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Mr. McLaughlin
13/2/95

Mr. Gillin
S.H.

Davis

This will be of
some interest -



cc PJ Tawse
PST
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+ Wash.
Cannellon A

Conference on "Northern Ireland: What Next?"

University of North London, 3-4 March

(Part I)

1. I attended over the weekend a Conference organized by the University of North London on the subject of "Northern Ireland: What Next?".

SUMMARY

2. The Conference drew a substantial attendance (roughly 150) which included representatives of the main political parties in Northern Ireland as well as academics, researchers and journalists.
3. John Hume and Mitchel McLaughlin (Sinn Fein) addressed the concluding session. The SDLP were additionally represented by Brid Rodgers and Alex Attwood and Sinn Fein by Tom Hartley. The Unionist representatives were Chris McGimpsey (UUP), Gregory Campbell (DUP) and David Ervine (PUP). No Alliance representative attended.
4. Deputy Paul Bradford represented Fine Gael and was one of the speakers in the concluding session. Dr Martin Mansergh represented Fianna Fail and addressed the opening session.
5. The British Labour Party were represented by Mo Mowlam, Callum McDonald and others. No Conservative MP attended because of Sinn Fein's presence at the Conference (though this did not deter the three Unionist representatives from participation).
6. No British Government official was present (a point to which Mitchel McLaughlin drew critical attention in his address). The Ambassador and Mr Wrafter represented the Embassy.
7. The Conference served as an informal sounding-board for reactions to the Framework Document from the key

political constituencies in Ireland and Britain. The SDLP and Sinn Fein interventions were very positive and a resounding welcome came from most of the academics and lay participants. The Unionist reactions were hostile in public but more muted in private exchanges.

8. There was a general consensus among Conference participants that the JFD had a nationalist flavour in its rhetoric (widely, and approvingly, attributed to the need to command Sinn Fein support) but was carefully balanced in its substantive positions. David Ervine summed it up in a private conversation by describing the Joint Declaration as "a green document in Orange clothing" and the JFD, in turn, as "an Orange document in green clothing".
9. Chris McGimpsey privately accepted the inevitability of talks involving the parties and the two Governments which would touch to one degree or another on the JFD (though Unionists would refuse to "negotiate" the latter).

DETAIL

10. The following are the main points of interest which arose in public and private exchanges over the two days.

Martin Mansergh

11. Martin Mansergh opened the Conference with an extensive account, from 1988 onwards, of the peace process and the political process.

He attached particular significance to the offer made by the former Taoiseach, Charles Haughey, at the Fianna Fail Ard-Fheis in 1989 to reconvene the New Ireland Forum. He went on to describe the evolution of the peace process and political talks in considerable detail. Both processes, he suggested, converged last autumn.

The negotiations which the JFD seeks to launch will be aimed not just at a political settlement but also at establishing lasting peace. What is at issue is finding a replacement for the Anglo-Irish settlement of 1919-21 which will bring to an end the "physical force chapter" of Irish history and produce an agreed Ireland for the first time ever. The JFD, which follows the Joint Declaration, the ceasefires and the opening of the Forum, is the fourth and most critical stage of the peace process.

Dr Mansergh also highlighted the enormous potential of North/South economic cooperation (and noted the relaxed reactions to the JFD in the NI business community). He ended with a warning to Unionists that rejecting the JFD would not make the underlying issues go away.

Mo Mowlam

12. Mo Mowlan essentially confirmed Labour's support for the JFD. She said that Labour's policy was that of unity by consent; they were very pleased, accordingly, to see the heavy emphasis on consent in the JFD. They saw their role as that of "persuaders for a balanced constitutional settlement". They would like to see talks begin as soon as possible on the basis of the JFD ("either as it is or in its substance") and they would also be happy to see the recent UUP paper discussed. They were currently seeking bilaterals of their own with all the parties.

Ms Mowlam suggested that there were a number of points in the JFD (e.g., the definition of "the widest possible support" among the parties), and also in the Strand One paper (e.g., the breadth of powers to be given to the "panel"), which required clarification.

