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NOTES ON CLOSING SPEECH BY NORTHERN IRELAND SECRETARY,  
SIR PATRICK MAYHEW, TO BIA MEETING, SUNDAY 27 SEPTEMBER, 1992

Comment

1. Sir Patrick Mayhew addressed the closing session of the BIA meeting in Oxford on Sunday morning 27 September, 1992. His presentation of the prospects for the talks was generally seen by the audience as very up-beat and to their ears surprisingly optimistic. He also seemed, to several people to whom I talked, to have been reasonable and positive from an Irish viewpoint.
2. In fact, close consideration of what he said from the viewpoint of someone with a knowledge of the current talks would suggest a less sanguine view. His relative optimism about the prospects of success appeared to be based on a belief that the Unionists have moved a good deal but it did not seem to show any deep understanding of how substantial a deal would be needed to allow the Nationalist side to consider change in relation to Articles 2 and 3 which the Unionists insist is a necessary condition for any agreement. Furthermore, on the key issue of whether the British Government could go beyond 'neutrality' in relation to the aspiration to Irish unity and go some way towards 'welcoming' it, with due regard for the principle of consent, Sir Patrick's formulations, though according to British officials well meant, seemed less than helpful. In particular he said at one point that while the British Government would not impede a United Ireland achieved by consent, they have no persuasive role in either direction and 'no doubt many, myself included, would feel personal regret at such an outcome although others would feel great pleasure'.
3. In a private discussion afterwards with Graham Archer, Head of the Republic of Ireland Department in the Foreign Office, who asked me what I thought of the speech I pointed to the somewhat negative impact of a formulation of this kind if it were repeated in public. He said that the speech was well intentioned and that this formulation had to be read in context with other more positive sentences to which it was intended as a balance. In particular, he tried to argue that the preceding sentence in which Sir Patrick said that there was "nothing that impels or even inclines us to impede a United Ireland" was an advance on anything said previously. I suggested that the phrase in Article I of the Anglo-Irish Agreement about 'facilitating' Irish unity if a majority consented was itself more positive than 'not impeding'. He seems surprised at this view but did not dispute it.

4. On the specific point of the Secretary of State saying that he would personally regret such an outcome, Archer said to me with a tone of some significance, 'I hear what you say'. He repeated that again and I took the clear implication that he would try to ensure that this negative formulation does not appear in anything which Mayhew may say publicly. He told me that there was no script available of Sir Patrick's statement but that he would expect that an opportunity would be found soon to make a public statement on the same lines. If so, it would seem to me very desirable that Sir Patrick should not indicate a personal preference against Irish unity and I would hope that Archer at least, has taken this message from our conversation.

#### Notes on Sir Patrick's Statement

5. The following are notes which I made during the speech. They are not complete as I had assumed a full text would be available at some point.
6. Sir Patrick agreed with what the Irish Attorney General had said in his statement on Friday at the opening session that the Agreement was 'a defining event'. Most Unionists realise with decreasing reluctance that the principle of a legitimate Irish interest in Northern Ireland, especially as regards minority interests, is established.
7. Security cooperation is very good. There had been very great help given on the Southern side during Operation Loren which involved the hardening of PVCs on the Northern side. This was all the more praise-worthy since it was clear that the Irish side do not like the principle of PVCs. There was also great cooperation on Operation Christo (?). There was also the willingness of the Minister for Justice, Mr. Flynn, ('a man of great personality') to visit Minister of State Mates in Belfast and receive him in return. All in all the very existence of the Anglo-Irish Agreement has reduced in scale the political difficulties for the Irish Government about being seen to 'help the Brits' on security matters.
8. The Agreement goes quite a way towards recognising that Northern Ireland is part of the United Kingdom - 'as indeed it is in international law and domestic UK law'. There is now a certain measure of toleration by Unionist leaders of the Agreement in the sense that they are concentrating on improving it. There is greater hope for an agreed and tolerant Northern Ireland which will

respect the minority identity. It is understood that "the minority see themselves as a part of the Irish Nation whose political entity is the Government in Dublin" and that "they have not been able to feel an identification with the structures of Northern Ireland sufficient for them to play a part in upholding them". If you add in the fact that the political structures in Northern Ireland exercise power no greater than a large parish council in England it is clear that there are many reasons for (working for political development?).

9. The Unionists have a deep-seated fear that the British Government will one day betray them. This is accentuated by the existence of Articles 2 and 3 of the Irish Constitution. This is not because of fear of attack from across the border - it is clear from Article 29 of the Constitution that the State is committed to peaceful settlement of disputes - but because Articles 2 and 3 as interpreted in the McGimpsey case were described as a 'Constitutional imperative'.
10. There has been a change in the nature of the discussions in the talks this past week. You would have been surprised at the contributions made in some quarters. There is a definite sense of excitement. It would, however, be very dangerous to present a package ultimately to the electorate on a plate. This leads to the question - should we possibly now be modifying the rule of confidentiality? The Secretary of State said he wanted to reflect on that.
11. The new six and a half week gap (agreed at the Summit in London on Friday) gives just enough time to construct the Heads of an Agreement across the board by the end of that period. The situation at present is that the Unionists insist that the Irish Government should state that if a satisfactory solution is reached then the Irish Government will put to a referendum a proposal to a referendum to modify Articles 2 and 3 of the Constitution to turn them to an aspiration; while the Irish side feel the need for a satisfactory package of reforms providing all-Ireland institutions.
12. For the British Government there can be no question of setting aside the Union while the majority wishes it to continue (sic - he said 'the majority'). This was formulated clearly in the statement by the Secretary of State on 26 March, 1991, which was carefully negotiated and agreed (Note: the reference in paragraph 1 of that statement to the status of Northern Ireland as part of the UK was a reaffirmation by 'Her Majesty's Government' of its position rather than an agreed position of all

involved).

13. It is the ambition of the British Government that there should be a new and unambiguous statement to replace Article 1 of the existing Anglo-Irish Agreement. The aspiration for an 'Irish island that forms a political unity' could be spelled out. The British Government could accept this and could also endorse the statement by his predecessor Peter Brooke that it was acceptable to advocate either position (the Union or United Ireland) but that it was not acceptable to promote either by coercion.
14. The British Government is content that Northern Ireland remain part of the United Kingdom. "The guarantee is, therefore, for real and not for revocation." It derives from the wishes of the majority and not from any selfish interest of the UK 'that impels or even inclines us to impede a United Ireland. We have no persuasive role in either direction'. If the majority say that they are willing to accept a United Ireland the British Government would facilitate it. 'No doubt many, myself included, would feel personal regret at such an outcome. Others would, of course, feel great pleasure.'  
  
[In the meantime there is need for law and order?] impartially applied by a civilian police force.
15. The solution does not lie in the imposition of a settlement by the two Governments. (He concluded with some generally hopeful remarks on the present situation.)



N. Dorr  
29 September, 1992.