive character. In the 19th century, by means of the Church's grip on the schools system, it made itself the arbiter of the nation's destiny. This concern of the Church with education was based on the maxim, "Give us the child and we will answer for the man".

The schools were to be adjuncts of the churches: large chunks of the second level curriculum concentrated on the rudiments of religious life.

In the 19th century, the Catholic Church perceived the developing National School system as a moral, rather than a strictly educational matter. They viewed a system of clerical control over each local national school as a moral necessity. A leader of the Clerical Managers Association, the Rev. J. Curry, P.P., in 1907, said in response to a British Government proposal to set up a Department of Education: "We will have no secular schools; we will have no State Board Schools. We will have our National Schools under the control of our bishops and priests, or we will not recognise them at all. We will not surrender them to County or District Councils or the Parents' Committees". So much for the democratic rights of parents! (It should be noted that the schools in question were entirely or almost entirely supported out of public funds).

When a Minister for Education could say the following in 1956, speaking of the purpose of education policy, then it is clear just how successful the Church was in implementing Fr. Curry's policy: "It accepts that the foundation of and crown of youth's entire training is religion. It is its desire that its teachers, syllabuses, text books in every branch be informed by the spirit underlying this concept of education . . ."

When the pressures of industrialisation and urbanisation developed in the sixties, the government could see that the traditional education system needed re-examination.

Through the Council for Education, it got the benefit of the Church's advice. The Council approved of the way the secondary schools were being run, and recommended against specialisation and greater weight on science and technical subjects, against co-education, and again repeated: "the dominant purpose of the secondary school is the inculcation of religious ideals and values". It was not only that secondary schools saw themselves as ante-rooms for universities, but that they saw in each pupil a potential recruit to the religious life. This outlook led, and still leads, to adherence to a narrowly academic curriculum, with third level entry dependent on irrelevant qualifications.

The O.E.C.D. report, *Investment in education*, implicitly condemned all this, as well as pointing to the Church's blocking attitude to the rational use of educational resources. In 1968, Sean O'Connoir, Secretary for the Department of Education, wrote: "our educational system has developed as a hodge podge of very small units. . . already there are signs that in a few years time the Irish Education System will not be able to meet the demands of an increasingly technical society . . . in many towns we find 3 or more secondary schools with a vocational school as well. To seek to promote in each facilities for languages, sciences, technical studies would be sheer extravagance . . . single community schools are the rational requirement in most centres, but we have made no significant gains in our drive for this type of school; one of the major obstacles has been the attitude of the Church Authorities to co-education. In some dioceses it has not been tolerated at all. Religious orders by and large oppose co-education . . . it seems clear that education is being adversely affected by institutional considerations not related to education . . . To persist in opposition to co-education is entirely unreasonable and detrimental both to the individual pupil and to the Community."

These are still the overriding needs: the rational use of our existing educational resources; the comprehensivisation of the curriculum, i.e., the widening of the number of subjects to ensure to each pupil the widest choice, and to answer our society's increasing technical demands; and the acceptance of the principle of continuous review of the curriculum.

Except in completely new developments, what are called "greenfield situations", and in the vocational schools, the waste, the duplication and the reactionary ideas described by O'Connor are still in charge.

SCHOOLS: The Management Situation

1. National Schools: Up to 1975 national schools were managed directly by a member of the local parochial clergy under the patronage of the bishop. The priest/manager recruited and employed the teachers and was responsible for general management of the schools. In that year school management boards were introduced. Every national school with seven or more teachers now has a board consisting of :

- six people nominated by the bishop
- two elected parents
- the school principal
- and one elected teacher.

Schools with fewer than seven teachers have boards consisting of:
four appointees of the bishop
two elected parents and the school principal.

* **The Bishop** nominates the chairman of the board who is in nearly all cases the local priest. Generally, the chairman is the person who was the priest/manager **before** the boards were introduced.

2. **Secondary Schools:** Secondary schools do *not* have management boards. A proposal from the religious in 1976 to introduce ten-person boards with only one teacher on a board met with strong opposition from ASTI.