The decommissioning of arms was an issue which could not be ignored. But equally it could not be a stumbling-block.

Ms Mowlam confirmed that Labour would not bring down the British Government over anything to do with the peace process. However, if there were other issues on which "smaller parties" wished to join them in opposing the Government, they would welcome that "across the board".

John Hume

13. John Hume's address to the concluding session amounted to a restatement of familiar themes, notably the need for dialogue involving all sections of the Irish people and the two Governments; the challenge to Unionists to have the self-confidence to realize that, because of sheer numbers and geography, the problem could not be solved without them; and the challenge to nationalists to accept that it is the people of Ireland who are divided (rather than territory) and that these divisions can only be overcome by agreement. He called on the British Government to engage immediately in "inclusive dialogue with all parties".

Sinn Fein

14. The following were the key points made by Mitchel McLaughlin in his address to the closing session:

- He looked forward to a substantial transformation of relations on the island of Ireland as the new millennium approached;
- Sinn Fein are not afraid of democratic compromise. They are about to enter a necessary process of political and constitutional "transition". Their goal is a democratic and socialist Republic and a united Ireland, but McLaughlin recognizes that "many Irish people" still need to be persuaded of this option;
- The primary objective "in the interim" is agreement on political relationships on the island of Ireland and between Ireland and Britain;
- No democratic resolution can be achieved without the "active, confident and enthusiastic participation" of the British Government;
- While Sinn Fein have yet to pronounce formally on the JFD, John Major has demonstrated with it that he is "not totally hostage to the Parliamentary arithmetic" at Westminster;
- He should take the next and obvious step of announcing the opening of formal negotiations between his Government and "all other parties";
- On the subject of the economic and social dimension to North/South relations, McLaughlin noted the "particular challenge" posed to the Southern Government, given the range of social legislation in the South "which impacts on political development" in NI;
- He hoped that the British and Irish Governments would, over the next five years, introduce mechanisms to promote the "social and economic unity of Ireland";
- Over the next few years, implementation of parity of esteem and scrupulous equality of treatment between both traditions will be "the driving force of political change";

- He has no doubt that the people of Ireland could achieve over the next five years what the people of South Africa have achieved over the past five years.

15. In private conversation, Tom Hartley emphasized the "central" importance of the role played by the Irish Government over the past couple of years as well as his belief that the next few years would see the emergence of radical new thinking on all sides.
16. The second half of this report deals with Unionist interventions at the Conference.

David Donoghue

David Donoghue
Anglo-Irish Division
7 March 1995

Confidential

Conference on NI at University of North London

(Part II)

Unionist interventions

1. The following main points of interest arose in public and private exchanges with Unionist representatives at the above Conference (3-4 March).

Chris McGimpsey

2. McGimpsey's public remarks focussed on the following points:
 - Unionists are not prepared to accept the contents of the Framework Document;
 - A number of the JFD's proposals are "conceptually nationalist";
 - Each time he reads the document, "it gets worse" from his point of view;
 - Unionists believe that the people of NI have a right to self-determination and that only they can determine whether there will ever be a united Ireland (or, for that matter, joint sovereignty);
 - The JFD executes a "clever sleight-of-hand" by vesting the right to self-determination in the people of Ireland instead. Shifting the emphasis away from the democratically expressed wishes of a majority of the people of NI, it furthers the cause for a 32-county unit of self-determination;
 - It runs, therefore, totally contrary to the ideals and aspirations of Unionists;
 - Nationalist Ireland, it seems, is not prepared to make a commitment to the democratic process;
 - Though Arthur Griffith spoke of the "limits of the

Irish nation being traced by the hand of God", and the 1937 Constitution deemed the island of Ireland to belong to that single Irish nation, McGimpsey has rarely met anyone in Protestant West Belfast who accepts that they are "living in the un-reintegrated territory of the Irish Republic";

