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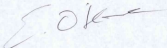
Dear Mr Nally,

You were kind enough to discuss Anglo-Irish relations with me on the phone last November for a Ph.D. I am researching. I have used some of your observations in a paper I am delivering to the annual Political Science Association's conference to be held in Manchester 10-12 April. I have enclosed a copy of the paper with this letter. I have quoted you on page 15 and I have also referred to you on pages 17 and 18.

I would like to take this opportunity to thank you once again for agreeing to discuss the topic with me and I will of course let you know whenever I quote you in the future.

Best wishes.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'E. O'Kane', with a long horizontal flourish extending to the right.

Eamonn O'Kane

## Anglo-Irish relations and the Peace Process: From exclusion to inclusion.

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### Abstract

The signing of the Downing Street Declaration (DSD) in December 1993 can be seen as a change in policy by the two governments. The DSD was based upon the principle of inclusion rather than exclusion, attempting to entice the terrorists into the political process rather than attempting to use the political process to defeat terrorism. This paper seeks to explain why this change in policy occurred and argues that London and Dublin pursued the new policy due to a combination of factors including an apparent re-evaluation of tactics within republicanism and a new attitude within unionism caused by the Anglo-Irish Agreement.

27/3/01

## **Introduction**

One of the key underlying principles of both the British and Irish governments when dealing with Northern Ireland has been that they do not talk to terrorists. Policy towards Northern Ireland has, by and large, been shaped by this principle. Although there have been brief periods when the British government have entered into talks with the IRA these have been the exception and were usually followed by a hardening of attitude towards terrorism. All the major attempts to make progress in Northern Ireland post 1968: the Sunningdale initiative; the Constitutional Convention; the Atkins talks; Jim Prior's Rolling Devolution; the Anglo-Irish Agreement (AIA) and the Brooke-Mayhew talks were based on the principle of exclusion. The logic behind the exclusion policy was that the key to the Northern Ireland problem was to broker an agreement between the constitutional parties of unionism and nationalism. It was believed that when the constitutional parties had reached agreement on how to govern Northern Ireland the extremes of republican and loyalist terrorists would become more isolated and increasingly irrelevant. Yet by the early 1990s elements within the two governments were beginning to question the rationale behind exclusion. Dublin and London began to consider whether a policy of inclusion rather than exclusion might not be more successful. The focus of intergovernmental co-operation began to shift from how to shore up the centre and protect it from the extremes to how to entice the extremes into the centre. This paper assesses the reasons for this policy shift. It argues that by the early 1990s there had been a re-evaluation of tactics and analysis within both unionism and republicanism. The paper seeks to explain why the two governments began to embrace inclusion. It is argued that the apparent shift within republicanism was instrumental in persuading the two governments to consider an inclusion-based policy. The problems that this policy shift caused within and between governments are also considered.

## **From exclusion to inclusion**

When the two governments began to contemplate a shift to an inclusive policy in the early 1990s the suggested vehicle for this policy was a joint British-Irish declaration designed to appeal to the IRA in an



attempt to persuade the IRA to end the violence. The obvious question that such a policy shift begs is why was it that after so many years seeking to exclude the IRA and insulate the political process from them the two governments began to consider how republicans could be coaxed into the political process? The explanation lies in a series of inter-related events and reappraisals: the failure of the latest exclusion based initiative; changes of personnel within the two governments; and evidence of a strategic reappraisal within the republican movement and of the republican movement.

#### *The failure of the Brooke-Mayhew talks*

The two governments portrayed the failure of the two-year initiative to broker a deal amongst the constitutional parties in Northern Ireland as a disappointing but temporary setback. Publicly the two governments remained committed to restarting the inter-party talks and indeed as late as September 1993 the Northern Ireland Office minister, Michael Ancram, was delegated to attempt to get agreement from the party leaders to restart the talks process<sup>1</sup>. In reality though by this time there was little chance of restarting the talks on the same basis. By the end of the Brooke-Mayhew talks process the SDLP were portrayed as distracted and less than fully engaged. The suggested reason for this apparent lack of commitment was believed to be the SDLP leader, John Hume's, pre-occupation with his dialogue with the leader of the IRA's political wing, Sinn Féin, Gerry Adams.<sup>2</sup> Unionists were deeply suspicious of the Hume-Adams dialogue and were unlikely to re-enter the talks process whilst Hume was in contact with Adams. By 1993 Hume seems to have been convinced that it was possible to persuade the IRA to end violence and he was primarily pursuing this initiative.

Although the Brooke-Mayhew talks had made progress they did not come close to reaching agreement on how Northern Ireland should be governed. They were perhaps the most successful round of all party talks since the 1973 Sunningdale negotiations but like all the others they had failed to make a breakthrough. The AIA had succeeded in changing the parameters of the debate in Northern Ireland. The determination of the

<sup>1</sup> *Independent* 11 September 1993.

<sup>2</sup> John Major, *The Autobiography*, London, 2000, p. 439.

two governments to stand by the AIA had forced the unionists to confront a new reality. If they were to get rid of the Agreement unionists had to engage with Dublin as both governments had made it clear that, whilst they would consider a replacement for the AIA, they would not abandon it. This new reality forced the unionists to engage with the Irish Government and so de facto acknowledge the right of the Irish dimension. It had not though caused the unionists to accept that dimension to the extent that nationalists demanded. The failure of yet another initiative based on exclusion may have resulted in the British Government becoming more receptive to the idea of inclusion.

