



# Building a Permanent Peace in Ireland

Sinn Féin's submission to the International Body

issued 10 January 1996

## Foreword

A Sinn Féin delegation - Pat Doherty, Lucilita Bhreatnach, Rita O'Hare, Martin McGuinness and myself made this submission to the International Body on the issue of decommissioning in Dublin on December 18, 1995.

It is a comprehensive submission which addresses all of the issues underpinning conflict in Ireland, including constitutional and political issues; matters of democratic rights, equality and justice; and demilitarisation.

We also made an oral submission - which included a formal request to the International Body to ask the British government for the Stalker, Sampson, Stevens reports and all other reports which the British government has suppressed and which have accumulated over the years on issues like shoot-to-kill; collusion; Brian Nelson; and torture in interrogation centres.

The stated objective of the twin track approach is to remove the preconditions to all party talks which have been erected by the British government.

What is required is speedy and urgent movement into political talks. This task is the collective responsibility of all the political parties but it is particularly the responsibility of the Irish and British governments.

Gerry Adams, President of Sinn Féin.  
19 December 1995

## Introduction

Throughout the past twenty-five years of conflict in Ireland all political initiatives have failed to deliver a lasting peace.

In their wake came recrimination, disillusionment, fresh and often more intense violence, greater entrenchment and alienation. The initiatives failed because they were based on the false assumption that the constitutional crisis in Ireland could be resolved by a partitionist arrangement or with the minimum cognisance of democratic Irish nationalist aspirations.

These failures are a product of partition, stemming from the Government of Ireland Act (1920). The Stormont regime which came out of that Act ran a sectarian one-party state which lasted for 50 years. Derivatives of that system failed to provide consensus government: these were the power-sharing Assembly in 1974, the 'Northern Ireland' Convention in 1975, Secretary of State Humphrey Atkins' round-table talks in 1979, the 'Northern Ireland' Assembly (1982-86), and Secretary of State Peter Brooke's 'talks about talks' and Secretary of State Patrick Mayhew's 'three-strand talks' in the early 1990s. All these initiatives were based on exclusivity (as distinct from any parties absenting themselves from the negotiating table).

However, after the Irish Republican Army unilaterally declared a complete cessation of military operations on August 31, 1994, there was a widespread acknowledgement that at long last

the political circumstances existed for a negotiated and agreed settlement which would take the gun out of Anglo-Irish politics permanently. Regrettably, 16 months later, the British side has prevented any movement in that direction. Having initially employed a number of stalling devices to impede progress they eventually created an impasse on the basis of a contrived stumbling block. In so doing they turned an objective of the peace process into an obstacle. That demand for a surrender of arms from the IRA, a native guerrilla army which has not been defeated, by an occupying power which has not been victorious, raises many questions about the good faith of the British, including their actual agenda and their real intentions. This document is a summarised account by Sinn Féin of the history of the Irish Peace Initiative against the background of 25 years of conflict, and the wider context of 75 years of oppression of nationalists in the six counties since Ireland was partitioned by the British government. It includes a response to the British paper on an IRA arms surrender, titled 'Modalities of Decommissioning Arms'.\*1

## Summary

All of the armed groups have made it clear that they will not surrender their weapons.

The British government was the first to declare that it would not even countenance its armed forces coming into the equation. There is no expectation among any of the opposing factions that the issue of arms will be settled except in the context of a negotiated settlement. The big achievement has been to silence the weapons so that a negotiated settlement can be achieved and as part of this that those who have the weapons will be persuaded to dispose of them.

The demand for an arms surrender from the IRA, a native guerrilla army which has not been defeated, by an occupying power which has not been victorious, raises many questions about the British government's actual agenda and real intentions.

In so doing they have turned an objective of the peace process into an obstacle to progress.

Thankfully the guns have been silent for 16 months now. The critical first step has been made. It must be consolidated by being underpinned by a negotiated and agreed political settlement.

Both governments in the Downing Street Declaration have explicitly set inclusive and comprehensive talks as their goal yet after 16 months these have not begun. This is frustrating and threatens to dissipate the momentum towards a lasting peace.

A clear and absolute objective of a lasting peace settlement is the removal forever of the gun from the political equation in Ireland.

This is an absolute requirement.

The issue of arms must be settled to everyone's satisfaction.

The importance of this goal means that we need to situate it in the context where it is most likely to be achieved in practice.

An agreed political settlement has to encompass and find agreement on the demilitarisation of a society which is highly militarised.

That means there has to be agreement on:

- The transitional role and deployment of the British Army and the RUC, pending the establishment of acceptable law and order forces.
- A withdrawal of British troops and the creation of an unarmed police service must be part of a general demilitarisation of the situation. No-one seriously expects them to surrender their weapons.
- A review of the proliferation of licensed weapons in the hands mainly of unionists.
- The removal of all repressive laws and a review of the performance and independence of the judiciary.
- The release of all political prisoners.
- The disarmament of all armed groups.

In this it is Sinn Féin's belief that the disposal of arms by those in possession of them is a method which may find acceptance.

The entire issue of arms will need to be dealt with in a way which imbues and maintains public and political confidence.

An independent third party could prove to be of assistance here. This would, of course, have to be agreed by those in possession of weapons. Public safety considerations must be high on the agenda of any process. Adequate safeguards against misappropriation of arms by others is clearly an important matter.

## **Chapter I**

### **Sinn Féin's Peace Strategy**

In May 1987 Sinn Féin published A Scenario for Peace following prolonged internal debate and the desire to develop a strategy to resolve the conflict based on the need for a new and agreed political accommodation among the people of Ireland - a political solution to a political problem.

Throughout 1988 Sinn Féin leaders engaged in dialogue with the Social Democratic and Labour Party (SDLP). At their conclusion contact was maintained between Sinn Féin President Gerry Adams and SDLP leader John Hume.

At our 1992 Ard Fheis (annual conference) we adopted the document Towards a Lasting Peace in Ireland. This significantly refined Sinn Féin's analysis of the conflict and the means by which it could be resolved.

Towards a Lasting Peace in Ireland marked an intensification of our peace strategy. The document was widely distributed nationally and internationally. We entered into dialogue with as wide a range of groups and individuals as possible: members of the Protestant churches, the Catholic church, peace and reconciliation groups, community and political organisations as well as individuals.

This process of dialogue also coincided with the re-opening by the British government of contact with Sinn Féin in 1990. It led to a period of protracted contact and dialogue between us. A line of communication has existed between Sinn Féin and the British government for over 20 years. It has not always been in constant use but it was in use in an intensive way during such periods as the bi-lateral truce of 1974-75 and the Long Kesh hunger-strikes of 1980 and 1981.

It was reactivated by the British government in mid-1990 and led to a period of protracted contact, dialogue and frank exchanges prior to the IRA cessation.

In the course of this, in January 1993, the British government representative proposed delegation meetings between his government and Sinn Féin representatives. He said that the British government accepted that IRA activity would only be halted as a result of negotiations. He suggested that an intensive two weeks of daily meetings in Scotland, Norway or Denmark between Sinn Féin and the British government would persuade republicans that armed struggle was no longer necessary. He proposed that if these meetings were agreed that the IRA should reduce its campaign or suspend it in order to enhance this process. At all times Sinn Féin stressed that there could be no pre-conditions for such meetings and our electoral mandate was the basis for our engagement. The British position on this on a written communication of September 1, 1993, was: "the objectives of an inclusive process would be the pursuit of peace, stability and reconciliation on the widest possible basis. Beyond that, there would be no attempt to impose prior restrictions on the agenda.

On the contrary it is assumed that each participant would enter such a process on the basis of their separately stated political analysis and objectives. The Government's position is well understood publicly".

