



An Chartlann Náisiúnta
National Archives

Reference Code: 2021/102/23

Creator(s): Department of Justice

Accession Conditions: Open

Copyright: National Archives, Ireland.
May only be reproduced with
the written permission of the
Director of the National
Archives.

Questions to DUP

Táiriste

Q. 1 To match Dr. Paisley's thorough analysis of the Irish document, I would like to begin with the cover of his statement! It refers in bold type to the Ulster Democratic Unionist Party. I have no problem accepting that is the correct title.

- Would he however agree that "Ulster" is used here in a way nationalists would not use, whatever part of Ulster they came from?
- What does "Ulster" mean in this context?
- Is it shorthand for the Unionist community in Northern Ireland?
- (So the very title of Dr. Paisley's party proclaims it is for one tradition only?)

Q. 2 On Page 4 Dr. Paisley's paper speaks of "Ulster's right to self-determination", and on page five "the self determination of Northern Ireland"

- Are these the same thing?
- Would he accept that while some two-thirds of the population might share his view of self-determination for Northern Ireland, one-third hold equally strongly that self-determination should apply in a different way, namely to the traditional unit of the island of Ireland?

- Would he accept, in short, the people of Northern Ireland are deeply divided on this issue?
- Does he believe these deep divisions have any implications for the unionist position?

Q. 3 On Page 2 he mentions the partitioning of Ireland.

N/FA

- Would he accept that the particular area chosen was a new entity in that it had not existed as an entity in historical or administrative terms before that?
- Would he agree that the purpose of selecting this particular area was to give the unionist community the largest area of the former province of Ulster compatible with a safe unionist majority?
- (Would Dr. Paisley then accept that Northern Ireland was a special entity created purely for the benefit of the unionist community and to the detriment of the wishes of the nationalist population there?)
- If it was right to create Northern Ireland to prevent the unionist population (about a fifth of the population of the island at the time) being forced into all-Ireland structures which they did not accept, why does Dr. Paisley feel it is justifiable to force the nationalist population in Northern Ireland (some 30-40% of its entire population) into a completely new structure they most emphatically did not accept, namely Northern Ireland.

*

Q. 4 Page 2 of the DUP statement says that "the programme for ultimate conciliation was a compromise settlement of two home rule parliaments on the island".

MIRA

- Would Dr. Paisley agree that the Government of Ireland Act envisaged the coming together of the two Parliaments via the bridge of the Council of Ireland as the ultimate conciliation?
- He would agree therefore that the division of Ireland was clearly regarded as undesirable, even in the legal instrument which established it?

(If he responds that this outcome was envisaged within the UK and that nationalists failed to work the Council of Ireland):

- Does that mean that there could be circumstances where an objective of Irish unity which took account of all traditions and of the unionist relationship with the UK could be acceptable to Dr. Paisley and that he could accept bridge building institutions towards that end?
- ~~Section 75 of the Government of Ireland Act clearly establishes the supremacy of the Westminster Parliament.~~ The Westminster Parliament approved the Anglo-Irish Agreement by 473 votes to 47 votes. Does Dr. Paisley accept that verdict?
- I take it therefore there are circumstances where Dr. Paisley considers that the supremacy of the Westminster Parliament is qualified by reference to the values and welfare of his own community?
- What are these qualifications?

- There would be decisions of the Westminster Parliament which however procedurally correct and in the interest of a majority of British people, Dr. Paisley would reject on grounds they were inimical to the interests of his particular community?
- Would he accept that Northern nationalists could also be entitled to reject the supremacy of the Westminster Parliament on grounds that the decisions were repugnant to the interests of their community?

Q. 5 On Page 2 Dr. Paisley denounces the late President de Valera on the grounds that he disregarded the tripartite agreement of 1925.

- Has Dr. Paisley ever rejected any agreement which, while procedurally correct in every way, he felt had been negotiated or was being implemented against the real wishes of the community?
- Could he explain the difference between his position and that of Mr. de Valera in regard to this point of principle?

Q. 6 On Page 4 he quotes Mr. de Valera to the effect that the coercion of Northern Ireland could be justifiable. There are many quotations where Mr. de Valera rejected such coercion in principle, as he always did in practice.

- However would Dr. Paisley accept that the Forum Report is both a more definitive and up-to-date statement of the position of all the constitutional nationalist parties in Ireland and that it expressly rules out the coercion of Northern Ireland?

