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Mr. Dermot Gallagher
Assistant Secretary
Anglo-Irish Division

Dear Assistant Secretary

Hume, Maginnis and Robinson on devolution

John Hume, Ken Maginnis and Peter Robinson took part in a seminar organised yesterday by the Foreign Press Association on the subject of "The Chances for Devolution in Northern Ireland". The following is a summary note on the seminar, which broke little new ground.

1/ John Hume opened the proceedings by suggesting that the term "devolution" is used too freely. Devolution, he noted, already exists in NI at District Council level. Two previous attempts to devise a solution to the NI problem (in 1921 and 1973-4) involved devolutionary arrangements and both failed. The reason in both instances was the Unionist distrust of the people living in the rest of Ireland. Until this relationship is sorted out to everybody's satisfaction, no solution will be found.

The SDLP's basic proposal to Unionists is that talks should take place from which no subject could be excluded and which would, for the first time, attempt to define the problem rather than to prescribe the solution. Outlining the three crucial sets of relationships, Hume identified that between Unionists and the rest of Ireland as the central one. Prior to any talks, there should be an understanding that any agreement reached would be submitted to referenda North and South for popular endorsement and that, if it failed to achieve a majority in either referendum, it would be dropped. The position of the Provisional IRA would be undermined because, for the first time ever, the people of Ireland North and South would be expressing their preferences on this fundamental issue.

1/ In putting his case for devolution, Peter Robinson emphasized the frustrations felt by NI MPs in relation to the handling of NI business at Westminster. There is a clear need for more responsibility to be given

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H. Hume; AG
H. Hume; H. Robinson
C. Maginnis; AI
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to local politicians. Under the Agreement, however, it is the Dublin Government, rather than local politicians, who are given an increased role. Devolution would improve the present circumstances of the NI people, though it would not resolve their basic problem. Robinson agreed with Hume that several relationships must be addressed: (i) ways in which the people of NI can live together; (ii) the relationships they have with those with whom they share the island; (iii) the relations between NI and the rest of the UK; even (iv) NI's relationship with the rest of Europe. Agreeing with Hume that (i) and (ii) are the key relationships, he differed from him in the priority to be given to each. The major problem lies within NI and that is where the resolution must come first. When the NI people reach a solution with which they can live comfortably, it should be easier for them to work out their relations with the Republic. It is unlikely that the Unionists will agree on the form of their relations with the Republic until they know what internal devolutionary structures are to be agreed for NI. As John Hume would see things the other way round, it is clear that both sides will have to work "in tandem".

An essential part of the relationship with the Republic, Robinson continued, concerns Articles Two and Three of the Irish Constitution. Taking up Hume's call for referenda North and South, he called for a referendum in the Republic on Articles Two and Three.

Ken Maginnis "basically agreed" with the approach of resolving problems within NI prior to cementing relationships outside NI. Describing himself as an "arch-devolutionist", he said that he favours responsibility-sharing. He agreed with Robinson and Hume that the problem would first have to be defined before the solution to it could be sought. Referring to the recent McGimpsey judgement, he made much of a remark by Counsel for the Irish Government to the effect that care was taken in the Agreement not to define NI's status. While one of John Hume's "preconditions" for talks is that relations with the Republic must be defined, the McGimpsey judgement has shown that, for the Republic, nothing supersedes the importance of the territorial claim. The recent extradition decisions, furthermore, suggest that there is now a constitutional obligation on the courts not to extradite. If the Unionists are to reach a relationship with the Republic, some way round the obstacle posed by Articles Two and Three must be found.

In the ensuing question-and-answer session, Robinson was asked what conditions the Unionists were now attaching to talks. He replied that the climate in NI must be conducive to dialogue. Each side must know precisely what it is about and, if talks get underway, there must be "no surprises" (other than those inflicted by terrorists). Rather than seeking the scrapping of the Agreement, the two Unionist leaders accept it as a reality but want talks which would produce a better Agreement. For the period of such talks, they want "a suspension of activity" in relation to the Anglo-Irish process, at both the Conference and Secretariat levels.

In response to a similar question, Hume emphasized that the SDLP has no preconditions for talks. It has merely put to the other parties its view of what should be discussed in the talks. He noted substantial agreement between himself, Robinson and Maginnis on the three sets of relationships which the talks should address. They disagreed merely on the priority to be assigned to each. He would have no problems, however, with sitting down to talks with the Unionists "tomorrow morning". He rejected the points made by Maginnis about Articles Two and Three, arguing for a more forward-looking referendum on the lines he had suggested. In any event, changes to the Irish Constitution could well be an eventual consequence of the kind of agreement he envisaged.

There followed an intervention from Peter Jennings (of the Catholic weekly paper, the Sunday Visitor), who attacked all three speakers for failing to acknowledge in any way Peter Brooke's current efforts to stimulate dialogue. Welcoming what the Taoiseach said at the FF Ard-Fheis about possible new structures in the future which would entail a new Constitution, he asked Maginnis why he had not gone to see the Taoiseach, as he had earlier indicated. He found it extraordinary that the Unionists were refusing to go to Dublin and that Paisley was at the same time trying to prevent the Taoiseach being welcomed in Belfast.

In a subsequent acrimonious exchange, Maginnis and Robinson drew attention to the paper which Jennings represented and criticised him for partisan bias. In relation to the visit to Dublin, Maginnis said he had indicated that he was willing, and would still be willing, to go to see the Taoiseach. His intention was to speak "fundamentally" to him about terrorism and about Articles Two and Three. However, in view of the Taoiseach's indication in the Dail that he would consider talking to the Unionists but not about Articles Two and Three, Maginnis saw no point in going. John Hume intervened to describe this as "nonsense". (In private conversation afterwards, Hume was scathing about Maginnis' posturing in relation to this matter).

The remainder of the seminar was devoted to a discussion of the Conservatives' prospects in NI, on which the three speakers had no difficulty in agreeing; to a discussion of the implications of 1992 (which Robinson, while welcoming the business opportunities, did not expect to bring about "any major political change"); and to a discussion of Sinn Fein (with Hume suggesting that an internal debate is indeed in progress at present but that he does not know whether it is a serious one or merely a political ploy).

Yours sincerely



David Donoghue
Press and Information Officer