

to rewrite medical textbooks seems exaggerated. One psychiatrist declared that if Sutcliffe was sane, either Sutcliffe was a very good actor or he himself was a bad psychiatrist. The majority of the jury may have concluded that Sutcliffe was a very good actor. There are a number of possible explanations. If it be said, how can a jury decide which is the right one, the question must be asked, who else, doctors, lawyers, theologians even — on the assumption that Sutcliffe may be possessed of the devil? When, inevitably, public opinion was so deeply concerned, especially in West Yorkshire, it would have seemed presumptuous on the part of the lawyers and the doctors to decide what was the appropriate verdict, apart from the logical inconsistency in Sutcliffe's saying — as by his plea of guilty of seven attempted murders he did — that he was responsible for forming the intention to kill when he did not succeed,

but not responsible when he did succeed. It is curious that the judge, with no political experience, seems to have weighed the importance of the factor of public opinion more accurately than did the attorney general with his years of parliamentary experience. For both of them it must have been a desperately difficult decision.

Medical research into, and if appropriate treatment of, Sutcliffe's mental condition will not and should not end with his trial. No doubt, too, the Catholic chaplain concerned will not fail to take note of the fact that Sutcliffe is a lapsed Catholic. A trial of this character is bound to leave some imprint on our legal system, and without wishing to exaggerate the importance of the truism that justice must be seen to be done, reliance on which sometimes leads to the appearance being preferred to the reality, the case underlines that respect for public opinion should play its part both in

the decision when to prosecute and in the decision when to accept, or not, pleas of guilty to lesser charges than the ones originally put forward by the prosecution. There is no hope of proper respect for the law being restored unless there is public confidence in its processes.

As for the question whether the Yorkshire police merit criticism because Sutcliffe was not charged earlier, all that it seems just or wise to say now is that there is surely a further alternative to laying charges prematurely or taking no action. Where a senior detective had pointed to a number of clues leading to Sutcliffe would it not have been possible to maintain a closer surveillance over his movements — and so to have saved at least three lives? It is to be hoped that there will be a thorough enquiry into this aspect of the case, and that it will not be conducted exclusively by police officers.

N. Ireland in moral focus

Raymond E. Helmick

With the death of each hunger-striker tension grows in Northern Ireland and polarisation increases almost everywhere. Moreover "we are witnessing a mobilisation of Catholic moral teaching for an essentially political purpose." Here is a patient attempt to clarify issues and offer principles for solution by an American Jesuit who is a member of the Centre of Concern for Human Dignity — a joint venture of the English and Irish Jesuits.

In all the moral discussion raised by the hunger strikes in Northern Ireland, whether this is to be defined as suicide or not, whether it is a means of violence or of non-violence (as people always thought when Gandhi did it), one fact should stand out clear to all of us. We are witnessing a mobilisation of Catholic moral theology for an essentially political purpose. Moral teaching is sought as a way of condemning and discrediting the hunger strikers, or as an apologetic for them.

What does all this accomplish? Condemnations evidently do not affect the strikers themselves; they even get described as "British theology." The Irish communal experience has dealt with this question long since and come to a much more qualified judgment. Those who do not accept or see the qualifications are reckoned not to have understood or appreciated this important communal experience. The net effect of the condemnations is, therefore, to make those who reject the hunger strikers feel more righteous, and thus to increase the polarisation.

We arrive at this most unsatisfying result by defining the moral question as narrowly as possible, and this is done for purposes of political controversy. Surely the Church or any other source of serious moral authority — including the community conscience and the consciences of all real participants in the confrontation — has the responsibility to state an objective moral norm, and to uphold this even while recognising the likely subjective good faith of persons who violate that norm. But nothing useful is accomplished by defining the bounds of the

judgment, as is being done in this case, according to considerations of political advantage. We have to broaden the moral focus and find the level at which teaching on moral responsibility gets to the centre of the conflict and has therefore a genuinely ethical, rather than a propagandistic, function. It is in that context that I suggest the following.

Hunger strikes have generally been judged, despite the opposition we have to suicide, as a means of non-violence, even "the supreme" means of non-violence, rather than as a means of violence. Gandhi is so judged for his full dozen hunger strikes, each of which was intended to go to the death. He worked in terms, not of Catholic moral teaching, but of Hindu teaching that was even more opposed to the taking of life than ours. When people respond differently to the hunger strike of Sands, Hughes, McCreesh and O'Hara and others from the way they respond to that of Gandhi, or to the self-sacrificial deaths of Captain Oates or Jan Palach, the different response is not to the hunger strike itself but to the context and purpose of these hunger strikes in particular.

