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TOWARDS A LASTING PEACE IN IRELAND

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**SINN FEIN SUBMISSION
TO
PRESIDENT BILL CLINTON
OF THE UNITED STATES OF AMERICA**

**PRESENTED BY GERRY ADAMS
PRESIDENT OF SINN FEIN**

OCTOBER 4, 1994

363 Seventh Avenue, Suite #405, New York, New York 10001

INTRODUCTION

On behalf of Sinn Fein I would like to express our appreciation to President Clinton and the White House administration for supporting and encouraging the developing peace process in Ireland.

We welcome this meeting, the first between our party and the U.S. government in many years. It marks another step in the Irish peace process.

Sinn Fein is an open and democratic political party with electoral support in both partitioned states in Ireland. We have elected officer boards at all levels of our party with the ultimate authority resting with our R-Ard Fheis (annual conference). (Sinn Fein's objective is the establishment of an agreed, democratic, pluralist and non-sexist) Ireland. We are totally opposed to sectarianism and we have a range of policies on social and economic issues. Sinn Fein upholds the right to civil and religious liberty and we have argued for a new constitution which would incorporate a charter of rights. For the last number of years Sinn Fein's engagement in the Irish peace process has been our primary political function and it has been and remains a personal priority for Sinn Fein President Gerry Adams./

ENDING THE CONFLICT

Sinn Fein has welcomed the recent complete cessation of all military operations by the IRA as a significant and substantial contribution to the achievement of peace. Welcome, also, is the widespread approval from the international community for this development and their shared recognition of its significance. Sinn Fein believes that the situation has thus been positively advanced and that a historic opportunity now exists to progress the situation irreversibly and expeditiously in the direction of peace.

Sinn Fein urges the British government to make an immediate contribution to the new situation by responding positively to the IRA decision. It should immediately open formal talks with Sinn Fein representatives and begin the process of demilitarization. Sinn Fein calls upon the loyalist paramilitaries to cease their attacks on the nationalist population in both parts of Ireland.

X It is clear that peace is not simply the absence of conflict. Rather it is the existence of conditions in which the causes of conflict have been eradicated and where justice, equality and democracy prevail; where agreed political structures and institutions are a substitute for political conflict; where diversity is recognized and democratically accommodated. A process of national reconciliation is obviously a vital ingredient to the achievement of all of this. X

The above underlies Sinn Fein's approach to all efforts to

achieve a lasting peace in Ireland.

Sinn Fein holds the view that all of this is best accommodated in the achievement of national reunification, independence and sovereignty in the context of an Irish national democracy.

ENDING THE DIVISIONS

Ireland and her people are riven by multiple fractures. Our country is partitioned. Our people are divided - nationalist from unionist, north from south. The common thread to all of this is undeniably the influence and effect of British government involvement in Irish affairs. The divisions are a direct consequence of that.

Building a new Ireland - an Ireland at peace with herself and with her neighbor Britain - means that we must address those divisions in a constructive way and point the way towards ending them as a contribution to the necessary healing process.

Accordingly, Sinn Fein believes that the debate in the new situation and the issues under discussion should be comprehensive, embracing all relevant political, social, economic and cultural matters which contribute to the maintenance of the many divisions. Issues which are a barrier to peace, prosperity, national reconciliation and the normalizing of relationships between the Irish and British people must be addressed and resolved.

The removal of such barriers can be assisted by the goodwill which exists internationally towards Ireland and her people especially amongst the Irish diaspora worldwide.

THE FOUNDATION STONE

The search for a just and lasting peace in Ireland based on universally recognized democratic principles has been a central part of Sinn Fein's function as a political party for many years now.

[Sinn Fein believes that the foundation stone of a lasting peace is to be found in the abiding and universally recognized principle of national self-determination. The principle is an absolute one set out in the United Nations Charter, in the CSCE and in the Irish Constitution. The exercise of that right is a matter for agreement between the Irish people ourselves.] Sinn Fein believes that the search for that agreement must be a central objective of all who seek a lasting peace in Ireland.

FREEDOM, JUSTICE AND PEACE - A DEMOCRATIC AGENDA

The broad democratic agenda can be summarized as follows;

- * - Peace to be sustained, must be based on a just and lasting settlement.

- The partition of Ireland has failed to provide a just and lasting settlement.
- Present structures in Ireland are therefore inadequate to sustain peace and must be changed.
- An internal six-county settlement is not a solution.
- * - The partition of Ireland and the British jurisdiction breach the principle of national self-determination.
- The Irish people as a whole have an absolute right to national self-determination and must be able to exercise this right freely and without external impediment.
- The exercise of the right to national self-determination is a matter for agreement between the people of Ireland alone.
- * - It is for the Irish and British governments, in consultation with all parties, to co-operate to bring this about in the shortest time possible and to legislate accordingly.
- Neither the unionists, nor any other section of the Irish people can have a veto over the discussions involved in this nor over the outcome of these discussions. (There is a need to engage northern unionist and northern Protestant opinion on the democratic principle of national self-determination. To assure them of full commitment of Irish nationalists to their civil and religious rights and to persuade them of the need for the participation in building an Irish society based on equality and national reconciliation).
- A solution - a negotiated settlement - requires change, political and constitutional. The effect of this change would be to bring about the exercise by the Irish people of our right to national self-determination.
- An agreed unitary and independent Ireland is the option desired by us. An agreed Ireland is only achievable and viable if it can earn and enjoy the allegiance of the different traditions on this island by accommodating diversity and providing for national reconciliation.

