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SECRETARY OF STATE'S SPEECH - THE BRITISH/IRISH ASSOCIATION
27 SEPTEMBER 1992

"The Agreement and Beyond"

'Myself when young did eagerly frequent
Doctor and sage; and heard great argument
About it and about; but ever more went out
By that same door wherein I went.'

2. There was an echo of Edward Fitzgerald in Harry Whelehan's introduction to his delightful keynote speech on Friday evening, when he pictured for us a ghostly Gladstone and a spectral Salisbury revisiting the Irish Question today and wondering if anything had changed.

3. Certainly the argument continues certainly each of its extremes still has its supporters: but it's tougher out there at the edges than it used to be. The centre is making a better job of holding things together. Those political leaders who recognise their duty to work against the forces of fragmentation are finding some surprising people with them, in some surprising numbers. There is undoubtedly a unionist acceptance now, in some degree, that the minority community has an identity that transcends national boundaries and one that ought to be fairly accommodated.

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4. There is undoubtedly nationalist acceptance now, in some degree, that the Unionist majority in Northern Ireland cannot as a matter of principle be coerced, that they are likely to remain the majority, and that so long as that persists the present accommodation of their identity, which is British, is not without justification, and is in any event not likely to change.

5. This shift in perception reflects, I believe, the demand today from the public in Northern Ireland - and I would guess in the Republic - that "the politicians" get a better act together. The young in particular are tired of the recital of ancient litanies by yesterday's men.

6. We asked ourselves in Group 2 if this demand really was present, and drawing on varying experiences we recited that in some degree it was: at least we agreed there was a general move of opinion away from the extremes, one which political leaders are well advised to heed. In my view they have begun to do so. Mr Gladstone would observe this with satisfaction but without surprise, since he believed in the triumph of reason and the advance of mankind (for as long as possible under his own direction). Indeed he would attribute the long time it has all taken to his direction being unavoidably discontinued. Lord Salisbury I think might have viewed it without surprise and in a more melancholy vein, discerning in it an unquestionable element of abandonment of unionist principle only too representative of the modern trend.

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However that may be, we should now respectfully take leave of these towering shades - for it is not they but we who have to deal with the present, recalling - as John Lennon observed (we were reminded of it on Friday) - that life is what happens when we are making other plans.

8. Since our theme is the Agreement and Beyond it is sensible to ask if this movement away from the extremes derives from the Agreement, or has merely been subsequent to it, or whether conceivably it would have happened faster were it not for the AIA. Well, who can tell for sure? It might have happened anyway: in time I hope it would have: but I think that at least it was accelerated by the Agreement. And why? Because, in Harry Whelehan's words, it was a defining event. The Agreement makes manifest the British Government's recognition that its counterpart in Dublin shares with it, and above all with all the people of Northern Ireland, a major interest in diminishing the divisions there and achieving lasting peace and stability. In particular the Inter Governmental Conference, set up by the Agreement for that purpose, provides for regular and frequent meetings of Ministers, is staffed by a permanent core of officials, and has actually been seen to be working over the intervening seven years.

9. For all the fury with which it was received by supporters of the Union, deriving in part from the failure to secure their participation my reading is that most unionists recognise that the

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principles of a legitimate Irish interest in the affairs of Northern Ireland is now established - more especially in relation to those that pertain to the minority population. They recognise that it will not go away, and that anyway in practice it is not quite so frightening after all, and is capable of yielding advantage: indeed, has already done so.

10. Well, how? Well, take security. Those with an interest in these matters have to recognise that co-operation in the campaign against terrorism has greatly increased in effectiveness since matters affecting security have been able to be raised and discussed in the Conference. We see it in the help and cover the Irish Army gave us while we were hardening our PVCs near the border during Op Loren - even though the Irish would like to see them taken away. We see it in the parallel searches carried out by the Gardai during Operation Christo - a massive operation against businesses that were suspected of funding the IRA.

11. We see it in the increasing successes in the searches for arms carried out by the Gardai. We see it in the unprecedented willingness of Mr Flynn, a man of great personality and determination to defeat IRA, to visit his counterpart in the North and to seek to understand the security worries as seen from the Northern standpoint and to do all that is practicable to accommodate them.

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Now it may once again be that these things would have occurred anyway and one may argue that they should have. But I think they at least have happened much sooner than they would have - and the reason is that the Agreement's existence has diminished the scale of political difficulty previously inherent - and by no means fully extinguished in helping the Brits on security. There is more to go yet.

13. And here is another thing. The Agreement does go quite a way - for the first time - not the whole way, unfortunately, but quite a way towards recognising that Northern Ireland is part of the UK, and that its status will not change without the consent of the majority of the people living in Northern Ireland. Not wholly unequivocal language in Article 1 - but much better than nothing.