*Changes in Government personnel: New leaders, new opportunities?*

Another key factor in creating conditions ripe for the adoption of an inclusion-based policy was the change in leadership in London and Dublin. The ousting of Mrs Thatcher in November 1990 was widely seen as a positive step in terms of Northern Ireland policy. Republicans loathed Margaret Thatcher as a result of her handling of the 1981 hunger strike in which 10 republican prisoners died. Mrs Thatcher reciprocated the republican loathing as a result of the killing of the Conservative Party's Northern Ireland spokesman, and her close friend, Airey Neave by the smaller republican terrorist group, the INLA, in 1979 and the IRA's attempt to kill her and most of her government with the 1984 Brighton bomb. These feelings made it highly unlikely that Mrs Thatcher would have been willing to pursue a policy that rested upon inclusion. Her successor, John Major, came without 'baggage' having had no previous ministerial experience of Northern Ireland and, by his own admission, "knew very little of Northern Ireland".<sup>3</sup> This lack of baggage was summed up by the Cabinet Secretary, Sir Robin -now Lord- Butler who noted:

"Margaret Thatcher was more conscious of the unionist past of the Conservative Party. By the time John Major became Prime Minister, really by the time he became an MP, the Conservatives were no longer the Conservative and Unionist Party, so he didn't have emotionally in his political background that link with the unionists".<sup>4</sup>

This is obviously not to suggest that John Major had no attachment to the Union or any love of republicans. The ousting of Mrs Thatcher though did remove a potential obstacle to the British agreeing to pursue a policy

<sup>3</sup> John Major, *op. cit.*, p.433.

<sup>4</sup> Lord Butler, interview with the author.

that was at least in part designed to appeal to republicans and address their analysis of the Northern Ireland question.

Similarly the replacing of Charles Haughey as Irish Taoiseach (prime minister) by Albert Reynolds in 1992 removed a potential obstacle on the Irish side. Haughey was at least as distrusted by unionists as Mrs Thatcher was by republicans. Although Haughey would not have been adverse to an initiative based on inclusion and had indeed authorised covert contacts between his adviser on Northern Ireland, Dr Martin Mansergh, and Sinn Féin whilst in office, the distrust in which he was held by unionists may have been problematic. The development of an inclusion-based policy was a fraught exercise and both governments were very keen to avoid alienating unionists as far as possible. Reynolds, like Major, came without baggage and was seen, and saw himself, as a far more pragmatic politician. As Reynolds's Press Secretary explained: "Many, many people in Irish politics have strong beliefs about all this. Reynolds is just a business guy, I don't think he would have a republican bone in his body and indeed not even a nationalist bone really".<sup>5</sup> Whilst the unionists may not have trusted Reynolds they did not have the antipathy to him that they had to Haughey and were less suspicious of him as a result.

It is obviously impossible to categorically state that the joint declaration idea could not have happened under the leadership of Margaret Thatcher and Charles Haughey. For all her professed unionism Mrs Thatcher had signed the AIA and Haughey although mistrusted by unionists may have found it even easier to deal with republicans than Reynolds did. It is the case though that the change of leaders removed prejudices that were held by both communities in the North towards the leaders of the two governments. Individuals are less important than the events on the ground but leaders can do more than merely respond to the events, they can be instrumental in shaping them. In this respect the commitment of Major and Reynolds to the joint declaration initiative, coupled with the less stringent view in which they were held by the participants to the conflict, was a contributory, though not the defining, factor in the move from exclusion to inclusion.

By the early 1990s the electoral fortunes of Sinn Féin had reached a plateau. In the North Sinn Féin consistently polled around 11% - only around half the vote of the SDLP - but secured less than 2% in elections in the Republic. Sinn Féin had entered the electoral arena in the early 1980s with the avowed intention of replacing the SDLP as the main voice of nationalists in Northern Ireland. However the continuance of the armed struggle made this stated intention unrealistic. It was impossible to 'take power in Ireland' with 'the ballot paper in one hand and the Armallite in the other', as Sinn Féin's Danny Morrison had advocated in 1981.<sup>6</sup> Atrocities such as the Enniskillen bombing in 1987 when the IRA killed 11 people attending a Remembrance Day parade prevented Sinn Féin appealing to a wider electoral base. Gerry Adams acknowledged the damage that Enniskillen did to such plans claiming "our efforts to broaden our base have most certainly been upset in all the areas we have selected for expansion. This is particularly true for the South and internationally. Our plans for expansion have been dealt a body blow".<sup>7</sup> Henry Patterson sees these events as being important in leading to a rethink within the republican movement. "The evident contradiction in the 'armallite and ballot box' strategy, together with the failure to displace the SDLP and political marginalisation in the Republic, had begun to generate debate within republicanism".<sup>8</sup>

Given the secretive nature of the IRA it is difficult to know the extent of the divisions within the republican movement but there was undoubtedly a debate within republicanism regarding the role of violence and its effect on republicanism's political appeal. Whilst the IRA campaign of violence continued it was highly unlikely that the SDLP, Dublin or mainstream Irish-America would openly co-operate with Sinn Féin. Although it is difficult to comprehensively state the reasons for, and nature of, the debate within republicanism most commentators agree that a debate was taking place. By the early 1990s the two governments believed, to varying degrees, that this debate could herald a change of thought within republicanism regarding military activity and that the republican movement may be amenable to overtures

<sup>5</sup> Sean Duignan, interview with the author.

<sup>6</sup> New and Gillespie, *Northern Ireland: a chronology of the trouble 1968-1998*, Dublin, 1999, p. 157.

