

Dermot Nally Papers

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Dublin may need to temper support for nationalists in search for compromise

Tom Hadden and Kevin Boyle outline what politicians and people in the South can do to help reach a settlement in the North

W E ARGUED yesterday that the best way forward in Northern Ireland might be to take the principle of self-determination which is built into the Downing Street Declaration seriously and to give the people in Northern Ireland a real choice between the three or four realistic and acceptable options. But what can politicians and people in the South do to assist?

It is common in situations where territory is disputed between two states for those in the adjacent state to give more or less unqualified support to "their people" on the wrong side of the border. Since the violence broke out in 1968, Irish governments and people have naturally wanted to support the position adopted by Northern nationalists.

While such a policy was necessary, particularly in the earlier stages, to defend the civil rights of the weaker community, it is clear in hindsight that it has not proved to be the best way to achieve an acceptable compromise.

It can be argued that the two most promising initiatives on the North have been fatally undermined by the desire on the part of the Government to get the best possible deal for Northern nationalists and not to make concessions opposed by their leaders. A major factor in the failure of the power-sharing package agreed at Sunningdale in 1973 was the insistence by the Government and the SDLP on the creation of a Council of Ireland with significant powers.

A major factor in the failure of the Anglo-Irish Agreement of 1985 to deliver peace and stability was the refusal of the Government to concede any change to Articles 2 and 3 of the Constitution.

In the new political environment in the South following the Joint Declaration, a better approach would be for the Government to establish a

more neutral position and to exert its influence on Northern nationalists to accept a compromise in the same way that the British government is and should be expected to put some pressure on unionists. The basis for such a balanced approach by both governments is their commitments in the Joint Declaration.

The Government can act now, despite the opposition of Northern nationalists, to establish the principle of consent by removing the provisions in its Constitution which are offensive to unionists precisely because they deny them the legitimacy to exercise that consent. This would require the amendment not only of the notorious territorial claims in Articles 2 and 3 but also of the provisions on self-determination for the Irish people in Article 1.

In parallel, the British government should now act to recognise the Irish identity and allegiance of Northern nationalists, as proposed in the O'Shaughnessy Report, and to insert the agreed principles of the Joint Declaration on self-determination and consent into the constitutional law of Northern Ireland.

A possible way of replacing the conflicting claims in Bunreacht na hEireann, in the Government of Ireland Act and in the Northern Ireland Constitution Act 1973 with an identical set of provisions which could be adopted in both British and Irish law is set out in the accompanying table. These parallel provisions could be adopted by both states now without prejudice to the nature of an eventual settlement.

Such an initiative if undertaken by both governments should assuage Mr Reynolds's fears that a referendum in the Republic would not be carried. It would also provide a clear framework for any referendum in the North, as suggested yesterday, and for progress in the talks between the Northern Ireland parties.

HOW THE CONSTITUTIONAL CONFLICT MIGHT BE HANDLED

(A) Current constitutional provisions

Bunreacht na hEireann 1937

1 The Irish nation hereby affirms its inalienable, indefeasible and sovereign right to choose its own form of government, to determine its relations with other nations and to develop its life, political, economic and cultural, in accordance with its own genius and traditions.

2 The national territory consists of the whole island of Ireland, its islands and territorial seas.

3 Pending the reintegration of the national territory, and without prejudice to the right of the Parliament and Government established by this constitution to exercise jurisdiction over the whole of that territory, the laws enacted by that Parliament shall have the like area and extent of application as the laws of Saorstát Éireann* and the like extra-territorial effect.

* i.e. the 26 counties of the Irish Republic

** Under section 1(1) of the Irish Free State (Consequential Provisions) Act 1922 the 1920 Act applies only to Northern Ireland.

Government of Ireland Act 1920

1(2) For the purposes of this Act, Northern Ireland shall consist of the parliamentary counties of Antrim, Armagh, Down, Fermanagh, Londonderry and Tyrone, and the parliamentary boroughs of Belfast and Londonderry.

75 Notwithstanding anything contained in this Act, the supreme authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters and things in [Northern] Ireland and every part thereof.

Northern Ireland Constitution Act 1973

1 It is hereby declared that Northern Ireland remains part of Her Majesty's dominions and of the United Kingdom, and it is affirmed that in no event will Northern Ireland or any part of it cease to be part of Her Majesty's dominions and of the United Kingdom without the consent of the majority of the people of Northern Ireland voting in a poll held for the purposes of this section in accordance with Schedule 1 of this Act.

(B) A possible reformulation for use in both jurisdictions

1 The territory of the island of Ireland is divided into two parts, the state of Ireland and Northern Ireland. The state of Ireland consists of the area over which the laws of Saorstát Éireann applied*, its islands and territorial seas. Northern Ireland consists of the six parliamentary counties of ... its islands and territorial seas. (The citizens of the state of Ireland hereby express their aspiration to the coming together of the people of the island of Ireland and the unification of the island by consent and agreement of the people of both parts of Ireland.)

2 The people of the island of Ireland alone hereby affirm that they alone shall have the right to choose, by agreement between the two parts respectively, their own form or forms of government, to determine their relations with the other part, with [Great Britain] (with the United Kingdom), (and with other states), to develop their natural resources and to pursue their own political, economic and cultural traditions.

