

MR Spence

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PS/Secretary of State (L&B) - B

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I attach the latest political analysis by PAB of developments in Northern Ireland since the early part of February. The period has been dominated by continuing reaction to the various announcements about the administration of justice with a broadening of the protest away from the effect within Northern Ireland to that of the whole Anglo-Irish process.

The Unionists

2. Little activity has been evident in unionist ranks; in general they seem to be happy to sit back and watch what they consider to be a widening rift between HMG and the Irish Government. Most unionists are hopeful that the difficulties with Stalker/Sampson, the Birmingham Six, the Emergency Provisions Act, extradition from the ROI, and the "doubt" over meetings between senior RUC and Garda officers will call into serious question the value of the Agreement not only to the two governments but also to nationalists in Northern Ireland.

3. One interesting feature of this period has been the comments by Jim Molyneux about Anglo-Irish relationships. In a speech on 5 February he claimed that 90 per cent of people in the North would be prepared to play their part in helping the two governments "to design a real agreement which could lay the foundations for a lasting understanding within what Mr Haughey termed 'the totality of relationship'". He expressed the view that it was in the interests of unionists for good relations to develop between the Irish and British Governments and that the Anglo-Irish Agreement should be re-written to cover this totality of relationships between the two countries. However there is some speculation about what Molyneux is actually saying. Our interpretation is that because of the numbers of Irish in England, and vice versa, Molyneux believes the

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Agreement should extend the Anglo-Irish process to the whole of the British Isles. This fits neatly in Unionist thinking both as an extension of the integrationist philosophy that NI should be treated like any other part of the UK and also as a ploy to embarrass both Governments who would not wish the other to have a say in their internal affairs.

4. Conversely the move has been interpreted as a signal to Dublin, and Charles Haughey is reported to have said that although no specific invitation had been issued to unionist politicians, he hoped it would be understood that such a meeting would take place if it was desired. In noting Mr Haughey's comment Mr Molyneaux said he welcomed "the beginning of a willingness on the part of the Dublin Government to consider an alternative to the present Agreement". However he appeared to pour cold water on the prospects of a meeting with the Irish Taoiseach when he recommended that Mr Haughey study the joint unionist manifesto to learn the views of unionists.

5. A more direct exchange between the Irish PM and the unionist leaderships took place on the weekend of the Fianna Fail party conference. In his address Charles Haughey referred to the cause of peace, justice and equality and to his wish "to have an opportunity to hear at first hand from the representatives of the Unionist tradition how they would see these things come about". In a subsequent statement the unionist leadership made it clear that they were not prepared to enter into negotiations with the British Government, or any other party, as long as the "gun of the Agreement" was at their head. They continued, "Any new deal must be negotiated between London and the constitutional representatives of the Ulster people.... When such negotiations have taken place then those empowered by the votes of the Ulster people to work the agreed new structures of government within Northern Ireland would have to seek with Dublin a normalisation of relationships between Northern Ireland and the Irish Republic".

6. There have been reports that unionist acceptance of a role for Dublin in Northern Ireland affairs was contained in the proposals recently put to the Secretary of State and involved a new joint

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committee which would have representatives from the British and Irish parliaments and from a new devolved assembly in Northern Ireland. This committee would provide a framework for Anglo-Irish cooperation but with Ulster politicians directly involved in the process. These ideas are not new but if the reports of their adoption by unionists are correct, it is the first time that unionists will have accepted them as a manifestation of an "Irish dimension". Equally important is the apparent acknowledgement that without some role for Dublin in any new arrangements the SDLP would not participate.

The SDLP

7. The nationalist politicians continue to be pre-occupied with the current range of problems - the decision not to prosecute any RUC officers following the Stalker/Sampson Enquiry, the outcome of the Birmingham Six Appeal, and the proposal to make the Prevention of Terrorism Act permanent - all of which they see as evidence of HMG's failure to take account of nationalist concerns and to fully utilise the consultative arrangements under Anglo-Irish Agreement. Although these topics now hold centre stage, and involve direct discussions and representations between the Irish and British governments, there remains a feeling amongst the SDLP leadership that they have been let down and that Britain is not fully committed to the Anglo-Irish process.

8. The fact that the Irish - and by extension the SDLP - were not consulted or informed in advance of the content of the Attorney-General's statement on 25 January is perceived by the SDLP as damaging to their relationship with, and faith in, HMG and also detrimental to the cause of constitutional nationalism. John Hume has made it clear that "The matter isn't over yet. The Irish Government have done nothing wrong, therefore it is up to the British to correct the damage". However at the same time as they have been expressing their concerns senior SDLP figures have been at pains to point out that the Agreement is the only sort of framework which stands a chance of working to help resolve problems of such gravity as these.