<sup>7</sup> Shamrock and Davenport, *Man of War, Man of Peace?* London, 1997, p. 256.

<sup>8</sup> Henry Patterson, *The politics of illusion*, London, 1997, p. 218.

designed to persuade them away from violence and towards exclusively political methods. As we will see how susceptible and what the overtures should be was to be a matter of dispute between the two governments.

#### *Britain's changing attitude towards republicans?*

Closely linked to the debate within the republican movement is the issue of whether the early 1990s saw a change in the British government's attitude towards the IRA and Sinn Féin. As early as 1989 Peter Brooke appeared to be making overtures towards Sinn Féin when he noted that the IRA could be contained but not defeated and spoke of the British Government being "flexible and imaginative" if the IRA were to end violence.<sup>9</sup> Over the next few years both Brooke and his successor, Patrick Mayhew, were to make speeches designed to highlight the benefits that republicans could secure if the violence was ended. Even during the launching of the Brooke Talks the Secretary of State repeated that in the event of a ceasefire Sinn Féin would be allowed to join the talks stressing that there would then be a "totally new situation".<sup>10</sup> (Indeed the British side actually secretly kept republicans informed of the progress being made in the Brooke-Mayhew talks.<sup>11</sup>) Peter Brooke made his most transparent overture on 9 November 1990 in the 'Whitbread speech'. During his address to the British Association of Canned Food Importers and Distributors held at the Whitbread Restaurant in London, Brooke repeated his assertion that republicans would be allowed to enter the talks after violence had ended. On this occasion Brooke went further and directly addressed the key *raison d'être* of IRA violence. Brooke stated:

"The British Government has no selfish or strategic or economic interest in Northern Ireland: our role is to help, enable and encourage. Britain's purpose... is not to occupy, oppress or exploit but to ensure democratic debate and free democratic choice.  
"Partition is an acknowledgement of reality, not an assertion of national self-interest".<sup>12</sup>

The traditional republican analysis of the British presence in Northern Ireland rested on British imperialistic self-interest. During his talks with Gerry Adams in 1988 the SDLP leader, John Hume, had tried to convince

<sup>9</sup> Bew and Gillespie, *op. cit.* p. 227

<sup>10</sup> *The Times*, 5 February 1990.

<sup>11</sup> Sinn Féin, *Setting the Record Straight*, 1993, p. 12.

<sup>12</sup> Peter Taylor, *Process: The IRA and Sinn Féin*, London, 1998 p. 318.

Adams that the AIA showed the British were neutral towards Northern Ireland and the real barrier to Irish unity was the opposition of Ulster unionists, not British imperialism. Hume was unsuccessful at that stage and Sinn Féin issued the *Towards a Strategy for Peace* document which expressly rejected Hume's interpretation. According to the document "Britain's continuing involvement in Ireland is based on strategic, economic and political interests".<sup>13</sup> By addressing directly Sinn Féin's analysis Brooke was attempting to remove the central tenet that justified the armed struggle. Perhaps unsurprisingly republicans did not accept British assertions of neutrality. Republicans argued that the stipulation that the consent of the majority in Northern Ireland was necessary for constitutional change meant the British still gave unionists a 'veto'.<sup>14</sup> Yet this willingness to address republican concerns openly can be seen as at least an indication that the British Government might be moving towards considering the inclusive approach.

Not all of the British overtures to the republicans were conducted in the open. In 1990 the British reactivated the 'back corridor' or 'back channel', a line of communication between the British government and the IRA. The contact had been used at various times in the past but had not been used since the end of the 1981 hunger strike.<sup>15</sup> The contact between the British government and the IRA were reactivated with Brooke's agreement in 1990 because the existing British link to the republicans was about to retire and the British wished to introduce a replacement.<sup>16</sup> The decision was taken to reactivate the channel to introduce the new British Government Representative to the 'Contact' who acted as the go-between for communication between the British and the IRA. The series of exchanges between the British Government and the IRA continued intermittently between 1990 and 1993. Who instigated the exchanges, what the purpose of the exchanges were and what the British were asking of the IRA in return for entry into the talks, was to become a subject of dispute once the existence of the contact was revealed by *The Observer* in November 1993.<sup>17</sup> (As well as causing widespread anger in Dublin as the Irish Government had been unaware of the link). The exchanges

<sup>13</sup>Quoted in E. Mallie and D. McKitterick, *The Fight For Peace*, London 1996, p. 83

<sup>14</sup> Harry Patterson, op. cit., p. 226.

<sup>15</sup> Mallie and McKitterick, op. cit., p. 104-105.

<sup>16</sup> Peter Brooke, interview with the author. Peter Taylor names the outgoing contact as Michael Outley, op. cit. p. 322.

<sup>17</sup> *The Observer* 28 November 1993. The differences between the two accounts led Sinn Féin to publish *Setting the record straight* which contains what they claim is all the correspondence between the two sides. For an analysis of how Sinn Féin's and British versions differ see *The Independent* 5 December 1993. Also see John Major's Autobiography.

did play a part in persuading some on the British side that there might be a possibility that the IRA were contemplating an end to violence and as such this possibility should be pursued.<sup>18</sup> Yet it would be wrong to suggest that as a result of the exchanges the British decided to embrace inclusiveness and abandon exclusiveness. There was a caution on the British side over the bone fides of the apparent re-evaluation occurring within republicanism. This British caution was very important in shaping the development of the peace process and led to marked friction between the two governments by late 1993.