By the end of March the Sinn Féin representatives and the British had reached agreement in principle about the meetings. The Sinn Féin side applied itself to terms of reference and an outline of policy position and we appointed a small secretariat. At this time Sinn Féin sought and was given a commitment by the IRA that it would create the conditions necessary to facilitate this round of talks and to enable us to explore the potential of the British government's position. This would have involved a 14 day suspension of IRA operations. This was conveyed to the British government on 10 May 1993.

Although we were informed that the positive response by republicans to the British proposal was the subject of a series of high level meetings by British ministers and officials, including John

Major, there was no positive response by them.

Despite the fact that the British government provided little evidence of seeking a real settlement, we regarded our contact as a potentially important element in the development of a peace process.

Without the fanfare of publicity - and long before the IRA cessation - our party also held a series of meetings with community activists, business people, religious figures, and representatives of the unionist perspective.

These discussions have been frank, open and honest and approached by all in a spirit of conciliation. They have provided valuable lessons and have gone some way to removing mutual misconceptions and fear.

In January 1994 we took the unparalleled step of organising a public Peace Commission to analyse the Irish people's response to the Downing Street Declaration. With meetings in five cities around the country the Commission received and assessed a huge range of oral and written submissions from both nationalist and unionist opinion, demonstrating Sinn Féin's desire to engage in a public debate on the important issues facing all the people of this island. However, the most significant areas of discussion and contact were those with John Hume, the leader of the SDLP and with the Irish government, out of which a set of core political principles were agreed as the basis for a proposal to move us out of conflict and towards a negotiated settlement.

## **The Irish Peace Initiative**

The Irish Peace Initiative developed as a result of the three-way contact between Gerry Adams, John Hume and the Irish government led by Albert Reynolds. The Irish Peace Initiative, which was popularly known as the Hume/Adams proposals, outlined a number of basic principles, a process and a dynamic which could create the conditions for the establishment of lasting peace in Ireland.

In a joint statement in April 1993 John Hume and Gerry Adams said:

"Everyone has a solemn duty to change the political climate away from conflict and towards a

process of national reconciliation, which sees the peaceful accommodation of the differences between the people of Britain and Ireland and the Irish people themselves."

They recognised that any agreement, "is only achievable and viable if it can earn and enjoy the allegiance of the different traditions on this island, by accommodating diversity and providing for national reconciliation."\*2

The Irish Peace Initiative galvanised Irish national opinion, north and south, and focussed the London and Dublin governments on the issue of peace in Ireland, in an unprecedented manner.

The Irish Peace Initiative of 1993 was based on the clearly established fact that there can be no internal settlement within the six counties, that any settlement must be based on the right of the Irish people to national self-determination exercised by agreement, and that a lasting settlement could only be achieved through all-party peace talks led by both governments.

This initiative prompted the IRA to state in October 1993 that, "if the political will existed, or could be created," the initiative "could provide the basis for peace".\*3

The Downing Street Declaration emerged against that background in December 1993.

In this the two governments confirmed in Paragraph 10 that:

"... democratically mandated parties which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process, are free to participate fully in democratic politics and to join in dialogue in due course between the Governments and the political parties on the way ahead".\*4

The dynamic necessary to move us all out of conflict does not lie in a public declaration alone. This dynamic is to be found in the principles, framework, timescale, procedures and objectives of a peace process and particularly in negotiations - in all-party peace talks.

Public commitments were given separately and repeatedly by both the British and Irish governments that all-party negotiations with the

objective of reaching an overall settlement would follow an IRA cessation.

## **The IRA cessation**

The IRA was thus persuaded that a negotiated settlement was now a real possibility. On August 31, 1994, it announced a complete cessation of all military activity. The IRA statement said:

"Recognising the potential of the current situation and in order to enhance the democratic process and underlying our definitive commitment to its success, the leadership of Oglaiġ na h-Eireann (the IRA) have decided that as of midnight, Wednesday, August 31, there will be a complete cessation of military operations. All our units have been instructed accordingly.

"At this historic cross-roads the leadership of Oglaiġ na hEireann salutes and commends our Volunteers, other activists, our supporters and the political prisoners who have sustained this struggle against all odds for the past 25 years. Your courage, determination and sacrifice have demonstrated that the spirit of freedom and the desire for peace based on a just and lasting settlement cannot be crushed. We remember all those who have died for Irish freedom and we reiterate our commitment to our republican objectives. Our struggle has seen many gains and advances made by nationalists and for the democratic position.

We believe that an opportunity to secure a just and lasting settlement has been created. We are therefore entering into a new situation in a spirit of determination and confidence; determined that the injustices which created this conflict will be removed and confident in the strength and justice of our struggle to achieve this. We note that the Downing Street Declaration is not a solution, nor was it presented as such by its authors.

"A solution will only be found as a result of inclusive negotiations. Others, not least the British government, have a duty to face up to their responsibilities. It is our desire to significantly contribute to the creation of a climate which will encourage this.

"We urge everyone to approach this new situation with energy, determination and patience."\*5

The Irish government obviously believed this statement represented the formula which, in their authoritative view, met the conditions required for the commencement of all-party dialogue. Within days of the IRA cessation the then Taoiseach, Albert Reynolds, met the President of Sinn Féin, Gerry Adams, and the leader of the SDLP, John Hume. They jointly issued the following statement: "We are at the beginning of a new era in which we are totally committed to democratic and peaceful methods of resolving our political problems. We reiterate that our objective is an equitable and lasting agreement that can command the allegiance of all".\*6

The IRA's unilateral cessation was universally regarded, and accepted as such by the British government, as having created the best opportunity since the partition of Ireland in 1921 to resolve the conflict and build a stable and peaceful society. However, despite this British army raids and searches continue. There has not been a cessation of military operations by the British crown forces.

The loyalists continued with their violence until October. A young Catholic, John O'Hanlon, was shot dead by the UFF; there was an attempt by the UFF to attack customers in a North Belfast pub; there were several other assassination bids, including one on the life of a Sinn Féin councillor; there were several explosions, including a car bomb attack on Sinn Féin's Falls Road offices, and the bombing of a commuter train in Dublin. On October 13, 1994, the loyalist paramilitary groups finally called a cessation. However this was conditional on the continuation of the IRA cessation and, more significantly, on there being no threat to the union, that is, no political or constitutional change.

Clearly it was the determined efforts of the political representatives of nationalist Ireland which created the peace process and the unique opportunity for a democratic settlement which that provided.

The Sinn Féin peace strategy, the Hume/Adams dialogue, the Irish Peace Initiative and the IRA cessation generated a new political climate in which, for the first time since partition, there was the real prospect of a negotiated settlement and a lasting peace.

## **Processing the Opportunity**

The entire logic of a peace process is that through substantive all-party peace talks the people of Ireland will arrive at a peace settlement which removes the causes of the conflict and takes the guns, forever, out of Anglo-Irish politics.

In the run up to the IRA cessation both governments committed themselves to all-party peace talks. These peace talks should be initiated as a matter of urgency and within an agreed time frame. The nature and structure of those talks should provide the efficient and urgent examination of all of those issues required to move the process forward. The three broad areas which need to be addressed are:

- Political and constitutional change
- A democratisation of the situation
- A demilitarisation of the north of Ireland

The means for dealing with all of these issues is of course inclusive and comprehensive negotiations, sponsored by the British and Irish governments. As democrats Sinn Féin believe that a democratic and lasting settlement must be based on the fundamental right of the Irish people to national self-determination exercised without any external impediment. Sinn Féin is committed to ending British rule in our country. We will bring this commitment to the negotiating table. We accept also that there are those who have a different view, a view which they will take to the negotiating table. We are wholly committed to a process of democratic and peaceful negotiations and to seeking an agreed political settlement which has the allegiance of all the Irish people.

