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*My Hand
Seen, thanks. Quite interesting
in view of recent developments!* SECRET
14.6.96

**Meeting between Taoiseach and Mr. Bob McCartney, MP,
Government Buildings, Saturday, 17 February, 1996**

The Taoiseach was accompanied by the Attorney General, Mr. Dermot Gleeson, S.C., Secretary Teahon, Second Secretary O hUiginn and the undersigned. The delegation led by Mr. Bob McCartney, MP, comprised Mr. Arthur Aughey, Mr. Geoffrey Dudgeon and Mr. John Cobain (the latter two work for McCartney). The meeting lasted about three hours.

The Taoiseach, having welcomed the delegation, conveyed the Tánaiste's apologies for his inability to be present. He then opened the discussion by seeking the delegation's views on a number of points.

1. Reasons for British reaction to Mitchell Report

- The **Taoiseach's** first opening point was that the Government were puzzled by the British Prime Minister's reaction in Westminster to the Mitchell Report. Advance notification or warning had not been received that elections would be presented as the only alternative to Washington Three. Information received since then pointed to Tory backbench pressure as having been the primary stimulus for the Prime Minister's response rather than any real desire or immediate need for UUP and DUP support.
- **Mr. McCartney** agreed with the Taoiseach's assessment. The two main Unionist parties 'have not made any deal, directly or indirectly, to preserve the British Prime Minister in power'. John Major's reaction to the Mitchell Report was provoked by his own backbenchers - 'a significant number of whom are unhappy with recent developments that were tending to weaken the Union'. Indeed, members of his

Cabinet had 'very strong reservations' which were shared by many pro-Union MP's that the November Communiqué would push a sovereign Government and democratic parties into negotiations 'with a party backed by an illegal organisation'.

2. Effects of British Government reaction to Mitchell Report

- The **Taoiseach's** second key point was that there are 'certain reflexes' in the Republican Movement. One of these is an 'anti-British reflex' and that was activated by the British Prime Minister's response to the Mitchell Report.

- **McCartney** replied that he personally was 'not totally sold on the decommissioning issue as one of fundamental importance'. However, the attitude to Washington Three exposed the political mindset of the Republican Movement. With the publication of the Mitchell Report, the British Prime Minister had to make a response which was now 'pre-determined by the IRA position of no decommissioning before, during and after all-party talks'. Nevertheless, Mitchell did a 'great job' and the six principles set out in paragraph 20 would be 'very difficult for Sinn Féin to swallow'.

- Turning to the prominence given by Major to the elective issue, **McCartney** said that while it was 'mentioned peripherally' in the Mitchell Report, it was nevertheless a political issue and as such 'it did not form part of the Body's remit'.
Notwithstanding that however, the British Prime Minister knew that he could not have talks without the Unionists. He therefore proposed elections. These would 'meet the requirements of paragraph 10 of the Joint Declaration and thus provide the necessary mandate to Unionists for participation in negotiations involving Sinn Féin'.

3. Need for Unionist moderation in context of efforts to restore peace

- The **Taoiseach's** third opening point was that a latent but diminishing anti-Unionist reaction exists in the hearts of people in this jurisdiction. When that is set against the background reality that 'the only people who can deliver the IRA are the Irish Government backed by the people in this part of the island', it is necessary that the British Government and the Unionist parties 'act with appropriate moderation at all times'. The Government are trying to move public opinion here towards a deeper understanding of 'the British fact in Ireland - the Unionist population'. We need assistance to do that and 'Trimble's verbal sallies are not helpful'.

- **McCartney** responded that the presentation by Nationalist parties of Unionist proposals for an Elected Body as a pitch for a return to Stormont was erroneous. While personally neutral on the issue of elections, he said that once all parties had signed up to the principle of consent and the Mitchell six principles, then elections would serve to get both Sinn Féin and the UUP off hooks. He continued: 'If on the other hand, you are saying to me that decommissioning is viewed as an obstacle, that elections are an obstacle and that proving democratic credentials is an obstacle, then I'm in some difficulty. That means that all Nationalists are travelling in a convoy of ships driven by Sinn Féin and fuelled by the IRA'.

- The **Attorney General** interjected by asking Mr. McCartney if he was proposing that the Government should unharness now the slowest ship in the convoy, Sinn Féin. There is still a chance - it may be remote - that the peace process can be put back together again. The **Taoiseach** added that the time-span for the continuation of official dialogue with Sinn Féin may be very short or it could be quite long. It would in practice be determined by circumstances and progress.