In support of a democratic agenda there is also a clear and pressing need to address a number of areas of immediate and practical concern including;

- * - parity of esteem between the two major political allegiances in Ireland and the communities which hold these allegiances.
- * - equality of treatment.
- * - equality of opportunity.

There is consensus across Irish nationalist opinion that there can be no return to unionist domination and that there must be parity of esteem, equality of treatment and equality of opportunity for the aspirations, values and identities of both communities not only at the abstract level but in real immediate and practical terms.

This means:-

- * equality of opportunity in employment and the eradication of jobs discrimination on the basis of religious or political bias.
- * equality of treatment of elected representatives and the recognition of the democratic integrity of their electoral mandate,
- * equality of treatment in economic development,
- * equality of treatment for the Irish culture and identity,
- * proper security provision for all citizens according to need.

In similar vein it is equally clear that the peace process can be moved significantly forward and a democratic agenda served by the immediate dismantling of undemocratic measures which have contributed to the conflict. Indeed action on these matters can be regarded as a measurement of the British government's commitment to the peace process. The British presence has militarized an essentially political problem. A speedy process of demilitarization should commence immediately to;

- * end all forms of repressive legislation and the gratuitous practices of stop, search and arrest, confiscation, invasion of privacy and harassment which these give rise to.
- * end ongoing collusion between British military agencies and loyalist death squads.
- * end the unnecessary presence of British troops on the streets.
- * replace the unacceptable sectarian police force.
- * address the issue of political prisoners.

In summary, we believe that immediate steps to address and secure parity of esteem, equality of treatment, equality of opportunity and a rapid demilitarization of the situation by the British government are essential elements to the progression of the peace process and the achievement of a climate in which negotiations can flourish without damaging diversions and distractions.

The Role of the United States

The White House has played a significant part in creating this historic and unprecedented opportunity. This opportunity should not now be squandered. We are convinced that the U.S. administration can continue to positively contribute to the resolution of the conflict in Ireland by encouraging the British government to positively engage by initiating immediate peace talks.

At another level there are a number of issues which the U.S. administration can address directly. These include;

1. Equality of treatment of Sinn Fein by the United States government.

This would mean as an immediate priority to allow unrestricted access for the Sinn Fein President Gerry Adams, including access to the same level of the administration as is available to other party leaders. We believe therefore that

- *a multiple entry visa should be made available to Mr Adams,
- *we should be allowed to raise funds from supporters in the U.S.A. as a tangible means of enhancing the alternative political strategy,
- *we should have access to the White House on our next visit which would take place within the next two months.

X 2. Economic assistance and the encouragement of investment. Economic assistance should contribute directly to the building of peace by encouraging equality and justice. We believe that the manipulation of economic assistance and the structural discrimination which has marked job creation strategies up to the present must be ended. We believe that any aid program should be administered by a new all-Ireland body that is representative of the deprived communities where the aid is most needed.

3. Prisoners held in the U.S.

It is our view that Irish prisoners serving terms in the United States should be released as part of the peace process. The Dublin government has already indicated that this is their intention. As an interim step Irish prisoners serving terms in the U.S. should have the option of serving their time in Ireland. Extradition and deportation proceedings should also be suspended and the harassment of Irish republican supporters in the U.S. should be ended.

Conclusion

It is our firmly held opinion that the next step in the still evolving peace process is the immediate commencement of inclusive peace talks which can examine, address and resolve the issues outlined above. The United States government has played and can continue to play a significant role in bringing this situation about and, by addressing the issues under its direct control, outlined above, in contributing to the development of a lasting and just peace in Ireland.

SINN FÉIN DISCUSSION PAPER



The nature of the problem and the principles underlying its resolution

**SUBMISSION TO THE
FORUM FOR PEACE & RECONCILIATION**

**Dublin Castle
Friday 25 November**

1. DEFINING THE PROBLEM: THE HISTORICAL DIMENSION

'No British government ought ever to forget that this perilous moment, like many before it, is the outworking of a history for which our country is primarily responsible... Our injustice created the situation, and by constantly repeating that we will maintain it so long as the majority wish it, we actively inhibit Protestant and Catholic from working out a new future together. This is the root of violence...'

Dr. John Austin Baker, Anglican Bishop of Salisbury

British interference lies at the root of the political conflict on this island. We have a myriad of political, social and economic structures which sustain and encourage division, perpetuate the destructive politics of 'them and us' and feed the conflict that tears us further apart.