14. So our survey of what lies beyond the Agreement must take account of a background in which Unionist leaders at any rate (or some of them) are now seeing some merit in what formerly they unequivocally denounced or at least giving it a measure of toleration and they now more realistically will settle for improving it rather than demanding its removal.

15. This is a frame of mind which is by no means shared by all their people: Dr Gray told us yesterday of those who feared that in the end no Protestant will be left in Northern Ireland - but it is one which offers greater hope for an agreed and tranquil Northern Ireland than has ever existed before.

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16. How is that hope to be enhanced, and fulfilled? I am convinced it can only be through the process begun by my predecessor whereby a new beginning is sought for the totality of the relationships that are relevant to Northern Ireland.

17. And so what are the prospects for that? I think the answer is governed by whether the participants in the Talks accurately understand the fundamental nature of the problem, the problem being why the division in the community of Northern Ireland still leads to an instability that permits terrorism to continue for political ends and in so doing propagate itself.

18. In my opinion that understanding is being gained. I have touched on it at the beginning. The identity of the minority in Northern Ireland is an Irish identity. They see themselves as part of the Irish nation, most of whom live south of the border and whose political entity is the Dublin Government.

19. While they do not, in their realism, expect Northern Ireland to cease to be part of the UK perhaps in their lifetime, for reasons whose validity they are able more or less to accept, they are not able to feel an identification with its structures sufficient to lead them to play a part in upholding them, and certainly not sufficient to enable them to defy the IRA's intense campaign of intimidation against Catholics, particularly in the security forces.

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20. Add to this the fact that the structures are such that no locally elected representative has executive authority significantly more comprehensive than that of a member of a Parish Council in England, then we see a powerful disincentive to Catholic participation in a wide swathe of public service.

21. Given the age old grievances of the Catholic population, so easily focussed now on the presence in Northern Ireland of the Army in support of the RUC, and you have a conveniently extensive sea for the terrorist to swim in. Not made up of sympathisers necessarily, but largely comprising those who do not see the organs of the State as either reflecting their identity or their interests.

22. I can only tell you that in my opinion this and the need to remedy it is now rather clearly understood by many who lead the unionist community. But on their side the supporters of the Union have their anxieties. They fear they are travelling irreversibly and inexorably downhill: that their identity is of secondary interest to the Government and of zero interest to anyone else. And frankly, for all the frequently reiterated constitutional guarantee, they fear that one day the Government is going to betray them. It isn't; but that is what they have always feared will happen one day.

23. They would say, if they were here - and I think it a great pity that they are not, for whatever reason - that that fear is enhanced by Articles 2 & 3, as interpreted by the Supreme Court in the McGimpsey judgement: not because they anticipate an armed

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attack across the border but because a constitutional imperative to work to secure control of the remaining six counties has been proclaimed. They see that as a threat to their right of self determination, and will always see the Government of Ireland in all their dealings with them as being conditioned by that imperative. In all fairness that should surprise none of us. They too have an identity and as Dr Gray reminded us, they think it is going to go under. Hence the propitious conditions for the soi-disant loyalist paramilitaries.

24. So if the Talks had not already been put in motion they would have to be invented fast. As it is, they are well established. They have generated momentum which is helping them to overcome obstacles. They have reached, and are now into, the discussion of practical structures for relationships between North and South. All the participants in Dublin felt a step change in the esprit and the content of the talks last week.

25. You would have been surprised by the content of the contributions, written as well as oral, from more than one side last week. And by the degree of general acceptance each found. And as to surprise, I strongly sympathise with those who point to the dangers of surprising the electorate. That is why effectively to have brought the Talks to an end by an IGC, this week, though undoubtedly an entitlement of each Government, would have been wasteful. But an additional and final 6½ weeks gap, announced in company with a firm bilateral assertion of support for the

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Anglo-Irish Agreement, was just enough time to construct heads of agreement. I think they can do it and I am deeply relieved by the decision.

26. It is not true the Talks are going nowhere (though I can understand why that may be supposed outside) and none of us thinks this. But if they are going to conclude in success this time, everyone is going to have to take account of the difficulties experienced by everyone else. They are, actually, identical in character. The Irish Government naturally, are nervous of the influence of the old passions, latent but not extinguished. The SDLP fear Sinn Fein. The UUP are nervous about the DUP, and the DUP are nervous about their more zealous supporters. They all have to watch their backs. The Unionists feel they need an assurance that if a satisfactory settlement is reached on all 3 strands then the Irish Government will put legislation forward proposing a referendum on Articles 2 and 3. They see them as now too threatening to be left. They cannot be seen now to acquiesce in them. The Irish feel the need in any event to be able to point to a satisfactory package of reforms within Northern Ireland in return and an all-Irish dimension in relationships which safeguard the rights of the nationalist minority before they can recommend adjustment in constitutional provisions that are of such symbolic importance and to which they think more weight by the Unionists is being attached than is reasonable.

