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Mr. Kirk
Mr. Masefield - B

POLITICAL DEVELOPMENT GROUP: SINN FEIN

I attach the paper commissioned by PDG at its meeting on 30th November. It is designed to serve as basis for discussion at the meeting on 28th January. (An agenda will be circulated separately.)

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GOVERNMENT POLICY TOWARDS SINN FEIN

Introduction

1. This paper considers, as the basis for discussion, what the elements of a coherent Government strategy towards Sinn Fein might be.

Historical Background

2. Sinn Fein was founded by Arthur Griffith in 1905 as a party which would abstain from Parliament in support of Irish separatism. It was at first non-violent, but fell increasingly under the control of a secret society, the Irish Republican Brotherhood. From 1916 onwards it took a violent course (against the wishes of probably the majority of its supporters). It received overwhelming electoral mandates over most of Ireland in 1918, and again in 1921. Most of the 1918 electorate will hardly have realised that in supporting Sinn Fein they voted effectively for a policy of violent revolt. The 1921 election in the South was conducted in conditions of intimidation, and Sinn Fein candidates were largely unopposed. The party split into pro and anti-Treaty factions in 1922. The pro-Treaty element evolved into a new constitutional political party, Cumann na nGaedheal; the anti-Treaty element continued in various guises, losing moderates to the newly formed (and constitutional) Fianna Fail in 1926.

3. Sinn Fein remained thereafter the abstentionist political wing of the republican movement. Like the rest of the movement it split into Provisional and Official wings, and throughout the 1970's Provisional Sinn Fein acted as political surrogate for PIRA. However, in 1981, Sands' victory in the Fermanagh by-election demonstrated that it was possible to combine terrorism with electoral politics, and launched Sinn Fein's bid for support at the ballot box.

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The Dual Strategy

4. The electoral strategy in Northern Ireland has brought Sinn Fein a share of the vote which cannot be dismissed out of hand:

Election	Sinn Fein Vote	% of votes cast
1982 Assembly	64,191*	10.1
1983 General Election	102,701	13.4
1984 European Election	91,476*	13.3
1985 District Council Election	75,686*+	11.8
1987 General Election	83,389	11.4

* First preference votes.

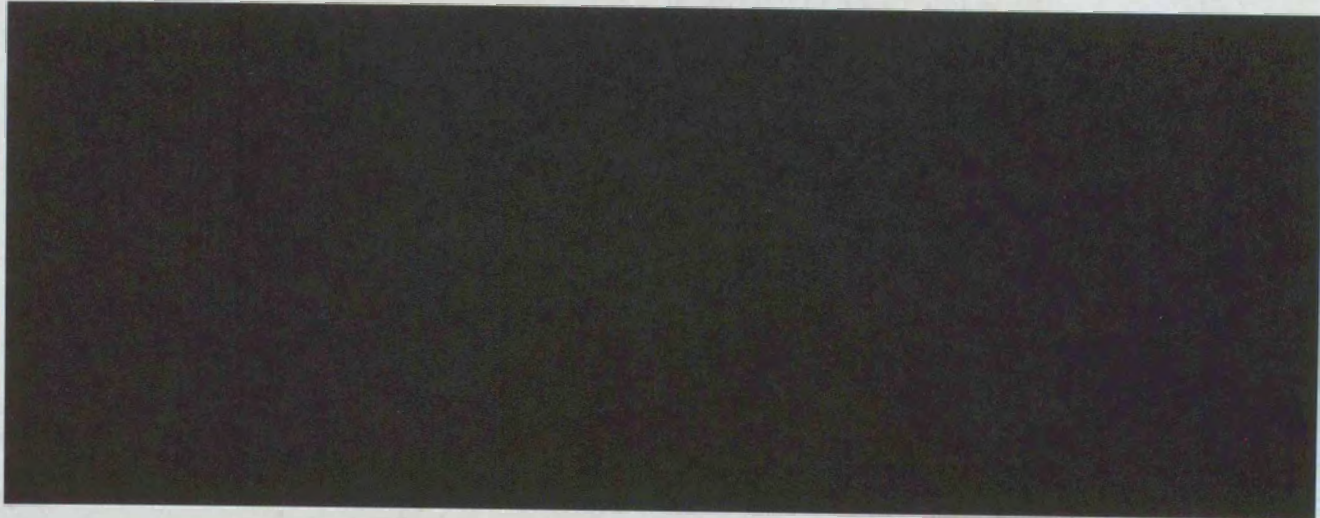
+ Anti-personation measures
first introduced.

