

Tanaiste,

Further to our phone call, the attached text illustrates the kind of speech which might be used to hang a ceasefire on. The kernel proposal is on pages 6-7, the remainder an attempt to put it in a balanced and reasoned context which might make it easier for various interests to endorse it.

My recommendation would be to seek an early meeting with Sinn Féin (e.g. first half of next week) to put to them that:

- We see this as "fish or cut bait" time, and make all the necessary points about the effect of recent incidents.
- We do not want any association with a tactical electoral ceasefire, which is the inevitable interpretation which will be put on anything close to the British election. Speed is therefore of the essence.
- We explain the kernel of our proposal.
- We give them three or four points/sentences we would wish to see in a "PO'N" statement.
- We ask them to come back, within days, with a considered response.
- If the answer is "yes", we pursue the matter immediately with all the interests concerned.
- If "no", or a doubtful future "maybe", we tell them we see little further option on our side to make space.

I have spoken to Paddy Teahon and Tim Dalton on these lines. You may wish to check with the Taoiseach whether an approach on these broad lines should be put in train. (Any details of a text are best left until we know this approach is actually operational).

Happy New Year!

Sean O'K

Sean Ó hUiginn

3 January 1997

DRAFT

A year ago we looked to the future in Northern Ireland in a mood where hope prevailed. We dared to believe that a bloody chapter in Irish history could be closed for ever. Now fear and despondency are steadily regaining their old sway. We see the fateful patterns of violence and hatred bubbling to the surface again, and threatening to submerge us all once more.

It will be a profound tragedy, and one whose impact may be felt for a generation or more, if we allow this to happen. Like so many tragedies, it is an outcome nobody wants, and which need not happen. Yet the sum of all our current actions, and inactions, points ominously in that direction, unless we can muster the collective will and effort to shape a better destiny for ourselves.

We can leave it to the historians of the period to analyse the factors which tilted the balance from hope to apprehension. Recriminatory "what if" or "what about" questions will produce nothing but sterile argument. Let us rather acknowledge that there have been mistakes on all sides, and that we can still perhaps put right what went wrong and resume a purposeful collective journey towards peace.

The peace process sought to build a bridge to a better future based on two essential pillars. One was a decisive commitment to exclusively peaceful and democratic means by those who formerly espoused or tolerated violence. The second was the delivery of a genuine and meaningful process of inclusive negotiations to address, in the words which the Governments in their communiqué of last February borrowed approvingly from the Mitchell Report, "the legitimate concerns of their traditions and the need for new political arrangements with which all can identify".

That approach reflects two key realities:

There can be no stability in a society where a significant element of the population feels alienated from the systems and institutions governing them. Even very coherent societies which sought to deal with such a problem on the basis of coercion and repression would fail, and it is delusory to think such an approach could be viable in a deeply polarised society such as Northern Ireland. Negotiated change is patently needed. At the same time it is clear that democratic parties will never tolerate two sets of rules around the negotiating table, one democratic and the other paramilitary. An exclusively democratic basis is the only conceivable, as well as the only just and equal basis for the search for an overall agreement.

The original blue-print for the bridge is still good. The question is whether it can be built and crossed without delay, or whether further cycles of violence and suffering will be visited on us before all the tactical games are played out. If we are to avoid that tragedy, the experiences we have all shared since August 1994 suggest that both pillars of the bridge must be buttressed and reinforced.

The dedicated efforts of Mr. Hume in his dialogue with Mr. Adams led most recently to the statement issued by Prime Minister Major on 28 November. For all the controversy surrounding that document, it is of value in showing that, in spite of the present incapacity to move forward, there is nevertheless a high degree of agreement in principle in almost all quarters on what the way forward should be. These elements of agreement offer a foundation for progress which we should recognise and use.

It is common ground that an accommodation must be found through meaningful negotiations, resolutely and patiently dedicated to the goal of an overall political settlement. These negotiations must be on exclusively peaceful and democratic

principles, with no party enjoying an undemocratic advantage and all parties being treated equally in accordance with the scale of their democratic mandates.

It is common ground also that these negotiations must be on the basis of a comprehensive agenda, with each participant free to raise any significant interest of concern to them, including constitutional issues, and to receive a fair hearing for those concerns, without this being subject to the veto of any other party. No negotiated outcome is either predetermined or excluded in advance or limited by anything other than the need for agreement. The two Governments, for their part, are committed to use their influence to ensure all items are fully addressed in the negotiating process, and to doing so themselves with a view to overcoming all obstacles which may arise.

It is a matter of common sense that the prospects of a viable agreement will be very significantly enhanced if the negotiations are on an inclusive basis and take place in a fully peaceful environment. Any dispute is not about whether this would be the best approach, since it would be perverse to argue otherwise, but rather whether or how it could be achieved in practice.

The challenge now is to transform these agreements in principle into the practical politics of a viable and ultimately successful negotiating process.