All of us share a degree of culpability for the unresolved conflict on this island and we share a responsibility to find the formula that will move us from that situation of conflict towards reconciliation, from a climate of disunity towards unity. But it is Sinn Féin's contention that the primary responsibility in all of this rests with Britain. It is because of British policy our conflict exists and only a change in British policy can create the atmosphere necessary to resolve it.

The conflict which we have inherited is not an accident of history, but is the legacy of a deliberate strategy adopted by Britain towards its nearest neighbour. Fearing the implications of Irish independence, successive London governments adopted the classic colonial tactic of 'divide and rule', undermining effective opposition by encouraging internal discord.

Even the British government would acknowledge that whatever about the present situation, that British policy on Ireland had been driven in the past by strategic military, economic and political imperatives. Partition is the product of that policy.

Currently the British government have amended their position by disclaiming any military or economic interest. However they have refused to declare that they have no 'political' interest.

Peace in Ireland cannot be denied because of selfish political concerns in Westminster. The British government should instead become persuaders for agreement on political structures in Ireland.

2. DEFINING THE PROBLEM: DIVISION, INEQUITY & INJUSTICE

"We declare that we desire our country to be ruled in accordance with the principles of Liberty, Equality and Justice for all."

Democratic Programme of the First Dail

Ours is a divided society. In common with other peoples, we are divided

young from old. There is a regional divide also, with wealth and power concentrated in a narrow geographic corridor outside of which the crisis of powerlessness has encouraged a haemorrhaging of young people and the decline of rural communities. In our cities, tremendous wealth sits uneasily alongside dire poverty, and powerlessness has generated a sense of alienation and despair in many areas.

Inequity and injustice occurs, therefore, on many levels and it is our view that this Forum should, in the course of its deliberations, address the wider implications of inequality and the fundamental need for democratic control throughout Irish society.

As representatives of a section of the nation which has suffered collectively experienced marginalisation, discrimination and oppression, we are conscious of the absolute requirement for laws and political structures which will command the respect of all sections of our people. Our vision is the transformation of Irish society, the creation of a democracy built on agreement not conflict, unity not division.

3. DEFINING THE PROBLEM: THE ISSUE OF VIOLENCE

Political conflict has periodically resulted in armed hostilities. Sinn Féin recognises that the existence of injustice, allied to the absence of any real prospect of redress, made political violence inevitable. We acknowledge the selfless contribution which successive generations of Irish men and women have given to their country.

We are mindful also of the human cost of violent conflict and its potential to further exacerbate division. Families are left to mourn the loss of loved ones through death or imprisonment. Communities endure the persistent pressure of life in a war-zone, their lives disrupted by draconian laws which make little distinction between combatant and non-combatant, ever-conscious of the possibility of violent death. It is a dreadful and abnormal situation and we are all victims. Our determination is that never again will Irish men and women feel the necessity to confront oppression through recourse to arms.

The historic IRA cessation of 31 August and the loyalist ceasefire of 13 October, while providing a welcome boost to the process of finding an enduring settlement, is not of itself peace. A process that does not seek to resolve the deep political divisions that afflict our people and our country is doomed to ultimate failure. We are convinced that a lasting peace can only be built on principles of justice, democracy and Irish self-determination.

4. DEFINING THE PROBLEM: A DIVIDED SOCIETY

"As individuals and as a significant national minority, unionists have democratic rights which not only can be upheld but must be upheld in an independent Ireland. That is the democratic norm. That is an essential ingredient of peace and stability."

Sinn Féin policy document 'Towards a Lasting Peace in Ireland'

Political division, with its attendant 'traditions', is evidence of a ruptured nation, not of two mutually exclusive peoples. In seeking to heal this rupture, our objective must be to identify and develop what we hold in common and to transcend what divides us.

Unionists will ask why they should abandon their political heritage. After all, the Union has had benefits. It bestowed a privileged status on a national minority. It gave that minority a disproportionate degree of social, economic and political power. And when it seemed that national self-determination could no longer be resisted, it gave unionists, through partition, their own state. All of this has convinced them that they have more in common with the people of Britain than they have with the rest of the people of Ireland. Attachment to the crown has strengthened that sense of difference and, by virtue of the crown's explicit sectarian basis, has deepened division.

Against that, dependence on Britain has ensured that unionists live in fear of sell-out. Always uncertain, expecting betrayal at every turn, unionism sees enemies everywhere. Far from being able to determine their own political destiny, unionists realize that their future rests in the hands of a government which, despite its rhetoric, does not have their interest at heart. They suspect that when it suits, Britain will leave Ireland, the union will end and they won't be able to stop it happening.

Apart from its relationship with Britain, unionism has had a troubled relationship with nationalist Ireland. Sinn Féin recognises that unionists fear domination and the loss of identity in a new Ireland. In terms of their attitudes, divisive and sometimes supremacist traditions have created a culture that views the rest of the people of Ireland with suspicion, hostility and even contempt. Separate development - a sure consequence of a political entity founded on sectarianism - in terms of where we live, where we socialise and where our children go to school, has reinforced this notion of difference.