#### *Dublin's changing attitude towards republicans?*

The British government was not the only one secretly talking to the IRA in the early 1990s. In May and June 1988 Haughey had authorised two meetings between Fianna Fáil's main Northern strategist, Dr. Martin Mansergh, accompanied by a Fianna Fáil backbencher, Dermot Ahern, and the Sinn Féin leadership. Haughey stopped the meetings as Sinn Féin had failed to persuade Mansergh and Dermot Ahern that they were seriously contemplating an end to violence.<sup>19</sup> John Hume kept Dublin informed of his own contacts with the republicans and there was some movement towards the possibility of a joint declaration by the two governments as an attempt to persuade the IRA to abandon violence. Charles Haughey had told John Major at a summit 5 December 1991 that there was a mood for peace within the republican movement. Major, although sceptical, agreed to examine the possibility of working on a joint text. This initial work had to be abandoned in February 1992 when Haughey was ousted from office.<sup>20</sup> Haughey's successor, Albert Reynolds, was told of the exercise in a "one minute brief from Haughey" and adopted the idea. Reynolds also authorised the re-opening of Mansergh's contacts with Sinn Féin in 1992. Through the Mansergh-Sinn Féin dialogue as well as the reports Dublin received of the Hume-Adams dialogue the Reynolds government began to believe that there might be an increasing willingness within republicanism to abandon violence. Dublin began to formulate a strategy for the two governments to act in concert with the aim of enticing the IRA to move in this direction.<sup>21</sup>

<sup>18</sup> Lord Butler, interview with the author. See also John Major, *op. cit.*

<sup>19</sup> Mallie and McKittrick, *op. cit.*, pp.86-90

<sup>20</sup> Fergus Finlay, *Smokes and Ladders*, Dublin, 1998, pp110-112

<sup>21</sup> Albert Reynolds, interview with the author

By the early 1990s then some elements within republicanism were beginning to question the efficacy of violence and this debate was having some effect upon British and Irish government thinking. Yet the British government in particular were cautious about the extent of this debate and whether it actually represented a possible change in direction for the IRA. Robin Butler notes the mixed reaction that the apparent suggestion from the IRA that they were contemplating an end to violence had on British government thinking.

"Was this a trap? Was this a way of trying to draw us into direct contact with the IRA which they would then publicise and use it to try and embarrass the Government? On the other hand (there was) the recognition that this was a tremendous opportunity and if genuine then of course we did want to help the IRA to bring the armed conflict to an end and to (enter) proper political life".<sup>22</sup>

Whilst this apparent movement by republicans offered opportunities that needed to be pursued by intergovernmental co-operation other factors conspired to make such co-operation difficult.

#### **Factors straining intergovernmental movement towards inclusion**

Although the factors identified above seemed to create the conditions necessary for the two governments to act in concert towards enticing the IRA away from violence and into the political process, other countervailing factors made it difficult for the two governments, and especially the British, to move in this direction. Although as early as 1991 John Major had agreed to discuss the possibility of a joint declaration designed in part to appeal to republicans with the Irish government, the negotiation of what became the Downing Street Declaration (DSD) was a particularly stressful period in intergovernmental relations. To explain why this was the case it is necessary to examine the factors that made it difficult for the British and Irish to agree a common position. Although in principle London and Dublin were willing to sign up to a joint declaration in the hope that it would persuade the IRA to abandon violence the pressures on the two governments came from different directions, limiting their ability to find common ground.

<sup>22</sup> Lord Butler, interview with the author. Lord Butler was referring to the statement John Major claims to have received from the IRA in February 1993 claiming "The conflict is over but we need your advice on how to bring it to a close". (John Major, *op. cit.*, p.431). See



One of the greatest constraints on the British side during the negotiation of the DSD was Ulster unionist opinion. Although, as was noted earlier, the AIA had changed the parameters of the debate within Northern Ireland and had been supported over unionist opposition, the British were not willing to repeat the experience of the AIA. The 1985 Agreement had been negotiated without any unionist input or consultation and the unionist reaction had shocked at least some on the British side, notably Margaret Thatcher. The British were determined that any subsequent intergovernmental initiative would not alienate mainstream unionism to the same extent. To this end the Major Government decided to consult the leader of the Ulster Unionist Party, James Molyneux, and show him drafts of the proposed joint declaration. This was not a decision that the British took lightly, as Robin Butler explained:

"One of the most difficult decisions we had to make was at what point we brought in the unionists? John Major was always anxious that if he did it behind the unionists' backs he was asking for trouble. If, however, he brought in the unionists there could have been an explosion, not a physical explosion, but a political explosion, and unionists could have said 'this is outrageous' and published the whole thing and said they weren't going to have anything to do with it, and of course that would have wrecked it. I think someone who should take tremendous credit from this is Jim Molyneux. I remember the nervousness with which John Major told him, showed him the draft that we had got from Reynolds, and the ways in which we were seeking to amend it."<sup>23</sup>

The consultation with Molyneux was instrumental in leading to amendments in the draft declaration. Albert Reynolds had passed a proposed draft to the British in June 1993. The dialogue Hume had been having with Gerry Adams as well as the contacts Mansergh had had with Sinn Féin heavily influenced this draft.<sup>24</sup> This draft had the British acknowledging their desire to see "the people of Ireland live together in unity and harmony" and pledging to act as persuaders for unity.<sup>25</sup> According to John Major the draft "was simply not a starter" it was "a Nationalist manifesto, not a potential agreement".<sup>26</sup> The reaction of Molyneux when he was shown the draft persuaded the British Government to drop the idea of a joint declaration and Robin Butler was despatched to Dublin to tell Reynolds of the decision.<sup>27</sup> (Albert Reynolds consulting the Northern

Féin claim that such a statement was never seen (*Setting the Record Straight* p. 7). Leaving this aside Lord Butler's comments do suggest the problems that the British saw in entering into dialogue with the republican movement.