This limited electoral success, along with Adams' election as an MP in 1983, have helped to give Sinn Fein an aura of respectability outside NI. Sinn Fein's 59 councillors have proved a source of torment to unionists in council chambers, leading to a unionist boycott in 1985 (superceded by the anti-Agreement boycott).

5. The combination of a political/electoral activity with violence has not proved easy for Sinn Fein to sustain. The great majority of the electorate reject violence; Sinn Fein's electoral performance in the Republic has been disastrous; and the 'political' has competed with the 'military' wing for funds and other resources. This and the leadership's decision to abandon the policy of abstentionism in the Republic has produced strains within the movement, leading inter alia to the formation of Republican Sinn Fein. However the Provisionals have not fragmented (as their IRSP/INLA offshoot has done). The dual strategy has been sustained because a significant portion of the electorate, notwithstanding Sinn Fein's links with PIRA, are prepared to vote for Sinn Fein as the most promising vehicle for achieving a united Ireland; because the 'integrated' leadership

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of the movement has exerted tight control over the two arms of the strategy, preventing either from getting out of step; and because PIRA has focused increasingly upon attacks on the security forces, rather than on 'civil' targets which might have alienated voters. The stresses and strains imposed by the dual strategy have remained, nonetheless, real.



Government Policy since Direct Rule

7. Initially, Sinn Fein was an illegal organisation, first under the Civil Authorities (Special Powers) Act, then under the Northern Ireland (Emergency Provisions) Act 1973. It was de-proscribed in 1974. This was done notwithstanding that the government of the day recognised that Sinn Fein was not in practice separate and distinct from the IRA. The reasons for de-proscription were set out by the then Secretary of State, Mr Merlyn Rees, in announcing his decision to Parliament:

'In my view there are signs that on both extreme wings there are people who, although at one time committed to violence, would now like to find a way back to political activity. It is right to encourage this as much as possible anyone who acts violently will be dealt with on the basis of the violence.'

8. This approach was tentatively welcomed by the then Opposition. Lord Windlesham:

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'I appreciate that in the judgement of the Government certain advantages may result from the passing of this Order. So far as Sinn Fein is concerned, it will give those who are understood to form the political arm of the IRA the opportunity to put forward their political views, without any possible excuse being advanced that they are being driven to resort to violence because they are not allowed to engage in political activity. It will also give the public at large the opportunity to see what sort of support Sinn Fein can attract for its objectives.'

9. From 1981, and at quickened pace from 1983 when Sinn Fein gained representation in Parliament, the Government began to respond to Sinn Fein's electoral progress. New legislation was promoted to deal with personation, which had accounted for a substantial proportion of Adams' vote in the 1983 General Election. A new policy on access to Government by Sinn Fein elected representatives was devised, with the aim of distinguishing Sinn Fein, as a party which supported violence, from the other 'constitutional parties' (including the SDLP). The Government responded to the appeals of councillors forced to work alongside Sinn Fein with the advice that they should 'outwit, out vote, and out manoeuvre' Sinn Fein on the councils*. Detailed consideration of new measures to deal with the specific problem of councillors who support violence began in 1985, and that process has continued with the publication last October of a discussion paper. The Government launched a renewed effort to cut off paramilitary organisations generally from access to public (or other) funds. Most importantly perhaps, our interest in fostering the SDLP as the party of constitutional nationalism increased; and that, indeed, was one of the objectives of the Anglo-Irish Agreement.

10. The practical effect of these measures is difficult to assess. The anti-personation legislation has certainly helped

* Mr Hurd speaking in the debate on Interim Period Renewal, June 1985.

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to reduce Sinn Fein's apparent electoral support; and some of the recent reduction may plausibly be attributed also to the effects of the Anglo-Irish Agreement. However, Sinn Fein's support appears to have stabilised in the region of 70-80,000 votes, or just over 11% of the total.

The 'Base Scenario'

11. The most plausible prognosis is that Sinn Fein will maintain its vote at, or not far below, present levels; and will therefore retain approximately its existing representation on councils and on Parliament. It could be expected to win a small number of seats in any new Northern Ireland Assembly. But it seems unlikely that Sinn Fein would participate in either the Assembly or in Parliament in the foreseeable future. However, the possibility that it might participate in a new Assembly cannot be entirely excluded, if the potential benefits to Sinn Fein of participation (eg the destruction of a devolution initiative) appeared sufficiently great.