Nationalists cannot reassure unionists that their constitutional position is secure, because we do not determine British policy either. Nor should we pretend that our objective is anything less than unity and national self-determination, because that would be a lie and unionists are not fools. Tampering with Articles 2 & 3, failing to articulate our political aspirations - lest they offend - neither course will provide adequate reassurance. Instead, their only consequence would be to reimpose the sense of isolation which northern nationalists have felt since partition.

What nationalists can do, however, is to assure unionists that we have no

hostility rather than agreement, conflict rather than stability, division rather than unity. A just settlement cannot be built without their input and we invite them to join with the rest of the people of Ireland in formulating an agreed future.

5. DEFINING THE PROBLEM: THE FAILURE OF PARTITION

"The failure of partition is the strongest argument for its abandonment"

Gerry Adams, Sinn Féin President

The border partitioning Ireland was contrived by a British government so as to ensure an artificially constructed unionist majority. The partitioned area had no basis in geography or history.

The foremost consequence of partition was that it institutionalised sectarianism. Those differences in outlook, religion and tradition which provide the diversity that makes a healthy society, became instead lines of conflict. With its own judiciary, police force and parliament, unionism — confident of British support — set about the creation of a 'Protestant state for a Protestant people'.

Partition affects every aspect of Irish society. In the North it has created a failed political entity marred by economic apartheid, political repression and religious intolerance. In the South the political division resulting from partition has stunted normal political, economic and social development. Both states are in a deep and permanent crisis.

Whilst no-one would argue that there would be a complete similarity between the political conditions in Ireland and in South Africa, it is obvious that lessons can be drawn.

For example, the proposal for a 'Whites' homeland was rejected in South Africa precisely because of a commonly accepted view that partition in Ireland had been a political and economic disaster. Even the White South African political parties accepted that an inclusive democratic settlement would not be achieved within such an arrangement.

The unionist veto is a negative power, a power only to say 'no'. It is a major barrier to the consideration of democratic options that would include all the people of Ireland within an agreed framework. The unionist veto is no more than a British government device. Sinn Féin firmly believes that so long as the unionists in the Six Counties are assured a veto over change, then there is neither reason nor incentive for them to move towards an accommodation with the rest of the Irish people. In our view the guarantee of a veto to unionists has inhibited political movement in Ireland for over 70 years. It is clearly a failed policy and has perpetuated the cycle of repression and resistance. What is required is a new and imaginative approach which tilts the balance away from the

6. TOWARDS A LASTING SETTLEMENT

A clear policy change by the British government would create the dynamic in which, for the first time, the Irish people could reach a democratic accommodation and in which a process of national reconciliation and healing could begin. A lasting peace requires that unionist consent, agreement and allegiance to new political structures is gained. In the same way, the gaining of nationalist consent, agreement and allegiance to new political structures is required if we are to have a lasting peace. This clearly requires an end to all vetos, to all preconditions and any attempt to impose a predetermined outcome to the exercise of national self-determination. Sinn Féin is willing to do all it can to advance the search for agreement and the building of trust in the context of the Forum for Peace and Reconciliation. Sinn Féin is convinced that the potential to further develop the peace process exists. The dynamic necessary to move us all out of conflict must be found in the principles, framework, timescale, procedures and objectives of a peace process and particularly in negotiation. The two governments and the political parties have a responsibility to ensure that this opportunity is not lost. We must all work to build progress and be prepared to demonstrate the courage and imagination necessary to advance the peace process.



10 DOWNING STREET
LONDON SW1A 2AA

PERSONAL

From the Private Secretary

19 May 1994

*File
Ireland
Sinn Fein
20?*

Dear Tony,

NORTHERN IRELAND

As you will have heard, Sinn Fein's latest move has been to send us a set of twenty questions about the Joint Declaration. We shall be issuing a long and reasoned commentary late today. I am sending a copy with this letter. For those who are not enmeshed in the politics of Northern Ireland, it is somewhat arcane; but it may be of interest to Nancy Soderberg.

The main point at issue is that Sinn Fein and the IRA, as you know, have been trying to use the fig leaf of "clarification" to justify their failure to end violence over the past five months since the Joint Declaration was launched. Until last week, they had not tried to define which points needed to be clarified. Now they have done so. This has exposed the lack of substance in their argument. As our commentary shows, only one of their twenty questions actually involved an explanation of the text - and there is a simple answer to it. The rest are a transparent attempt to renegotiate the terms of the Joint Declaration, or to raise issues which do not relate to it. Several of Sinn Fein's questions are about matters which would be for negotiation at a much later stage of the political process - a process which they are free to enter if they and the IRA will only give up violence for good.

