

# FORUM FOR PEACE AND RECONCILIATION

TRANSCRIPT OF TWENTY-EIGHTH PLENARY MEETING HELD AT  
DUBLIN CASTLE ON FRIDAY, 16 JUNE, 1995 AT 11.00 A.M.

Chairperson: Judge Catherine McGuinness

I hereby certify the following to be a true and accurate transcript of my shorthand notes of the above-named proceedings.

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THE CHAIRPERSON: Thank you very much indeed. We now go on to the Alliance Party and just before that I would like to add my congratulations to those of Brian Lenihan to the very good result which the Alliance Party had in the poll in North Down. Dr. John Alderdice will now speak on behalf of the Alliance Party

DR. JOHN ALDERDICE: Thank you very much Madam Chairperson. One begins to think of prophets in their own countries and things of that kind but nevertheless thank you very much indeed.

The first comment I think that we would like on make in regard to this part of the Framework Document and indeed to the Documents as a whole is that there have been some suggestions, particularly in Unionist circles in Northern Ireland, that

somehow or another these Documents came solely out of discussions between the two Governments after the Talks Process. I have said on a number of occasions before but I think this is the right opportunity to say again that that it is deceitful to suggest anything of the sort. Those who were involved in the Talks Process know very well that great chunks of these Documents were pored over by all the Parties, including the DUP and the Ulster Unionist Party and to feign astonishment when they're published is a deceit upon the people whom they represent. Much of this - a great deal of this, was fully discussed and I may say it was clear that there was an appetite in many of the elected representatives of Unionism to go along with some things that they have later disowned but I must emphasise and I know that many of the parties around this table were at one point or another involved directly in the process and so you will know the truth of what I am saying: That these Documents grow out of and are not vastly distanced from the Talks process in 1992 and 1991 and they ought to be seen in that context.

There are three other areas in which I would like to make comment. The first is on what we regard as the principles upon which such structures in Northern Ireland would be based. Now in the coded political parlance of the day, there is "general agreement" that there would be no purely internal settlement. But we must be very clear that that also means that there is no purely external settlement. There has got to be a set of structures within Northern Ireland and primarily governmental structures within Northern Ireland must serve some of the same functions of governmental structures in any community. That is they are there to provide a fair, stable tolerant framework within which the people of that community can govern

themselves. They must be accountable to the people. They must be transparent to the people. They must be inclusive. They must involve as wide a range of interests and views as is possible and of course, very importantly, they must value and protect all minorities.

These principles are important and indeed in the Framework Documents there are many other things which go beyond principles and which are there and will not be changed and here again I think it is important to emphasise that whilst the two Governments have rightly said from the beginning that they are for discussion, let us not pretend - and I think this was said last week by Sean Farren, let us not pretend that all of this can simply be set aside. Certainly, theoretically someone could come up with something which would astonish us because of its novelty and acceptability across the board but until someone produces the proverbial " rabbit out of the hat" we have got to accept that the fundamentals of these documents, the principles upon which they are based are the principles upon which all progress is likely to follow in the future and our job is to root these principles and develop them and perhaps change some of practical issues so which I will refer, in order that they become more widely acceptable and perhaps more expressive of the the fundamental principles themselves and I suppose finally in terms of the principles it is right to say, though by now it barely requires saying, that majoritarianism is neither democracy nor is it an option in Northern Ireland and that is clear and there can be no going back on it and these are the kinds of principles.

Secondly, however, in respect of the Document there are, for us, a number of problems about it.

We have said from the start that the Document is a basis for discussion. It is a basis for negotiation. It is certainly not a basis for the kind of hysteria that some people were trying to create but perhaps if one was to put a slightly more positive gloss on the By- election last night and I entirely accept and think it is justified the comments that the Taoiseach has made about the down side of the low poll but the other side is that it demonstrates quite clearly that people in North Down did not feel so extraordinary terrified by the Framework Document and the Peace Process because had they done so they would have - as they have in the past - turned out in their tens of thousands to demonstrate their anxiety and concern. It was I think because they felt there was no leadership among the Unionist community, that they could discern that and so they failed to turn out and it has an upside perhaps which may be a good thing.

But in respect of the problems of the Document we would mention a few. First of all we have to say that the Panel as proposed is not a proposition that finds great favour with ourselves. Now it has been suggested that the notion of a Panel was to create separation of powers. If that was the case, then we would like to explore that further. We do not have a fundamental objection to the notion of the separation of powers.

