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Why Decommissioning is a Real Issue

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Abstract

The Nationalist minority in Northern Ireland is protected by the Agreement. One of the principles to which both Sinn Fein and the Progressive Unionist Party agreed in 1997 was that they gave their “total and absolute commitment to the total disarmament of all paramilitary organisations.” It is important for a U.S. audience to understand that those of us in Ireland who are concerned to maintain certain basic norms of representative democracy have good reasons to insist on the principle of the decommissioning of paramilitary weapons, regardless of who the weapons are held by, or for what motive. But if one of the parties in a coalition has an association with a paramilitary organization that is refusing in principle to disarm itself that party is likely to rely in its coalition negotiations on something more than just the weight of votes that it has in the Dail. A party associated with a paramilitary organization has, at all times, an extra lever in negotiations because a paramilitary organization is an organization that has held onto the means to use violence to achieve its ends.

WHY DECOMMISSIONING IS A REAL ISSUE

*John Bruton TD**

The Good Friday Agreement (or “Agreement”) is framed in such a way that it will only work if both Unionists and Nationalists agree to operate it. Everything about the Agreement requires the consent of both communities. The First Minister comes from one community and the Deputy First Minister from the other. If either the First Minister or the Deputy First Minister ceases to hold office, whether by resignation or otherwise, the other shall also cease to hold office. This key provision means that everything must be done by agreement.

The Agreement contains radical measures to ensure that both communities are happy with the way that it is working. The cross-community voting rules are highly sophisticated and guarantee that both communities accept every decision. In addition, the North/South body has great potential. It gives a political signal that will allow businesses, voluntary organizations, and others to work together on an all island basis in a way that was never possible before because of the political division that existed.

The Nationalist minority in Northern Ireland is protected by the Agreement. It is important to recognize also that, if the political or religious balance in Northern Ireland were to change, the same institutional arrangements that now provide protection for the Nationalist minority would similarly provide a protection in future for a Unionist minority if that were ever to happen.

The work that led to this Agreement goes back a long way. The recognition in 1980 that a solution could only be found by addressing the totality of the relations in and around Northern Ireland—internally, north/south, and east/west—is put into effect in the Good Friday Agreement. I do not believe that it is possible to negotiate a better agreement from the point of view of anybody.

It would be a tragedy of immense proportions if the current

* Leader of Fine Gael; former Taoiseach (Prime Minister) of the Republic of Ireland. This Essay was originally given as an address at the Institute of Irish Studies, Fordham University, New York, April 17, 1999.

difficulty over decommissioning was to prevent the Agreement from going into effect. So much work by so many people would be set at nothing. And we would have to start all over again in most unfavorable circumstances.

I would like to set out why I think that it is important that the issue of the disarmament of paramilitary organizations be dealt with once and for all. It is not an issue that can be fudged over and over again. It must eventually be dealt with, and the time to deal with it is now. I will also show why the Hillsborough Declaration is right in saying that putting paramilitary guns and bombs beyond use is an obligation.

Many Irish people are puzzled by the attitude that is now being taken by Sinn Féin and the Progressive Unionist Party to the issue of decommissioning of weapons. The decommissioning of weapons is not a problem that has been invented just to prevent one party entering Government. It is something that has been at the heart of the negotiations from the very beginning.

On September 24, 1997, a resolution was adopted in the talks, and accepted by both Sinn Féin and the Progressive Unionist Party, to the effect that "the resolution of the decommissioning issue is an indispensable part of the process of negotiation." Prior to that both Sinn Féin and the Progressive Unionist Party had signed up to the Mitchell Principles in order to participate in the talks. These principles were drawn up by Sen. George Mitchell in order to allow the negotiations to start on an inclusive basis, but without decommissioning having commenced beforehand.

To get over that issue, Senator Mitchell proposed that all of the parties agree to six principles of non-violence. One of the principles to which both Sinn Féin and the Progressive Unionist Party agreed in 1997 was that they gave their "total and absolute commitment to the total disarmament of all paramilitary organisations." That was absolutely clear. In signing up to the Mitchell Principles, Sinn Féin were giving their "total and absolute commitment" to the disarmament of the IRA. The Progressive Unionist Party were giving their "total and absolute commitment" to the disarmament of the Ulster Volunteer Force. That was something that they did before the negotiations even started.

Then on Good Friday of 1998, both Sinn Féin and the Progressive Unionist Party reaffirmed their commitment to this in the Good Friday Agreement. The words in the Good Friday Agreement to which Sinn Féin and the Progressive Unionist Party agreed were as follows:

All participants accordingly reaffirm their commitment to the total disarmament of all paramilitary organisations. They also confirm their intention to continue to work constructively and in good faith with the Independent Commission, and to use any influence they may have, to achieve decommissioning of all paramilitary arms within two years following endorsement in referendums North and South of the agreement and in the context of the implementation of the overall settlement.¹

This means that Sinn Féin and the Progressive Unionist Party have agreed that they will use all the influence that they have to achieve the decommissioning of *all* paramilitary arms within two years following the endorsement of the Agreement in the referendum. In other words, both parties agreed that all of the arms belonging to the IRA, and all of the arms belonging to the UVF, will be put beyond use by May 1999.