<sup>23</sup> Interview with the author.

<sup>24</sup> For an account of the evolution of the draft see Fergus Finlay, op. cit. pp. 188-190; Martin Mansergh, 'The background to the peace process', *Irish Studies in International Affairs*, Vol. 6, 1995, and Mallie & McKerrick, op. cit. ch. 9.

<sup>25</sup> Reproduced as an appendix in Mallie & McKerrick, op. cit.

<sup>26</sup> John Major, op. cit., p. 449.

<sup>27</sup> Lord Butler, interview with the author.

Protestant church leader, Archbishop Robin Eames, as a result of Molyneaux's objections saved the initiative.<sup>28</sup>)

The position of Ulster unionists and particularly James Molyneaux's Ulster Unionist Party was further strengthened by the arithmetic at Westminster. By mid 1993 John Major's government was in a somewhat precarious position with his majority badly eroded due to a split within the Conservative Party over Europe. Major's courting of the UUP support for a vote of confidence over the Social Chapter of the Maastricht Treaty in July 1993 led many to speculate that a deal had been done between the two parties. Although both sides denied a deal had been done the incident further strained British-Irish relations and Albert Reynolds threatened to raise his concerns in the US and Europe if the Select Committee the unionists had long called for at Westminster was set up as a result of the issue.<sup>29</sup>

However, although the desire by the British government to avoid alienating mainstream unionism and the numbers game at Westminster may have increased unionist influence over British policy formation, it did not allow unionists to dictate the form of the joint declaration initiative. Molyneaux was able to secure a more balanced declaration -and it is highly unlikely that the original drafts would have been acceptable to the British even without the opposition of Molyneaux- but he was not able to dictate what the declaration said. The unionist leader was unhappy about the eventual inclusion of the 'no selfish strategic or economic interest' statement in the final document but was unable to persuade the British to remove the line.<sup>30</sup>

What is striking about the joint initiative idea is the way in which not only the British but also the Irish government were very keen to ensure that Ulster unionists would not be alienated by the outcome of the talks. It was not only London that wished to avoid the unionist backlash that the AIA had caused, Dublin was also keen to limit any likely unionist rejection of the joint declaration. The traditional view of the

<sup>28</sup> Albert Reynolds and Lord Butler, interviewed by the author.

<sup>29</sup> *Independent* 30 July 1993. (A select committee was eventually set up after the DSD was signed in December 1993, *The Guardian*, 17 December 1993.)

<sup>30</sup> Lord Butler, interview with the author.

relationship between each government and the communities in Northern Ireland has been that the nationalists are the 'clients' of Dublin and the unionists the 'clients' of London. This is not to say that each community will follow commands from its sponsor government but historically for cultural, historical and ideological reasons nationalists have looked to Dublin to protect their interests and unionists to the British government.<sup>31</sup> (Though the relationships have often been very strained and the unionist-British relationship was all but destroyed by the AIA.) Albert Reynolds felt the relationship that each government had with 'their' community in the North would be advantageous in the attempt to move to an inclusion-based policy. Albert Reynolds argues that the negotiations were to a large extent underpinned by each government liaising closely with their respective northern constituency. Reynolds told Major

"'you take responsibility for the unionists and the loyalists and I'll take responsibility for the nationalists and the republicans.' John worked with James Molyneux and he'd come back to me to see what adjustments could be made. By the same token Martin Mansergh got me all the inputs from the other side so I knew what was (needed so) we could strike the balance".<sup>32</sup>

The British often felt that the Irish had an unrealistic view of the British-unionist relationship. Robin Butler recalled "Repeatedly they would say, 'Look. Just make an agreement with us, why do you need to worry about the unionists? Tell the unionists. You're the Government'. Whether they really believed this I never knew."<sup>33</sup>

The actions of the Irish government during the process does suggest that Dublin had a greater understanding of the constraints that unionist opposition placed on the British government's negotiating position and so, ultimately, on the movement towards inclusion, than their comments indicated. The Irish sought to assuage unionist concerns regarding the joint declaration idea and the rationale of reaching out to republicans that underpinned it. To this end the Reynolds government liaised with the unionist community (and loyalist paramilitary groups) through two Protestant clergymen, Archbishop Robin Eames and Rev Roy Magee. Reynolds asked Roy Magee to find out from loyalists "what they were fighting for, what they wanted

<sup>31</sup> For an interesting discussion of the relationship between the two communities and their respective governments see F. Cochrane, 'Any Takers? The isolation of Northern Ireland', *Political Studies*, September 1994 and the exchange on the issue between Cochrane and Paul Dixon, *Political Studies* September 1995.

<sup>32</sup> Albert Reynolds, interview with the author.