What should the Government's strategy be?

12. Three possible approaches are:

- (i) proscription. This would drive the Provisionals' political support underground, making it less visible and so less helpful to PIRA in terms of publicity and moral support. It would please unionists. On the other hand, it might encourage political support for the Provisionals to emerge under other guises (as was the case, for example, in local government before 1985) and this would blur the distinction between violence and constitutional politics. Proscription could not be retrospective, and would not remove existing councillors from councils unless (under the provisions of the EPA) they 'participated in any activities' of Sinn Fein after its proscription, and were convicted, and sentenced to a term of imprisonment of three months

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or more. It would be unlikely to influence the views of present Sinn Fein voters. It might, conceivably, attract a 'sympathy' vote. There would be serious difficulties of enforcement, especially if Sinn Fein reconstituted itself under another name. The Government would be criticised, at home and abroad, for criminalising the expression of opinion. Finally, proscription could remove what restraints electoral considerations impose on PIRA behaviour, and produce a heightened terrorist campaign;

- (ii) wean Sinn Fein away from violence. Such an approach would rest on the assumption that republicanism does not depend on violence to survive, however deep the relationship between them in the Irish tradition. Such a strategy might aim ideally to create a republican movement which did not support the use of bombs or bullets. A lesser, but perhaps more realistic, objective would be to split the Provisionals into a 'mainstream' non-violent party and a residue who would continue to pursue the 'physical force' tradition of Irish nationalism. This approach might entail accepting Sinn Fein as a legitimate party and seeking to show its constituency that the party's association with violence was a positive handicap to the achievement of its objectives. Sinn Fein would be encouraged to expand its vote (at the expense, inevitably, of the SDLP) in the hope that any additional votes might be a moderating influence on the organisation. The problems about this strategy include weakening/ seeking to replace the SDLP, without any guarantee that the successor party would be more acceptable; blurring the distinction between constitutional politics and support for violence; and confirming unionist suspicions about the Government. It probably also underestimates the ability of a small minority of 'physical force' men to 'capture' an

ostensibly non-violent party;

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- (iii) marking out Sinn Fein as a party that supports violence. Essentially, this is the present policy. It entails bolstering the SDLP, for example through the Anglo-Irish Agreement; drawing the firmest possible distinction between constitutional politics and support for violence; continuing Government condemnation of Sinn Fein in speeches etc; and reliance on the ability of PIRA to damage Sinn Fein support through terrorist outrages such as Enniskillen. The disadvantages of this approach are that it offers hope only of slow and long-term improvement from the present situation. The advantages are essentially negative: it both avoids the disadvantages of proscription, and is more realistic and limited in its objectives than the rather optimistic strategy at (ii).

13. The choice between strategies (ii) and (iii) must be influenced by our assessment of the size of the 'swing' vote between Sinn Fein and the SDLP. If (as the Irish believe) the potential 'swing' vote is substantial, then strategy (iii) should be capable of producing a significant fall in support for Sinn Fein over time. PAB's assessment, however, is that the 'swing' vote is relatively small, and that short-term changes will be small. It could be argued that this assessment points to strategy (ii). But, as suggested above, the long-term objective of strategy (ii) is probably over-optimistic, and its short-term effects (eg with unionist opinion) damaging. Strategy (i) would in effect be an attempt to sweep the problem under the carpet. It would not reduce (and might even increase) underlying support for Sinn Fein; and whilst it would solve some problems, it would create many others. Its effect on the council situation, for example, would be unpredictable. Realistically, only strategy (iii) seems likely to move things in the right direction - that is, to reduce the real (as opposed to apparent) level of support for violence as a political tactic - however slowly it may in practice do so. Strategy (iii) is accordingly recommended.

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ELEMENTS OF THE STRATEGY

Candidates' Declaration

14. The proposed candidates' declaration would appear to be a policy more relevant to strategy (ii) than strategy (iii), since it rather assumes that Sinn Fein can be converted into a 'peaceful' party, if its council candidates are willing to sign a non-violence declaration. In practice, the declaration might serve to reduce Sinn Fein support if it reduced the number of district councillors (and thus the opportunities for vote-winning constituency work). The SDLP, however, believe that the declaration will strengthen Sinn Fein's electoral position; and it certainly will win some publicity for Sinn Fein. The main effects of the declaration seem more likely to be to moderate the language of Sinn Fein councillors, and, it is hoped, to reassure unionists of the Government's determination to take measures against Sinn Fein (although the latter could be only short-term). If Sinn Fein councillors are not found to be in breach of the declaration, they will probably wish to present themselves as a legitimate, "non-violent" party; and it will be more difficult for Ministers to argue that they are not.