We have consistently underlined our desire to see a democratic settlement and a complete demilitarisation of the situation - that is, the removal of repressive legislation, the release of all political prisoners, and the removal of all guns - British, unionist, loyalist and republican - from Irish politics.

The British government has said that:

"The holding of illegal arms and the use of violence and threats have no place in a peaceful, democratic society".\*7

Sinn Féin unequivocally supports that position. In fact, we widen it to include all guns and we believe that in any democratic society all arms must come under democratic authority and control.

The six-county statelet, however, is not, and since its creation in 1921 has never been, a 'peaceful, democratic society'. It has always been dependant on the existence and exercise of repressive legislation, coercion and discrimination. This lies at the heart of conflict and divisions, both in Ireland, and between Britain and Ireland.

The task which all parties must address is the creation of a peaceful and democratic society in Ireland through a process of dialogue, accommodation and agreement. Clearly if it was a peaceful, democratic society there would be no need for a peace process.

## **Chapter II Britain's Response**

Now, 16 months into the IRA cessation, we do not yet have a peace settlement. Sixteen months into the IRA cessation we do not even have peace talks. All parties are excluded from round-table talks. Sinn Féin's electorate is still discriminated against. A new British precondition - an IRA arms surrender - has been set which not only denies Sinn Féin and our voters the right to negotiate the future of our island, but by extension denies that right to the rest of the Irish people also.

This leaves the Irish peace process at an absolute impasse.

## **Why should this be?**

In July 1972 a republican delegation, which included Gerry Adams and Martin McGuinness, went to London to meet representatives of the British government. It met with William Whitelaw, who had been appointed Secretary of State after the local assembly, Stormont, was prorogued. Both sides discussed the repeal of the Special Powers Act, the ban on Sinn Féin, the release of internees, the issue of national self-determination, and a British withdrawal, all against the backdrop of a bilateral truce between the IRA and the British then in place.

It is significant that during this truce loyalist paramilitaries intensified their sectarian assassination campaign in order to destabilise the peace and thwart any positive developments. Indeed, the highest incidences of loyalist attacks on Catholics have occurred during IRA truces, both in 1972 and again in 1975, when they used violence to resist the possibility of negotiated peaceful change. However, the truce talks of 1972 faltered and collapsed after just 14 days, with the conflict resuming.

At no stage in the 1972 discussions did the British government insist upon or even mention an IRA arms surrender as the precondition for Sinn Féin's participation in talks.

If the British government did not insist upon that precondition in 1972 when the IRA's strike capability was at its height, when the bombings of commercial property were a feature of daily life, when more British soldiers, IRA volunteers and RUC officers were killed than in any period since, then its insistence now upon an IRA arms surrender after a prolonged, complete cessation is malevolent and suspicious in the extreme.

The objective is to prevent all-party talks and an agreed constitutional settlement. Again, in the bilateral truce of December 1974 between the IRA and the British, the British government never made this precondition.

In over 20 years of contacts between Sinn Féin and the British government the issue of an IRA arms surrender was never raised, let alone demanded as a precondition to Sinn Féin's participation in all-party talks.

In our view had a surrender of IRA weapons been imposed as a precondition to peace negotiations prior to the cessation, there would not have been an IRA cessation on August 31, 1994.

The British government is clearly acting in bad faith because it repeatedly gave assurances publicly and privately that in the context of an IRA cessation Sinn Féin would be free to engage in all-party peace talks. In the Downing Street Declaration, for example, the British government committed itself to encourage, facilitate and enable agreement through a process of dialogue and co-operation and said that the people of Ireland were free to

determine the nature of such an agreement 'without external impediment'.

Ulster Unionist Party leader David Trimble, and other loyalists, claim that the demand for an arms surrender is contained in Paragraph 10 of the Downing Street Declaration. In fact, Paragraph 10 says no such thing. What it does say is that "democratically mandated parties which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process, are free to participate fully in democratic politics and to join in dialogue in due course between the Governments and the political parties on the way ahead".

Sinn Féin is not the IRA. Sinn Féin is a democratically mandated party which campaigns openly and peacefully in pursuit of our political aims.

The former Taoiseach Albert Reynolds who jointly signed the Downing Street Declaration with John Major, speaking in Belfast on August 9, 1995, said that had an arms surrender been a precondition he would not have signed the Declaration.

Interviewed by the Irish News on this issue he went on:

"This new pre-condition they (the British government) have introduced was not part of the Downing Street Declaration. It was no part of the dialogue and negotiations which took place in relation to the framework document. It was not a condition laid down before the ceasefire. If everyone started to lay down preconditions we would never have any talks starting. This was not a precondition and there is no point in trying to say now that it was. It certainly was not."\*8

The issue of arms was explicitly raised in the intensive contact and exchanges between Sinn Féin and the Irish government which preceded the IRA cessation. The Irish government's clear, unambiguous and unfudged position was that in the context of a complete cessation of IRA military activity no obstacle or precondition would be placed in the path of Sinn Féin's involvement in all party talks, or any other form of political dialogue.

Within days of the IRA cessation the then Taoiseach Albert Reynolds met John Hume and Gerry Adams, publicly underlining that Sinn Féin

was to be treated on the same basis as all other parties. This was subsequently reinforced through the establishment of the Forum for Peace with Sinn Féin participating on the same basis as the other political parties.

The British government have continually placed political obstacles in the way of all-party talks. Their initial response to the IRA cessation was to call for a declaration that it was 'permanent', for a period of 'decontamination' for Sinn Féin, followed by the 'decommissioning' precondition to which they still adhere.

## **Chapter III**

### **Building Trust Through Dialogue**

The Irish government and all political parties, with the exception of the unionists, have called for substantive all-party negotiations to begin.

This is supported also by sections of the business community and the Catholic Church. The British government is refusing to take this essential step and is preventing progress towards an agreed and lasting political settlement. This has been London's consistent attitude to the peace process since its inception.

Britain has said that without an IRA arms surrender, or a start being made on such a surrender, there can be no all-party talks because the unionists will not attend: the requisite trust and confidence would be absent.

No side has a monopoly on its lack of faith in the other. Republicans have more grounds for being distrustful and suspicious of the British government and the unionists given the history of both and given the experiences of the nationalist people for 50 years under Unionist Party rule.

In 1920, after a year of bloody warfare, terms for an IRA truce were virtually agreed upon but were then abandoned "because the British leaders thought that these actions [peace moves] indicated weakness, and they consequently decided to insist upon a surrender of arms. The result was the continuance of the struggle."<sup>9</sup>

The partition of Ireland in 1920 was imposed. There was no democratic consultation. The

consent of the Irish people was never sought. It was never freely given. The statelet in the six counties was arbitrarily created and its territory determined by sectarian criteria - the largest area which contained a sustainable unionist majority and has been maintained by force of arms since. In short, the creation of 'Northern Ireland' was a massive gerrymander which denied and continues to deny to the people of Ireland our right to national self-determination.

Britain has sponsored the six-county statelet. By a practice known as the Westminster Convention any complaint on human, legal or civil rights from the North was referred back to the Stormont parliament in Belfast which continued to ignore it. This is one of the reasons why the Civil Rights Movement, emulating the example of the US Civil Rights Movement, took to the streets in order to bring international attention to the mistreatment of nationalists.

### **Why should Republicans trust the Unionists?**

From 1921-1972 one party, the Ulster Unionist Party, governed the six county state.

Its parliament at Stormont introduced the Special Powers Act which enabled its forces to repress the nationalist community. It abolished proportional representation in elections and introduced the 'business vote' (giving multiple votes to the predominantly unionist middle class), redrew and gerrymandered local government boundaries, discriminated against and encouraged discrimination against Catholics in housing and jobs. The structural effects of this system are still with us today.