Gandhi's hunger strikes occurred in a context of non-violence. Most were carefully designed elements in non-violent protest against British policy in India. His twelfth and last, in Calcutta, was to prevent the two communities, Hindu and Muslim, from falling upon one another. Neither wanted its cause to be stained with responsibility for his death, so he succeeded. The Northern Ireland hunger strikes, by contrast, occur in a context of

violence. Some of us, myself included, judge this from a stance that is radically opposed to the use of violence for political aims, but most people concerned in this question, in the two Northern Ireland communities, in British Government and public, are not basically pacifist in their judgments for or against these hunger strikes. They are judging them in terms of their approval or disapproval of the hunger strikers' aims. Nevertheless, the fact that these hunger strikes happen in a context of continuing violence, that soldiers and police and rioters and innocent civilian bystanders get hurt and killed in the growing conflict over the hunger strikers themselves, that the stance of the hunger strikers is itself an endorsement not only of a political cause but of this very context of violence in which we perceive their action colours our response, moral and human, to it.

Republican cause

The Republican Movement is advancing a cause which in fact we must recognise as a legitimate political one. They see an historic injustice against "Ireland," an injustice worked by the partition. We may judge their concept "Ireland" a rather abstract one, as we do most nationalisms nowadays, but the legitimacy of pursuing their position, at least politically, is unquestionable. Much of the provocation that has brought them to violence is in the political intransigence that consistently denies that there is any legitimacy to this at all. Far more concretely, the Republican Movement addresses itself to a long-continuing injustice done to a minority community in the North itself, and seeks to establish justice for these people. Restoration of justice is the key concept in the traditional just-war theory. If the other conditions for the use of force are present — genuine exhaustion of any alternative means, proportionality of the harm done by force to the good to be accomplished, and so on — this is the critical test as to whether the use of force is justified or not.

And this is exactly where the Republican Movement falls down. There is another political cause to be advanced, that of the Northern Unionist-Protestant community, which has its own equally unquestionable legitimacy. The Republican Movement, truly, has never in this current conflict taken any adequate cognisance of the rights in justice of this community, of the necessity that their voice be heard, their participation secured, their justice guaranteed in whatever is to come out of the conflict. Hence, in my own judgment at least, the Republican Movement is striving partly to advance a justice, and partly to impose an injustice on another people. They have not done their sums, and so fail on justification for use of force in their cause. I say this with genuine respect for the integrity and ultimate honesty of the people who have dedicated their life to this cause, and most particularly of those who have so dramatically put their life on the line in the hunger strikes. But the cause, while a legitimate one to advance in political conflict with an opposing and also legitimate one, is radically defective as a justification for violent action to impose it on an unwilling community.

There is a responsibility here for the Republican Movement which it simply has not met. The one most necessary thing to happen in relation to their cause is that they participate themselves, in such a way as to bring about Protestant participation as well, in the building of a society that is satisfying both to them and to the Protestants. They tend to define their fight as being with the British. (Ambiguity: are the Northern Ireland Protestants British or Irish, is the Republican Movement's programme for them expulsion or cooperation?)

By their hunger strikes, the Republicans have succeeded in defining a conflict as between themselves and Westminster's authority, in a way that leaves all the Northern Irish politicians, Catholic as well as Protestant, outside. The Republicans are winning hands down at this issue, as most of the world outside Britain sees far more clearly than it can be perceived from within the context of Britain's own anguish. But the Republicans have defined the issue wrongly. It is not an issue between them and an outside oppressor. It is between them and their neighbours. Their stunning success in the hunger-strike campaign brings them no nearer at all, in fact much farther away, from the building of a justice that will apply both to them and to their neighbours. That is the crux of the issue.

British conflict

On the British Government's side, and in the British public's sense of the issues, there is a comparable failure either to meet or even to define Britain's core responsibilities in the matter of Northern Ireland. I say comparable failure rather than equal failure because there have been some efforts, however timid and after however long a period of inaction, by the British Government in the last year and a half to

meet the central responsibility of fostering the growth of a reconciled community, while on the Republican Movement's side I have yet to see any effort at all to come to terms with the rights of their neighbours.

