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## 6. SINN FÉIN RESPONSE TO DECLARATION

Since the signing of the Joint Declaration, the Sinn Féin leadership has been pressing for clarification. The Sinn Féin position may best be summarized in the context of Gerry Adams' speech on 1 February to the National Committee on American Foreign Policy. His central points were:

- \* The Republican movement are not convinced of the British Government's sincerity and their inability to give a definitive response to the Declaration is tied totally to the British refusal to provide clarification. While praising the Taoiseach's 'positive and common sense' approach, the British Government's view is he says the crucial one.
- \* The ongoing consideration of the Declaration is within the context of Sinn Féin's peace strategy. Adams says that 'if there is a gap between what is required and what is on offer, then we should all move to bridge that gap'. Despite 'the present intolerable stand-off', Sinn Féin will seek to overcome any obstacles in the search for a negotiated settlement and a lasting peace.
- \* Sinn Féin want aspects of the Declaration clarified. More specifically, Adams describes majority consent in Northern Ireland as in effect a Unionist veto. He wants both Governments to work for its removal. They must accept Irish national self-determination as a policy objective and set an acceptable time-frame for its achievement. In this regard, he wants the British Government to clarify if, under the Declaration, they will actively seek Unionist consent towards the principle of all-Ireland self-determination.
- \* Adams identifies 'contradictory statements' by the Taoiseach and Mr. Major as requiring clarification. He contends that Major's clarification to Molyneux in the House of Commons is 'at odds with the Irish Government's understanding of the Joint Declaration'. He also refers to other 'contradictory statements' on such issues as demilitarisation and an amnesty for prisoners.

- \* Clarification is also required on what precise steps are envisaged to move the Peace Process forward. Adams argues that if the Declaration can constitute the 'first step' in the process, the Republican Movement would need to know what further steps are planned.
  
- In a speech in Sligo on 13 February, Mr. Gerry Adams said that 'the Irish Peace Initiative contained the political dynamic to end the impasse and create the conditions for a lasting peace and a total demilitarisation of the situation. This development was, in itself, of major significance, pointing a way out of conflict for the first time'. He also stated that 'the first tentative steps in what may be a difficult and at times frustrating task may have been taken'.

## 7. SUMMARY REFLECTING IRISH GOVERNMENT CLARIFICATION OF DECLARATION

The Government have been more flexible than the British in response to repeated Sinn Féin requests for clarification. The Taoiseach has used, in essence, four mediums to do this - namely, Dáil Statements on 15 and 17 December; Speeches to the Irish Association on 10 January and to the UCD Law Society on 20 January; Replies to Dáil Questions; and a detailed letter and memorandum issued to Gerry Adams on 26 January. The following is a thematic summary of the clarifications provided:

### (1) Present Status of clarification process

- Comprehensive clarification has now been given, as incorporated in my letter [to Gerry Adams] and in the numerous public statements which both I, the Tánaiste and the Secretary of State for Northern Ireland have made.

Dáil, 8 February

- I have already made clear on a number of occasions that the Declaration can be clarified or explained authoritatively by either Government. This is accepted by the British Government.

Dáil, 16 February

### (2) Timing of Sinn Féin response

- I see no purpose in setting artificial deadlines. At the same time, a point may come after the process of explanation is effectively exhausted, and if a positive response remains outstanding and shows no sign of coming, when both Governments will have no choice but to pursue alternative avenues of political progress to try and arrive at a political settlement, involving the constitutional parties.

Dáil, 26 January

- Much attention is focused on the Sinn Féin Ard Fhéis at the end of this month and perhaps some response may be forthcoming by around that time.

Dáil, 8 February

- I have never set the deadline of the Sinn Féin Ard Fhéis, nor am I aware that the British Government have ... My judgement is that there are reasonable prospects for a permanent cessation of violence.

Dáil, 16 February

**(3) Declaration within Peace Process**

- The purpose of this carefully balanced Declaration is to provide a framework for peace. We have not in any way prejudiced or predetermined a political settlement or a final political solution, which is a matter for negotiation between the two Governments and the democratic parties.

Dáil, 17 December

- The Declaration is only a first step in a process that, after a cessation of violence, can evolve into a full democratic dialogue for agreement, when all parties, including Sinn Féin, will be involved in full-scale negotiation.

Irish Association, 10 January

**(4) Principles of Self-Determination and Consent**

- The Irish peace initiative from its inception has been based on a balance between British recognition of the Irish people's right to self-determination and my acceptance, on behalf of the Irish Government, that the democratic right of self-determination as a whole must be achieved and exercised with the agreement and consent of the people of Northern Ireland.

UCD Law Society, 20 January

- The Joint Declaration for the very first time contains explicit British acceptance of the right of self-determination of the people of Ireland as a whole, North and South ... Much play is made of the British guarantee to Unionists. But equally in this Declaration, there is an explicit, rock-solid guarantee to Nationalists that the British Government will uphold the wish of a greater number of the people of Northern Ireland, in the event that they choose to support a sovereign united Ireland.