The Stormont government armed its own paramilitary police force, the RUC, its own militia, the B Specials (in the process legalising the 'illegal' guns of the Ulster Volunteer Force) and it armed its own supporters.

During the entire history of the six county state nationalists have repeatedly been subjected to pogroms, forcible evictions or murder. In the 1920s, in the 1930s, and especially in 1969 at the height of the civil rights campaign, and thereafter, they had to protect themselves from the forces of the state and its loyalist allies. In the early months of



1966 there were petrol bomb attacks on Catholic shops, homes and schools in Belfast; in May and June two Catholics were shot and killed and others wounded by the UVF, a group which supported Ian Paisley.

Paisley himself led loyalists through nationalist areas, causing riots.

In 1968 and 1969 the RUC baton-charged civil rights marches, sometimes collaborating with loyalists in these assaults and ambushes. RUC men attacked nationalist homes in Derry in April 1969, severely beating one man in his own home, Samuel Devenny, who subsequently died from his wounds. In July the RUC shot two civilians in Derry and killed 66-year-old Francis McCloskey in Dungiven. In August Patrick Corry, a Catholic, died in an RUC barracks after being beaten-up by police. On August 14 the RUC led loyalists in armed pogroms against Catholic homes in Belfast. Six people were killed, among them nine-year-old Patrick Rooney who was shot dead by the RUC in Divis Flats. Hundreds of homes were burnt out, almost 2,000 families, 83% of whom were Catholics, were forced to flee their homes thus leading to the greatest forced movement of people in Western Europe since World War II.

It was against this background of sustained sectarian attacks in which state and private licensed weapons were used that the IRA, which had been dormant, reorganised and rearmed.

Today, the British government calls for an IRA arms surrender, choosing to ignore nationalist fears of a repeat of 1969. They claim that without a gesture of surrender by republicans the unionists would have no trust in the talks process, as if the unionist political parties have impeccable democratic credentials. Unionists have opposed the introduction of fair employment practices. The northern statelet was founded on and is sustained by discrimination. It was and is underwritten politically, financially and militarily by policies determined by London.

Unionists have supported the shoot-to-kill policy of the British, and the media censorship ban on Sinn Féin. They have justified loyalist paramilitary assassinations of our elected representatives, and gloated over the deaths of republicans.

Peter Robinson, deputy leader of the Democratic

Unionist Party (DUP), was a leading figure of Ulster Resistance, a quasi-military organisation pledged to resist the 1985 Anglo-Irish Agreement.

Peter Robinson has been convicted in an Irish court for an attack on the village of Clontibret attributed to Ulster Resistance. Leading members of Ulster Resistance have been convicted on charges of attempting to import arms. Ian Paisley, leader of the DUP, infamous for his anti-catholic bigotry has been central to the conflict in Ireland. Many loyalist paramilitaries have attributed his statements and actions as contributing to the climate whereby the killing of Catholics have been carried out by loyalists. In 1981 Ian Paisley invited the media to a night-time parade of hundreds of his supporters waving gun licences, threatening to use them in the event of any political or constitutional change. Indeed, recently Ian Paisley repeated that these weapons would be used to resist change and that he would never agree to their decommissioning. He said: "Yes, they're a threat to a united Ireland. Of course they are ... and we will put every obstacle in our way for the south to get their own way in the north..."<sup>10</sup>

The leader of the Ulster Unionist Party, David Trimble, is a former member of Vanguard, a semi-fascist organisation which in the early 1970s was aligned with paramilitaries. He continues to insist on marching triumphalist, sectarian Orange parades through nationalist areas, parades which have caused confrontation and violence.

Mr Trimble's deputy leader is John Taylor, a former cabinet minister in the Stormont government who totally opposed the civil rights movement and power-sharing with Catholics. He defended the killing of two Catholic youths by British soldiers in Derry in July 1971 and said: "I feel that it may be necessary to shoot even more in the forthcoming months." After a Catholic civilian, Sean Hughes, was assassinated by loyalists in May 1994, Mr Taylor said: "In a perverse way this is something which may be helpful, because they [Catholics] are now beginning to appreciate more clearly the fear that has existed within the Protestant community for the past 20 years."<sup>11</sup>

It is difficult to have trust in such opponents but dialogue is too important and a just settlement too big a prize for one to allow grievance, continued injustice, the temptation for revenge or history to become an obstacle to peace.

## **Why should the Irish People trust a British Government?**

Britain's record in Ireland is not one of peacemaking. This British government, like its predecessors, is a protagonist in the conflict. Its forces have killed peaceful demonstrators and innocent children as well as IRA combatants. In fact 357 Irish people have been killed by British forces; it has killed more civilians than it has IRA Volunteers.

Following the death of Samuel Devenny in 1969, many nationalists were killed or wounded by the RUC, by loyalists and by the British army, before the IRA entered the conflict.

On Bloody Sunday on 30 January 1972 the Parachute Regiment of the British Army shot dead 14 civil rights demonstrators in Derry. No soldier was ever charged but the Regiments commander, Colonel Derek Wilford, was decorated for his services.

Britain's record in the six counties is one of ignoring international safeguards for the protection of human rights. British governments have been found guilty by the European Commission of torturing detainees and of regular violations of the Convention on Human Rights. In fact, Britain has been found guilty of breaches of the Convention more often and has derogated more often than any other signatory. In most instances the violations relate to human rights abuses in Ireland.

Three months ago Britain was again found guilty by the European Court, this time for violating the right to life as protected by Article 2, when its forces shot dead three unarmed IRA volunteers in Gibraltar in 1988.

Speaking for the British government, Deputy Prime Minister Michael Heseltine denounced the verdict, said that: "We shall do absolutely nothing at all . . . We will not be swayed or deterred in any way by this ludicrous decision".\*12

In annual reports over more than 20 years, Amnesty International has repeatedly condemned Britain over its use of special no-jury Diplock courts, its special powers of arrest, its torture of detainees, the removal of an individuals' right to silence, the rules governing coroner's inquest

hearings, its shoot-to-kill policy, and the unsatisfactory mechanisms used to investigate disputed killings involving British Army/RUC personnel.

On this latter issue in June 1991, Amnesty International's report entitled United Kingdom, Human Rights Concerns said that it: "Considers that the procedures used to investigate disputed killings in Northern Ireland are ineffective in establishing all the facts and making them public. The organisation found disturbing the evidence that police investigations may have been deliberately superficial in order to protect security force personnel."\*13

In the late 1980's Kader Asmal, now a senior ANC Minister in South Africa's Government of National Unity, and a former lecturer in law in Dublin and Chairperson of Ireland's Anti-Apartheid Movement said of British law and justice in the North of Ireland that the "whole administration of justice is perverted and the vocabulary of dissent itself is prostituted. The use of special courts, where 10,000 people have been prosecuted and found guilty from 1973 to 1988, the use of supergrasses, the deliberate adoption by the administration of what one judge in Northern Ireland called 'the final court of appeal' - the lethal use of firearms to remove people who are embarrassments to the policies of the administration; all of these measures have been criticised or condemned by a series of governmental or unofficial international inquiries or by the invocation of international standards. The British government has used a sophisticated version of the famous Coercion Acts of the nineteenth century in order to deal with the situation in the north of Ireland. The British government has shown scant regard for international opinion and international and domestic legal standards. My contention is that the United Kingdom is behaving and has behaved in the North in the same way that colonial powers exerted their sovereignty in the old-fashioned empires."\*14

In the past, loyalist paramilitaries in collaboration with British soldiers were armed by staging 'raids' on military barracks. Latterly, British Intelligence Services, through their agent, Brian Nelson, became involved in re-organising the Ulster Defence Association, which was in some disarray, and re-arming loyalist paramilitaries with South African weapons.

