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Notes on a meeting between Irish Ministers and  
GWP, Stormont Thursday 22 October, 1992

An informal bilateral meeting between Irish Ministers (Tanaiste and Minister Molloy) and members of the UUP (Mr. Ken Maginnis, Reg Empey and the brothers McGimpsey) took place at Stormont on the afternoon of Thursday 22 October 1992. Messrs. O hUiginn and Dorr were also present on the Irish side.

The meeting was a very friendly one and because of its informality it seemed preferable not to be seen to take detailed notes. The following accordingly is reconstructed from points noted briefly at the time.

After some informal pleasantries and general conversation Ken Maginnis noted that the Talks process had engaged both sovereign Governments and all four of the main constitutional parties. The fact that all major participants had sat around the table for months made the consequences of failure more serious. There could be a very serious security change if the Talks broke down now. Denis Haughey had agreed with this view. (The following is reconstructed in the form of direct speech for convenience.)

We are the Unionists of the new generation. We would ask you to judge what we are saying in comparison with the Unionist position of twenty years ago. We have put forward proposals in some detail. These can be developed further. We can see the pressures on the Irish Government at the present time. I do not wish to be offensive in any way but we are aware that you are a Coalition Government, that you are facing into three referenda and that there are various other problems with which you have to deal. But we feel we are not getting an adequate response. We see the present meeting as exploratory and informal. We will be happy to come back to talk to you again whenever necessary.

I hope you are really aware of the difference between the papers we are putting forward to you and the expectations of the Unionists in our community out "in the sticks". We are telling you that Unionists can and will deliver. We are not going to back out on anything we put our hand to. Indeed I would rather promise half as much and deliver on it in preference to promising a lot more and not delivering. But there is a reciprocal problem. If we commit ourselves, for instance by a UK Act, to some structures and we deliver, then what happens if the SDLP pull out? In that case the device of having a fall-back position under which the Secretary of State would appoint someone to fill the vacancies would simply not work.

**Tánaiste** Yes, I understand. I can tell you from our side that we are here for real.

**Empey** We have been getting some vibes that you felt nothing could be achieved here?

**Tánaiste** No. I agree with you about the dangers in relation to security and the gunmen.

The proposal you put forward for an Inter-Irish Relations Committee is an advance. But on the other hand it is a proposal which could have been made as things stand without any reference to constitutional issues. We need a constitutional balance.

**Maginnis** If we are going to create a relationship between the two parts of the island it will be totally dependant on the Unionists and not on Her Majesty's Government. If we are to deliver we must be able to deliver the Unionist people. Therefore whatever we establish must be seen as beneficial. We are trying to give a signal to each other. Whatever it is has to be mutually advantageous. We are essentially looking.. for something which regularises the de facto position on the island.

(He went on to refer to the Supreme Court decision in the McGimpsey case on Articles 2 and 3.)

If there is a genuine desire for this kind of new relationship it will be difficult. Remember though that it has never been easy for us. We have come here to sit at a table despite the fact that our community has suffered two thousand dead. I must tell you however that if the two Governments think they can go out and make a decision and then tell us about it - that simply won't work.

I mentioned the Supreme Court case. Remember that in coming to Dublin in 1988 to the Supreme Court we made an initial gesture in the sense that from our viewpoint we were using an alien system. We did not like much of what we got but we did go and use the system and that was a gesture from us.

I respect the right of anyone to have aspirations and I will go out and stand up for that. However, I do not believe that you should write aspirations into constitutions. Remember that in the island as a whole the Unionists are in a minority of four to one. You are a sovereign Government and you have everything on your side. There is a disproportion here. Of course there will be something on our side when we get an Assembly in place and also arrangements in Strand 1. The SDLP and UUP can formulate close working relations.

**Tánaiste** All of us in the Talks have agreed about the two traditions. The New Ireland Forum which Dr. McGimpsey and his brother attended proposed several approaches. One of these was joint authority which would fit very logically with the position we have recognised about the two identities and the

two traditions. Inso facto joint authority would mean a modification of Articles 2 and 3; and it would ensure that the Unionist tradition and the nationalist tradition were adequately catered for. This of course would be in no way to exclude the possibility of an Assembly in Northern Ireland.

Maginnis I think we need to talk about reality and not joint authority. It is simply not a starter. We would have no mandate to go down that road. Within joint authority you would have a conflict built in since Unionists would feel that any generosity was a surrender.

Chris McGimpsey Remember that Unionists are one out of sixty in the UK whereas nationalists in Northern Ireland are one out of nine of Irish nationalists in the island as a whole.

Maginnis It would be a signal to the IRA that all they needed was "another push" to achieve their objectives.