● - **McCartney** said in response that he understands why the Government should perhaps try for a while to put 'humpty dumpty back together again but even if you succeed, it won't be the same humpty dumpty'. Unionists have perceived the peace process since the beginning of the Hume/Adams dialogue as an attempt by a 'pan-Nationalist front to bring about a United Ireland'. The Canary Wharf bomb, however, shows 'the frailty in any supposition that IRA/Sinn Féin can ever be harnessed'. Pro-Union people feel that the 'pan-nationalist front', through the peace process, was trying 'to achieve by some other method what Sinn Féin/IRA failed to deliver'. Furthermore, John Hume and Albert Reynolds had 'grossly oversold to Adams what could be delivered'. Continuance of peace was always predicated on a 'commonality in the pursuit of Nationalist goals'. Therefore, Unionists have perceived all arrangements since Hume/Adams as leading towards Irish unity. Instead of unity of purpose amongst Nationalists, there should be unity of purpose amongst democrats.

- The **Taoiseach** said that he had worked on a similar assumption before the IRA ceasefire was declared in August 1994 but he took 'the pragmatic view that the risk of securing peace was one worth taking'. Peace would offer 'a vista of what could be possible', thereby acting as 'an incentive for the two communities to come closer together'. Although his act of faith in trusting Sinn Féin had been thrown back in his face, it was still worthwhile to pursue the possibility of securing a restoration of the ceasefire. While not asking Unionists to share that view, they nevertheless should help the Government to develop it. Apart from the obvious benefit of seventeen months of peace, there was also the fact that 'Sinn Féin have now bought the phrase of people achieving a negotiated settlement by agreement'.

● 4. Unionists - The Consent Principle and Elections

- The **Taoiseach** then asked what further elements might be introduced into the governance of Northern Ireland that would reflect more fully the Irishness of Nationalists while at the same time protecting the Britishness of Unionists. How should that Irish fact in Northern Ireland be recognised bearing in mind that all Nationalist parties on this island - except Sinn Féin - accept the principle of consent? What value do Unionists place on that acceptance since they do not seem to recognise fully the security that this gives to their position?
- **McCartney** replied by asking if the pro-Union parties signed up to the Joint Framework Document and Sinn Féin/IRA said No, would that be sufficient for the two Governments to bring in internment, North and South? Would the physical force tradition be dealt with? The **Taoiseach's** response that 'we probably would if we thought it could work' seemed to catch **McCartney** completely off-guard. His instant reaction was: 'Let me tell you! The Joint Framework Document does not stand a snowball's chance in hell of being accepted by Unionists'. **Sean O hUiginn** suggested that rather than focusing on hypothetical scenarios, the discussion should concentrate on the serious situation now facing us. We could be now lifting our eyes from the point of crisis to one of calamity. The key objective of every Irish Government had been, and continues to be, stability and not unity. There is now a need for a frank acknowledgement by Unionists of Nationalist concerns and as matters now stood, we could see 'a campaign of violence vindicating Conor Cruise O'Brien's predictions'. In short, the Union can be consolidated but not in capital 'U' terms. This very reasoned view was met with a blunt and tetchy riposte from **McCartney** to the effect he did not like being lectured or patronised.
- **Authur Aughey** then made the point that 'there is a practical problem for Unionists with all-party talks without decommissioning'. It is too resonant of negotiations

under duress. The **Taoiseach** urged that Unionists should think in terms of having 'most of the cards'. Acceptance of the Union is implicit throughout the Joint Framework Document. A settlement must be 'within the cage of consent'. That is the 'ultimate sheet anchor' of the Unionist position. If Unionists allow Sinn Féin into all-party talks and that party starts to look for something unattainable, Unionists would be in a stronger position, given the almost universal acceptance of consent.

- **McCartney** then focused on the elections option and how it might be used to address the issue of consent. In the absence of IRA and Loyalist decommissioning, elections to a Body would enable each party, including Sinn Féin, who do not subscribe to the consent principle, to demonstrate its mandate as set out in paragraph 10 of the Downing Street Declaration. Such a Body would not be a return to Stormont majoritarianism. It would not have any administrative or legislative functions. Its life-span should be seriously short and its purpose should be to act as preliminary filter for all mandated parties in terms of admittance to all-party negotiations. This would be done by addressing two issues: (1) acceptance of the consent principle and (2) adoption of the Mitchell six principles. Any party failing to subscribe to those principles would not be allowed to participate in fixed date negotiations on an agreement.

- **O hUiginn** said that 'any conceivable agreement must be based on consent' but Sinn Féin's view is that this is another issue for the negotiating table. **Mr. Teahon** suggested that Sinn Féin would probably accept the consent principle if it can sell an overall settlement package to its electorate. **McCartney** responded to the effect that the Unionist parties would then be in a position of trying to convince their own electorates of that, if proposing to enter into negotiations with Sinn Féin in the absence of that party's clear acceptance of consent. Since the Canary Wharf bomb,

however, many pro-Union people now see little point in having an election though there would be merit in elections as a means of testing adherence to democratic procedures.