We do have an objection to the notion of a concentration of powers and there seems to be some suggestion that the Panel might well have that but as well as that because there are only three possible members to the Panel and they operate in some kind of relation to the appointment of Ministers, or Heads of Department it does seem to us that there is an unnecessary narrowing of the range of possibility of those who might be

elected. It is quite clear that there are at least five parties and perhaps more of some significance in The Northern Ireland situation. Clearly the maximum number that could be represented is three and it is entirely possible that only two parties might be represented out of the three places. That does not seem entirely satisfactory.

However if there was a suggestion that perhaps all Heads of Department might be directly elected, that would be an entirely different matter. It would do away with the need for a Panel and would give a form of separation of powers and direct accountability of a Ministerial team. We do not put forward that as a proposal but we want to be clear we are prepared to explore these things on the basis of the principles but certainly not on the basis of any kind of rigging of the situation from anyone's point of view.

There is an important issue in this regard. Whilst one might appreciate and certainly my Party very much appreciates that we must in whatever structures there are there, address the division between Unionists and Nationalists. One could foresee structures which would canvas the support and involvement of middle class Unionists and middle class Nationalists but leave working class Unionists and working class Nationalists quite cold. That would create another kind of shearing or division in the community which might be just as destabilising in the medium to long-term as the clear division there has been between Unionists and Nationalists, not to mention the fact that there are others who might not necessarily want to fall into that division.

So we have got to be aware that Unionists and Nationalists is

not the only possible dangerous division of the community. The division between those within the Unionist community and those within the Nationalist community who often feel tempted to feel the Government is not addressing their concerns because they are working class people. That is a dangerous element of alienation which we should not allow to develop either.

The second area where we would find ourselves with dissatisfaction is the in area of policing. The notion that seems to be around in this Document, that policing should not be a devolved function, seems to us to be a foolish one. If there is to be an acceptability of the policing services and other aspects of the administration of justice we believe in a high degree of accountability to the people of Northern Ireland, not just one section of the community but all the people and to rule that out, as appears to be the case, is not wise.

A third area where we feel some concern is on the question of the economy. Whilst there is a degree openness in the paper itself, comments by Mr. Major have suggested that he does not want anything in the way of fiscal powers to be devolved. While we accept it may not be possible to devolve, perhaps not even desirable, to devolve macro-fiscal powers there are some areas where we believe there can be flexibility. For example, Northern Ireland is the only part of the UK still operating a rating system. We certainly don't want to the change to some of the alternatives operated in the rest of the UK. but there are some things like the local Income Tax, for example, that we would be prepared to explore and certainly the notion that an assembly should have the opportunity to make some economic decisions of significance is one worth considering. I think the Prime Minister has himself recognised this by ensuring that Local

Councils now can use five pence in the rates to address economic questions. So there is an obvious tacit acceptance.

Fourthly, we are disappointed that the notion of a Bill of Rights was not very clearly stated. There is a lot of woolly language about rights being protected and we welcome any indication that rights should be protected but a Bill of Rights is one of the few areas in which all the Parties appear to have reached agreement in principle at least and we should be able to move forward more clearly on that.

Finally we would want to emphasise that we would like to see a beefing up on the quality of involvement directly with the European Union. We believe a Northern Ireland elected body should have an opportunity to interrelate directly with regional parliaments and assemblies in other parts of European Union. We see that as important as well.

So enough the problems and the principles. Finally just a couple of words about the process. I think it somewhat of a pity that we find ourselves here at the Forum discussing these important issues about the internal governance of Northern Ireland and yet to date so little discussion has taken place - between the Northern Parties themselves within Northern Ireland or even directly with the British Government despite its invitations on this specific issue since the Framework Document was published. It is a pity. I commend our own work here in the Forum that we have done this but would it not be far better if this was being preceded or accompanied by discussions among parties in the North about the Framework Document between ourselves and indeed with the Government.



Finally a concern which I have expressed recently and which I think is not only a real but a justified concern, the peace process and the political process are getting out of kilter. I think there's a real problem in persuading the majority of people and I use that not in the kind of traditional political way in Northern Ireland but the majority of people can see that the peace process and by that I mean representatives Republicanism and Loyalism moving into the democratic process dealing with prisoners and arms; that there are things in that territory that are hard to deal with unless there is a sufficient political structural progress. People, I believe, in Northern Ireland were they to see that we're well down the road to achieving a political settlement, would be prepared to bite their lip on a number of issues within which we call the peace process well; to say, " if that will bind the settlement together we will stomach it " but if they don't see the political process moving forward they'll begin to become much more difficult about the peace process issues and there is a danger in emphasising the peace process side without appreciating the crucial need for pushing forward the political process and in this sense I would say I would again commend the Forum and I think it deserves commendation in that it continues to keep the political structural process in debate and I hope it will trigger further discussion over the next few months within Northern Ireland itself about the structures which we need not only for ourselves but in order to relate directly with the governmental structures in the Republic in North- South cooperation.

