

NORTHERN IRELAND OFFICE
14 JAN 1994 28
SIL DIVISION

FROM: PUS
14 JANUARY 1994

- cc. PS/Michael Ancram(L,B&DENI) - B
- PS/Mr Fell - B
- Mr Legge - B
- Mr Thomas - B
- Mr Bell - B
- Mr Deverell - B
- Mr Watkins - B
- Mr Williams - B
- Mr Brooker - B
- Mr Daniell - B
- Mr Maccabe - B
- Mr Rickard - B
- Mr Archer, RID, FCO - B
- HMA Dublin - B
- Mr Beeton - B

PS/SECRETARY OF STATE (L&B) - B

DISCUSSION WITH DR MARTIN MANSERGH

I had a working lunch with Dr Mansergh yesterday (13 January). He was picking up an open invitation I had extended to him earlier, and it proved to be more accidental than purposive that he chose yesterday to take it up (he was in London for those purposes of historical research while the Taoiseach was away in Mexico).

2. His line chimed harmoniously with that sung by Mr O hUiggin at lunch with Mr Thomas in Dublin on 12 January. He continues to believe there is at least an even chance that the Provisionals will give up violence; accepts that renewed political talks must and should go forward in the event of the failure by the Provisionals to take up the Joint Declaration; he confirmed that the Taoiseach wished to give the Provisionals as much space as possible up to and included their Ard Fheis in the latter part of February, but not beyond. He spoke of the need for the Irish Government in the context of the talks to produce "a deep strategic paper" combining their revised thoughts on a framework document with a reconciliation with the principles in the Joint Declaration. He associated the timetable in the Taoiseach's mind for the Joint Declaration with the time it would take to prepare and share such a document.

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3. I said that the British Government was determined to press forward with talks, as it was already doing in bilateral discussions with the parties. The two Governments would need to confirm their continuing and urgent commitment to the talks process (which both leaders and both Governments had agreed on at the time of the Joint Declaration as well as on other occasions). It was perfectly possible - indeed highly desirable - to inject a fresh sense of urgency into the talks process without a clear answer from the Provisionals, not least to apply an additional pressure to them to reach a positive conclusion. Dr Mansergh understood both the substantive and presentational argument which support that view, including considerations of opinion at Westminster and in the Ulster Unionist party.

4. On the Joint Declaration and clarification, Dr Mansergh laid particular emphasis on the significance of paragraph 5 (reporting the Taoiseach) saying "It would be wrong to attempt to impose a united Ireland, in the absence of the freely given consent of a majority of the people of Northern Ireland. He accepts on behalf of the Irish Government that the democratic right of self-determination by the people of Ireland as a whole must be achieved and exercised with and subject to the agreement and consent of a majority of people of Northern Ireland ...". Dr Mansergh said that in his view the real sticking point for the Provisionals was the so-called "Unionist veto". The need was to lay emphasis on the fact that this was not a veto which existed because the British Government said it did - acting, as it were, from outside Ireland - but because the present opinion of the Protestants in the North was what it was, as a matter of democratic fact. The emphasis which Dr Mansergh placed on this point echoed, interestingly, a report by Mr Loughran from Derry earlier in the week. He foresaw benefit from "clarification" (in their language) - emphasising significant points in the text of the Joint Declaration (my language) in drawing attention to those words of the Taoiseach. I am more conscious than ever after a couple of hours in his company that Dr Mansergh does tend to live in a Taoiseach-centric universe.

5. I asked Dr Mansergh about reports of "contacts" by Irish officials. He readily confirmed that his own channel of communication on behalf of the Taoiseach went through the clerical intermediary of whom we are aware; but he would not go so far as to say that all contacts had been conducted indirectly and I inferred, as we have suspected if not quite known for sure, that on occasion there may have been direct telephone communication, if not actual meetings.

6. Looking at the scene more generally in the light of the Joint Declaration, Dr Mansergh said he shared the assessment that something had changed permanently with the publication of the Joint Declaration in terms of the ground on which the Republican movement stood in the future. This echoed, though in different language, what Mr O hUiggin said to Mr Thomas regarding the potentially "fascistic" position of the Republican movement in the event of rejection.

S E C R E T

7. Finally, I drew Dr Mansergh's attention to a recent "Gulliver" piece in the Irish Press suggesting that a way round the problem of Articles 2 and 3 which the Irish Government might have in mind was a complete rewriting of the Irish Constitution from beginning to end. Dr Mansergh was totally dismissive. He said the sacred character of the 1937 Constitution associated with its author was something that could not be set aside by any Taoiseach of today and the political problems which it would present right across the board made such an enterprise unthinkable. I believed him.

Mr Deverell
Mr Brooker
Mr Donnell
Mr May

NOTE FOR THE RECORD

JOINT DECLARATION - PROVISIONAL REACTION

Mr Loughran (Permanent Secretary DS) telephoned me this afternoon (13 January) to report conversations in Derry over the past 24 hours with Mr Paddy Doherty (aka Mr Pat Doherty) who it is well known is quite close to the Provisionals in the area.

Signed:

JOHN CHILCOT

14 JANUARY 1994

By contrast with the very optimistic about the prospect for peace arising out of the Joint Declaration. The Provisional movement in the Derry area was only signed up to this, though "a small signal by RMC necessary space".

Mr Loughran understood from that that the phrase "the Unionist vote" was uncomfortable. It was not necessary to readdress the text of the Joint Declaration, but a signal/indication from the British Government that it was not a Unionist vote as such but rather the democratic expression of the will of the people of Ireland in the North that was involved might well be helpful. The Taoiseach has used some such wording in his Irish Association speech (though as I recollect it - I have not had time to check - in terms of the agreement of the people of Ireland North and South that the wishes of the Protestant people of Northern Ireland could be set aside).

Mr Loughran said he should also report that the Provisional movement in Derry was thought to acknowledge that hard-liners in South Armagh, East Tyrone and in part West Belfast might not be of the same mind.

Signed:

JOHN CHILCOT

13 JANUARY 1994

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