3. **Community Schools:** Community schools represent a compromise between the fully publicly controlled system of national schools and the totally private nature of secondary school control. They are run as a partnership between the local VEC and one or two religious orders. The community school is built by the Department of Education which then leases the building to the two trustees – religious orders and VEC – who go into partnership to run the school. Deeds of trust are the legal documents signed by the trustees. Both sets of trustees are represented on the board of management of the school. **The religious order has 3 representatives/the VEC another 3/teachers elect 2/parents elect another 2.** The state pays the cost of building the school. It pays the full running costs. It pays the full teachers' salaries. In addition, certain teaching posts are reserved for members of the religious orders.

The Future

We have an education system then where at primary level, a rudimentary democratic system exists, but one clearly still under the thumb of the school manager, the parish priest; at second level, we have an elitist, religious and snobbish system, paid for by us, the taxpayers, yet under the complete control of the religious; and in new developments, the community schools, the Church is demanding and getting a say in areas where its contribution is nil. It would appear that Church involvement in pre-school playgroups is set to increase, as public funding begins at last to be directed into that area.

It is an indictment of the democracy that exists in our country that such things go largely unopposed.

There was a time when the religious – acting as tax collectors – gathered the money and built the schools, staffed them out of their own personnel resources, and contributed to the cost of their upkeep by recycling their salaries. In such an age an argument of sorts could be made for treating the schools as part of the private estates of the Church. In contemporary Irish society, it is impossible to sustain such an argument. The schools are no longer built by the religious. They are no longer staffed by the religious. They are no longer maintained out of their salaries. Contemporary

Irish society has delivered a harsh verdict on the old system of schooling – it has ceased producing the necessary amount of vocations to maintain that system. In the era of democracy and accountability, the fundamental incompatibility between public funding and private control in Irish education must be removed.

The Democratic Socialist Party stands for:

- * A democratic system of management for all schools on which public money is spent, and full public accountability for the use of such monies.
- * A rational and democratic system of curriculum development and choice which is geared to our children's and society's needs, and owes nothing to institutional or spiritual interest groups.
- * Full financing of first and second level education by the state.
- * An end to the preferential treatment of the religious in either teaching or management positions.
- * The promotion of the ideal of state non-denominational education.

2. DIVORCE

Article 41.3.2 of our Constitution completely bans the enactment of *any* divorce legislation in Ireland. At the moment there are at least 60,000 people in Ireland whose marriages have irretrievably broken down. These people are condemned to the limbo of a legal fiction. In fact their marriages are dead, but the law, like a heartlung machine, maintains them alive, because they *cannot* be declared dead. People in this position who find a new partner, and any children that may result, are denied legal protection.

- * We stand for an immediate referendum to remove the constitutional ban on divorce legislation.
- * We stand for the speedy enactment of divorce legislation that will
 - place the interests of any children first.
 - allow for immediate release for those who are imprisoned in marriages that put them at risk, e.g., battered wives, spouses of alcoholics, drug addicts, etc.
 - allow for the rapid winding up of any marriages that are already dead.
 - discourage the type of mud-slinging and accusation that characterises our present judicial separation procedure, maintain privacy, and provide financial aid for those in need.

3. CONTRACEPTION

The present law obliges you to get a doctor's prescription before you can buy a packet of contraceptives; in theory, as spelled out in the Dail by the Minister responsible (Charlie Haughey), it requires that you be married (the previous Coalition bill actually required people to produce marriage lines). All presuming that you can find a chemist that stocks them, since they have the right to refuse to carry them if they wish.

In the major cities this is just farce, as the family planning clinics, which are probably outside the law, but are tolerated, supply most needs. However, in rural areas and country towns, this situation can be a matter of tragedy. A recent survey showed that not one chemist in Ennis, Co. Clare, or for a fifteen mile radius round about, even stocked contraceptives.

The present law is a product of fear. Fianna Fail feared that the Church would publicly oppose them, if they brought in a contraceptive law that answered people's needs. They feared that they would be blamed for doing nothing by the people if they brought in none.