<sup>33</sup> Lord Butler, interview with the author.

protecting in any new movement and they gave me six principles...I didn't change one word of them, I got John Major to agree and we put them in. So when the Downing Street Declaration came out they could identify with it."<sup>34</sup>

The difference between the AIA and DSD objectives explain to some extent the changed attitudes and heightened sensibilities of the two governments towards unionists concerns. The AIA had in part grown out of frustration with the unionists' failure to reach an accommodation with nationalists and agree to a power-sharing devolved structure for the North.<sup>35</sup> As a result the AIA was, at one level, designed to create a structure for better intergovernmental liaison on Northern Ireland in spite of events on the ground in Northern Ireland. The DSD, however, and the whole idea of inclusion was based on the desire to entice the IRA away from violence (and ultimately the loyalist paramilitaries who had always claimed their violence was a reaction to the republican threat). This was though just the first step in the overall peace process ideal. The desire for peace, although an important end in itself, was to be followed by a wider settlement between all parties to the conflict. The hope was that peace would transform the situation in the North. If peace was to lead to a wider rapprochement within Northern Ireland it was obviously necessary to avoid alienating the largest community within the North, the unionists. This meant that both governments were aware of the need to keep unionism onboard. As a result of the reappraisal that unionism had undertaken after the AIA the unionists were perhaps more wary about ignoring or rejecting intergovernmental overtures. Dermot Nally, the former Irish Cabinet Secretary who had been involved in all major British-Irish negotiations since the 1970s and was the official primarily responsible, along with Robin Butler, for the DSD negotiation, stresses the changes that the AIA had caused in unionist analysis:

"You see the atmosphere was different. The unionists now understood that if they didn't get involved the two governments were going to act anyway so they better get involved if they wanted to have an influence. There was that pressure on them all the time. The AIA had been drawn up over their heads and that hurt a lot. I think that feeling of hurt began to influence them to the point where they said 'we'd better come into this in some way or another,' and hence their interest in the Downing Street Declaration. They would not have become involved at all in the negotiation of the AIA because

<sup>34</sup> Albert Reynolds, interview with the author. The importance of Archbishop-Eames and Rev Roy Magee is also noted in Séan Duggan and Fergus Finlay's accounts of the process.

<sup>35</sup> David Goodall, 'The Irish Question' *Ampleforth Journal*, 1993.

that was at a different stage of their history. But because the AIA existed they felt they had to get involved in the work of the Downing Street Declaration".<sup>36</sup>

The other major reason, of course, that they did not get involved in the AIA negotiations was that they were deliberately excluded from them. The transformation in the situation by 1993 is remarkable with not only the unionists being more receptive to the intergovernmental overtures but the two governments being more aware of the need to make these overtures if their wider objectives were to be fulfilled.

#### *Unease within government*

Disquiet regarding the initiative also came from sources much closer to the two prime ministers. Elements within John Major's own cabinet were uneasy about the idea of constructing policy at least in part around what may be acceptable to republicans. Robin Butler acknowledged the need for Major to proceed cautiously as "there were elements in his cabinet and certainly in the party that were profoundly sceptical of all this, felt that it was a conspiracy to edge Britain into abandoning the unionists. They had to be reassured all the time".<sup>37</sup> When John Major decided to widen the circle of cabinet colleagues who knew of the secret contacts with the republican movement many senior colleagues were uneasy about the initiative. The Home Secretary, Kenneth Clarke, was unenthusiastic about the idea of holding talks with Sinn Féin in response to an unannounced ceasefire and warned against taking "such a radical departure from their previously publicly successful anti-terrorist line".<sup>38</sup> Similarly there seemed to be a lack of enthusiasm within some elements of the cabinet for the joint declaration initiative. The Irish side believed that the Northern Ireland Secretary, Sir Patrick Mayhew, was particularly sceptical.<sup>39</sup>

The British prime minister was not alone in facing potential disquiet from colleagues. Albert Reynolds was also taking a huge risk in pursuing a secret policy that involved officials meeting with Sinn Féin and seeking to engage republicanism whilst IRA violence continued. Reynolds was also potentially hindered by the fact that he was in a coalition government with the Labour Party. Like Major, Reynolds decided to keep

<sup>36</sup> Dermot Nally, interview with the author.

<sup>37</sup> Lord Butler, interview with the author.

<sup>38</sup> Sinn Féin, *Setting the Record Straight*, 1993, p. 35.

knowledge of the inclusive initiative and links to Sinn Féin (although indirect) restricted to a very few people (one of whom was his coalition partner, Labour leader, Dick Spring). Spring's chief advisor, Fergus Finlay, shows some of the disquiet felt at the initiative. Finlay notes after being told of the initiative to bring the republicans "in from the cold":

"...I struggled with this concept for several days, as I think Dick (Spring) had struggled before me. It flew in the face of everything we had done and said and believed about Northern Ireland throughout my involvement in politics. For years we had argued about the need to marginalise the men of violence".

But Finlay became persuaded of the logic of the initiative on the basis that marginalisation had failed.<sup>40</sup>

Those close to Reynolds held similar reservations. Séan Duignan and Bart Cronin (Head of the Government Information Service) were shocked when Reynolds told them of his plans in March 1993 regarding the joint declaration and contacting Sinn Féin. Duignan recalled "it is difficult to pitch back now when everyone's shaking hands with these guys, how I actually had said to him 'you could be destroyed'. You have no idea how untouchable these people were, they were terrorists".<sup>41</sup> Yet Duignan like Finlay became convinced of the logic. Reynolds was fully aware of the potential effect that such a shift in government policy could have if it became public knowledge and so strictly limited the circle of people who knew of the initiative both within his cabinet and his department. "My government knew... that I was engaged in some kind of discussions but it had to be held extremely tight... That's why it was only myself and Dr. Martin Mansergh involved in my own department, nothing on the official files or records. That's the way it was done".<sup>42</sup>

#### *Hume-Adams: upping the ante*

The dialogue that John Hume had been conducting with Sinn Féin's Gerry Adams during the early part of 1993 had been instrumental in establishing under what circumstances the IRA may be prepared to end their violence. Whilst this was advantageous to the peace process, once the discussion of the joint declaration idea was moved onto the intergovernmental stage the continuing dialogue was seen as unhelpful by the two governments. From the British point of view the reason that the continuing dialogue, and more importantly

<sup>40</sup> Séan Duignan and Albert Reynolds interviews with the author.