3 Northern Ireland at present forms part of the United Kingdom of Great Britain and Northern Ireland by the wish of the greater number of its citizens. If at any time in the future a majority both of the people of the state of Ireland and of Northern Ireland voting freely and democratically and without coercion in concurrent polls held in accordance with the Schedule to this Constitution consent to the unification of the island of Ireland or to any other constitutional arrangement covering the whole island of Ireland the Government of [the United Kingdom/Ireland] shall introduce the legislation necessary to give effect to that arrangement.

[] Northern Ireland Constitution [] Irish Constitution

Another important step might be for the Government to examine seriously the proposals which the Ulster Unionists have made for reciprocal North-South institutions. The first preference of Northern nationalists is for institutions like the abortive Council of Ireland which in some way, whether ideologically or in practice, assert the principle of Irish unity. But that is precisely the issue on which unionists are not prepared to compromise.

A huge step forward could be achieved if the Government would

state that the principle on which shared institutions for the whole island of Ireland might develop is that of mutual recognition and reciprocity and that any such structures would not contradict or undermine the principle of consent by the people of Northern Ireland to unification.

This principle of reciprocity and mutual recognition was accepted as far back as 1952 for the Foyle Fisheries Commission and was the basis of the structures proposed by the Ul-

ster Unionists in the Strand 2 talks in Dublin in 1992. In practice, the current co-operation between North and South on a growing range of activities from education, the environment, business and tourism, operates on this basis.

This approach puts large numbers of men and women in touch with their counterparts North and South and is much more likely to promote reconciliation and lead to the development of enduring institutions — and practical economic benefit —

than any attempt to envisage or impose a political blueprint. A suitable model might be the evolution of European co-operation which developed on a pragmatic and open-ended basis rather than with any prearranged agenda.

That, too, is implicit in the Downing Street Declaration, but it needs to be put into practice.

Tom Hadden and Kevin Boyle's book *Northern Ireland: The Choice* is published by Penguin



Ready to start: Lauren Bacall, currently involved in shooting Robert Altman's new film *Prêt-à-Porter*, in Paris

THE Irish film *After 60*, directed by Stephen Bourke, has won a *Jeuneur*, one of the four main prizes at the 40th Oberhausen International Short Film Festival, regarded as the world's most prestigious shorts festival. The international jury, which included Orlando star Tilda Swinton, described the film as "a sensitive and authentic depiction of growing up and developing consciousness in the conditions of an undeclared war." Stephen Burke was present in Oberhausen to receive his award, along with a premium of 2,000DM. This is the latest award for *After 60*, which received the prize for Best European Short Film at Cork last year, an honourable mention at the Clermont-Ferrand shorts festival and a distinction for "the strongest of the look" at the Montreal shorts festival.

START sweating now for the next FilmBase Film Quiz which takes place at The Teachers' Club, Parnell Square, Dublin, on Thursday, May 26th, at 8 pm. This time the questions will be set by Paul Duane, a former winner of the quiz, and I will be the bronzed question-master fresh (???) off the plane from Cannes. The entry fee is £20 for each table of four contestants and advance booking is strongly recommended. To book a table call FilmBase on (01) 679 6716.

ONE humdinger of a question which could be asked: Name the full stellar cast of Robert Altman's *Prêt-à-Porter*, which is shooting in Paris and threatens to do to the fashion industry what *The Player* did to Hollywood. This (deep breath) is the answer in alphabetical order: Danny Aiello, Anouk Aimée, Lauren Bacall, Kim Basinger, Michel Blanc, Richard E. Grant, Rupert Everett, Teri Garr, Linda Hunt, Sally Kellerman, Ute Lemper, Sophia Loren, Lyle Lovett, Marcello Mastroianni, Stephen Rea, Sam Robards, Tim Robbins, Julia Roberts, Lily Tomlin, Tracy Ullrich.

many disappointments that have turned up on the vast screen of the festival Palais, there have been some wonderful compensatory surprises in the official competitive selection — and in the many sidebar categories and the unheralded gems tucked away in the bustling festival marketplace.

Cannes has faced down and seen off fierce competition from other international festivals over the past four decades. There is its long-standing rivalry with Europe's next most prestigious festivals, Berlin and Venice, and the threat from the fast-rising — and much younger — North American

only other US movie in the official selection are Quentin Tarantino's eagerly-awaited second feature, *Pulp Fiction*, and Alan Rudolph's *Mrs Parker and The Vicious Circle* with Jennifer Jason Leigh as Dorothy Parker, while the American-financed co-production, *The Browning Version* (directed by Mike Figgis and starring Albert Finney, Matthew Modine and Greta Scacchi) is waving the Union Jack. And in the three sidebar sections there are eight US films, all of them independent productions and, with the exception of Hal Hartley's *Amateur*, all the work of first-time film-makers.

So, in this post-GATT era, is Cannes boycotting Hollywood

shows many films by the American companies, but the films must suit us and the dates of the Cannes festival must suit the distributors." A spokesman for the Motion Picture Association of America insists: "American films are not distancing themselves from Cannes. It is a great exaggeration, if not absurd, to talk of a boycott."