- When **O hUiginn** asked later if David Trimble would accept elections as a totally direct route to all-party negotiations, **McCartney** replied that he would doubt it. There is a great residue of anger in the UUP towards Sinn Féin.
- **O hUiginn** said that a further problem with addressing the consent principle through elections is that the IRA operate in a 'time warp'. Its power derives essentially from myth and nationalist disaffection. Through the Joint Declaration, the Government tried to puncture the former and through the Framework Document, to further redress the latter. Essentially, a level playing field is all that is being sought in the pursuit of political aspirations. A lengthy discussion then ensued on the Framework Document.

5. Unionists and the Joint Framework Document

- The fourth key point made by the **Taoiseach** at the beginning of the meeting was that the clash of two allegiances made the problem profoundly difficult to solve. While Nationalists throughout the island were trying to accommodate the Britishness of Unionists, equally Unionists have to come to terms with 'the Irish fact in Northern Ireland's towns and villages'. Nationalists in Northern Ireland were becoming more assertive in their Irishness while Unionists were becoming less assertive with regard to the Irish part of their identity. Therefore, there has 'got to be a way to allow the sense of Irishness to be imported into the governance of Northern Ireland'. For example, should Unionists not go along with a model similar to that proposed in the Joint Framework Document?

- The main points made by **Mr. Aughey** in this regard were:

- (1) The ultimate shape of a political settlement is known. In negotiations, Unionists will be seeking 'a Framework Document minus' while Nationalists will be seeking 'a Framework Document plus';
- (2) The brilliance of the Mitchell Report is that it showed the parties to be much closer together than apart;
- (3) While Unionists could 'concede the metaphysics of nationalism in the Joint Declaration', their core problem with the Framework Document lay in 'the dynamism of North/South structures being set in stone';
- (4) The UUP are looking for 'an historic compromise'. They must however 'take the initiative' and play their part in not allowing renewed violence to increase polarisation;
- (5) All Unionists are interested in stability and they know that an internal agreement is impossible;
- (6) Unionists have a high regard for the Taoiseach. If they had seen the Irish Government play 'a brokering role' last September, the UUP would probably 'have come to Dublin then';
- (7) A problem with the Unionist political mindsets is that they 'can only think of getting one over on Nationalists'. Their attitude in Belfast City Hall was: 'If we can get the SDLP against their own instincts to accept the post of Deputy Mayor, then everything is possible'. The flip coin is that Nationalists don't

want Unionists to concede to them something that is in the gift of Unionists.
They want it as a right.

- The main points made by **Bob McCartney** on the Joint Framework Document were:

- (1) The principle worry of Unionists rests with paragraph 47;
- (2) While agreeing with the necessity for formalised North/South arrangements, these 'should not be vested with the trappings of political institutions';
- (3) Unionists have never ruled out cross-border co-operation - 'as many arrangements as you like can be justified and sustained on the basis of their own dynamics';
- (4) However, the Framework Document gives the North/South Body a basic executive dynamic. That problem is compounded for Unionists by the Constitutional imperative on the Irish Government to pursue unity and the British Government position that it has no selfish strategic or economic interest in Northern Ireland.

[O hUiginn said that the imperative would go with any new dispensation];

- (5) Albert Reynolds and Seamus Mallon have said that the only issue on which majority consent was required was on the question of sovereignty. The rest could be left to the two Governments. The Framework Document would lead 'functionally and factually to a united Ireland'.

[The Taoiseach responded that the outcome of negotiations would be put to referendum North and South. If Northern Ireland says 'No', then the agreement 'doesn't fly'];

- (6) A key Unionist fear is that 'the British Government have set down in the Framework Document the parameters for what Unionists must agree';
- (7) The British Government 'don't give a toss for the Unionists'. A Unionist 'will not get the same support from his big brother as a Nationalist will get from the Irish Government'.

6. The 'Parity of Esteem' Principle

- **McCartney** was particularly critical of the parity of esteem principle. He set his arguments against a judgement 'based on experience' that 'a very substantial proportion of Catholics are content with the constitutional status of Northern Ireland. 'However, they do not want to be governed by Prods'. He understands that and indeed he had been expelled from the UUP because 'that party was incapable of developing any cross-community ideological base'. 'Everyone is entitled to equal protection under the law; there must be rights beyond votes and beyond majorities; these must be protected and all here are agreed on that middle ground'. The other end of the scale is 'what a minority can claim'. This is where he 'takes leave with Hume'. He had thought parity of esteem was about equal rights but then found that 'a minority had the same right as a majority on the status of the State'.
- The **Taoiseach** said that Nationalists in Northern Ireland are looking for 'symbolic institutional expression to be full bodied'. **McCartney** responded that the majority of Northern Ireland nationalists are 'not conscious of an all-Ireland dimension to their identity. They would settle for less than an all-Ireland institutional expression

and this is where 'Hume is out of step with his own party and his own people'.