Access to Government

15. At present, Ministers will not meet or correspond personally with Sinn Fein elected representatives, and Sinn Fein representatives are denied access to the prisons. Current guidance is provided by Central Secretariat. Is the broad policy correct and how does it fit into our strategy?

16. Treating Sinn Fein more like a normal political party would make sense if strategy (ii) were adopted. But if we reject that strategy, then there seems to be no scope for 'softening' present policy: to do so would merely 'mark out' Sinn Fein less effectively than before. It might be possible to operate a 'harder' policy, by refusing to handle correspondence with Sinn

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Fein, by denying them access to officials, or by refusing to pursue constituency cases raised by them. Such changes could be open to legal challenge - Section 19 of the Constitution Act, forbids discrimination on ground of political opinion. But a fundamental objection to a 'tougher' policy in any case is that, for many people in Northern Ireland, a Sinn Fein MP or councillor is the only constituency representative they have. Measures which made it more difficult, or even impossible, for Sinn Fein representatives to pursue constituency cases would damage the interests of constituents, not all of whom will have voted for Sinn Fein. Some changes might also amount to maladministration. In practice, a 'tougher' policy would amount to a form of 'collective punishment' of electoral constituencies, and we see little, if any, scope for it. Adherence to the current policies - avoidance of Ministerial contact; curt, formal replies from Private Offices to correspondence; and denial of access to prisons - still enables Ministers to state that they have no contact (in the sense of personal contact) with Sinn Fein.

Helping the SDLP

17. The Government already seeks to give greater self confidence to the SDLP as the main representatives of nationalism. The Anglo-Irish Agreement has had a considerable effect here, which is reflected in the SDLP's improved electoral position vis a vis Sinn Fein. There may however be room for a renewed effort to ensure that the SDLP, and not Sinn Fein, claim credit for Government policies which help the minority; and for close attention to building contacts between the Government and the SDLP. (This point has already been drawn to the attention of Ministers.)

18. In the short-term, success would depend very much upon the size of the 'swing' vote between the SDLP and Sinn Fein. But in the longer-term, logic suggests that a successful SDLP could only attract votes which might otherwise have gone to Sinn Fein. It remains to be seen whether recent SDLP/Sinn Fein

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contacts will continue and whether they will amount to anything. In the short-term, they make cross-community political development more difficult; but, so long as the SDLP emphasise their disassociation from violence, they need not necessarily hinder our pursuit of strategy (iii).

Publicity

19. Strategy (iii) argues that the Government will lose no opportunity to point out to the electorate (and overseas audiences) the real nature of Sinn Fein, and will encourage others (such as the Irish, and responsible nationalists in Northern Ireland) to do so. It is important that such criticism of Sinn Fein by the Government should be in measured but forceful terms. Attacks which highlight PIRA/Sinn Fein links may help to reinforce the case for proscription; and it is relevant that the proposed candidates' declaration presupposes at least the possibility that Sinn Fein's elected representatives might honestly disassociate themselves from terrorism. But steady, measured criticism of Sinn Fein's support for violence by the Government should help to advance the strategy.

Summary and Conclusions

20. HMG needs to choose between three broad strategies for handling Sinn Fein:

- (i) proscription;
- (ii) an attempt to turn Sinn Fein (and PIRA, to an extent) into a 'normal' constitutional, albeit republican, political party;
- (iii) isolating Sinn Fein as the party which supports violence, and bolstering the SDLP as the nationalist alternative.

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21. The first option would solve some problems, but create other equally serious ones, whilst not touching - perhaps rather enhancing - Sinn Fein's bedrock support. The second appears too ambitious; at best, it might split the republican movement, but even this appears too much to hope for. The third is the most realistic strategy, but is not likely to produce short-term results which are much of an improvement over the present position. All of the Government's present policies (with a question-mark over the candidates' declaration) would be consistent with this strategy; but there remains room for further SDLP confidence-building, and for continued Government condemnation of Sinn Fein's support for terrorism.

CONSTITUTIONAL & POLITICAL DIVISION

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