4/4
D.7

Q. 7 The DUP statement on Page 5 makes clear the view that Articles 2 and 3 of the Irish Constitution must be amended.

- Does Dr. Paisley accept as a political fact that this can be done only by winning a referendum in our jurisdiction?
- Does he feel his own actions and those of his colleagues could have any bearing on the outcome of that referendum?
- What actions if any would he propose to take to help an Irish Government which had launched itself on that process, to help to carry the referendum?

Q. 8 The DUP paper says one of the objectives in amending the Constitution (item (d) towards the bottom of page five) is "to formalise the Irish Republic's acknowledgement of two traditions on the island".

- Would Dr. Paisley accept that the nationalist tradition within Northern Ireland must be acknowledged and if so how?

Q. 9 On Page 6 the DUP paper states that "these talks are not, and cannot be, about any re-negotiation of the Union".

- Would Dr. Paisley agree that the Unionist majority around which Northern Ireland was built will tend to assert itself in all tests of opinion in Northern Ireland as long as the nationalist aspiration to unity exists in any meaningful way.

- In such circumstances, a majority will always be a unionist majority?
- In such circumstances nationalists could hope for a share in power either by grace and favour of the unionists, or because majority rule was qualified in some way?
- Would he accept that any qualification of majority rule is necessary to meet the problems caused by the particular communal arithmetic built into the foundations of Northern Ireland.
- Has Dr. Paisley ever supported power-sharing or does he do so now?
- It is his view that the nationalist ethos or aspirations must operate only in the space agreed for them by the unionist majority?
- In practice the unionist majority have the right to define the practical expression of the identity of the "nationalist community"?
- (To take an extravagant hypothesis, if Dr. Paisley was a nationalist leader instead of a unionist one, on what grounds would he advise his community to accept that state of affairs?)

Q. 10 On Page 8 the DUP paper suggests that an objective of the Agreement was to "buttress up the SDLP".

- Would Dr. Paisley see any value in strengthening the forces of constitutional nationalism as opposed to ~~both~~ those elements of nationalism which endorse violence?

- Would he agree there is an important distinction between the two?

Q. 11 You state on Page 8 that the claims of the Agreement to bring peace have been "hurled back" in our teeth.

- Is the continuing violence not the fault of the paramilitaries of both sides?
- (Is not the death toll by paramilitaries from the loyalist side higher this year so far than from the nationalist paramilitaries?)
- Would you accept that both sets of paramilitaries are in fact hostile to the Agreement.

Q. 12 Again on Page 9 the DUP statement discusses the Agreement. Article One of the Agreement says, to put it in shorthand, there is not a majority for change at the moment but if a majority in future wish for a united Ireland the two Governments will give effect to that. Dr. Paisley says this "discriminates in favour of a Roman Catholic majority only".

- Could he explain why the same reference to a majority in both cases is discriminatory? (It should be emphasised that the Agreement speaks about a majority in Northern Ireland, not the majority, meaning the unionist community).

Q. 13 On Page 10 Dr. Paisley's paper says there is "not a word about the protection there would be for Protestants if a majority could be found to vote the North under Dublin rule".

- Would he feel it helpful if our present negotiations went into this area?

Q. 14 You refer on Page 12 to criticism of the UDR.

- Do you accept that the Stevens Report findings on collusion with terrorists, and the record of convictions - some 150 members convicted of serious offences and 19 of murder - provide legitimate grounds for concern?

Q. 15 In the second last paragraph of Page 12, his paper speaks of the attitude to the Crown, flags and emblems of the Union.

- Would he accept that nationalist experience of the Crown was as an alien authority and that it is therefore genuinely difficult for nationalists to see these things as unifying symbols, for very understandable historic reasons?
- If these symbols do cause difficulty for the nationalists, could Dr. Paisley envisage addressing this problem in those areas where it did not threaten the essence of his position?
- For example, if he were told that nationalists would find it easier to attend a ceremony where the loyal toast to the Queen was tactfully omitted, would he accept that?

- If keeping the title Royal and the insignia of the Crown on the RUC meant the difference between nationalists joining the police or not, would he drop the insignia to secure that objective, or would he insist that the insignia should remain irrespective of its implications for nationalist attitudes to the police?

- This would also apply on the basis of the Union as a whole? Dr. Paisley would not make any sacrifice whatever on the level of symbol to make it easier for nationalists to come to terms with their unwelcome position under the Union?

- One side must have both the symbols and substance, and the other side neither?

Q. 16 To revert the basis of the talks mentioned on Page 1, the paper says the acceptance by HMG of aspects of the sub-committee report not universally agreed played a role in the decision of the DUP to participate in Strand Two.

- Could Dr. Paisley explain what he understands to be the position in this regard - what does he see as the implications for internal arrangements in Northern Ireland?