



An Chartlann Náisiúnta
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(Mr McGroary is the "Republican source quoted in Brendan Brann's book, + referred to by the Taoiseach in his 'Irish Association' speech. (Oh)

cc PST
PSS
Mick Murray
Dr H. Marshall
Pier
28/2

SECRET

Meeting with Paddy McGroary, solicitor, 24 February 1994

~~Document~~
Who see
please
- in particular

I met Paddy McGroary at his residence on 24 February. The following points arose:

Joint Declaration

the passages
marked
2/3/94

several days previously, Gerry Adams, whom he legally represents, had met him to discuss a libel suit which Adams intends to bring against Ken Maginnis, BBC and UTV. (Details on the libel issue are set out below). McGroary and Adams do not normally discuss political issues but on this occasion Adams wanted to talk and discussion turned to some ideas which McGroary had been privately thinking about with a view to advancing consideration of the peace process within the Republican Movement, and which he had typed up roughly in the form of two documents;

his his brother
2/3/94

Adams told McGroary that he felt that he was going in circles in his efforts to frame a response to the Joint Declaration and that he would welcome any illumination which McGroary could provide. McGroary offered his thoughts to Adams on a confidential basis;

- McGroary's core point, which he believes should be presentationally useful to Adams within the Republican Movement, stems from the fact that the Declaration concedes that the Irish people have a right to self-determination, without external interference. McGroary emphasised to Adams the presentational significance of this concession. Adams could, he argued, sidestep problems about the "Unionist veto" if he plays up the Irish dimension to this, i.e. the statement by the Taoiseach in paragraph 5 of the Joint Declaration that "it would be wrong to impose a united Ireland, in the absence of the freely given consent of a majority of the

people of Northern Ireland", as distinct from the British Government's reference in paragraph 4. He argued that Adams should make use of the distinction that, when the pledge to the Unionists comes from a British source, it is external interference and upholds the "Unionist veto"; but that when it comes from an Irish source, it relates to the exercise of the right to self-determination;

- Adams, having read the material, told McGrory that he was interested in his ideas and indicated that they would be useful in the context of preparing his approach for the weekend's Ard-Fheis;
- I reminded McGrory that the Taoiseach had, on a number of occasions, stated that either Government could clarify the Declaration and that none of the Taoiseach's statements had in any sense been quibbled with or rebutted by the British. McGrory took the point and added that considerable skill had gone in to the Joint Declaration. He had noticed increasing regard within the Republican movement for the approach of the Irish Government. That said, mistrust of the British remained. Moreover, many in the Republican community had simply not read the Joint Declaration;
- McGrory had told Adams that he is in periodic contact with an official of the Irish Government and asked if Adams would have any objection to his passing on his (McGrory's) ideas to us. Adams said that he had "a very good line" into the Irish Government but that he would be quite happy for McGrory to pass his ideas on to us. McGrory gave me a copy of his ideas on the point in question (copy attached);
- In his discussion with Adams, McGrory also put three questions to him: should the armed struggle continue? Is the Republican Movement aware of the considerable

damage which would be done to it by future civilian casualties? Is there now an acceptable alternative to the armed struggle? McGrory is convinced that Adams remains of the view that the armed struggle should now be brought to an end and is working to create the necessary critical mass in support of that view within the Republican Movement;

- McGrory sees certain attractions in decoupling a cessation of violence from acceptance by the Republican Movement of the Joint Declaration. He does not underestimate the doubts within the IRA given the history and the received wisdom about ceasefires but he understands that a cessation could be effected by a simple General Order from IRA H.Q. There would be difficulties, not least in ensuring that H.Q. and not e.g. the Belfast and Tyrone Brigades secure control of weapons and other matériel. I asked if such a process - of concentrating stocks in the hands of IRA H.Q. was yet under way. He felt it had not yet started;
- As to attitudes within the Republican Movement, a number of individuals are negative, but he believes that the Joint Declaration will not be rejected. Problems remain with important players on the military side in Belfast e.g. Brian Gillen and Seamus Finucane (whom he mentioned to me in a discussion I had with him in October last) but he is sceptical of recent newspaper reports that Adams faces major opposition from a number of senior Provos. Adams' stock within the Republican Movement is currently high and he is genuinely admired. His visit to the United States clearly added to his weight within the Republican Movement;
- McGrory recently met, also on legal matters, Gerry Kelly (former OC of the Belfast IRA who, McGrory previously told me, has reassumed an important role within the IRA

and who, according to last week's "Panorama", accompanied McGuinness in talks with British officials). Kelly is a hard individual from the Ardoyne but, while not voicing support, he said nothing against the Declaration. McGrory believes that the discipline that exists within the Republican Movement is an asset to Adams;

- In his recent discussion, he warned Adams that time for a definitive response is running out. McGrory suggested that Easter is the last cut-off date for a meaningful response from the Republican Movement. Adams indicated that he is very aware of the time factor. McGrory believes that he will not depart from his deliberative and step by step approach within the Republican Movement - an approach which McGrory believes reflects his patient and "long view" approach;
- McGrory has no great regard for Danny Morrison and was critical of Morrison's recent TV appearance from within the Maze in which Morrison effectively threatened continuing bombing. While McGrory is aware that some within the prisons hold negative views, he was struck by a recent discussion he had with a client in the Maze - a prominent and relatively senior Provo, who said to him that he did not like the Joint Declaration, could not accept it, but that if it came to pass he would "go and live in Canada";
- McGrory's own view is that the limited momentum towards an end to violence is probably unstoppable, and that if it comes to pass, a split of some sort will probably occur. Such a split would probably be controllable in the short term but the possibility will remain of the resurgence in e.g. ten years of a new armed Republican Movement if aspirations are disappointed;

IRA's Belfast Brigade

- He understands that an internal shake up of the IRA's Belfast Brigade is under way in response to a number of recent abortive military operations and leaks. In particular, a hunt is on for an informer who is believed to have been responsible for the failure of a recent substantial operation;

Adams libel case

- Adams is keen to press his libel case against Ken Maginnis, UTV and the BBC, despite McGrory's advice that he should let the matter rest. In McGrory's view, Adams will find it difficult to convince a jury in Northern Ireland. (McGrory is considering the option of pursuing the case in this jurisdiction, at this stage as a tactic to get apologies out of BBC and UTV);
- McGrory was annoyed at a series of newspaper articles on the case which appeared the previous weekend, which named him as Adams's solicitor. The RUC telephoned him to warn him of the security implications of such publicity. (McGrory has extensive security measures at his house, in response to previous UDA threats against him). He took the matter up with Adams who professed to be angry at the publication of McGrory's name and spoke to Richard McAuley, Sinn Fein's press officer. McAuley denied that it was his doing and pointed the finger at a source within UTV, who Sinn Fein believe was responsible for leaking some off air remarks during the recent Brian Walden programme with Adams;

[We are not the only people with leak problems!]

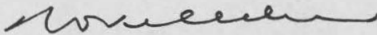
Gibraltar case

- He remains upbeat for the prospects in the case brought against the British Government by the families of McCann, Farrell and Savage. This is now before the European Commission. He is encouraged by the fact that the Commission appear to be focusing in some detail on the

transcripts of the cross-examination of the SAS members at the Gibraltar inquest and, in particular, on the statements by the soldiers that they had made an efficient arrest;

Paul Hill appeal

McGrory has little regard for Hill, whom he described as "unstable". (McGrory acted for Hill at one time). He would not be surprised if the Court of Appeal upholds the conviction.



Declan Kelleher
28 February, 1994