However, both the British Government and that small part of the British public that pays attention to the question have two competing definitions of the central priority of policy on Northern Ireland that interfere with one another. On the one hand, there is the priority purpose of building, or helping to be built, a new social-political structure satisfying and reconciling to the two communities. Sometimes this is conceived in narrow and timid terms of minimal changes in the existing structures, sometimes in broader terms of responding to the maximum extent to the aspirations of both communities. But whether broadly or narrowly defined the concept does periodically reemerge as a definition of British responsibility for Northern Ireland. On the other hand, the idea of "defeating the IRA" has a competing attractiveness, for both British Government and public, that quite critically confuses the definition of policy priorities.

The IRA is not the problem in Northern Ireland. It is a symptom. To define the IRA as the problem is effectively to say that there is nothing else wrong in Northern Ireland than a breakdown of law and order. That is simply not true, as the British Government and public know quite well at those intermittent moments when they see the policy priority in terms of building a new and more just society in the place. Concentration on the "defeat of the terrorists" simply short-circuits that purpose of building the new thing. In saying this I do not quarrel at all with the need for government to protect all its citizens from violence. But that is quite another thing from defining as policy the defeat of an insurgent group instead of the meeting of the political challenge which its insurgency represents.

Central priority

It is by reverting to this alternative definition of its policy priority, that of defeating the IRA, even in the midst of a carefully planned (though still timid) effort to generate some justice and socio-political progress in Northern Ireland, that Britain has got into this terrible fix which the hunger strikes represent for its policy. This is presented, both in Ireland and on the world stage, as Britain's "intransigence" over the hunger strikes, the "we will not be moved" attitude. In fact it is something much worse. It is a failure to meet the central responsibility that Britain still has in Northern Ireland, to foster the kind of new society that will satisfy both communities. That is not easy, as everyone will have noticed over these last twelve or 60 or many hundreds of years. But it certainly cannot be done if there is this lack of clarity about what the central policy priority really is.

Both Britain and the Republican Movement recognise, in their more lucid mo-

ments, their actual inability to defeat the other militarily. That both keep reverting to military victory as a pleasantly diverting dream reflects the difficulty each side has in defining its priorities. It also represents a grievous failure on the part of each to face up to the responsibility that goes with the honest commitment each has to this conflict.

In fact, for either Britain or the Republican Movement, victory in this military sense would actually be the defeat of its real purpose. The Republicans could not live with the fact of a defeated population of Protestants, dispirited and embittered and hating their society forever. The result would be that the building of their new society, the thing they like to call "the Republic" in blithe disregard of the repugnance their Protestant neighbours have for that term, would be made permanently impossible for them, unless they were to take on themselves and their Republic the lasting guilt of the rejection of a people and mass expulsion of population that would effectively be genocide. That is not what the Republican Movement is there for, and they know it very well. For Britain, military victory over the IRA would have the shaming result that the whole issue would be postponed, left to be "solved" by some other government in the future for whom the next round of the "troubles" would be even worse.

Life not death

I do not offer these judgments of the real responsibility of the contending sides as a moralising weapon with which to thump either or both sides. Using the moral arguments for that sort of purpose has clouded the whole moral discussion of the hunger strikes. I see these considerations of the broader moral focus rather as a tool for defining priorities and responsibilities of both sides, a criterion to judge if each is realistically and responsibly meeting the existing challenge. There is no dignity, as I see it, in trying to impugn and discredit the good faith of young men who have gone through such an excruciating death ordeal as these hunger strikers. We all know that for those committed to their cause, and even for the wider public that is positively against their cause, they will remain heroic figures of resistance. There is in fact, as I would see it, genuine goodwill and commitment to justice, even if often mistaken and blinkered in the ways we have just been discussing, both in these men of the Republican dream and in the British who confront them. The hunger strikers' agony and effort, like the agony they bring on their neighbours, makes it in fact more difficult than ever for any of the participants in this tragedy to see and respond to these qualities in their adversaries. If this is, as it must be, the true purpose of their effort and that of their movement, then their thrust must eventually be for life rather than death, for reconciliation rather than convicting their antagonists of wrong. That has to be the policy responsibility of Britain as well.