THE CHAIRPERSON: Thank you very much. I now come to Sinn Fein and understand Una Gillespie is the speaker for Sinn Fein.

THE HEARING RESUMED AS FOLLOWS AFTER LUNCH:

THE CHAIRPERSON: Now, as you know this afternoon is the open debate on the same subject as this morning. But as usual we will have the party whose turn it is to start off with the first question, and then after that I will just take the names in what seems to be a reasonable order. And the party who starts the debate this afternoon is the Alliance Party, so I think it's John Alderdice is going to start off; is that right?

DR. JOHN ALDERDICE: I think perhaps it might be useful for us to engage a little bit in some exploration, and I would like to address one particular question, both to Sinn Fein and to the SDLP. There has been a fair bit of agreement that if we are going to move forward on political structures for Northern Ireland, for the people of Northern Ireland, that it will be impossible to sort those out and therefore to sort out the whole package without discussions with the Unionists. And there has in fact been clear acknowledgment by a number of speakers earlier that that is an important part of the process. What I would like to ask Sinn Fein and then the SDLP is, how they feel discussions about those structural, political elements as distinct from other matters like the economy can now be put into place? How can we actually move forward on those talks about the political structures in some context that involves the Unionists? Perhaps first to Sinn Fein and perhaps to SDLP?

MR. SEAMUS MALLON MP: I am not clear about the question, is it what you are saying in the press release?

DR. JOHN ALDERDICE: The question is coming out of the presentations this morning that there were a number of

indications that we can not move forward on the issue of today, which is the structures within Northern Ireland but of course also in a broader context that we can not move forward without talking with the Unionists. In your own document you talk about partnership between the two major traditions, you can't have a partnership unless you meet and talk about it and setting up political structures, and Sinn Fein also indicated that there would have to be some meeting of minds with the Unionists and I am saying on the issue of how we do move forward, what is the view of Sinn Fein on how they engage with Unionists and what is the view of the SDLP in regard to that? That's the question.

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DR. JOHN ALDERDICE: I wonder if I can just clarify what Seamus was saying there. Is he saying apart from, I understand the decommissioning issue, but is he saying the British government

should call round table talks, my immediate thought is what happens when the Unionists say, if you are inviting Sinn Fein under the current situation we will not be there, and in that contention is Seamus saying we go on without the Unionists or saying we can't go on unless they are there, or I just want to clarify what he is saying on that, because I wasn't clear.

MR. SEAMUS MALLON MP: We have had to go on for 25 years almost with them saying that, look at the excuses used through the years. They can't go because of the Anglo Irish Agreement. Can't go to Parliament or District Council because of it, then because of the Joint Declaration then because of the Framework Document. Now they can't go because of Sinn Fein, there will always be a reason, but they are not reasons, they are excuses, because the only way left and they have realised this, the only way they have left to exercise the veto in it's very subtle variant is by refusing to take part in the political process, and the way, the only way in which they can to some extent at all protect that type of position that has could gone from them forever, is by refusing to let the nationalist community have what government and everybody else have recognised as a rightful place in the sun, that's where the position is absolutely and totally negative.

Now, do we go on forever with the absence of those discussions? Because the Unionists once again have said no, they won't come. Austin Currie talks about the experiences back in 1973, some of us are at this for a long time, a quarter of a century, and the real talks haven't started yet. Now how long do we wait? And this is why I said to Sinn Fein, take that impediment out of it, do this thing on decommissioning for the rest of us, for the Irish people. And call the British bluff, and call the Unionist

bluff, because once you do that, then the British Government have no excuse for not calling those round table talks, then the Unionists have no excuse for not coming to them, and then everybody is out from behind the black ball, and then if there is going to be as there will be, a created political solution to this problem, then everything can go on the table, John where is the flaw in that?

DR. JOHN ALDERDICE: I accept entirely that final thesis that Sinn Fein move forward with the IRA or whatever, on the decommissioning issue for the sake of the Irish people freeze the situation absolutely that's excellent, but Sinn Fein appeared over the last week or two to make clear they're not prepared to that. In the current climate if talks were called tomorrow I think you would find both the Unionist parties would say no, we are not prepared to come.