<sup>41</sup> Fergus Finlay op. cit. pp.184-185.

<sup>42</sup> Séan Duignan, interview with the author.

<sup>43</sup> Albert Reynolds, interview with the author.

the joint statements Hume and Adams were issuing, became problematic was linked to unionist unease. The British, even though they were secretly in discussion themselves with Sinn Féin, were very cautious about being seen discussing anything that could be linked to Gerry Adams. (As late as 1 November 1993 John Major told the House of Commons that an implication from Dennis Skinner "that we should sit down and talk with Mr Adams and the Provisional IRA... would turn my stomach and those of most honourable members; we will not do it".<sup>43</sup>) On 24 September Hume and Adams issued a statement claiming to have concluded their discussions and announced they were passing on their findings to Dublin. (Reynolds, who was unhappy about the statement, had persuaded Hume to say that the findings were only being forwarded to Dublin in an attempt to limit the damage the announcement did to the joint declaration idea.<sup>44</sup>) Hume further increased the pressure on 22 October in the House of Commons. Hume claimed the dialogue he was having with Adams "has been the most hopeful sign of lasting peace that I have seen in 20 years" and he urged the two Governments to "Hurry up and deal with it"<sup>45</sup>

The Irish were at least as frustrated by Hume's pronouncements as the British. The Irish Government's annoyance was increased as there seemed to be little that was new coming from the Hume-Adams dialogue and the announcement that they had made in September was not followed by a report of the dialogue arriving in Dublin<sup>46</sup>. Albert Reynolds' press Secretary noted in his diary "I have rarely seen the Taoiseach or Mansergh so upset". The Irish felt that Hume was "disconcertingly upping the ante".<sup>47</sup> This unease within the Irish ranks was not just a result of the fear that the pronouncements of Hume-Adams would cause the British Government to abandon the joint declaration initiative. At least part of the desire by Albert Reynolds to reduce John Hume's input into the intergovernmental negotiations and Hume's unwillingness to be sidelined was the result of both men having one eye on the role that would be attributed to them by future historians. Séan Duignan frankly admits:

"I think the Hume-Reynolds thing is basic personal jealousy. John Hume would see himself ... as the

<sup>43</sup> Bew and Gillespie, op. cit., p.279.

<sup>44</sup> Mallon & McKinnick, op. cit. p.189.

<sup>45</sup> House of Commons, *Debates*, vol.230, cols 529-530, 22 October 1993.

<sup>46</sup> Author interviews with Séan Duignan, Dermot Nally and Albert Reynolds.

<sup>47</sup> Séan Duignan, *One Spin on the Merry-go-Round*, p.104.

man who started it all, with Adams. He took huge risks, he ran it and he wasn't about to let Reynolds take the lion share of the credit... These guys were ankle-tapping one another on the way to Oslo for the (Nobel) peace-prize. It wasn't pleasant to watch but that's politics, that's the way it works... they didn't trust one another".<sup>48</sup>

The two Governments made an effort to distance the initiative from Hume-Adams with a joint statement issued after a meeting in Brussels on 29 October. The statement noted that the two leaders "agreed that any initiative can only be taken by the two Governments, and that there could be no question of their adopting or endorsing the report of the (Hume-Adams) dialogue". The statement concluded "the two Governments must continue to work together in their own terms on a framework for peace, stability and reconciliation".<sup>49</sup> Although the public rebuke of John Hume caused Albert Reynolds problems at his party Ard Fheis (conference) the following week<sup>50</sup> its purpose was an attempt to distance the forthcoming joint declaration for Gerry Adams in order to placate Ulster unionists.

#### Re-evaluating the Downing Street Declaration

Although the joint declaration idea had undoubtedly been an Irish initiative, originating with John Hume and pressed by Albert Reynolds for most of 1993, the final document illustrates how far *both* governments had moved during the negotiating period. One of the problems with the existing literature on the negotiating of the DSD and the origin of the peace process is that it has a tendency to portray the movement from exclusion to inclusion as a victory for Irish negotiating skills, with the British dragged along reluctantly. In what remains the most informed and informative account of the process, Mallie and McKittrick assert "the Declaration was in effect the culmination of a line of documents which had an input not only from Dublin but also from Hume, the army council of the IRA, loyalist paramilitary groups and Protestant clergymen".<sup>51</sup> The glaring omission from this list is the British Government. Yet a comparison between the various drafts that Mallie & McKittrick reproduced in their appendices and the final DSD suggest a far more balanced document than that originally proposed by the Irish government, John Hume, and Sinn Féin at various stages.

<sup>48</sup> Sean Duggan, interview with the author. Dermot Nally made a similar point, interview with the author.

<sup>49</sup> Reproduced in Mallie & McKittrick, *op. cit.*, p. 209.

<sup>50</sup> *Irish Times* 8 November 1993.

<sup>51</sup> Mallie & McKittrick, p. 271.