Our reply has shown that there is only one real question to be answered - whether those who use and forswear violence will now have the courage to enter the democratic arena in the way we have offered. It has again underlined the fairness of our approach. There is, alas, no reason to raise expectations of an early end to violence. It would be entirely premature to think in terms of a breakthrough. But, step by step, the Joint Declaration has strengthened the

- 2 -

hand of the proponents of democracy, and continues to give heart to the overwhelming majority of Irish people who want peace. Our statement today should be another step in that direction, by demolishing the attempts of Sinn Fein and the IRA to excuse procrastination.

We hope the statement will be useful also to the many leading figures in the United States, in the Congress and elsewhere, who have supported us over the Joint Declaration.

*Yours ever,
Roderic*

RODERIC LYNE

Professor Anthony Lake

STATEMENT BY THE NORTHERN IRELAND OFFICE

Five months have passed since the British and Irish Governments published their Joint Declaration.

The Joint Declaration was framed as a balanced set of principles, fairly addressing the concerns and aspirations of both traditions in Northern Ireland. It demonstrated that, in their approach to Northern Ireland's future, the Governments of the United Kingdom and of the Republic of Ireland stand on common ground.

The Declaration underlined the principle that the future of Northern Ireland must be founded on consent. It offered the people of Ireland, North and South respectively, the basis to agree that their differences could be negotiated and resolved exclusively by peaceful political means.

The Declaration looked to the full participation in politics of "democratically mandated parties which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process". To join the political dialogue with the two Governments, parties were not required to accept the Joint Declaration. They were required only to declare and demonstrate a permanent end to violence, and to abide by the democratic process.

Since its adoption, the Joint Declaration has attracted very wide support throughout Ireland and far beyond.

More than ever, the people of Northern Ireland want to live in peace and to resolve their problems democratically and by negotiation.

Yet paramilitary and sectarian violence continues. They see no justification for this. The Joint Declaration shows that there is none.

It is against this background that we are today publishing the questions from Sinn Fein, passed to us by the Irish Government, within this statement.

We have always sought to ensure that our position on the Joint Declaration is clearly understood by all. As both Governments have repeatedly emphasised, the terms of the Declaration are not open to negotiation. Nor will we enter into questions about future arrangements in Ireland which can properly be decided only through negotiations involving democratic parties dedicated exclusively to peaceful political means. Both Governments are anxious to see such negotiations take place on a comprehensive basis, as set out in the Declaration.

Our comments on this document are as follows.

Commentary

As will readily be seen, the questions which have been passed to us range much more widely than seeking elucidation of the text of the Joint Declaration, though some can be dealt with by reference to it. The questions can be considered under these headings:

- (i) Questions involving an explanation of the text of the Joint Declaration.
- (ii) Questions which appear to seek to reopen the negotiations which led to the Joint Declaration.
- (iii) Questions concerning the British Government's policy in respect of Northern Ireland which, far from arising from any uncertainty about the text of the Joint Declaration, are answered by reference to it.

- (iv) Questions not arising directly from the text of the Joint Declaration but concerning procedures consequent on a cessation of violence, including questions about the agenda for subsequent substantive political dialogue.
- (v) Questions not arising from any obscurity in the text of the Joint Declaration, but raising substantive questions of wider Government policy, or questions which would arise in a process of substantive political dialogue following a cessation of violence.
- (vi) Questions repeating earlier questions or essentially covering the same ground.

These headings are dealt with in turn. There were 20 Questions in the paper passed by the Irish Government, and the question numbers which follow are those from that paper.

I. Questions Involving an Explanation of the Text of the Joint Declaration

Q.4 The British Government says, in the Downing Street Declaration, "that they will uphold the democratic wishes of a greater number of the people of Northern Ireland". What is the British Government's precise definition of "a greater number of the people of Northern Ireland" and how would this be measured in practical terms?

Comment

The wish of a greater number of the people of Northern Ireland would be determined by a numerical majority of those validly voting in a poll fairly and explicitly organised for this purpose. Provision for such a poll is made in section 1 of the Northern Ireland Constitution Act 1973.

15-MAI-54 18:02 FROM: 10 DOWNING ST (CP) 15: 15:11 5

II. Questions which appear to seek to reopen the negotiations which led to the Joint Declaration

Q.2 Given that the document put to you in June 1993 was welcomed by the IRA leadership which commented, on October 3 1993, that it "could form the basis for peace", could you clarify the differences, if any, between this document and the Downing Street Declaration?

Comment

This question, referring to a document put to us by the Irish Government, does not arise from any uncertainty about the text of the Joint Declaration which was the product of detailed and extensive discussions between the two Governments. These discussions were largely directed towards ensuring that the Declaration was clear and unambiguous in its treatment of the key principles to which both Governments are committed - including consent, agreement, and parity of esteem and equity of treatment for both parts of the community in Northern Ireland. Therefore the only text that bears our name and on which we can comment is that which was issued on 15 December 1993 by the Prime Minister and the Taoiseach.