Irish Association, 10 January

- Both Governments accept that Irish unity would be achieved only by those who favour this outcome persuading those who do not, peacefully and without coercion or violence.

Irish Association, 10 January

- The fact that partition was enforced back in 1920 does not make it right to enforce unity today ... A UN Declaration of 1960 ... declared that any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country was incompatible with the United Nations Charter. That UN Declaration, however, was not intended to re-open territorial settlements that had already been in existence for some considerable time ... We cannot go back to the 1918 Election, or the First or Second Dáil, and persuade ourselves that neither the Republic nor Northern Ireland really exist.

UCD Law Society, 20 January

- The UN Charter in Article 1 aims 'to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples' ... Those who quote Article 1 of the United Nations Charter in support of Irish self-determination often tend to forget Article 2, which states that 'all members should settle their international disputes by peaceful means' ... Irish self-determination involves an already sovereign Irish State, which is a member of the UN and directly bound by its Charter.

UCD Law Society, 20 January

- Signatories to the CSCE Helsinki Final Act 'consider that their frontiers can be changed in accordance with international law'. It also says flatly: 'No consideration may be invoked to serve to warrant resort to the threat or use of force'. Negotiation, conciliation and other peaceful means of choice must therefore be used to settle disputes.

UCD Law Society, 20 January



- Self-determination does not have to take the form of unity or independence. It can be expressed by the endorsement North and South of any comprehensive settlement that would constitute an agreed Ireland ... The right of the people of Ireland North and South concurrently is now recognised by the British Government ... and is fully in conformity with present international law and practice.

UCD Law Society, 20 January

- The Republican movement could never have been in any doubt ... that there could and would be no breach of the Anglo-Irish Agreement, which clearly recognises the principle of consent ... A continuation of armed struggle to achieve collective national self-determination by the Irish people as a whole without regard, in the last resort, to the wishes of the people of Northern Ireland ... is looking for something that is impossible, both politically and in terms of the principles of international law.

UCD Law Society, 20 January

#### (4) British Government as persuaders of Unionists

- The British Government may not be cast exactly in the role of persuaders, in so far as Irish unity is concerned. But both they and we are certainly cast in the role of persuaders, in so far as achieving agreement between both traditions in Ireland is concerned.

Dáil, 17 December

- Both Governments accept that Irish unity would be achieved only by those who favour this outcome persuading those who do not, peacefully and without coercion or violence.

Irish Association, 10 January

- The Joint Declaration for the first time makes the British and Irish Governments persuaders for an agreement between the people of Ireland, North and South ... The role of the British Government is to encourage, facilitate and enable the achievement of such agreement over a period, and to legislate for it.

Irish Association, 10 January

**(5) Demilitarisation**

- Many practical questions will arise following a complete cessation of violence. The Irish Government will address these questions in a pragmatic spirit ... We will naturally seek the destruction of arms but we should all be realistic enough to recognise that ... disarmament goes hand in hand with confidence-building.

Dáil, 17 December

- It should be clear that there will be no surrender on any side, Loyalist, Republican or by the British or Irish Governments, and surrender terms are not acceptable to any side. It is totally unrealistic for anyone to expect peace on that basis. There can only be a mutual process of demilitarisation through confidence-building on all sides.

Irish Association, 10 January

**(6) Proposed Forum for Peace and Reconciliation**

The following clarification on the role of the proposed Forum was set out by the Taoiseach in reply to Dáil Questions on 26 January:

- No timetable has yet been set with regard to its establishment, but it will be open to all political parties on this island which are exclusively committed to the democratic process.
- It will consult and advise on the steps required to remove the barriers of distrust which at present divide the people of Ireland and which also stand in the way of the exercise by them of self-determination on a basis of equality.
- It will be open to the Forum to make recommendations on the ways in which agreement and respect for the rights and identities of both traditions can be promoted and secured.



- The Forum will not be in competition with the three-strand talks process. I believe that it can provide a very useful input to these negotiations. For example, the Forum's agenda would include discussions on the nature and role of North-South institutions.
  
- The Forum will remain in existence for as long as is necessary and will be organised on similar principles to the New Ireland Forum.

## 8. BRITISH PRESENTATION OF JOINT DECLARATION

- In his initial statement to the House of Commons on 15 December, Prime Minister Major set the tone for his subsequent Unionist-oriented presentation of the Declaration. On that occasion, he said the Declaration did not contain 'any suggestion that the British Government should join the ranks of persuaders of the "value" or "legitimacy" of a united Ireland'. He added: 'Nor is there any suggestion that the future status of Northern Ireland should be decided by a single act of self-determination by the people of Ireland as a whole [and] nor is there any timetable for constitutional change, or any arrangement for joint authority over Northern Ireland'. The Prime Minister failed to correspondingly address the concerns of the Nationalist community or to highlight those aspects of the Declaration which would reassure that community.