So far neither organization has put any arms at all beyond use, and we are more than half way through the two year period. Furthermore, all the evidence suggests that the IRA and the UVF now have a position that they will either never disarm, or at best that they will not even make a *start* on the first part of fulfilling their Good Friday Agreement obligation to disarmament until every other obligation in the Agreement on every other party has been fulfilled in total. The Loyalists and the Republicans are asking everybody else to do everything on trust for them, while they will do nothing at all on trust. Sinn Féin will respond that they are not the IRA and that all they can do is "work constructively and in good faith" and "use any influence they may have." They may say that they have tried to get the IRA to start disarming, have failed, and should not be penalized for that.

There are two difficulties with this position. First, very few people will believe that Sinn Féin and the IRA are totally separate from one another. All the briefing that I received, as

1. Agreement Reached in the Multi-Party Negotiations, Apr. 10, 1998, Decommissioning ¶ 2 (emphasis added).

Taoiseach, suggested to me that there is a common policy direction of both organizations and that they are interlocked in the way in which they work. The current Taoiseach has described them as two sides of the same coin. As in all political movements, there are differences of opinion within the Republican movement, but they have decided that they will put unity first, and therefore the line taken by the most militant wing is the line that is eventually taken by all because unity has been made the top priority. Second, there is the difficulty that if Sinn Féin, as they claim, were genuinely separate from the IRA, then they would have the freedom to disagree with the IRA. Given that Sinn Féin have already given total commitment to the disarmament of paramilitary organizations, Sinn Féin should therefore be free to disagree with the IRA, who are refusing to countenance any disarmament. Yet Sinn Féin have not done this. They have allowed their "total and absolute commitment to disarmament" in the Mitchell Principles, to be overridden by the position of the IRA Army Council, who are totally opposed to disarmament. If, in practice, they are prepared to set aside their own solemn commitments in favor of the pronouncements of the Army Council, then the evidence leads inexorably to the conclusion that they are not, in practice, independent of the IRA at all.

It is important for a U.S. audience to understand that those of us in Ireland who are concerned to maintain certain basic norms of representative democracy have good reasons to insist on the principle of the decommissioning of paramilitary weapons, regardless of who the weapons are held by, or for what motive. In the Republic of Ireland, we frequently have coalition governments. Every party in the Dáil is eligible to be part of a coalition at some stage. In a coalition, parties rely for their negotiating strength on the size and value of their representation in the Dáil and on nothing else. The number of votes that they get in elections determines the number of seats that they have, and the number and value of seats that they have determines the amount of influence that they have in the Government. This works so long as all of the parties are operating on a level playing field. But if one of the parties in a coalition has an association with a paramilitary organization that is refusing in principle to disarm itself that party is likely to rely in its coalition negotiations on something more than just the weight of votes that it has in

the Dáil. A party associated with a paramilitary organization has, at all times, an extra lever in negotiations because a paramilitary organization is an organization that has held onto the means to use violence to achieve its ends.

If we accept parties in government that are associated with paramilitaries that refuse to disarm, then we are accepting that the paramilitary associate might use or threaten force to enhance the negotiating position of the party with which it is associated. That is fundamentally undemocratic. I do not believe that a U.S. Congressman would be happy to be negotiating with other members of Congress who had the additional leverage of being able to call on the support of an armed organization. Such a situation would not be tolerable in a democracy on this side of the Atlantic. It should not be tolerable in Ireland either.

There is another important reason why the weapons of the Loyalist and Republican paramilitary organizations should be put beyond use as part of the peace settlement. These stockpiles of arms are very large. It is important that they do not fall into the wrong hands. The arms in question are saleable. Nobody would want to see those arms being sold to international terrorist organizations from the Middle East or somewhere else like that. Only if the weapons are put beyond use, can we be sure that they are not going to be sold to organizations that would use them for international terrorism elsewhere in the world. That must surely be a concern to the U.S. government.

There is the associated risk that the weapons could, if no longer being used for a political purpose in Ireland, find their way into the hands of criminal organizations in Ireland. Organized crime is a major threat to our civilization. It would be a very big risk for a democratic government to allow large stockpiles of arms to exist in its jurisdiction, which were outside its control. One must also ask the question: if the war is over, what do the Loyalist and Republican paramilitaries need the guns for? Why are they so insistent on keeping the guns? Is it because they want to have the option of returning to violence at some future stage? If so, then they have not accepted the Good Friday Agreement. The Good Friday Agreement was specifically designed to put a permanent end to violence. All the signatories to the Good Friday Agreement accepted that. Therefore, it is not reasonable for them to argue that the paramilitary organization should continue in existence indefinitely after the Good Friday

Agreement has been fulfilled in all other respects. That is why decommissioning must be dealt with in accordance with the commitments to the Mitchell Principles, and with the terms of the Good Friday Agreement, which specifically provide for decommissioning.