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ROINN AN TAOISIGH

See Comments



Below
JB

I was back
to see please. I
agree with w Hare's
analysis.
I would reiterate the
point - I made this morning
about
the pressing need for
an early meeting with
w Hare

TO: Secretary to the Government
FROM: Simon Hare

RE: Questions raised in Taoiseach's note of Friday evening
(copy attached)

1. The Taoiseach has raised two questions. In essence, the first is - what would happen if "all-party" talks were to go ahead without (a) the Unionists or (b) Sinn Féin? The second question is - will Sinn Féin agree to decommissioning during the talks process?
2. These are obviously core questions and I believe that they should be addressed at the next Cabinet Sub-Committee meeting. The following comments are offered as a contribution to the debate.
3. On the first question, the Taoiseach suggests that if talks were to go ahead without Unionists, this would rekindle Loyalist violence. On the face of it, this might seem to be unlikely, given that Unionists would surely see- or be reassured by the British Government - that the talks would go nowhere without their participation. However, Unionists/Loyalists are deeply conscious that the Anglo-Irish Agreement was negotiated over their heads and if the British and Irish Government, with the support of the US Administration, were to go ahead and convene talks without them, they might fear the worst. David Irving of the PUP gave a very clear signal as to what Loyalists reaction would be in these circumstances in his Radio Ulster interview of 6 September as follows:~

"Decommissioning, obviously, is a terribly difficult barrier for all those who have ever been involved in paramilitaries or who have emanated from that background, but nevertheless, it must be dealt with. But the one that is most deeply wounding,

18
9
95

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Uimhir.....

where there is a massive shift in the position of the Government of the Irish Republic is its determination to demand from the British Government that it become a persuader, that the British Government set a date for all-party talks at which they know very well without a sense of intent from the violent republican movement that there will be absentees at that table. It is wholly undemocratic and is unreasonable and I fear - and I am asked to suggest this fear - that they have misread the combined loyalist military statement of ceasefire and that they have misread terribly the statement that they released two weeks ago which stated that they would not fire the first shot. They have not read it carefully because in it it states - and I am asked definitely to point out - that provided the democratically rights of the people of Northern Ireland are upheld, the loyalist paramilitaries will not create the first strike. That is subtly different from saying that you will not fire the first shot under any circumstances and it is an absolute negation of the rights of the people of Northern Ireland for a foreign territory to determine that they should be steamrolled by the sovereign government".

According to Mr. David Cooney, at the recent BIA meeting in Cambridge, David Ervine, PUP, "confirmed the interpretation of the statement on CLMC's statement on first use of force which he had outlined in an interview on Radio Ulster on 6 September: viz. that this commitment applies only as long as the democratic rights of the people of Northern Ireland are upheld, and that an attempt to proceed with 'all-party' talks on the future of Northern Ireland without unionist representation would constitute a denial of such rights".

4. I believe we should keep this warning very much in mind when Sinn Féin talk about putting Unionists through a crisis by convening all-party talks (and presumably using the weight of British, Irish, US and international pressure to force them to the table).

*Agreed.
We must look
after the population of
this state*

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Uimhir.....

5. On the second part of the first question - what would happen if talks went ahead without Sinn Féin - I believe that the answer is equally bleak. Sinn Féin threatened that the peace process would break down if the International Commission went ahead on the basis as proposed. It is difficult to see that they would not make the same threat - only more forcefully - if we went ahead with "all-party" talks without them, as this would close the democratic route for them.
6. What all this boils down to is that we must either satisfy ourselves that the Commission idea is capable of delivering genuinely all-party talks or come up with an alternative way forward (the segmented approach)?
7. The second question raised in the Taoiseach's note is - will Sinn Féin agree to decommissioning during the talks process? Certainly, Sinn Féin have given us no grounds for believing that the answer is yes at this stage. To the contrary, Mr. Gerry Adams in his letter of 23 August to Sir Patrick Mayhew spoke of disarmament as "manifestly the product of peace negotiations". Again, during his visit to New York on 6 September, Mr. Martin McGuinness evidently quoted General Farrar Hockley as saying that decommissioning would be acceptable five seconds before the ink is dry on the agreement. Mr. McGuinness's response - or lack of it - when Mr. Ó hÚiginn broached this question with Mr. McGuinness at the meeting with the Tánaiste on 14 September is also relevant here (extract from report attached).
8. There are many possible reasons for Sinn Féin/IRA not to decommission during a talks process, viz.