- Many of the Prime Minister's subsequent statements about the Declaration tended to focus almost exclusively on Unionist concerns. The first real attempt by the British Government to introduce a balanced presentation was made by the Secretary of State for Northern Ireland in a speech to the Trinity College Dining Club in London on 20 January. His speech emphasized the reassurances which the Declaration contained for both communities. From the Nationalist perspective, the central elements were: 'Agreement between the people living in the island of Ireland, North and South, is the key. No outcome is ruled out. We accept a binding obligation to introduce the necessary legislation to give effect to any measure of agreement on future relationships in Ireland. But, equally, the outcome cannot be predetermined'. Sir Patrick added that in the event of a majority in Northern Ireland democratically expressing a wish to join in a United Ireland, then the British Government 'would introduce and support in Parliament the necessary legislation to give effect to that wish'. From the Unionist perspective, he reaffirmed Northern Ireland's constitutional status within the United Kingdom so long as a majority there so wished.

- In a speech to the Association of American Correspondents on 10 February, Sir Patrick again sought to reassure both communities about the Declaration. He said: 'Both Governments commit themselves to be persuaders for peace and persuaders to agreement on the divided island of Ireland ... In this search for agreement, nothing is ruled out - a united Ireland, the Union maintained or neither of these'. Sir Patrick emphasized that the public statements on the Declaration made by the British Government, the Taoiseach and the Tánaiste 'have been said within its parameters and spirit'.
  
- In an Irish Times interview on 14 February, Sir Patrick reiterated that 'the British Government cannot, and will not, adopt the role of persuader for any particular outcome, because we agree that these matters should be decided without any external influence ... We are, however, persuaders who urge the really committed search for widely based agreement'. He repeated his offer of exploratory dialogue with Sinn Féin within three months of a genuine cessation of violence. The benefits of peace would include, he said, 'our ability to manage without troops being deployed in support of the police and without emergency legislation'. Sir Patrick ends the interview by encouraging Sinn Féin to 'take this opportunity and choose the democratic path'. He stresses however that whatever their response, the Declaration 'will stand, and the two governments will abide by its balanced principles'.

## 9. BRITISH RESPONSE TO SINN FÉIN REQUEST FOR CLARIFICATION

- Since 16 December, Gerry Adams has been pressing for clarification of the Declaration. He said in his recent address to the National Committee on American Foreign Policy that 'the inability of the Republican movement to give a definitive response to the Declaration is tied totally to the British refusal to provide clarification'. While praising on that occasion the Taoiseach's 'positive and common sense' approach, the British Government's view he said is 'the crucial one'.
  
- For weeks, the British Government remained totally dismissive of Sinn Féin's calls for clarification, arguing that such would amount to renegotiation. Sir Patrick Mayhew's speech to the Trinity College Dining Club on 20 January signalled a somewhat more conciliatory and less dogmatic approach. He dealt in a balanced way with the principles of self-determination and consent. His speech spelt out in concise terms the assurances to each community as set out in the Declaration. He also accepted that in the event of a cessation of violence, clarification could be appropriate on the process required to get Sinn Féin into talks.
  
- In an interview with the Financial Times on 3 February, Sir Patrick Mayhew ruled out Britain taking on the role of a 'persuader' in seeking to encourage Unionists towards a united Ireland, but neither would his Government stand in the way of Irish unity if that ever became the democratic wish of a majority in the North. He also ruled out negotiations with Sinn Féin 'until they have permanently ended violence or permanently ended the justification for violence'.
  
- On 10 February, in a major speech to the Association of American Correspondents, Mayhew clarified in a fair and balanced way aspects of the declaration. His key points were:
  - \* In the Joint Declaration, 'both Governments commit themselves to be persuaders for peace and persuaders to agreement on the divided island of Ireland'.

- \* 'A united Ireland, the Union maintained, neither of these, and nothing in between, is ruled out by the Joint Declaration ... Whatever is agreed and consented to on the basis set out in the Joint Declaration, we will implement. But only the people living in Ireland, North and South respectively, can determine what that agreement will be'.
- \* 'Both what we [the British Government] have said, and what Mr. Reynolds and Mr. Spring have said in our respective public statements on the Declaration, has been said within its parameters and spirit'.
- \* After three months of IRA violence coming to a permanent end, the British Government would enter exploratory dialogue with Sinn Féin. The matters covered would be:
  - (i) 'to explore the basis upon which Sinn Féin would come to be admitted to an inclusive political talks process';
  - (ii) 'to exchange views on how Sinn Féin would be able over a period to play the same part as the current constitutional parties in the public life of Northern Ireland';
  - (iii) 'to examine the practical consequences of the ending of violence'.
- \* 'We want to see an end to the violence, an end properly attained. If some people want to call it demilitarisation, that is their language. I call it peace'.