15-MAY-84 15:02 FROM: IS DOWNING ST 1017

III. Questions concerning the British Government's policy in respect of Northern Ireland which, far from arising from any uncertainty about the text of the Joint Declaration are answered by reference to it.

- Q.1 The long term political objectives of the two Governments are of crucial importance if we are to move out of the conflict situation caused by the present failed political structures. The Taoiseach has clearly stated the long-term objectives of the Irish Government in the search for a lasting settlement. It is essential that the British Government displays the same honesty and frankness in outlining its long-term attitude towards the Irish people. What are the British Government's long-term interests and objectives in relation to Ireland?

Comment

Paragraph 4 of the Joint Declaration already fully spells out the British Government's objectives and interests in relation to Ireland - in terms which speak for themselves. In particular it states that the British Government's "primary interest is to see peace, stability and reconciliation established by agreement among all the people who inhabit the island, and they will work together with the Irish Government to achieve such an agreement, which will embrace the totality of relationships".

- Q.3 The British and Irish Governments have said that political structures cannot be predetermined, now, or in the future. How do you reconcile this with your adherence to the partition of Ireland and the maintenance of the union?

15-MAY-84 18:02 FROM: 16 DOWNING ST (CP) 15:11 15

Comment

Paragraph 4 of the Joint Declaration makes it clear that the British Government "will uphold the democratic wish of a greater number of the people of Northern Ireland on the issue of whether they prefer to support the Union or a sovereign united Ireland". Further, the Government reaffirm as a binding obligation that they will introduce the necessary legislation to give effect to any measure of agreement on future relationships in Ireland which the people living there, North and South, may themselves freely determine without external impediment. These statements confirm that in political dialogue no outcome is either predetermined or ruled out.

In relation to partition, both Governments are guided by the reality of the present situation and the principle of consent. This is reflected in Article 1 of the Anglo-Irish Agreement, and in paragraph 7 of the Declaration:

"Both Governments accept that Irish unity would be achieved only by those who favour this outcome persuading those who do not, peacefully and without coercion or violence, and that, if in the future a majority of the people of Northern Ireland are so persuaded, both Governments will support and give legislative effect to their wish."

- Q.7 Given the British Government's statement in the Downing Street Declaration that it is for the Irish people to exercise our right to self-determination, what is the basis for the British Government's qualification of this right in Paragraph 4 of the Downing Street Declaration?

Comment

The British Government's position on self-determination in paragraph 4 of the Joint Declaration - that it is to be exercised "on the basis of consent, freely and concurrently given, North and South..." - is entirely consistent with that of the Irish Government set out in Paragraph 5 of the Joint Declaration in which the Taoiseach:

"accepts, on behalf of the Irish Government, that the democratic right of self-determination by the people Ireland as a whole must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland and must, consistent with justice and equity, respect the democratic dignity and civil rights and religious liberties of both communities".

IV. Questions not arising directly from the text of the Joint Declaration, but concerning procedures consequent on a cessation of violence, including questions about the agenda for subsequent substantive political dialogue

Q.8 In the Downing Street Declaration the British Government gives a commitment to allow the Irish people to freely determine our future without external impediment or interference, to encourage, facilitate and enable agreement on this basis and to introduce the necessary legislation to give effect to this agreement. Does this mean that the Government of Ireland Act, Section 75 of which states "the supreme authority of the parliament of the United Kingdom shall remain unaffected and undiminished over all persons, and things in (Northern) Ireland and every part thereof", would be ~~needed~~ ^{needed} as part of an overall agreement?

Comment

The content of an overall agreement will depend on the outcome of negotiations within the talks process. The British Government have confirmed that they will introduce the necessary legislation to give effect to any measure of agreement on future relationships which the people of Ireland may freely determine on the basis set out in paragraph 4 of the Joint Declaration. The implications for the Government of Ireland Act would depend on the nature and content of any such agreement.

Q.11 Given the commitment by the two Governments that everything will be on the table for negotiation:

(a) Will the union between Ireland and Britain be on the agenda for negotiation?

- 13-MAY-84 18:04 FROM: IS DOWNING ST 1017
- (b) Will the Government of Ireland Act be on the agenda for negotiation?

Comment

The 26 March 1991 statement, outlining the basis for the three stranded talks, said that "in order to ensure a full airing of the issues, it will be open to each of the parties to raise any aspect of these relationships, including constitutional issues, or any other matter which it considers relevant". No political objective could properly be excluded from discussion in the talks process.

- Q.13 Does the British Government accept that while the consent of a majority of the people of the six county state to constitutional change, as referred to in the Downing Street Declaration, may be desirable it is not a legal requirement in international law?

Comment

Both Governments make clear in the Joint Declaration that any change in the constitutional status of Northern Ireland would be subject to the consent of a majority of its people as set out in the Anglo-Irish Agreement, itself an international instrument registered at the United Nations.

- Q.14 Given the commitment in the Downing Street Declaration to work towards a balanced constitutional accommodation does the British Government accept that the present structures and arrangements do not represent a balanced constitutional accommodation?