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27. The SDLP have to take care not to be seen as Uncle Toms by Nationalists.

28. And what of the British? There can be no question of setting aside the Union while the majority wish it to continue, and this was clearly accepted by all when the Talks process was set up on 26 March 1991. Indeed it is the objective of the British Government that there should, in a new agreement, be a clearly stated and unambiguous assertion of the status of Northern Ireland instead of its blurred treatment in Article 1 of the Agreement. But the British, too, although they have no need to watch their backs, could usefully spell out more fully their attitude, particularly in relation to the aspiration to an Irish island that forms a political unity. That position can be expressed thus.

29. My predecessor's "Whitbread Brewery speech" of 9 November 1990 has been often quoted, and especially the passage in which he said, referring both to those who are content with the present reality that Northern Ireland is part of the UK and to those who have an aspiration to see a united Ireland, that

"It is possible to take either position with integrity. It is acceptable to uphold the one or advocate the other by all legitimate, peaceful and democratic means. What is not acceptable, and what totally lacks integrity, is the promotion of either view by the crude and brutal methods of violence and coercion."

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30. I endorse those thoughts without reservation. To be content that Northern Ireland remains part of the UK is no more than to be content with what is recognised in international law (as well as established by the law of the UK), and with what accords with the present wishes of the majority in Northern Ireland. The Government's guarantee to those who hold that preference has been too often cited to need repetition. That guarantee is for real and not for revocation. It derives from the legitimacy of the majority's position and the duty which it imposes on the Government of the United Kingdom of Great Britain and Northern Ireland towards its fellow citizens.

31. What it does not derive from is any selfish interest on the part of the Government, whether strategic, economic or political in character. No such interest of itself impells or even inclines us towards maintaining the present status of Northern Ireland if it were ever to cease to be supported by the majority of those living there. We would never try to impede any body of opinion from working to achieve a place for Northern Ireland in a United Ireland, provided they do so only by democratic and peaceful means. So long as the majority continue to give the present status their support we guarantee the continuance of that status. We have no persuasive role in either direction, and it would be unimaginative to urge upon us that we should accept any such vote.

32. If the majority there were ever to come to hold the other preference, then the Government would not try to impede any

Constitutional change in the newly desired direction: it would facilitate it with the necessary legislation, as has long been made clear. Just as there are many here who would welcome it so no doubt many of us would feel personal regret at such an outcome, myself included; for we value so greatly the qualities of people of every tradition in Northern Ireland. But that is not the point. The point is that it is of course entirely legitimate and proper for people living in the free society of Northern Ireland to aspire to see Northern Ireland incorporated within a united Ireland, and to work peacefully to secure it, provided always that is to be achieved democratically by the people who live in the Province. That is an entirely valid aspiration to hold whether you are North or South of the border, and we respect it as such no less than we respect its equally valid Unionist counterpart. We will continue to respond to it accordingly.

33. When we have addressed the political and constitutional agenda, in this way, we shall of course still need to keep up our pressure on those areas of relative economic and social disadvantage, which disfigure both sides of the community, and provide such opportunities to those who urge (absurdly) that violence can bring about a better world. That pressure is already formidable, much reinforced by our friends around the world, and by those who continue to find Northern Ireland such a propitious place for investment.

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34. We shall need equally to continue our unrelenting and even handed pressure on the terrorists by security forces - always within the rule of law, and in a way that avoids the alienation of the population.

35. So this is the complex way ahead, with the territory that lies beyond the agreement.

36. It does not lie, with respect to John Simpson, in the imposition of a solution by the 2 sovereign Governments upon a territory whose people they have concluded are incapable of agreeing how to live together. He engagingly added "Don't expect us to vote for it. We wouldn't."

37. That would indeed be to create, not a solution but a situation - one of which we have had all too much experience, a bourne to which these travellers have no intention of returning.

This amendment would be along the lines of the current provision of Article 29 which states: "No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the state notwithstanding the obligations of membership of the Communities or prevents laws enacted, acts done or measures adopted by the Communities, or institutions thereof, from having the force of law in the state".

While the Irish Government is willing to ask the electorate to vote on a similar amendment incorporating any new agreement in the Constitution, they have told the Unionists that this would not involve any change in Articles 2 and 3.

The Unionists for their part found this unacceptable and insisted that any agreement is conditional on a change in Articles 2 and 3 and that any agreement without such a commitment is given".

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