

Irish group sues Heritage Commission for barring it from annual festival

12-5-87
Irish Aid argues its constitutional rights are being violated

The American Civil Liberties Union yesterday filed suit in U.S. District Court challenging the Rhode Island Heritage Commission's right to bar Northern Irish Aid, a fund-raising organization, from taking part in the commission's annual Heritage Day festival.

The suit was filed on behalf of Northern Irish Aid, also known as Noraid, and the Irish subcommittee of the heritage commission. The subcommittee's chairman, James Wilson, called the ban "an attempt to kill the First Amendment."

Noraid participated in the Heritage Day festival in 1982 and 1983, giving out pamphlets about conditions in Northern Ireland, with staff available to tell people how to assist political prisoners and "victims of oppression there."

THIS YEAR, however, the commission barred Noraid from the September festival, labeling the group a "political" organization. Raymond E. Gallison Jr., commission chairman, said yesterday the bylaws prohibit the commission or its subcommittees from participating in "any political expression."

Gallison said Noraid "espouses a political cause in a foreign country and in our estimation is a political organization."

"The purpose of the day is to promote brotherhood and under-



—Journal-Bulletin Photo by THOMAS D. STEVENS

FREE SPEECH: Steven Fortunato Jr., Robert Whittaker and Frank McCabe, from left, take on the Rhode Island Heritage Commission.

standing among different ethnic groups," Gallison said.

Gallison said the commission did not sanction Noraid's participation in the 1982 and 1983 festivals. He

added that the commission had not received any complaints about the group's appearance at those festivals.

"The reason we have a Heritage

Commission is for people to talk about their heritage and preserve it," said Steven Fortunato Jr., lawyer for the ACLU.

THE COMMISSION, Fortunato said, "is violating these people's First Amendment rights because they will not let them discuss the troubles and difficulties in Northern Ireland at Heritage Day festivals. It also is in violation of state statutes which say part of any group's heritage is a political aspect or component . . ."

The suit also argues that the Irish group was denied equal protection because a black group was allowed to distribute literature about problems in South Africa.

Gallison said the commission wasn't aware of the black group's distribution of political pamphlets and would not have sanctioned it.

Frank McCabe, president of Noraid, said the 5-year-old group raises about \$5,000 a year in Rhode Island and \$250,000 to \$300,000 nationally to aid political prisoners. He said the money is used to provide some of the 1,500 prisoners in Ireland and England and their families with food, clothing and a monthly stipend.

He said Noraid, which has about 120 active members in Rhode Island, has as its goal "freedom for all of Ireland: A 32-county Irish Republic with equal rights for everybody in all 32 counties."

He said that while the group "believes in what the (Irish Republican Army) believes in," it does not support the IRA directly.