The Nelson affair came to light by accident. In 1989 concern about collusion in the form of information sharing between British forces and loyalist paramilitaries was increasing, with Sinn Féin and others highlighting individual cases. After the shooting dead of Laughlin Maginn, a young married Catholic, in August 1989, the UDA/UFF showed BBC reporter Chris Moore a video tape identifying people they claimed were IRA suspects, including Maginn. They said they had got their information from an RUC Special Branch 'confidential' dossier.

An inquiry was launched, headed by Deputy Chief Constable John Stevens from England. Its findings were never published. However, it was clearly established that intelligence files on republicans and Sinn Féin activists were being routinely leaked to loyalist assassins from British army and RUC barracks. In a two-year period over 2,600 documents had been handed to the loyalists. Some of these documents were from MI5's Special Military Intelligence Unit in RUC headquarters.

One loyalist, arrested and questioned by Stevens, was Brian Nelson, a former member of the British Army's Black Watch Regiment, who was recruited to join the UDA by British Military Intelligence and who had risen to the rank of chief intelligence officer in that organisation. Nelson subsequently admitted that he was trained how to collate intelligence by British army officers, that British Military Intelligence gave him practical assistance in targeting republican activists for assassination, including photographing the house of a republican for Nelson and confirming car registration plates.

However, the most serious aspect of Nelson's work was the re-arming of loyalist paramilitaries through his procurement of arms from South Africa. The fact that British Intelligence were aware of developments at every stage of the proceedings and allowed this cargo to reach loyalist paramilitaries places the hallmark of the British state on each of the numerous murders and attacks on nationalists in which these weapons were used.

Between January 1988 and September 1994 these weapons were used to kill 207 nationalists, in addition to over 300 other attempted killings.

In its 1993 report, Political killings in Northern Ireland Amnesty International said: "Such collusion

has existed at the level of the state forces, made possible by the apparent complacency and complicity in this of government officials."\*15

Complicity did not just involve government officials but government itself.

Nelson had been charged with murdering four Catholics, conspiring to murder three others, including Civil Rights lawyer Pat Finucane, conspiring to murder Sinn Féin Councillor Alex Maskey, possession of documents 'likely to be of use to terrorists', and possession of weapons. However, a deal sought by his superiors was cleared by the then British Attorney-General, Patrick Mayhew, the present Secretary of State for the North of Ireland.

The murder charges were dropped.

The only witness the trial heard was a military intelligence officer, known as 'Colonel J', who described Nelson as 'a hero'; and the judge received a mitigation plea from the British Defence Secretary Tom King who described Nelson as 'a valuable agent'.

One of those murdered with the direct involvement of British Intelligence agent, Nelson, was Human Rights lawyer, Pat Finucane. A report issued last week by the British Law Society into this killing commented that "the only credible motive for Patrick Finucane's murder was to end his work in defence of rights of his clients".

Describing remarks made by Douglas Hogg, then a junior minister in the British Home Office, as "highly irresponsible", the report concludes that evidence of government collusion in the murder is much wider than the timing of a ministerial statement. Three weeks before the Finucane killing, Hogg, in the House of Commons, accused some solicitors in the six counties of being 'unduly sympathetic to terrorists'.

Interviewed by the working party, Stevens said that he also knows the truth about Brian Nelson and the 'full facts concerning his involvement in collusion and murders'.

"We do not. The public does not," the report says.

"While the facts are not disclosed by the police and known to the public only through television, they

remain untested, the murderers remain unpunished, the allegations of collusion persist and a cloud remains hanging, not just over the legal profession, but over the system of justice itself."\*16

The policy of official cover-up is not a recent development.

The inquiry into the RUC's killing of Derry man Samuel Devenny in 1969 failed to result in any action being taken, the lack of evidence being attributed to 'a conspiracy of silence' within the RUC (Sir Arthur Young, 1970, the investigating English officer).

In May 1984 the then Deputy Chief Constable of the Greater Manchester Police Force, John Stalker, was appointed to investigate allegations of a 'shoot-to-kill' policy by the RUC. He was obstructed by the RUC Chief Constable, Jack Hermon, received threats and was intimidated. After two years of investigations Stalker was suddenly taken off the case and removed from his position as Deputy Chief Constable. The investigation was continued by another Chief Constable, Colin Sampson, and the contents of his report were never made public.

Loyalists, during the period when they were rearmed and reorganised with the assistance of British Intelligence particularly singled out for assassination Sinn Féin elected officials, activists and their relatives, including:

Phelim McNally (October 1988);  
Councillor John Davey (February 1989);  
Sam Marshall (March 1990);  
Tommy Casey (October 1990);  
Fergal Caraher (December 1990);  
Councillor Eddie Fullerton (May 1991);  
Padraig Ó Seanacháin (August 1991);  
Tommy Donaghy (August 1991);  
Councillor Bernard O'Hagan (September 1991);  
Pat McBride and Paddy Loughran assassinated by an RUC officer (February 1992);  
Sheena Campbell (October 1992);  
Malachy Carey (December 1992);  
Martin Lavery (December 1992);  
Peter Gallagher (March 1993);  
Alan Lundy (May 1993);  
Rose Ann Mallon (May 1993);  
Sean Lavery (August 1993);  
Teresa Clinton (April 1994);  
Kathleen O'Hagan (August 1994).

During this period there were scores of loyalist gun and bomb attacks on Sinn Féin premises, on Sinn Féin members, their homes and families, on election workers and supporters. Many were injured.

Collusion between British forces and unionist paramilitaries is historic and ingrained.

The largest amount of fatalities of any one incident occurred on May 17, 1974, when 33 people were killed in the Dublin/Monaghan bombings. These are widely acknowledged to be the work of British Military Intelligence and its loyalist agents.

The British government cannot disown its forces.

Britain is a protagonist.

It is not neutral.

Britain's claim to sovereignty over the six counties - which the majority of Irish people contest - has been the major contributing factor to the conflict. Britain refuses to acknowledge this fact or accept its responsibility.

London has failed, through 23 years of direct rule, to effectively tackle the economic and structural political discrimination against Catholics.

Britain has also been responsible for continuing the cultural discrimination which denies Irish children their right to be taught through the medium of Irish, our national language. It is British policy which labels nationalists generally and Sinn Féin voters in particular, as inferior and second-class.

British Ministers like to boast that the northern statelet has the toughest anti-discrimination measures in Europe. That is not true and it camouflages the failure of anti-discrimination law in the six counties to tackle this major problem. When eventually passed in 1989, the current Fair Employment Commission had been stripped by the Tories of any real power. The British Labour opposition refused to support it and it was widely criticised.

In September 1992, the Irish News\*17 published a briefing file, marked 'Confidential' and 'Restricted', which had been drawn up by a senior civil servant and presented on September 14, 1992, to the then Stormont Minister for Employment Robert Atkins.

In this file it was said that:

- On all the major social and economic indicators, Catholics are worse off than Protestants.
- Catholics are more likely to experience long-term unemployment (67% of the long-term male unemployed are Catholics).
- Catholics are significantly less likely than Protestants to hold professional or managerial positions.
- There is greater provision of grammar school places for Protestant rather than Catholic children.
- More Catholics than Protestants live in public sector housing and experience overcrowding.

The confidential document to Atkins stated baldly that the unemployment differential between Protestants and Catholics was not likely to change within the next ten years. It is still the situation in 1995 that institutions of the statelet - health and education boards, councils etc, continue to discriminate against Catholics in their employment practices.

## **Why should republicans trust Britain?**

In 1980 the British government promised those prisoners on hunger-strike that if they ended their protest the administration would introduce a liberal, prison regime and would allow the prisoners their own clothes.

When the protest ended Britain reneged on its promises, thus resulting in the second hunger-strike when ten republicans died in Long Kesh in 1981.