Reg Empey Remember the Secretary of State Sir Patrick Mayhew is temporary in the nature of things - he could be blown away like a leaf. We could be dealing with Kevin McNamara (Labour Party Spokesman) for example. We can look at other ways to make institutions more acceptable but joint authority is simply impossible. Remember also that we start this process with our identity realised. We cannot come out of it with our identity not realised as would be the case.

Maginnis It would be a quasi-colonial situation which could not achieve stability.

Tanaiste (Jokingly) I could be knifed too for that compromise!

Maginnis I would ask you to look at our suggestions and see whether they can be built on. I am referring particularly to our paper of 28 August. It is there as a set of possibilities. If you say it cannot be developed, then these suggestions are no longer there. All our proposals would have to come off (the table). But they are worth looking at.

The Anglo-Irish Inter-Governmental Conference has been a milestone around our necks. But in the new situation the Anglo-Irish Inter-Governmental Conference mark 2 has to have Unionist participation.

Tanaiste Do you not think the AIGC has impacted on security measures.

Maginnis I get conflicting reports about that. Remember I go back a long time - to 1958 as an Ulster Special Constable.

The Tanaiste joked about possibly having met him in that capacity in Fermanagh at that time and Maginnis responded by talking about the degree of informal cooperation across the border which existed then. The Tanaiste said he was well

aware of this.

Empay We are not suggesting that the two Governments would not be able to meet on their own. When we say that we would have to be involved we mean all of the people of Northern Ireland, through the Assembly which should be involved.

Maginnis I hear very good reports at times about what the Minister for Justice Pdraig Flynn is doing (he went on to give some credit to security cooperation while noting that he did not know the full picture).

Mr. Maginnis went on to refer to the perception of the issue of the Adelaide Hospital and the danger that it might be swallowed up in a new hospital like Tallaght where its ethos would disappear.

Tanaiste That will never happen. I take your point but my view is that that will never happen. There are planners in some of these situations who think they can build big, better and more comprehensive hospitals. But I don't believe it will happen. It is certainly not ideological.

Minister Molloy As regards Strand 1 institutions - how do you see a Southern presence?

Maginnis If we reach agreement there would be a heavier responsibility on us to show that we had met it and carried it through to the nth degree. It would be a flagship for Unionists. If they were in agreement and it were not implemented, then we know that all that we stood for in terms of this political entity falls apart. To answer your question your role in Stormont would be in the new situation no greater than my role in the Dail.

Empay It is a matter of the quality of institutions. As we see it the Irish identity has three components:-

- (a) Internal Northern Ireland institutions;
- (b) Institutions between North and South; and
- (c) Institutions of an East/West character.

The Irish identity is met by the totality of these, not in any single area of the three.

The-Tanaiste asked about SDLP proposals and the concept of separation of powers modelled on the US.

Empay replied that if there were a panel there could be many models for it. However, the Hume model and Hume proposals differed from the situation in the US in that they had "off-shore" Commissioners i.e. Commissioners appointed by the British and Irish Governments and the EC respectively. That would change the status of Northern Ireland. It would no



longer be part of the United Kingdom or indeed of Ireland. (The point here was that the appointment of outsiders to the Commission in the Hume model went beyond the idea of separation of powers and brought in an outside element which introduced a new principle to change the status of Northern Ireland.)

The Tanaiste spoke about the fact that as well as the three elected Commissioners the Hume plan envisaged representatives appointed to the Commission by the British and Irish Governments. He thought that both Governments would appoint elected political figures to these posts.

Ken Maginnis spoke about the need for the institutions to serve a healing function within Northern Ireland (which would not be helped by outside Commissioners). He also noted that in talking about executive powers it would be necessary for the Irish Government also to cede powers to any institutions which might be established of this kind.

Minister Molloy (Picking up on a point made by Sir Ninian Stephen on the previous day) asked if it were the case that the thinking of the Unionists had moved forward somewhat on the issue of executive functions for North/South institutions?

Empey There is a method we believe of doing something of that kind. We could pursue that with you if you wish. That does not mean we can give you everything you want. But we could talk further about that.

The idea of further discussions on this issue was welcomed by the Irish side.

Maginnis made a general offer to meet at any time with the Irish Government side at twenty minutes notice. He also suggested that if any informal discussions succeeded in defining an area where we agree then in total confidence we should try to put that down on paper. If we succeeded in doing this we could then consider offering it to Sir Ninian to "bank it". On the other hand if we did not succeed we could simply tear it up and go on.

The meeting ended at this point as the Alliance Party were waiting for the Irish Ministers for another scheduled bilateral meeting.

N.D.  
23/10/92

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