In the original draft sent to London the British Government were to assert that "the Irish people have the right collectively to self-determination," that they wished to see the people of Ireland live in "unity and harmony," and pledged to "use all their influence and energy" to secure agreement for this unity. By the time the DSD was finalised the right of Irish self-determination although acknowledged was to be exercised "on the basis of consent, freely and concurrently given, North and South." This meant that the unit of consent for a united Ireland had changed from being the island as a whole to two units within Ireland: Northern Ireland and the Republic. In the DSD the British stated their wish "to enable the people of Ireland to reach agreement on how they may live together in harmony and partnership" rather than stating their desire to see them live in unity. Clearly many of the key elements that had made the original drafts an unacceptable 'nationalist manifesto' had been cleverly reworded and watered down during the negotiating process.

The Irish Government's commitments in the earlier drafts of the joint declaration are harder to ascertain as the appendices of Mallie & McKittrick's work, in the main, only contain extracts that relate to the British Government's undertakings. However in the full text of the original document drawn up by Sinn Féin in February 1992 the Irish Government were to note that Irish unity would "be best achieved with the agreement and the consent of the people of Northern Ireland"<sup>52</sup>. But the agreement of a majority in the North is not a stated prerequisite. This remained the Irish position in the draft sent by Dublin to London in June 1993.<sup>53</sup> In the actual DSD the undertakings of the Irish Government are far more explicit. The need for the consent of a majority in Northern Ireland to any change in Northern Ireland's status is included five times. The Irish Government acknowledge that "it would be wrong to attempt to impose a united Ireland, in the absence of the freely given consent of the majority of people in Northern Ireland". The Irish also agreed to measures designed to address unionist fears and suspicions of the South. In the DSD Dublin undertook to review any aspect of Irish society that might be seen "as a real and substantial threat to (the unionist) way of life and ethos" or could be seen as inconsistent with "a modern democratic and pluralist society". The Irish

<sup>52</sup> *Ibid.* p. 374

<sup>53</sup> John Major, *op. cit.*, p. 449.

also pledged to propose changes to articles 2 and 3 of the Irish Constitution (which laid claim to Northern Ireland) "in the event of an overall settlement".

So the final DSD was a far more balanced document than that originally proposed. Yet its purpose was still primarily the movement to inclusion: to induce the IRA away from violence and into the political process. The balance that was put into the document during the negotiating process was to remove or dilute those elements that would risk alienating unionists to an unacceptable extent and counteract those that they would find unpalatable with undertakings by the Irish government designed to reassure them. The problem was that much that was unacceptable to the unionists was seen by the Irish as essential to ensure the IRA abandoned violence. The result of this is the somewhat tortuous DSD wording that tries to gloss over differences and be all things to all sides. The former British official, Sir David Goodall, who had been one of the key negotiators of the AIA, summed up this aspect of the DSD. Goodall called the DSD "a tribute to (the British and Irish) officials who, by skilful drafting and an abundant use of coded language, have laid a veneer of unanimity over what are still divergent and in some respects directly conflicting interests. The result is a minor diplomatic masterpiece."<sup>54</sup> So the Irish people have a right of self determination, but this cannot be exercised by the Irish nation as a single unit; the British will be facilitators for peace, but not persuaders for unity; the British have no strategic selfish or economic interest in Ireland, but will uphold the union whilst that is the wish of the majority in the North.

### Conclusion

By the end of 1993 with the signing of the DSD both the Irish and British governments had moved to accept the inclusive agenda. This acceptance was not undertaken without much soul-searching on the part of both states. This shift in policy was primarily the result of a growing belief in both London and Dublin that there was a movement within republicanism towards pursuing their objectives via the political rather than military route. It was this movement above all other factors that persuaded the Major and Reynolds governments to

<sup>54</sup> David Goodall "Terrorists on the spot" *The Tablet*, 25 December 1993/1 January 1994

attempt to find a joint position that would encourage this debate within republicanism. Yet the desire for peace alone was not enough to ensure that intergovernmental policy replaced the pillar of exclusion with one of inclusion. As we have seen London and Dublin faced pressures from other quarters to continue with an exclusion-based policy. Both governments faced constraints caused by suspicion of those within Northern Ireland, their own governments and the wider public. Also at times the caution of the British government led to frustration within the Dublin government; while the apparent haste of Dublin to tailor policy towards reassuring republicanism deeply concerned many in the British government. That the two governments were able to overcome these constraints and formulate a common stance designed to persuade republicans to abandon violence, whilst not completely alienating mainstream unionism, was no mean achievement. The DSD was not, nor was it designed to be, a solution to the Northern Ireland question. What it was was the institutionalising of a new stage of intergovernmental co-operation based upon inclusion rather than exclusion. Its origins are complex and contradictory. It owes its existence in part to the exclusion-based intergovernmental initiative of the AIA, which had a marked effect on unionism; the failure of the exclusion-based inter-party talks of 1991-1992; the re-evaluation of tactics and outlook within republicanism; the risk-taking of key personnel in both governments and by leaders within Northern Ireland. The movement to inclusion as a basis for intergovernmental policy formulation enshrined in the DSD had a marked effect upon the politics of Northern Ireland. It did not though herald the arrival of complete agreement and harmony in intergovernmental co-operation on Northern Ireland. Disputes and recrimination were still frequent between London and Dublin post-1993. But the shift in policy that the DSD enshrined illustrated once again not only the potential benefits that can stem from intergovernmental co-operation between London and Dublin on the Northern Ireland issue but, given the competing pressures on the two governments, that such co-operation cannot be taken for granted.