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9. In a recent RTE interview John Hume said that he believed that unionists were now addressing themselves towards the problem of a divided society. He encouraged them to talk to the Irish Government to seek a clear guarantee that unionist assent was necessary to any arrangements for living together in Ireland and then to enter into dialogue to see how appropriate arrangements could be introduced. He rejected any idea that "the Irish" wished to crush Protestantism and went on to say that the unionists should challenge Sinn Fein to establish if those who pursued the Republican armed struggle really wanted to achieve reconciliation between the communities.

Prevention of Terrorism Act

10. The recent announcement by the Home Secretary, Douglas Hurd, that the Government intends to seek a permanent life span for the Prevention of Terrorism Act - instead of the current five year arrangement - has prompted predictable reactions in Northern Ireland. Although this piece of legislation has a UK wide application, and is aimed at international terrorism from whatever source it originates, it has by the nature of the threat been used most frequently in the context of Irish terrorism - both within Northern Ireland and on the mainland. Therefore, it has been perceived by many nationalists in Northern Ireland (and by people in the Republic of Ireland) as a repressive measure aimed at those with nationalist views or associations.

11. Seamus Mallon described the idea as "unjust, unnecessary, counter-productive, a boost for the paramilitaries and a further kick in the shin for Anglo-Irish relations", and added that he believed its main aim was to gather intelligence from people detained under its powers. Seamus Lynch of the Workers' Party referred to the decision as "crass stupidity" and said "it dealt a further blow to Anglo-Irish relations and to respect for the rule of law".

12. The DUP leader Ian Paisley said he would like to see even stronger measures introduced and said the proposal reflected "the total and absolute failure to defeat IRA terrorism". For the OUP

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Ken Maginnis agreed with the proposal saying that there was a need for the PTA to be made permanent because of the growing problem of terrorism in Europe. The Alliance Party legal affairs spokesman, Dan McGuinness, said his party agreed with the proposal but insisted that regular reviews were necessary.

General

13. In a recent statement the Bishop of Down and Connor, Dr Cahal Daly, said he believed that the efforts made, and considerable progress achieved, in developing an impartial and professional police force and in improving the image of the RUC in the eyes of a substantial section of the nationalist community "can be destroyed unless satisfactory solutions are found to the present debacle". On the Stalker/Sampson Enquiry he said the "affair will not go away. Only when truth is told and justice has been done can this affair be left behind". On the outcome of the Birmingham Six appeal he reflected the continuing concern amongst Northern Ireland nationalists on this issue when he said "Their early release on the grounds of clemency would be widely welcomed".

14. Following a report from Gerry Adams on his meeting last month with John Hume, the Sinn Fein leadership has come out in favour of meetings between the Sinn Fein President and SDLP leader. Mr Hume said he welcomed this decision on the meetings and expressed the hope that such talks would lead to an end to all military and violent activity in Northern Ireland.

Comment

15. There is little doubt about the strength of nationalist feeling concerning the recent announcements. Whilst SDLP leaders have been saying that these difficulties highlight the need for the Agreement they are conscious also of the fact that in the current climate there is scope for Sinn Fein to try and undermine the constitutional process and identify themselves as the protectors upon whom the nationalist community should rely. It is understood that the SDLP are looking for some positive signal of HMG's good faith which they could use to demonstrate the effectiveness of the Agreement and the whole Anglo-Irish process. It is not clear what signal they are

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hoping for and we believe, for example, that it is doubtful if any decision to take disciplinary measures against certain RUC officers would, to any real extent, meet SDLP expectations. This looks like a saga which may go on for some time and it is clear that relations between HMG and the SDLP will be uneasy for some time to come.

16. The public utterances by Charles Haughey and the comments by the unionist leadership are seen by many as a good sign. However whilst it is apparent that unionists now acknowledge that any chance for progress will entail some sort of role for Dublin, Paisley and Molyneaux see this as a long way down the road. Their strategy, should any progress prove possible, would be to begin with discussions with HMG to be followed by meetings with the local political parties. Only then are they likely to consider any talks with Dublin. How far either the Irish or the unionists are really genuine in their comments remains an imponderable; some in Northern Ireland still consider Charles Haughey as an opportunist whilst there may be a suspicion that the unionists are appearing constructive simply to help build their credibility with HMG during their current talks. In any event it is clear that no progress will be possible on a Belfast/Dublin basis until such times as unionists feel that they have resolved their position vis a vis the Agreement.

J E McCONNELL
Political Affairs Division
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cc PS/Ministers (L&B) - B
PS/PUS (L&B) - B
PS/Sir K Bloomfield - B
Mr Stephens - B
Mr Burns - B
Mr Chesterton - B
Mr Innes - B
Mr Elliott - B
Mr Steele - B
Miss Pease - B
Mr Spence - B