- The proposal for North/South harmonization of functions will create further distance between NI and the rest of the UK (paras 28-29) - as will the indication in the Strand One paper (para 11) that the Select Committee's powers of scrutiny will cease when a devolved Assembly takes over;
- The EU dimension outlined in para 26 seems to be in conflict with the British Government's assertion elsewhere that there will be "no derogation of sovereignty";
- Variations in the use of terms like "the community in NI", "the communities" etc suggest that the two Governments are unclear in their own minds as to the basic relationships;
- In McGimpsey's personal view, the movement signalled in relation to Articles 2 and 3 is not sufficient.
- There is nothing in para 21 which was not mooted in the Report of the All-Party Committee on the Constitution in 1967;
- The presumed continuation of the overall section headed "The Nation", as well as the preambular references to the Nation, will provide continuing outlets for irredentist nationalism;
- Mere amendment of Articles 2 and 3 is unlikely to negate the Supreme Court's ruling that re-integration of the national territory involves a "constitutional imperative";
- Furthermore, if the wording disclosed by Albert Reynolds for Art. 2 is accurate, Unionists will not find that particularly attractive;
- Until the whole concept of consent is enshrined in Art. 2 (or Art. 2 is "swept away altogether"), there will be a continuing "out" to enable full consent to be denied;
- It is getting near the time when "we must see the colour of the Irish Government's money" in relation to Articles 2 and 3;

- To enter talks on the basis of the JFD would place Unionists at a severe disadvantage and could cause talks eventually to break up in sectarian rancour;
 - There will be no convergence of the peace process and the political process without agreement among the NI parties;
 - The JFD is not what the Unionists hoped it would be, namely, an instrument of peace. It is therefore futile to "engage in it";
 - It reads more like a draft international treaty than a framework. The UUP paper suggests a less ambitious and more gradualist approach.
3. McGimpsey also objected to the powers envisaged in the Strand One paper for the proposed "panel" (in particular, the right to nominate Chairs and Vice-Chairs for Committees).
 4. Asked in discussion what he would give NI nationalists to express their identity, McGimpsey referred vaguely to the UUP's Inter-Irish Relations Committee proposal; to Council of Europe protocols on cultural and minority rights, which he would like to see the British Government endorse; and to the right to carry an Irish passport. This provoked a sharp exchange with Brid Rodgers (SDLP), who emphasized the right of Irish nationalists to be part of an Irish Ireland with which they identified. Unionists had a duty to find ways of addressing NI nationalists' sense of bitterness at finding themselves in the Six Counties structure to begin with.
 5. In private conversation, I developed a number of points with McGimpsey.
 6. First, I emphasized the enormity of the step which the Irish Government had undertaken in the JFD in relation to possible Constitutional change. Gone were the sterile debates about "could" and "would". A clear intention to propose Constitutional change which touched on the deepest sensitivities within our jurisdiction had been signalled. The political courage involved was of a singular kind. It was regrettable that Unionists like himself, who had long campaigned for such change, did not see fit to recognize what had been done.
 7. McGimpsey took refuge in a vague line of argument to the effect that an amendment which the Irish Government might propose to the electorate could at some stage be found to be wanting by the Supreme Court and would therefore fail. (He seemed to be implying that a proposed amendment

might be challenged and referred ultimately to the Supreme Court, where a further judgment along "constitutional imperative" lines could be pronounced).