Fine Gael and the Labour Party are no better. Not too long before the present Fianna Fail law was enacted, the Fine Gael Taoiseach, Liam Cosgrave, voted against his own Government's Bill. He was followed by enough other Fine Gaelers, including Richard Burke, the then Minister for Education, to ensure the Bill's defeat. The Labour Party was part of that Government and supported the Bill in question; they just sat there and took it.

- * We stand for a contraceptive law that will allow for the sale of contraceptives to all who need them.
- * We stand for a comprehensive system of family planning advice, that will be geared to provide the maximum choice to individuals and will be specifically directed to those in need.
- * We stand for the availability of family planning counselling in all our second level schools; those in particular need, the young disadvantaged, should be able to avail of it if they choose.
- * We stand for the supply of a comprehensive family planning service free through the Health Boards.

4. HEALTH

"Voluntary Hospitals" control 53% of all the beds in the Irish hospital system. They are owned and operated by a variety of groups and under a number of mandates.

The largest single owner/operator is the Catholic Church, though what is said below applies for the most part to all "Voluntary Hospitals". 87% of the funds of these hospitals come from the state, that is, us, the taxpayers. In 1977, 45% of the total monies spent on hospitals by the state went to these voluntary institutions: about £77 m. The Department of Health exercises a sort of budgetary supervision of this money, but the whole area of policy is outside of public control or even public scrutiny. For instance, in late 1981, the Catholic Archbishop of Dublin publicly condemned a new common contract of employment proposed for hospital consultants, lest it interfere with the "Voluntary Hospitals" right to hire whom they like.

- * We stand for full public accountability for public funds, for an end to the situation where the Church is treated as a state within a state, which no-one may question.

Through its grip on these "Voluntary Hospitals" and on the teaching functions, the Catholic Church pushes a version of medical ethics that is reactionary and medieval. For much of our recent past, if there were difficulties in childbirth which forced a choice between the life of the mother and that of the child, the child would automatically be saved. Nowadays straight answers on this subject are difficult to obtain.

Hit or miss Australian guessing games are substituted for research into, or actual contraceptive advice. Artificial insemination, or screening of high risk women for defects in the foetus are unheard of. Therapeutic abortion could not even be mentioned.

- * We stand for a health service that will offer the fullest range of care and advice to our people, that will allow the individual patients decide on the ethics of treatment, by availing of it or not, as they choose.

Historically, in matters of health the Church's role has been crucial. Noel Browne as Minister for Health introduced the Mother and Child Scheme in the first inter-party Government in 1951. The Bishops' opposition to that Bill brought down the Government. What the Bishops objected to was not a matter of moral or ethical choice: they simply didn't like the idea that the State should provide a service that people could or should provide for themselves. Thatcherites before Thatcher, as it were. The only people who had to do without the service, of course, were the poor.

The development of the idea of a free health service has been delayed for decades by this reactionary stance. Only now is anything that comes close to free hospitalisation on offer. Less than 40% of the population are covered by the free General Practitioner service.

- * We stand for the principle that the cost of the care of our sick should be spread over the whole community, and the health services dispensed to those that need them, without fear or favour.

5. OTHER AREAS IN NEED OF REFORM

Many other areas of public life are affected by the Church's past role in Irish society and need changing.

- * Article 41 of the Constitution is phrased in such a Catholic form regarding the duties of parents, that no adoption order that was tested against it in the courts was allowed to stand.
- * While the form of marriage ceremony is prescribed for all other religions and for none, the state accepts as valid any form of marriage that the Catholic Church decides is valid. The politicians even introduced a special law to recognise foreign Catholic marriages which flouted the civil law of those foreign states.
- * The framing of our present Legitimacy Act, with all its reactionary concepts of "illegitimacy" was a result of a Fianna Fail/Cumann na nGaedheal wrangle along the lines of "I'm more Catholic than you" in 1929.

CONCLUSION

DSP policy on the whole area of church/state relations aims at greater freedom and democracy in Irish society: freedom and tolerance in matters of private morality, and democratic control over public institutions and public funds.