In that context it seems to me there are two questions arise either another way of freeing the situation. Or you say we will go ahead without somebody, now do you say right, we will call round table talks with everybody, the Unionists won't come and we will go ahead without them because they are being bleeding minded, or do you say Sinn Fein and the IRA won't move about decommissioning so we will call talks with those willing which is actually a larger portion of the population and we'll move ahead without that element. What you cannot say is that we will go ahead with everybody if everybody is making clear that they are not prepared to go, and if you say well go ahead with some then you effectively have to make a decision, are we going ahead on without this section or that section because they are sticking on the ground that side, both sides are sticking it is not just the Unionists but not Sinn Fein either, that's what I

was trying to clarify if it doesn't work out as you and I hope?

THE CHAIRPERSON: I think it might be fair to ask Pat to come in at this point?

MR. SEAMUS MALLON MP: If I may, I will forget it?

THE CHAIRPERSON: Very well, you don't know the answer Pat will give.

MR. SEAMUS MALLON MP: I will answer for ourselves in this and Pat will answer for himself, but the reality is that while the Unionists are allowed to exercise what is, that's the veto they are exercising, a veto on any movement and political process. Then the problem can't be solved. If in effect those who hold substantial amount of arms, are not going to make any movement and are not going to show to the Irish people - and I am not talking about British, to the Irish people that they have a declaration and make a declaration to the Irish people by their actions, that they are not going to do that then yes we are going to freeze in between, and the political process is going to freeze in between, and we will be sitting here in the Forum until hell freezes over and there is where courage and imagination, and dare I say it patriotism is required on behalf of the Irish people.

DR. JOHN ALDERDICE: Are you saying the Unionist veto should be in the allowed to stay but the Sinn Fein has to stay?

MR. SEAMUS MALLON MP: I am saying neither should be allowed to stay, neither, but I am also saying that once you introduce those vetoes then in effect you are negating the political

process, it is anti democratic to have a veto whether be the one the Unionists are using or the IRA is refusing to remove, it is anti democratic and the political process and it is to the detriment of the people living in the island, not least those in the north who have suffered very greatly.



THE CHAIRPERSON: Just one moment now, I have three people John Alderdice, Seamus Mallon and Dennis Haughey. I will take those three, then I also have to bring in some other speakers and Eamon O Cuiv has been on the list for a long time. Briefly then John, Seamus and Dennis.

DR. JOHN ALDERDICE: Can I pick up on this, it was in direct

response to the question I asked. There are two or three things about what Jim and Pat have said. The first thing is in terms of vetoes, I am interested that they make a difference between the Irish people and the Unionists, I think that's interesting but that's in passing.

What they are saying is the Unionist veto should not be allowed to block things, but the rest of us, quotes, should be using our influence to move that forward. First of all we should be pulling in the British Government to put pressure on a section of Irish people to do something they don't want to do, if we don't do that nothing will move forward, what does that mean? They are giving a British Government a veto on any progress, if the British won't change then the Unionists won't change, so the process won't go forward, they are giving British government a veto.

Secondly, let's marshal the British Government against a section of Irish people and put pressure on them, you can't allow any section of the Irish nation to hold the rest of the nation to ransom. If only all the remembers of us put ourselves about we can put the pressure required on the Unionists, well I have to say maybe, I am not persuaded, but I do know the Unionists do represent a sizable portion of the population, with elected representatives, is the not equally legitimate that all the rest of the Irish nation and I hear no dissenters from any other party, should be putting their pressure on Sinn Fein who are a smaller percentage of the Irish people than the Unionists, to change their position on the decommissioning, but they say we don't have the arms, worse again, what they are say something that the IRA who are not represented by Sinn Fein or any elected people, who are simply a small gang of terrorists, they should

be able to have a veto to hold the process up, they say we are not saying that, well then will Sinn Fein join with all the rest of us to put pressure on the IRA to remove the gun from Irish politics, after all, if all our combined pressure on the British Government could remove the British veto, or the combined pressure on the Unionists could remove their veto, it would be a far easier task to remove the problems created by a smaller section of the Irish population, Sinn Fein, or even smaller section which is the IRA, who are apparently something different from Sinn Fein, will they not join with us to put pressure for the sake of the Irish people that the guns are removed and that we can all move forward.

You see vetoes seem to me to be in the eye of the beholder, we can hand them around all over the place, or we can say that no group, including Sinn Fein or the IRA, including the Unionists or the British Government should be able to stand in the way, no veto should be more sacrosanct than any other.

THE CHAIRPERSON: Thank you. Seamus, Dennis and Eamon O Cuiv.