* decommissioning would deprive them of a powerful negotiating tool,

But not a legitimate one.

ROINN AN TAOISIGH

Uimhir.....

but the two would
be being discussed
together i.e. in context

That's the language
of war → *

NOT so.
Demilitarization issues
would be coming up in
the talks too

No more than loyalist
areas if they're
disarming too

* it would be a diversion from what Sinn Féin see as the real issue to be addressed i.e. the causes - rather than the symptoms - of the conflict,

* in the absence of a settlement, it would smack of surrender and defeat,

* it would risk splitting Sinn Féin/IRA,

* it could be interpreted as implying an acceptance by Sinn Féin/IRA of the burden of guilt for all the wrongs committed over the past 25 years (assuming that it would not be accompanied by "demilitarisation").

* it would deprive Republicans of the means of defending themselves against Loyalist attack during the negotiations.

9. There are even reasons why Sinn Féin/IRA might not want to decommission once a settlement had been agreed viz.

* to be in a position defend their community against Loyalist reaction to a settlement that was not to their liking.

* to hold the British - whom they do not trust - to any deal and in particular, to hold them to making it work.

10. Against this background, the questions must be asked:

(A)

* ~~it is~~ possible/likely that as trust built up in the course of a talks process, Sinn Féin/IRA would change their position?

(B)

* would Sinn Fein/IRA perhaps make a voluntary decommissioning gesture - as Mr. Hume apparently thinks is possible - if the spotlight were turned away from the issue? Would this be enough to satisfy Unionists?

11. If the answer is "No" to the above, we will need to consider if we can turn the decommissioning issue away from physical decommissioning and towards some other way of registering progress on this issue (e.g. a Declaration of some kind or another). I believe that in view of the Unionist stance on decommissioning, this

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would be next to impossible to achieve. In the circumstances, I feel that we should devote our energies to ensuring that the answer is "Yes".

S.H.

18 September, 1995

The weakness in the proposal ^{at 10} is that it ~~suggests that~~ it is not clear that both (A) & (B) ^{simultaneously} would have to happen, and there ^{also} will be an order argument about which should happen first. That is why it is best to try to get S.F. to agree to the principle of decommissioning during ~~these~~ talks. In effect that is just an issue of timing of their cessation of violence is, as they claim, absolute.



4pm

✓ Mr 15/9/42
1966 to P. T. Cahoon, F. Murray, A.G.

I have read this material about
Adams ~~his~~ visit etc.

My worry is that if a date
is fixed ^(say 15/12), talks will have to go
ahead even if the Commission has
reported, and either

(1) the report is a complete fudge
and the University won't accept
it or

(2) the report recommends a procedure
on decommissioning that involves
genuine engagement by IRA
(even without a gesture) and Sun
Lien reports that, or ignores it.

By getting the date, there
will be enormous pressure to go
ahead ~~without~~ the suits, ~~and~~ thereby
rekindling boycott violence.

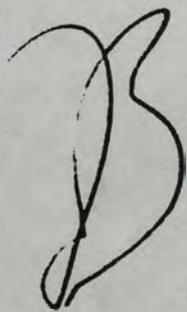
If you fear rejects the
Commission report that will open
up the question of whether the talks
should go ahead without Sum
fer. How we thought clear
~~that~~.

My worry about America
brokers is that they may not
be aware of some of these dangers,
and are interested in short-term media
out outcomes.

The central question is —
Will Sun Fein agree to decommissioning
during the talks process? This
question has not been clearly
put to them. I believe the answer
is actually 'no'. If that is so
the talks process will go absolutely
nowhere. It ~~will~~ ^{could well} be used by Sun
Fein as a ~~or~~ means of educating
their supporters on how "unreasonable"
all their opponents are, and
ultimately to create conditions of
for ~~the~~ popular support for return

to a war strategy. Sun Fein
& need to pin her down on the
matter of de-commissioning during
the process before the talks open.

I wonder if the
concerns expressed in this note
should be conveyed to Foreign
Affairs, and to Washington.



P.S. - I can also envision that little thought
has been given to how the talks might actually
work.