8. In further discussion, however, he recognized that this was a highly speculative line of argument and he acknowledged that the JFD did indeed demonstrate considerable good faith on the part of the Irish Government. He asked that Unionists be "given time" to absorb the JFD and he hinted that, after a suitable interval, some of them might feel able to acknowledge the movement which had taken place on this issue.
9. Second, I put it to McGimpsey that the clearly defined relationship between the North/South body and the putative NI Assembly should be reassuring to Unionists, who had made a great issue of this during the 1992 talks.
10. McGimpsey had few cogent points to make in response. He saw a risk that, despite the agreement on consensus, the Unionist members of the body would find themselves under constant pressure to fall in with the wishes of the others. He also wondered what would happen if the body reached one view and the Assembly another. I suggested that, given the consensual basis of all body decisions, this situation was unlikely to arise in practice.
11. Third, in the course of a general discussion of the JFD, McGimpsey recognized that, while there was a nationalist colouring in its rhetoric, it was inaccurate to describe the document as nationalist in the substantive positions it took.
12. He expressed concern about a number of individual formulations. In para 38, the reference to the North/South body's remit being "dynamic" and capable of "progressive extension" suggested to him an inexorable move towards Irish unity. I pointed out that this had more to do with a pragmatic acknowledgment that the body's functions would need to be adjusted to take account of growing cooperation between the two economies both at home and abroad.
13. In response to a complaint that many formulations looked as if they had been drafted to "keep the Provies on board", I directed McGimpsey's attention to the proliferation of references to "with consent", "by agreement with the parties" etc which were clearly directed towards another constituency.
14. I wondered how, if the UUP were genuine about seeking

talks with the two Governments and the other parties, they could in practice sustain the illusion that such talks did not relate to the JFD. Inevitably, UUP views on e.g. North/South bodies would revolve around what the JFD said on this subject. Claims that they were not discussing the JFD could not be maintained with any credibility.

15. McGimpsey took this point. He said that Unionists were not prepared to "negotiate" the Framework Document - "and that's final". He personally recognized, however, that it would inevitably be the focal point of any talks which the UUP entered.
16. I asked him why the UUP could not react to the JFD as they had done to the Joint Declaration, i.e., by noting neutrally that there were some elements in it which appealed to them and others which did not. The reply was that "our community sees the Framework Document as much worse than the Joint Declaration". The party would not "get away with a softer line".
17. He warned that the position taken in the UUP's recent paper of being open to talks was coming under mounting criticism from the "right wing" within the party. Molyneaux's vulnerability over the JFD was being exploited by those who favoured a more hard-line approach. The likelihood of Lee Reynolds, a Young Unionist from South Belfast (who is "known within the party"), being fielded as a stalking horse against the UUP leader was one manifestation of this.
18. With its paper, the party had deliberately "left the door open" for talks. He hoped (but was clearly unsure) that that position would continue to prevail.

David Ervine

19. In his public remarks, David Ervine of the PUP made the following main points:
 - The Union is not dead, contrary to what some earlier speakers had been suggesting;
 - It is, however, in a state of trauma. The recession during the Thatcher years has fostered feelings of alienation and betrayal. Like many others on the mainland, Ervine is disaffected with the British Government. He hopes that Labour will form the next Government;

- NI is a place apart with a 40% minority who do not share Ervine's love for the Union;
- In deference to nationalists, he has abandoned his own preferred solution, which would be total integration with the rest of the UK;
- The two communities in Northern Ireland are "mirror images of each other". Each is being affected by change. Jingoism should no longer be the order of the day. The sense of siege has to be lifted;
- Unionist politicians are viewed as "a selfish, intransigent little troop of brutes" (e.g., over the recent fisheries vote, where they should have brought down the Government but did not);
- The circumstances for a new Unionism could be created by Unionists appreciating nationalist aspirations. "For me to deny another person their aspiration is a nonsense. We have to face up to the reality";
- Unionism has the right to say No. But it also has the right to ask for something "which we can say Yes to";
- In deference to NI nationalists' need to have the Irish Republic as a guarantor, he supported the idea of a special relationship with the Republic;
- The JFD extricates the British Government from being the barrier to a united Ireland. Nationalists may need to become more mature and to recognize that their "ancient enemy" is no longer the British Government but "me and mine";
- The only choice is between dialogue and war - "and surely nobody wants a war";
- "Bellicose ranting" is not the real Unionism. If people dig a little, they will discover a Unionism that is practical and real and "not necessarily right-wing".