13-MAY-84 18:04 FROM: 10 DOWNING ST (CP) 12

Q.15 Given the commitment in the Downing Street Declaration to work towards a balanced constitutional accommodation, what constitutional options does the British Government see as being consistent with this objective?

Comment

In paragraph 1 of the Joint Declaration both Governments recognise an "absence of a lasting and satisfactory settlement of relationships between the peoples of both islands... ". Constitutional issues are among those eligible to be addressed in the talks process.

Q.17 The Taoiseach has said that political parties need not accept every phrase or word in the Downing Street Declaration. In fact the DUP have rejected the Declaration in total and the UUP have said that it has run its course.

- (a) Does absolute rejection of the Declaration by a political party exclude that party from involvement in talks on the development of new political arrangements?
- (b) Do parties which are opposed to aspects of the Downing Street Declaration have the right to dissent from it and yet be engaged in talks on the development of new political arrangements?

Comment

The Declaration is an agreed position between the two Governments. It does not depend for its validity on the attitude of other parties, who are free to determine their own views on it, and to represent those views in future negotiations.

Acceptance of the Joint Declaration is not a precondition for entering the talks process. What is required is a permanent end to the use of, or support for, paramilitary violence. The two Governments say in the Joint Declaration that "...in these circumstances, democratically mandated parties which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process, are free to participate fully in democratic politics and to join in dialogue in due course between the Governments and the political parties on the way ahead".

Q.18 Exploratory Dialogue

Sinn Fein, as a matter of policy, advocates inclusive dialogue without preconditions. We do not accept the imposition of preconditions on our party or on any other party. However, in the interests of clarity we wish to explore the British Government position on these matters as outlined in the Downing Street Declaration.

- (a) The British Government has called upon Sinn Fein to renounce violence. What does this involve?
- (b) Patrick Mayhew is reported as saying that a permanent cessation of violence "is the way in which full recognition can be accorded to the mandate which Sinn

Fein candidates are accorded at the polls" (Irish Times, Thursday, 14/4/94). How does the British Government reconcile its refusal to recognise our democratic mandate with its stated commitment to democratic principles?

- (c) The British Prime Minister has referred to a period of decontamination for Sinn Fein. What does this mean?
- (d) What would be the purpose of the exploratory dialogue between Sinn Fein and the British Government?
- (e) How long would this exploratory dialogue last?
- (f) Within this process, when would negotiations about the future constitutional and political shape of Ireland take place?

Comment

The position of both Governments is set out clearly in Paragraph 10 of the Joint Declaration. There has to be a permanent end to the use of, or support for, paramilitary violence. In these circumstances "democratically mandated parties which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process, are free to participate fully in democratic politics and to join in dialogue in due course between the Governments and the political parties on the way ahead."

For Sinn Fein and the IRA this would involve a public and permanent renunciation of violence as a means of achieving political ends, and commitment to peaceful and democratic means alone.

Within three months, as has already been publicly made clear, the British Government would in these circumstances begin exploratory dialogue with Sinn Fein. The purposes of such dialogue would be:

- i) to explore the basis upon which Sinn Fein would come to be admitted to an inclusive political talks process to which the British Government is committed but without anticipating the negotiations within that process;
- ii) to exchange views on how Sinn Fein would be able over a period to play the same part as the current constitutional parties in the public life of Northern Ireland;
- iii) to examine the practical consequences of the ending of violence.

The reason for the time lapse between a permanent cessation of violence and exploratory dialogue is to enable the commitment to exclusively peaceful and democratic methods to be fully demonstrated.

The British Government accept the validity of all electoral mandates, including that of Sinn Fein; and, being committed to the democratic process, endorses the freedom of voters to choose their elected representatives. There is no inconsistency between this and requiring that all who join in political dialogue should demonstrate a commitment to exclusively peaceful methods and to the democratic process. Democracy and violence cannot be reconciled.

Q.20 The Downing Street Declaration is described as "the starting point of a peace process designed to culminate in a political settlement". What are the subsequent steps which the British Government envisages as part of a process of dialogue, reconciliation and demilitarisation leading to peace and a political settlement?

Comment

Paragraphs 10 and 11 of the Joint Declaration and associated statements (see comment on Question 18 above) spell out what will happen when there is a permanent cessation of violence. The exploratory dialogue leading to Sinn Fein's involvement in the political talks process would then begin. A lasting and general peace would render military operations in support of the police no longer necessary.

If the Joint Declaration is "the starting point of a peace process", the next step is for the violence to end for good.

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V. Questions not arising from any obscurity in the text of the Joint Declaration, but raising substantive questions of wider Government policy, or questions which would arise in a process of substantive political dialogue following a cessation of violence.

Q.5 The British Government has said that it has "no selfish strategic or economic interest in Northern Ireland". Would it not be more in accord with democratic principles for the British Government to base its Irish policy on the objective of ending the union?

Comment

The Joint Declaration makes it clear that the British Government is committed to upholding the principle of consent.