With hindsight we can see that almost all the mistakes in the process so far flowed from a failure to appreciate the depths of suspicion on all sides, and the true width of the gap which had to be spanned. There was a failure on each side to understand the genuine constraints and pressures on the other. Instead of a dynamic of reciprocal reassurance, there was a tendency to imagine that the onus of change and the risk of confidence-building gestures could somehow mostly be off-loaded on others. It is a chasm of distrust, rather than a chasm on the level of principle, which

remains our greatest hurdle. We must concentrate now on that dimension of the problem.

Of all the factors which blighted the growth of trust, the collapse of the IRA ceasefire was incomparably the most fateful and destructive. It did enormous damage to the credibility which had been invested in the commitment of the Republican movement to the democratic path. The blow was heaviest to those who took the most risks for peace.

The unequivocal restoration of the ceasefire is, correspondingly, the single most urgent and necessary move in the whole equation. With that, we can embark again with renewed hope on the inclusive path towards a political settlement. Without it, the dynamic of violence, counter-violence and repression again comes into its own, and the political process is once again relegated to the old defensive entrenchments. Only the Republican movement itself can supply the reinforcement needed on their pier of the bridge. Much is at stake on their capacity and will to do so.

We must not however ignore the importance of strengthening the other pier also. We must acknowledge that the path to negotiations has been slow and tortuous, and that it is deeply dispiriting that substantive negotiations have still not begun.

However, a political process, and particularly a potentially historic one, rarely if ever moves in the linear patterns a management consultant or a systems planner might choose. It would be wrong to take the view that time has been lost and nothing has been gained.

A process is now in place, under very distinguished and skilful international chairmanship and serviceable rules of procedure. It will operate with a

comprehensive agenda, and is inclusive in nature and intent, even if not yet in reality.

Its potential to bring about agreement is there to be unlocked, if the other conditions are right.

The difficulties in the way are threefold:

Firstly, the uncertainties engendered by the collapse of the IRA ceasefire have overshadowed the process. Some parties have hovered uncertainly between looking back in preference to the 1992 Talks format, and looking forward with apprehension to a fully inclusive process. The failure to develop the existing phase of the Talks into substantive negotiations among the participants actually at the table has unfortunately tended to reduce it to a kind of tactical skirmish prior to an inclusive process. As a result this phase has combined the disadvantages of both approaches and the advantages of neither. That must eventually be resolved, one way or another.

Secondly, the process has been deadlocked on the decommissioning issue, in a formal sense since 15th October, and in an informal sense for much longer. Again it is valuable common ground on all sides that decommissioning is accepted as one of the essential goals to be achieved in any agreement. The road-map to that goal has been set out with great skill and objectivity by Senator Mitchell and his colleagues. If decommissioning is ever actually to be achieved, it is a very safe prediction that it will be recognisably on that basis. It is a tragedy that the understandable anger and fears of the unionist community have been brought into such disproportionate focus on this issue, not because it is truly the decisive factor for the future, but because its tactical and symbolic values are polemically so

serviceable that they are brandished even at the cost of undermining the very conditions which could actually realise the goal.

The third factor inhibiting progress, and doing so ever more patently, is the imminence of the British general election. It is true that the mandate of the May elections is very recent and specific, and should remain relevant to the process. Nevertheless that confers no political immunity on protagonists who must again face the electorate and whose demeanour, in some cases at least, is now palpably governed by electoral considerations.

We can therefore use this interval in one of two ways:

We can persist, probably with diminishing returns, to pursue the quest for substantive negotiations knowing, as Mr. David Trimble has repeatedly stated, that there is unlikely to be any breakthrough in the electoral interlude which, on any reckoning, is only a matter of weeks away.

An alternative approach would be to acknowledge realistically that the most productive use of this interlude would be to seek to lay the foundations for a better and reinvigorated process, once the election season is out of the way.

The first step should be the immediate and unequivocal restoration of the IRA ceasefire of August 1994, in reassuring and confidence-enhancing terms.

This should be met with statements on behalf of the British Government and Opposition parties confirming that they will honour the commitments on the peace process between the British and Irish Governments which are on the record in the documents agreed between them.

Specifically they should commit themselves, subject only to the sustained observance of the ceasefires, to reconvene the Talks on a fully inclusive basis not later than end May/early June, irrespective of who forms the next British Government.

To forestall the prospect of a further indefinite stalemate in the transition to substantive talks, they should commit themselves to bring forward at that stage proposals for an agreed indicative time-frame, which would provide that the negotiations entered substantive issues, at a minimum as regards Strand Three issues between the two Governments and with the extensive consultative procedures envisaged with the parties, within a specified period.

It would further be understood that the essential goal of decommissioning would be pursued by the two Governments on the basis of the implementation of all aspects of the Mitchell Report, and that other than the observance of the ceasefire, and the necessary confidence-building commitment to the Mitchell principles, the negotiations would be without preconditions.