20. Asked in discussion about the PUP's electoral strength, Ervine said frankly that "we have none" but that, at the next election, they hoped to be able to offer an alternative brand of Unionism. He distinguished the PUP from the UDP by the former's clearer emphasis on a socialist approach. He praised Mo Mowlam as a "straight" politician. However, he would be firmly opposed to any effort to organize Labour in NI,

21. On political dialogue, he emphasized that Unionists have "not closed the door" in response to the JFD. What people were seeing was a series of negotiating positions which the UUP and DUP were taking up. He was certain that there would be negotiations, probably on a bilateral basis in the first instance.

22. In a private conversation afterwards, Ervine made a number of points:

- Whereas the Joint Declaration was "a green document in Orange clothing", he regards the JFD as more of "an Orange document in green clothing";
- It is a watershed in the sense that it has caused trauma and an outpouring of "emotionalism" among Unionists. He expects that, "as always", the Unionists will get over this - probably within about six months - and will be ready for "the next phase";
- The PUP are looking forward to round-table talks involving all parties and both Governments. They are already in bilateral contact with the British Government. He is quite relaxed on the question of whether or not the JFD will be the object of these discussions;
- He disagreed with Martin Mansergh's suggestion that the peace process and political process converged last autumn. He does not see this happening until the point of round-table talks is reached. The initial bilaterals will be merely a preparation for the far more important round-table exercise.

Gregory Campbell

23. Gregory Campbell (DUP) made a characteristically belligerent intervention along the following lines:

- The JFD took two years to negotiate and is therefore "much more than a discussion document";
- It is abundantly clear that it does not attract the consent of either of the Unionist parties;
- Accordingly, "we must move on to something else";
- It is wrong to make concessions to those responsible

for violence and mayhem;

- Unionists are being asked to get on a train which is heading in a direction to which they are totally opposed;
- If people say that their "consent" is required, that is equivalent to asking them whether they wish to travel first or second class on the train;
- Unionists do not want to be on the train at all. They are heading in the opposite direction. They want agreement within Northern Ireland.
- Campbell is not a member of the Irish Nation and never will be. Rather, he is "a British Ulster citizen";
- He is interested in seeing Articles 2 and 3 changed not because of any desire that the Republic should become more attractive for Unionists. "I don't want to be part of their State".

Paul Bew

24. Paul Bew, a QUB academic of Unionist leanings who is an occasional contributor to the London Times, commented in private conversation that the Unionist reactions to the JFD so far were "irrational". The document was largely balanced, even if the rhetoric in it was "clearly green", and was roughly what he had expected. The Irish Government were clearly acting in good faith and were not equivocating on the question of consent.
25. He brought up two specific points:
 - Was it necessary for the JFD to inform Unionists so bluntly (para 47) of the British Government's agreement that, in the event of a restoration of direct rule, "other arrangements" would be needed to facilitate North/South cooperation? (I explained the commonsense point behind this paragraph);
 - Noting that there was more detail in paras 31-33 (description of functions) than had appeared in the Times version of these paras, he claimed credit for having advised a NIO member of the Liaison Group that a narrower definition of the policy areas involved would be necessary to assuage Unionist sensitivities. (The same official had suggested to him that, if the headings were narrowed down,

"we'll lose the Provos").

Brendan O' Leary

26. Brendan O' Leary of the LSE delivered a perceptive analysis of the JFD and the Strand One paper which has since been published in the Sunday Press. He welcomed both as creating an imaginative framework which would afford both communities "double protection" (both internally and externally). In particular, the proposed constitutional approach in the JFD was novel and distinctive; there was no comparable arrangement between any two other countries.
27. A point of detail worth noting is that O' Leary, along with others at the Conference, chose to locate the "default mechanism" in para 47 of the JFD rather than in the preceding para 46 (i. e., he regarded the promised "other arrangements" - see Paul Bew's point above - as the real threat to Unionists, not the essentially technical procedure outlined in para 46).
28. In relation to the Strand One paper, O' Leary favoured expanding the "panel" to a membership of five or seven (to encourage Sinn Fein/Alliance participation) but with veto rights given to only certain members (to prevent abuses by e. g. Ian Paisley).

David Donoghue

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7 March 1995