Q.6 The British Government has said that its primary interest is to see agreement reached between all the Irish people.

(a) Given the continued intransigent attitude of the Unionist leaderships, how, in real terms, is such agreement to be reached, particularly if the unionist leadership refuses to engage in the search for agreement?

(b) What does the British Government consider to be a "reasonable time-scale" for agreement to be reached?

(c) What is the framework which the British Government intends to create for the achievement of agreement.

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- (d) Does the British Government accept that, given the weight of nationalist opinion throughout Ireland in opposition to partition, that substantial movement on constitutional issues by the British Government and the Unionist Parties will be required if democratic agreement is to be reached?
 - (e) How is agreement to be measured in practical terms and at what stage does the withholding or absence of agreement on the part of one section of the Irish people become a veto over change?

Comment

In Paragraph 4 of the Joint Declaration, the British Government commits itself to working together with the Irish Government to achieve peace, stability and reconciliation established by agreement among all the people who inhabit the island and to "encourage, facilitate and enable the achievement of such agreement...". No organisation has a veto over that process, whether by withdrawing from it or by refusing to renounce violence. The two Governments will continue to seek agreement between themselves and the main constitutional parties in Northern Ireland on the basis of the agreed statement of 26 March 1991 - focussing on the three main relationships which are those within Northern Ireland, among the people of the island of Ireland and between the two Governments. A keynote of the Joint Declaration is that any new arrangements must be founded on consent. It would be wrong to attempt to anticipate the outcome of the discussions or to set an artificial time limit on the achievement of agreement on issues of fundamental importance to the people of these islands. Other issues raised in this question are properly the concern of participants in the process of political dialogue.

Q.16 The Taoiseach has said that Unionists possess a veto only in regard to whether to belong to a sovereign United Ireland or the UK, that they do not possess a veto over the policy of the two governments or over interim measures which may be adopted. Is this also the position of the British Government?

Comment

No group or organisation has a veto over the policy of a democratically elected Government. The policy of both Governments, set out in the Joint Declaration, is however founded firmly on the principles of democracy, agreement and consent.

- Q.19 (a) Given the declared opposition of both Governments to coercion, how will the coercion of Northern nationalists into the six county state be addressed in real terms?
- (b) How will the denial of nationalist rights be redressed in real terms?
- (c) When will repressive legislation be ended?

Comment

This question is based on assumptions which have no foundation in reality. The Government's approach is reflected by paragraph 4 of the Joint Declaration which includes the statement that:

"The role of the British Government will be to encourage, facilitate and enable the achievement of...agreement over a period through a process of dialogue and cooperation based on full respect for the rights and identities of both traditions in Ireland."

It is the clearly declared aim of both Governments that all new arrangements agreed in the course of political dialogue should be based on consent. An end to violence would open the way for a comprehensive reassessment of existing provisions against terrorism, many of which would become irrelevant and obsolete in a climate of peace.

VI. Questions repeating earlier questions or essentially covering the same ground

Q.9 How does the British Government reconcile its stated objective of maintaining the union with its declared lack of strategic or economic interest in Ireland?

Q.10 Given the British Government's declared lack of "selfish strategic or economic interest in Northern Ireland", what is the British Government's political interest in "Northern Ireland"?

Comment

These points are covered in comment on questions 1 & 8.

Q.12 Given the statement by the British Government in the Downing Street Declaration that "it is for the people of the island of Ireland alone, by agreement between the two parts respectively, to exercise their right of self-determination on the basis of consent",

(a) Is the continued operation of the Government of Ireland Act subject to agreement on this basis?

(b) Is the continued existence of the union subject to agreement on this basis?

Comment

There is nothing to add to the comments given above. Paragraph 4 of the Joint Declaration could not spell out more clearly the position in relation to the Union.

The Question for Sinn Fein

Sinn Fein have asked their questions. But the most fundamental question being asked by the people of these islands is for them to answer. Democracy and violence cannot be reconciled. Sinn Fein must choose. They know what they have to do if they are effectively to fulfil their democratic mandate. The democratic path leads to a meaningful role in the political process: a process in which, as has been explained, all issues are open for discussion and negotiation. The alternative is isolation - standing on the outside while those committed to democracy shape the agreement, structures and institutions that will determine the relationships between the peoples of these islands.

Sinn Fein claim a commitment to the principle of self-determination. That means abiding by the will of the people. The vast majority of people in Ireland, North and South and of both traditions, demand an end to violence now. Their wishes could not be clearer. There is no conceivable justification for continuing to rob people of their lives, least of all a call for a textual explanation of the Joint Declaration.

Sinn Fein ask what comes next. Certainly no further playing for time. If the Joint Declaration is "the starting point of a peace process", the next step is for violence to end for good.



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FACSIMILE MESSAGE

~~FROM CONFIDENTIAL FILING~~
~~(FAX NO. 071 839 3712)~~

TO *Tony Lake*
National Security Council
White House

DATE *19/5/94*

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