An immediate and unequivocal IRA ceasefire on this basis would create the political space to begin to build a climate of enhanced confidence, which is at present so obviously the missing ingredient.

If there are doubts about the consistency or reliability of the loyalist ceasefires, this approach could also give space to lay any such doubts to rest.

Freed from the uncertainties caused by the shadow of violence, and with much less intrusion of electoral tactics into the process, the participants in the present phase, in consultation with the Chairmen, would be free to explore for a certain period the potential for any measure of additional agreement which can be distilled from the discussions which have taken place so far. Failing that, the process can be set aside

for some weeks without rancour or recrimination, to resume with an enhanced sense of commitment and direction immediately the electoral season is out of the way.

Neither need the electoral interlude be lost in terms of more structured progress. Both Governments have made clear in various statements, including that by the British Government on 28 November, that the opportunity for confidence-building returns in proportion as the threat of violence reduces. An early IRA ceasefire would open the way for an early series of meetings between Sinn Féin and the Governments to explore the scope for progress in this area, and to prepare through appropriate steps for the launch of fully inclusive negotiations.

In making this proposal, it is right to acknowledge the misgivings which many in the unionist community have felt at a process which aims to give those they see as their bitterest enemies a place at the negotiating table.

There are legitimate fears that such a process could be abused, not for the consolidation of democratic values, but as a tactical beach-head for paramilitary ones. No great enterprise is ever entirely without risk, and the search for a new accommodation where both traditions in Ireland can meet for the first time ever, in mutual acceptance and self-respect, is certainly a great and historic enterprise. The process is unprecedented, but so also are the safeguards on offer to protect unionist interests, including the ultimate safeguard of referendum. As regards the fears that the process may be abused, that is the one contingency above all others where they can safely rely on an active consensus across the political spectrum in both islands to defend democratic principles.

The journey into exclusively democratic politics is not an easy transition for either set of paramilitaries. Arguably, it is proportionately a more difficult journey for them than anything other parties are asked to undertake. There may even be further

setbacks on the road. We should none of us have too much difficulty, however, as the process develops, in distinguishing between groups journeying in good faith towards the goal, with realistic allowances for the difficulties, and those who might seek to set up camp in some no-mans land between violence and democratic politics. Any such strategy would be a serious mistake, and like all mistakes, it would carry its price. We owe it to ourselves, and those who will come after us to test patiently and fairly, the good faith of those who say they are determined to complete the journey towards a new democratic agreement.

It is in everyone's interest, and not least that of the unionist community, to make the path to fully inclusive negotiations as direct and as speedy as possible. However, any journey in that direction must begin with the crucial step of the restoration of the IRA ceasefire. That would liberate people from some of their deepest fears. It would liberate political energies which must inevitably remain blocked for as long as the threat of violence hangs over the situation.

In the midst of the Civil War in December 1922, a man from Lurgan, the writer G.W. Russell (AE), wrote an open letter to Irish Republicans. In it he gave a profound and passionate analysis of the dangers and limitations of political violence, and ended with a plea to those involved in it:

"I do not like to think of you as being defeated by aught except what is best in yourselves, or as to be allured by offer of employment or a share in the power of Government. I prefer to imagine you as retiring generously from a civil conflict whose continuation you realise would be disastrous to the nation. I would like to imagine you, with no lessened love for Ireland, attempting by patriotic activities of another character to make a new conquest over the Irish mind. There is no dishonour in raising the conflict from the physical to the intellectual plane, for it is there that the only victories which do not leave the spirit desolate and bankrupt can be won."

10

Few outside their tradition would dare appeal in such terms to the idealism of the Republican movement today. In view of all that has happened, it would be seen as naïve, and perhaps even threatening to the unionist tradition. That in itself should give pause to the Republican movement. Yet if the polarisation of society within Northern Ireland is ever to be reversed, both sides will reciprocally need to make a rigorous - and ultimately realistic - distinction between motives or fears which are legitimate and worthy of respect, and the unacceptable expression of them through violence and coercion.

For those who oppose change, it is all too easy to exploit the latter in order to deny the former. For the Republican movement, there are crucial choices to be made. A wholehearted commitment by them to democratic norms is a crucial factor in their own control which, of itself, would guarantee major change in the overall political equation. The continued resort to violence amounts to voluntary confinement to the political ghetto, quite apart of course from the unnecessary and terrible human suffering it entails. The right choice opens the way for a new political departure. The wrong choice offers a powerful argument behind which all those opposed to political change can shelter for another generation and beyond.

The ideals of the Republican movement invoke above all other considerations the welfare of the Irish people. The views of the Irish people on the choice to be made could not be more clear and unmistakeable.

Let us hope that the Republican movement will now heed those views, for the sake of our common future.