American movies deservedly went home empty-handed from last year's Cannes awards ceremony, in sharp contrast to the 1991 festival when *Barlow Fink* from the Coen brothers, Joel and Ethan, swept the board and took so many awards that there was outrage in the

best known for large-scale action movies such as the *Die Hard* and *Lethal Weapon* series.

Every cent shows on the screen in this ambitious and elaborate pastiche of classic moral fables and screwball comedies of Hollywood cinema in the 1930s and 1940s which pays explicit tribute to the works of Preston Sturges, Howard Hawks and Frank Capra.

It opens on New Year's Eve in 1958 with the sight of an edgy young man, Norville Barnes (played by Tim Robbins) about to leap from the 44th floor of the Hudsucker Industries building

Mussburger (Paul Newman) — who wants to depress the company's share price and avoid a public takeover — Barnes is rapidly elevated to the top floor, but to Mussburger's dismay, he has the idea for an invention that may raise the company's stock.

SOME of the American critics at Cannes have dismissed *The Hudsucker Proxy* as cold and calculating, all style and no substance, but that is to do a disservice to this engaging, highly entertaining and impeccably crafted picture.

invention, the best revealed in the cinema belong.

How *The Hudsucker Proxy* fares on award night in Cannes depends on the company's stock. Eastwood and Deneuve, Avati, comp and writers R. Guillermo C. Most of all, depends on the unspooled before ahead. After driven come looked so more than it transp — as many as

War groan



Excellent: Hiep Thi Le in Oliver Stone's *Heaven and Earth*

"*Heaven and Earth*" (over 15s), Adelphi, Dublin; Omniplex, Santry; UCI Coolock and Tallaght. Those of us who have spent many years demanding that Hollywood, in general, and Oliver Stone, in particular, address the Vietnamese people's experience of the US war in that country now have a lot to answer for. We should have let them stick to their *Platoons*, their *Coming Homes*, even their *Rambo*s — because if *Heaven and Earth* is any indication, the empathy required to

Cinema

Harry Browne

subtlety is an alien quality — will allow.

However, there are two elements that seem to be intrinsic to Le Ly's story that Stone, unsurprisingly, relentlessly emphasises.

Combined efforts of Jones and Stone, our sympathy is entirely with the American killer rather than the Vietnamese victims. What else did we expect?

My advice for those interested in *Heaven and Earth* is, skip it — and go to see Tran Anh Hung's *The Scent of Green Papaya*, which still has a week to run at Dublin's Light House Cinema.

"Striking Distance" (over 15s), Savoy, Dublin; Omniplex, Santry; UCI Coolock and Tallaght.

Torture and the voice of God

One for the Road
Gate Theatre
Gerry Colgan

THE SECOND of the one-act plays in the Pinter Festival at the Gate Theatre (early evening) is the least ambiguous of them all. In *One for the Road*, there is no tip-of-the-iceberg treatment; what you see is what you get, to be absorbed whole in one mesmerised swallow, a truly horrific poison.

The theme is torture in a police state, and the author's brilliant technique gives it a reality on the stage more powerfully evocative than any amount of case-study reading might achieve. A man (Victor) deemed to be subversive has been brought to a barracks for some kind of redemption, accompanied by his wife (Gila) and child (Nicky). The play consists of a series of scenes in which the head of the establishment (Nicolas) interviews each of them in turn.

Nicolas is the chief character, with virtually all of the dialogue, his victims being mostly too sick or frightened to speak. He is the essence of evil, a man

who thinks that he is the voice of God and that his mission fully justifies his sadism. It would be a simple matter to kill his prisoners, but that would not stake his thirst. They must be crushed, deprived of their humanity, and they are.

Michael Pennington is a chilling Nicolas, a man capable of charm and arctic cruelty in equal measure, varying his vocal rhythm to give his lethal words the greatest impact. Although near-wordless, it is essential that the others be in tune to this evil music, yielding to it as the violin must to the bow. Nicholas Grennell is Victor, moving from pain to flickering survival. Jane Brennan's Gila truly reflects the debasement inflicted on her, and Ciaran Fitzgerald is the too innocent Nicky. They are uniformly excellent.

It is directed by John Crowley with the right balance between the explicit and the suggested, against another of the set designs by Eileen Dill which have been a distinguished feature of each production to date. This festival continues to demonstrate that Harold Pinter is, indeed, a playwright worth celebrating.

horns with a of rock-solid soul of his best the stage, in most epileptic anyone to see.

Chris Smith, songwriter, works on a The frenetic ing alone is sometimes he end up head bang his hands, keep words just turn less, and pick in the next verse.

Third Day Castleknock NCH
Martin Adams

Mass in C (Choir) on Oliver.

On Wednesday, its conductor joined for Castleknock Choral ensemble, Patricia Higgins, all-Beethoven, the National. The Mass in C piece, requiring assurance from its, and firm, progressive detail, especially in the posite movement *Gloria* and *Crea*

Mose Allison Trio
Elmwood Hall, Belfast

overtime" just one case in point.
The... representations of other