As we said, the nationalist community was defenceless in 1969. The reason? An IRA leadership had progressively disarmed over previous years, and republican organisations had become overwhelmingly involved with pursuing civil rights and social and economic demands. When the crisis of August 1969 and the pogroms occurred the IRA was in an extremely weak position and this had disastrous consequences for the protection of nationalists.

There was a split in the IRA and the IRA was reorganised and rearmed. Then Britain, which had failed to protect nationalists in Derry and Belfast, attempted to suppress even a defensive-based IRA. British forces began raiding nationalist homes, sealing off nationalist areas. In the curfew of the Lower Falls area of Belfast in 1970 British soldiers shot dead five people, wounded another dozen and arrested 300 people. They fired CS gas into nationalist streets, punishing old and young alike. These experiences plus the failure of the political process to provide safeguards gave rise to a conviction that the only way forward was through armed struggle and the attainment of national rights.

Up until September 1, 1994, the IRA waged an armed struggle.

A major role of the IRA has always been the defence of the nationalist people from attack. Fear of attack is real. It has been part of life within a sectarian statelet whose government and allies have never balked at using the gun. In fact, besides the thousands of weapons of the British garrison in the six counties and the 14,000 weapons in the hands of the RUC, there are an estimated 130,000 firearms licensed mostly to unionist supporters.

It is fundamentally important to realise that even many nationalists who are anti-IRA are against it disarming because the nationalist community - the traditional victims of Britain's partition of Ireland - would be left defenceless and vulnerable.

But despite these experiences Sinn Féin has erected no preconditions to our willingness to talk. Dialogue must be inclusive. If we wanted excuses we could demand that the British government must first relinquish its claim to sovereignty over a part of our country, must completely withdraw the British army and disarm the RUC before announcing a date for withdrawal, end all repressive legislation and release all political prisoners before talks could begin. But we do not. We accept that all these issues need to be resolved as elements of a political agreement.

The entire purpose of dialogue and negotiations is to build trust and reconcile differences. We cannot demand trust as a condition for dialogue: it is a relationship that is formed during dialogue and negotiation.

If we accept that no one side can determine who can or cannot participate in the negotiations (provided, of course, they have a democratic mandate), then Britain cannot use the attitudes of the unionist parties as a pretext for stalling the whole process.

## **No Veto**

In conferring on the unionists a veto over the commencement of negotiations, and in insisting on the surrender of IRA weapons as a precondition to such negotiations, the British government are encouraging rather than discouraging unionist intransigence. We need to move beyond such tactical manoeuvring.

Instead the British need to persuade the unionists to take up a positive and constructive role in the peace process.

This issue of a unionist veto on political progress was addressed in the immediate run-up to the IRA announcement of August 1994. At that time the Irish government made it clear that the next step in the peace process was all-party talks and that no party could have a veto over these talks or their outcome.

The position of a unionist veto over discussions was also dealt with in the clarification which the British provided to Sinn Féin on the Downing Street Declaration.

In this document the British government stated:

"No group or organisation has a veto over the policy of a democratically elected government".\*18

## **Demilitarisation**

Britain's response to the IRA ceasefire has been to reluctantly scale down but not discontinue some of the repressive practices used to intimidate the civilian population. These include troop saturation of nationalist areas, random identity checks, house raids, detentions, checkpoints, exclusion orders, some of its counter-insurgency measures. Although London has suspended its censorship directives which were used to silence Sinn Féin representatives, the Emergency Provisions Act and the Prevention of Terrorism Act continue in operation.

It is as if the past 25 years, the past 75 years never happened. But it is the past 25 years and 75 years that explains the IRA, why the IRA re-armed, why the IRA defended a community and why the IRA fought British forces.

The six counties was a militarised statelet from its inception, a state which rested on repression, discrimination, disenfranchisement. Since its inception 74 years ago it has continuously been governed by 'emergency' legislation.

That is why the demand for the IRA to surrender its arms is unrealistic.

That is why republicans insist that disarmament by the IRA is but one strand of demilitarisation and cannot be separated from it.

Demilitarisation is an integral part of an overall political settlement agreed between, and acceptable to, all the Irish people. In the context of such an agreement British state forces - the British army garrison in the six counties and the RUC - must be part of this process. Politics must replace the use of arms or the threat to use arms. Britain simply refuses to discuss this subject or to allow that it is part of the problem and must be part of the solution.

The British government's willingness to demilitarise must be made clear.

Republicans consider British arms in Ireland to be illegal since they usurp the sovereignty of the Irish people and interfere with and distort the discussion of a democratic settlement. It has to be remembered that until Britain was forced by armed insurrection to leave 26 of Ireland's 32 counties its presence there was sustained through the use of 'legal' weapons. Even then, when negotiations got under way, Britain threatened 'immediate and terrible war' (British Prime Minister Lloyd George) if the Irish side did not submit to partition. Britain's presence in colonies all over the world from which it has now been expelled, was maintained through the use of so-called legal weapons.

This distinction between legal and illegal is subjective, dubious, lacks moral credibility and is particularly insulting to the many victims of Britain's 'legal' violence.

Legitimacy arguments apart it is clear that an agreed political settlement (to which republicans are already committed), has to encompass and find agreement also on the demilitarisation of a society which is highly militarised.

There has to be agreement on:

- The transitional role and deployment of the British army and the RUC, pending the establishment of an acceptable policing service;
- A review of the proliferation of weapons in the hands, of unionist civilians;
- The disarmament of all armed groups;
- The removal of all repressive laws and a review of the performance and independence of the judiciary;
- The release of all political prisoners

## **Chapter IV**

### **The Issue of Arms**

Thankfully the guns have been silent in Ireland for 16 months now. After 25 years of conflict this has given rise to a hope that previously had been totally absent.

This critical first step in the creation of a climate of hope has regrettably not been built on. Peace cannot develop out of hope alone. It needs to be consolidated by being underpinned by a negotiated and agreed political settlement arrived at in all-party talks led by the two governments and involving all political parties with an electoral mandate.

The British government's commitment, two years ago in the very first paragraph of the Downing Street Declaration, "to remove the causes of conflict, to overcome the legacy of history and to heal the divisions which have resulted", when set alongside their hostility to the peace process has proven to be an empty formula of words. Hope unfulfilled inevitably withers. Opportunity not grasped inevitably passes by.

An agreed political settlement requires the engagement and co-operation of the two

governments - especially the British government which has the major responsibility - and all the political parties.

In all of this the British government has been wilfully deficient.

Stalling and prevarication are the hallmarks of their engagement to date.

Their failed policies of exclusion have ossified the political situation.

Resolute inclusiveness and a forward momentum is required. Both governments have explicitly set inclusive and comprehensive negotiations as their goal yet after 16 months these have not begun. The British government's commitment to negotiations is no more than an empty formula of words and its protracted and sustained failure to act is frustrating and threatens to dissipate the momentum towards a lasting peace.

Fear, anxiety and distrust have been symptoms of the failure to remove the causes of conflict. As a result, the gun has always been a part of the political equation. The continuing existence of arsenals of guns and other war materiel is a source of fear, anxiety and distrust. It is a fear, anxiety and distrust of British, unionist, loyalist and republican guns alike.

A clear objective of a lasting peace settlement is the removal forever of the gun from the political equation in Ireland.

This is an absolute requirement.

It is one to which Sinn Féin wholly subscribes.

The issue of arms must be finally and satisfactorily settled.

The importance of this goal means that we need to locate it in the context where it is most likely to be achieved in practice. In this, concepts of victory and defeat will never offer a solution. A psychology of surrender is no more attainable than a symbolic or actual surrender. This is particularly so given that it would represent, and be represented as, a unilateral acceptance of responsibility for all the consequences of the previous 25 years of conflict, when such responsibility is, in fact, a shared responsibility which goes far beyond being the

responsibility of those directly involved in the conflict. All parties to the conflict must accept responsibility for the consequences of their own actions. No-one will unilaterally accept all the responsibility as is explicit in any surrender scenario, be that psychological, symbolic or actual.