Aughey added that the SDLP view is that 'we define our own identity' and this is a problem for Unionists. **McCartney** continued that the debate should be between the Irish Government and the UK Government, taking due account of 'minority feelings' in Northern Ireland. This should not amount to 'interference' and there should be no territorial claim. He concluded by saying: 'I have never been an Orangeman; I've never worn a sash; I don't have a bowler hat; I have full cousins who are Catholic; there is not a single anti-Catholic sinew in my body. But when it comes to identity, that's where I often part company'.

- **Aughey** said that parity of esteem must be 'modulated by consent'. In achieving that parity, two flawed models are espoused. The first is the 'blanket culture model' which seeks to include only those symbols reflecting the constitutional status of the State. The second is the 'neutral culture model' which would seek to exclude all overt symbols. Neither is really relevant. The focus should not be on the symbols but the very nature of the divisions. When **O hUiginn** asked if he would prefer a neutral RUC that works over one with State paraphernalia that doesn't, **Aughey** replied that the Anglo-Irish Agreement had increased Nationalist expectations beyond any practical prospect of deliverance across a range of issues.

- The **Taoiseach** said that the definition of what is acceptable to Nationalists has changed. He said that he has a personal theory that some of the problem relates to differences in the use and interpretation of language. Catholics speak in terms of abstraction while Protestants speak in terms of specifics - a product perhaps of their 'from the book upbringing'. Parity of Esteem from the Protestant/Unionist perspective requires a literal - almost legalistic - interpretation. From the Catholic/Nationalist perspective, he would judge it to mean 'everyone feeling good about themselves'.

7. Unionists and the Anglo-Irish Agreement

- The **Taoiseach** opened these exchanges by stating that the Government view the Agreement as 'very reasonable' when set against the 40% Nationalist presence in Northern Ireland. It is a way of getting Nationalists to 'accept British governance and it serves the cause of democratic stability by acting as a 'release valve' for Nationalist passions. The main points made by **McCartney** were as follows:

- (1) The 'Northern Ireland population feel it is being governed by a secret cabal'. This, combined with the fact of its imposition, fuel Unionist suspicions;
- (2) Whatever its practical effects, none of the people who developed the Agreement and who operate it have received any mandate from the Northern Ireland people. How would the people in the South feel if the situation was reversed?

[O hUiginn responded that the flip coin position would be one million Unionists living in a united Ireland being denied a British institutional dimension to their identity. The Agreement facilitates/encourages Nationalist co-operation with the State in which they live].

- **Arthur Aughey's** key points on the Agreement were:
 - (1) The first problem relates to style. Anglo/Irish diplomacy is governing politics and that is generating paranoia;
 - (2) The second relates to substance. The Anglo-Irish Agreement's centrepiece on devolution - Article 4(c) - will never be implemented because of Irish Government and SDLP opposition;

(3) The third relates to Garret Fitzgerald having said that the Agreement was heavier on consent than it was on any executive role for the Irish Government. The McGimpsey judgement and the proposed North/South Body in the Framework Document exacerbated the Unionist sense of grievance.

- **O hUiginn** responded as follows:

(1) The secrecy surrounding the development of the Agreement should not have happened;

(2) It is still there for transcendence by new agreed arrangements;

(3) The Government's approach to the Northern Ireland issue is to address it from 'the perspective of fairness'. Thus, the proposed North/South Structures outlined in the Framework Document would operate by consensus;

(4) The constitutional imperative of the McGimpsey Judgement would go in any new agreed dispensation.

8. Unionist Political Leadership and the Security Situation

- On the issue of Trimble's leadership, **McCartney** said that the UUP now have an articulate leader. He may 'not be good on judgement' but he is viewed as being 'very sound on the main issue'. The party's Deputy Leader, John Taylor, had put forward his six principles to ensure that 'things did not get out of hand'. Regarding the DUP, Paisley has become 'more moderate in the expression of views'. His

Deputy Leader, Peter Robinson, is a 'very intelligent man' with good administrative skills.

- The meeting concluded with an exchange of views on the security situation. **McCartney** said that while people like Billy Hutchinson were doing their best to control the Loyalist paramilitaries, the UVF and the UDA were full of 'crazy people'. **O hUiginn** said that the working security assumption is based on something like a bombing in Dublin being attempted. The **Taoiseach** made clear that in a doomsday scenario, no security advice is advocating the introduction of internment. In any event, both the **Gárdaí** and the RUC know that such a course of action would not get all the 'sleepers'.

L. Gubbins

21 February 1996

c.c. Private Secretary to Taoiseach
Secretary to the Government, Mr. Murray
Secretary Teahon
Second Secretary O hUiginn
Mr. Seán Donlon