



## An Chartlann Náisiúnta National Archives

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*Extract from Treaty Between Great Britain and Ireland*  
NORTHERN IRELAND *April 1990*

Articles 1, 2 and 3 of our Constitution express the long-held belief among the majority of Irish men and women down through the ages that the Irish nation embraces the whole of Ireland, and that the different traditions ought through peace and reconciliation to be united in freedom.

There is a close parallel to be found in the Federal German Constitution or Basic Law which was enacted in 1949. Its preamble states that "the entire German people are called upon to achieve in free self-determination the unity and freedom of Germany". That provision did not over a long period of years threaten the other part of Germany, or serve as a basis for the use of force, or intimidation. Instead in the fullness of time it now provides the basis on which the people of both parts of Germany can come together in peace and goodwill.

We support the Constitutional requirement to seek unity. But we immediately and trenchantly reject any idea of achieving unity by force or imposing the jurisdiction of this State on the six counties of Northern Ireland. The recent Supreme Court judgement confirmed that the enactment of laws for that area by the

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Oireachtas is expressly prohibited in Article 3. Nor ~~can~~ our Constitution ever be invoked by anyone to justify the ~~use~~ of force to achieve the purposes of Articles 2 and 3, because the means by which unity might be achieved are clearly set out in Article 29, which lays down the obligations that affirm Ireland's devotion to the ideal of peace and friendly cooperation and its adherence to the principle of the peaceful settlement of international disputes.

While accepting the genuine concerns that have been expressed from time to time, we welcome the fact that the Supreme Court have now established beyond doubt that the conduct of Anglo-Irish relations, particularly since 1980, has been on a basis consistent with the Constitution, as we have always understood it. And I also wish to repeat my conviction that new arrangements or structures which might be agreed for Ireland as a whole would clearly require an entirely new constitution.

Today we see people everywhere seeking closer unity. European nations who lost millions of their people in past wars have come together to form a united Europe. The modern world offers all who live on this small island countless examples of ways in which divisions can be overcome and new fruitful relationships devised.

The great tide of change sweeping through Eastern Europe demonstrates what people can achieve when they come together and when divisions which have been imposed upon them are demolished. They have also shown that walls and partitions erected by one generation can be dramatically removed by the next. Unity is better than disunity, cooperation better than isolation. In Ireland it is those of us who seek unity who are the progressives. It is those of us who seek to abolish barriers and bring people together who are in tune with the spirit of the times.

Chapter 5.7 of the Report of the New Ireland Forum states 'the particular structure of political unity which the Forum would

wish to see established is a unitary State, achieved by agreement and consent, embracing the whole island of Ireland and providing irrevocable guarantees for the protection and preservation of both the unionist and nationalist identities'.

That is our policy. It is an enlightened and generous concept accepted by all the major democratic nationalist parties. It is fully in accordance with the principles of the Constitution. It threatens no-one, inhibits nothing, stands in the way of no worthwhile progress.

If that is not so; if there is something extra that needs to be added I would like to hear about it and have it explained to me at first hand by those concerned. I am prepared to listen and learn and will go anywhere to do so.

Does it not seem strange that at this time I have friendly talks with political leaders from all over the world: Poland, Czechoslovakia, Nicaragua, Finland; but I must not, apparently, talk to the leaders of an important section of my own countrymen? If we were unable in our discussion to work out some way in which we can live together as friends, could we not at least try to devise a way in which our children, or their children will be able to do so?

Dialogue is the norm of democratic politics. Let me also say that only those who totally accept the democratic way can participate in that dialogue. After twenty years of tragedy and waste, the futility of violence must surely now be apparent even to those engaged in it. Is it possible at last to discern some indications of a change of mind emerging among those who have supported or tolerated the use of such violence? I know that the overwhelming majority of Irish people, nationalist and unionist alike, earnestly wish that sanity will triumph in any such debate; it is only when violence has been laid aside that the way will be open to the widest possible dialogue involving all strands of opinion and belief.

Time is moving on. Lasting changes are taking place everywhere. The old passions are dying away all over Europe. Barriers of mistrust and suspicion are being swept aside. A new order is emerging.

Are we in Ireland to be left behind, caught in a time warp, standing aloof and unmoved by these great movements which are stirring the hearts of the peoples of Europe and motivating them to build a better future in a new framework of peace and stability?

We are all now citizens of a new Europe. Whether we live on the shores of Lough Neagh or on the banks of the Lee, our status and rights as individual citizens are converging. As such we all have the same rights of access to the European Parliament, the Commission in Brussels, the European Court. The prospect of all the people of Ireland working together as citizens of a united Europe is exciting in its vast possibilities for progress and an entirely new level of prosperity for all.

When we met last year the Guildford Four were still in prison. The drama and the deep implications of their release last October are still engraved on our minds. Our hope now is that the freedom of the Birmingham Six will soon follow. The Irish Government have availed of every opportunity to raise this case bilaterally and internationally; concern about the Birmingham Six is now widely shared not just in these islands but throughout Europe and in the United States. The further police enquiry announced last month gives hope that a satisfactory conclusion of this protracted saga will not long be delayed.