To insist on such a course is to seek the unrealistic and to ignore the lessons of Irish history and conflict resolution elsewhere.

Negotiations as a tool of conflict resolution are a principle in that they are a peaceful means to a just end - an equitable, agreed settlement.

Moreover, they need to be understood to be a necessity and a duty and not the property of a party to the conflict and its allies to withhold or award as a privilege. Negotiations belong to all of the people, represented in the skills and performance of their elected representatives.

It has been the international experience that inclusive dialogue has been the means through which seemingly intractable conflicts have been resolved in countries such as South Africa. It is the means by which painfully slow progress is being made in the Middle East and most recently how the various factions in former Yugoslavia agreed a peace settlement at Dayton, USA.

The principles attached to negotiations in the Irish context lie in their peaceful means and democratic representation; and in the moral imperatives to so engage. Beyond that, negotiations need to be treated as a practical step. They are about solving problems, not about setting preconditions.

When the IRA cessation was announced it was clearly understood by the nationalist political parties who represent a majority of the people of Ireland that any issue could be brought to the table and that the issue of arms and the demilitarisation of society could be effectively dealt with as part of an overall political settlement agreed between, and acceptable to, all the Irish people.

This remains Sinn Féin's position.

Nevertheless, rather than be dismissive or rejectionist we have examined in detail the British government's proposals on decommissioning and modalities. Below is our response.

## **Modalities - Sinn Féin's Response**

On May 10, 1995, the British government gave Sinn Féin two papers titled 'Opening Statement' and 'Modalities of Decommissioning Arms: Paper by the Government Side'.

In the 'Opening Statement' they spelt out their demand for an IRA surrender:

"- A willingness in principle to disarm progressively;

- A common understanding of the modalities, that is to say, what decommissioning would actually entail, and how such decommissioning could be verified in such a way as to maximise public confidence in the process;

- In order to test the practical arrangements and to demonstrate good faith, the actual decommissioning of some arms as a tangible confidence building measure and to signal the start of a process."<sup>20</sup>

Mr Spring addressed the same issue at the UN General Assembly in September 1995. He said:

"It would be ironic and dangerous if those who have been persuaded to abandon violence were now to be denied the chance to make their case politically".

He warned of even the danger of the symbolism of surrender:

"We seek to avoid as far as possible symbolic overtones of surrender, or of a one-sided admission of guilt. To make the decommissioning of weapons a pre-condition for entry into negotiations - as opposed to an important goal to be realised in that process - ignores the psychology and motivation of those on both sides in Ireland who have resorted to violence, and the lessons of conflict resolution elsewhere".<sup>21</sup>

The British government, or at least the politically dominant elements within it, remain locked in the victory/defeat mind-set. They wish to deflect and dilute the national and international support for a democratic and negotiated settlement in Ireland by creating an unnecessary and divisive argument over IRA weapons. They hope to divert the progressive and democratic dynamic for a negotiated and agreed settlement into a side road,



a cul-de-sac, in the hope that pressure will build on the IRA, when what is important is that the IRA weapons are already silent.

## **The Alternative**

The scenario Sinn Féin envisages for dealing with the arms issue is more valid than the British one. Set against a background of the dynamic of ongoing negotiations leading to agreement it allays the suspicions and fears of nationalists who feel unprotected, takes on board unionist reservations and is more likely to achieve the objectives of a peace process which Britain claims to want.

## **British suggestions**

The British government asserts "a willingness to be flexible about the mechanics of decommissioning and to consider any workable proposals put to it". If this is a willingness to take all of the guns out of Anglo-Irish politics, this is to be welcomed.

More specifically to the issue of only republican and loyalist arms the British side envisages that one or more of three methods will be involved:

"- direct transfer to the authorities, north or south, for subsequent destruction;

- depositing arms for recovery and destruction", ie, by the 'authorities'

or

- "the destruction of arms by those in possession of them".

The traditional physical force view - whether republican or unionist - and indeed the British government crown forces' view is that there would be no direct or indirect surrender of arms by any of the forces under their control. This is an ingrained view which extends back for generations and which extends to all of the parties in Ireland, the vast majority of which emerged from the physical force tradition. For example, when Ireland was partitioned the UVF, which was established by the Ulster Unionist Party, did not surrender its weapons. Neither did the IRA nor the various parties which came from that tradition whether Fianna Fail or Fine Gael, or Democratic Left.

As for the British crown forces no-one seriously expects them to surrender their weapons. A withdrawal of British troops and the creation of an unarmed police service must be part of a general demilitarisation of the situation.

A psychology of surrender is no more obtainable than an actual surrender.

It is from that deeply ingrained and unshakable position that the 'pike in the thatch' tradition persists and which, in more modern times, has been translated into rusting guns in forgotten caches; decommissioning through disuse and falling into disrepair. In consequence there is no possibility in Sinn Féin's view of a surrender of weapons. Indeed all of the armed groups have ruled this out. For all these reasons therefore we believe that as part of a peace settlement, the disposal of arms by those in possession of them is a method which may find acceptance. This is a decision for those who have the arms.

## **Operation of Possible Scheme**

Under the above sub-title the British government develops a short discussion - three paragraphs in total - on the three methods of decommissioning it envisages. In the course of this it is proposed that there will be 'a formally promulgated and widely publicised scheme'. For our part Sinn Féin believes that the entire issue of weapons will need to be dealt with in a way which imbues and maintains public and political confidence.

Sinn Féin believes, without prejudice to the specifics of the 'who', that the independent third party concept is one which may find acceptance. This would of course have to be agreed by those in possession of weapons.

## **Practical Considerations**

The relevant points in the British government suggestions in this regard are in 'avoiding risk to the public' and preventing 'misappropriation by others'. Public safety must be high on the agenda of any process.

The misappropriation of weapons is of course of particularly acute concern for nationalists. This arises from the long history, especially in the course of the past 25 years, during which many

nationalists were brutally murdered by some of the several hundreds of British Army weapons stolen directly by loyalists or in some instances misappropriated by serving British army personnel acting for on behalf of loyalist paramilitaries.

The provision of adequate safeguards against this is clearly an important matter.

## **'Phasing'**

Under the seemingly innocuous sub-title of 'Phasing' the British government explicitly spells out the pre-condition to the commencement of all-party peace talks; the pre-condition which they have erected as an absolute barrier to advancing the peace process. And while we have argued our position in relation to this, in other sections of this submission it is perhaps necessary to rehearse some of those arguments again in responding to the British government's 'Modalities' paper.

The section on 'Phasing' opens with the sentence: "The holding of illegal arms and the use of violence and threats of violence have no place in a peaceful, democratic society". Sinn Féin wholly agrees with those sentiments. Indeed, we would widen the remit to embrace all weapons. But we must ask why, if we have a 'peaceful, democratic society' as the British paper asserts, is there any need for a peace process? The existence of this peace process, in which we are all engaged, is itself the clearest evidence that we do not have a peaceful and democratic society.

The British government paper goes on to tell us that: "substantial progress on the decommissioning of arms is needed before Sinn Féin can or will be included in substantive multi-party talks... The first step is to reach agreement on the three priorities identified in para 1 above; a willingness in principle to disarm, a common practical understanding of the modalities, and to get decommissioning underway."

It is worth noting that the British government's undemocratic position not only disenfranchises Sinn Féin voters but it does the same to voters of other parties. It prevents all-party talks. Sinn Féin does not have any arms on which it can reach an agreement with the British government. The British government accepts this.

We come to this peace process armed only with

our democratic mandate (achieved in successive elections in which the balance was tilted considerably against us by use of undemocratic practices by the British government and a murder campaign against Sinn Féin activists) and our commitment to the success of this peace process.

As we have made clear, it is our view that the elements of a demilitarisation process must be addressed, agreed upon and implemented as part of a wider, substantive rationalisation of the political structures and institutions of Irish society which would result from political and constitutional change brought about through democratic negotiations. It would be a society in which the causes of conflict have been eradicated, where agreed political structures and institutions are a substitute for political conflict, where diversity is recognised and democratically accommodated.

Sinn Féin has, over a protracted period, consistently made the point to the British government that, in that context, the issue of modalities becomes, in relative terms, a simple matter of practicalities.

The most important thing is, therefore, to create these conditions. At that point the 'how' and 'what' and 'where' and 'when' become relatively simple practical matters on which agreement can be quickly reached.

It is also important to note that when we talk about disarmament we are including a large number of armed groups, British and loyalist as well as republican in the context of the terms of an agreed political settlement.

In face to face meetings with British government ministers we have expressed the view that in the scenario we have described the practicalities of disarmament could conceivably be worked out and agreed in a matter of hours. And we have consistently stressed that the crucial enabling factor in all of this is to create the political conditions, through negotiating an agreed political settlement, in which those with arms can be persuaded to dispose of them.

## **Chapter V**

### **Conclusion**

In conclusion, the most important task facing all involved in the peace process in Ireland is to bring about a peaceful and democratic society through inclusive negotiations whose objective is an equitable and lasting agreement that can command the allegiance of all.

Sinn Féin has consistently argued that the decommissioning issue is at this time a stalling device and a bogus argument created by the British to avoid the commencement of all-party talks.

The real issue facing us all is agreeing an overall political settlement.

Without an overall settlement what difference would the disposal of weapons make?

Despite their cessation the loyalists have continued to rearm, to gather intelligence and to target their victims. This is evident from the discovery of a loyalist arms factory in South Down and in England, and in a separate incident the arrest and conviction of leading PUP member, Lyndsay Robb. What is to prevent the British from re-arming the loyalist paramilitaries as they did in 1987?

What is to prevent British military personnel from misappropriating British weapons on behalf of loyalists? What is to prevent further RUC collusion with loyalist death squads? What is to prevent RUC guns being used again. What is to prevent British army guns being used on the nationalist population? What is to prevent the licensed weapons in unionist hands from again being used against the nationalist population? Who will afford the nationalist population protection against any of these possibilities? Certainly not the British Army and the sectarian RUC, nor the Irish Government or the international community. They have been unable to do so in the past. What would prevent the IRA from re-arming?

### **Commitment to the Democratic Process**

Throughout the present peace process Sinn Féin have made abundantly clear on numerous

occasions that we are totally committed to the democratic process.

The achievement of peace must inherently involve a permanent end to all violence.

We have made clear our commitment to, and wish for, dialogue involving both governments and all parties. Once started the nature and structure of peace talks must then ensure the efficient examination and resolution of all of the many inter-related issues required to move the process forward. No one issue can be dealt with in isolation, nor can movement on one issue be demanded as a precondition to the negotiations process at which all these issues will be addressed.

Negotiations need to address all issues on a comprehensive basis with the objective of achieving an agreement among our divided people that would earn the allegiance of all traditions.

In July 1995, the Taoiseach John Bruton, the Tanaiste Dick Spring, John Hume and Gerry Adams reiterated their "total and absolute commitment to democratic and peaceful methods of resolving political problems" and their "objective of an equitable and lasting agreement that can command the consent and allegiance of all."\*22

More recently the SDLP and Sinn Féin, in a comprehensive joint statement committed both parties to the pursuit of a permanent peace through the creation of "institutions which have the loyalty of all sections of our people thus automatically removing the underlying causes of conflict and instability". And we stated our confidence that "a democratic process can be designed to lead to agreement amongst the divided people of this island which will permit for continued political evolution and provide a solid base for peace".\*23

It is self-evident that threats of any description from any quarter have no role in any such process. They are certainly no part of any talks process in which Sinn Féin will engage.

The British government precondition to all-party peace talks has created an absolute block on the commencement of negotiations. Without peace talks there can be no progress to a negotiated peace settlement. Without peace talks there is no peace process. The unfortunate reality is that if the British government's precondition is sustained then

the peace process is, in effect, being closed down.

The essential next step is, therefore, to commence the negotiations phase of the peace process as soon as possible in order to bring about the conditions in which all guns are removed forever from the political equation in Ireland.

Sinn Féin have sought to exclude no one. We wish only to include, to engage and to seek agreement. We are wholly committed to the process of democratic negotiations and to a democratic outcome of those negotiations.

Sinn Féin activists are very aware of the suffering of the last 25 years.

We have lost many of our friends and comrades in this period. We understand therefore the fears of others. No section of our people have a monopoly on suffering. Sinn Féin President, Gerry Adams, has publicly acknowledged the hurt which republicans have inflicted and he has extended the hand of friendship to those who would consider themselves to be enemies of our cause. Making peace requires change. It demands dialogue on a basis of equality.

## **Appendix**

### **About Sinn Féin**

Sinn Féin was established in November 1905. We are an open, legally registered Irish republican political party organised on an all-Ireland basis and whose national leadership is elected at our annual conference (Ard Fheis). Our electoral mandate is regularly subjected to the democratic test at the ballot box.

Sinn Féin traces its political origins to the movement for Irish independence advanced by the founders of Irish republicanism, the United Irishmen, led by Theobald Wolfe Tone who, in the 1790s, were inspired by the example of the American War of Independence and the democratic principles of the French Revolution. They believed that the British presence in Ireland was a negative and divisive influence and that true equality and prosperity for the Irish people could only be attained in the context of an independent democratic Ireland. Sinn Féin has remained committed to those ideals and to the attainment of

Irish self-determination and an Irish republic. Sinn Féin believes that the root cause of conflict in Ireland is British policy towards Ireland particularly the partition of the country and Britain's continued claim of sovereignty. We believe that Britain's jurisdiction in the six north-eastern Irish counties was and is based on the denial of democracy and has consistently failed to bring about a just and democratic society.

Sinn Féin is committed to ending the union with Britain and to the establishment of a new, agreed and inclusive Irish society. We believe this can only evolve when the Irish people can freely exercise their right to national self-determination without external impediment. In that context, Sinn Féin believes that the Irish people have the ability, talent and vision required to settle their differences through a process of democratic negotiations. We are convinced that an agreed, non-sectarian, pluralist and non-sexist Irish society that guarantees the full protection of all religious and ethnic minorities is the desired wish of the vast majority of the Irish people.

Sinn Féin has elected representatives on local government bodies throughout Ireland. Sinn Féin's strongest electoral constituency is in the British-occupied six counties where we are the fourth main political party.

In the local government elections in May 1993 the growing popularity of Sinn Féin's strategy for peace saw it poll some 12.5% of the overall electorate, representing approximately 40% of the nationalist vote.

In Belfast, Ireland's second largest city, Sinn Féin receives more votes than any other party on the City Council, and is the second largest party on Derry City Council. For numerous historical and contemporary reasons, not least of which is the impact of over 70 years of state repression, censorship, the denial of the right to fundraise and assassination and harassment of members and supporters, Sinn Féin's percentage share of the overall vote in the 26 counties is some 2.1%, a situation which we aim to significantly improve in a stabilised political situation.

In engaging with the twin-track approach Sinn Féin will be seeking to advance its peace strategy. This is based upon the need for a negotiated peace settlement through inclusive all-party talks without

preconditions.

We agree with the Taoiseach John Bruton who said that "a twin-track approach is useless unless it removes all pre-conditions". This is Sinn Féin's aim in this phase of the peace process. Our engagement will be on the basis of our integrity, mandate and analysis.

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