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PREM 19/815

PART 11

Confidential Filip

Situation in Northern Ireland
Force levels

IRELAND

Part I: May 1979

Part II: Feb 1982

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
8.2.82		16.6.82					
15.2.82		30.6.82					
16.2.82		5.7.82					
18.2.82		12.7.82					
2.3.82		13.7.82					
4.3.82		15.7.82					
10.3.82		19.7.82					
17.3.82		20.7.82					
24.3.82		30.6.82					
27.3.82		— Pt ends —					
29.3.82							
31.3.82							
1.4.82							
5.4.82							
6.4.82							

PREM 19/8/85

PART 11 ends:-

CAW to NIO 30.6.82

PART 12 begins:-

NIO to CAW 1.7.82

TO BE RETAINED AS TOP ENCLOSURE

Cabinet / Cabinet Committee Documents

Reference	Date
OD(82)6	9.2.82
OD(82) 3rd Meeting, Minutes, with LCA	16.2.82
OD(82) 13	18.3.82
OD(82) 14	23.3.82
OD(82) 5th Meeting, Minutes, with LCA	25.3.82
C(82)6	29.3.82
CC(82) 13th Conclusions, Minute 4	1.4.82
CC(82) 19th Conclusions, Minute 2	22.4.82

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate CAB (CABINET OFFICE) CLASSES

Signed Wayland Date 2 October 2012

PREM Records Team

Published Papers

The following published paper(s) enclosed on this file have been removed and destroyed. Copies may be found elsewhere in The National Archives.

1. HC. Paper 202: Seventh Report of the
Standing Advisory Commission on Human
Rights

HMSO: ISBN 0 10 220282 6

2. House of Commons Hansard,

10 May 1982, columns 469 - 554

"Northern Ireland Bill"

Signed AWayland Date 2 October 2012

PREM Records Team

Ireland

HL

(~~Ge~~ Questions)

BF

30 June 1982

We spoke this afternoon about the notes of conversations between Mr. Clive Abbott and Mr. Geoffrey Sloan on 26 January 1981 and 17 November 1981 which Mr. Enoch Powell said yesterday in the House Mr. James Molyneaux would be sending to the Prime Minister. I now attach a copy of Mr. Molyneaux's letter, together with its enclosures.

I should be grateful for advice on the conversations between Mr. Abbott and Mr. Sloan.

CLIVE WHITMORE

6

Stephen Boys-Smith, Esq.,
Northern Ireland Office.



From JAMES H. MOLYNEAUX, J.P., M.P. for Antrim, South

House of Commons,
London S.W.1.

29 June, 1982.

Dear Ian

In keeping with the undertaking given by Enoch Powell in the House today, I am enclosing a copy of the notes of the discussion between Mr Abbott and Mr Sloan, together with a note of a further such discussion on 17 November, 1981.

I know the Prime Minister will appreciate the importance of avoiding public identification of Mr Sloan, who is of course prepared to make himself available to verify the information contained in the notes.

Yours ever
Jim

Ian Gow Esq MP

Geoffrey Reginald Sloan

* ~ ~ ~ ~ ~ *

Age 26

Post Graduate Research Student
at Keele University, Keele, Staffs.

was engaged in research for seminar
paper, was so alarmed by what he was
told by a civil servant that he came
to me with the information contained
in the attached notes provided by Mr
Sloan.

* ~ * Passage deleted and closed, 40 years
under FOI Exemption.

Wayland

2 October 2012



"The opportunity that direct rule gave us in 1972 was the opportunity to establish a power-sharing devolved government. If this can be established then the aspiration of half a million Catholics will be taken into consideration. Once this is established it is a half-way point to recognizing the interest of the Irish Republic in Northern Ireland's future in a constitutional sense."

Mr C Abbott
17.11.81.

Q1 What has been the influence of the AD Hoc Committee on Northern Ireland vis à vis the State Department's attitude to Northern Ireland?

A1 There are only 132 members of the committee. It is not an official Committee, tends to be dominated by the 'four horsemen' (Kennedy, Carey, Biaggio and Moynihan). Kennedy's attitude since the mid-seventies has mellowed considerably. It still has strong connections with Noraid and the Irish National Caucus, which is the leading propaganda organisation. The main figure is Father Sean McManus, brother of Frank McManus. Money is still flowing to the I R A via Noraid, but on a much reduced scale. It is possible to trace the amounts through the Foreign Charities Register at the State Department. Haughey went as far as to condemn this flow of money in a speech made on 27th July, 1980. There still exists in the United States a monumental ignorance about Northern Ireland. John Hume is in Washington at the minute. He will be giving a briefing at the Council of Foreign Relations, at which General Haig will be present.

Q2 Is it true to say that between May and October 1979 there was consultation between the two governments on Northern Ireland and that after coming to power the Tory Party changed its policies on Northern Ireland?

A2 Before the Conservative Party came to power in 1979 it had promised that local government functions would be returned to local councils. We had to tell them that it was just not on. In terms of the future government of Northern Ireland integration is a non-starter for two main reasons. First, we would automatically lose the co-operation we are getting from Haughey over border security. Secondly, we couldn't break certain undertakings we have given to the Irish government over the constitutional future of Northern Ireland.

Q2a Is not the proposal to introduce a number of extra seats in Westminster for Northern Ireland a move towards integration?

A2a Firstly, the Unionists will not get all the five seats. We would see that this does not happen by gerrymandering the boundaries. I think one can say the SDLP will take at least three of the new seats. I look forward to seeing John Hume, who is a personal friend, establishing a power base in the House of Commons as well as in the European Parliament. For its part the United States government will not interfere in or attempt to prescribe any solution.

As I have said before, a devolved government with power returning to local councils is not on. But an assembly which controlled such things as housing, through our already established quango, NIHE, given preliminary powers which would be extended progressively is a possibility. But any such developments would have to involve close consultation with the Irish government. Some of these proposals would be accepted by enlightened Unionists like Derek Trimble of Queen's University. He also is a personal friend, and has kept us well informed about what is going on inside Jim Molyneaux's party for a number of years. On the demand for integration, Molyneaux recently picked up on this aspect by putting forward a Scottish dimension.....

David

(Phone rings)

Q3 In a statement before the House of Representatives Sub-committee on Europe and the Middle East on 12th July, 1979 Mr George West stated: "the Irish discussion took place in the course of an afternoon when they started on Africa". Can one infer from this that the Northern Ireland conflict is seen as an international conflict similar to that of Rhodesia or South Africa, which demands co-operation and consultation between the two governments?

A3 Due to Carrington's attitude to Northern Ireland it has become swept up in the international problems. It has been suggested that Carrington should go to Northern Ireland. Abroad, Northern Ireland is the only part of the shoe which pinches. It causes us many problems at the U.N. However, under the Reagan administration, the influence of the Irish-American lobby will probably decline. Reagan's mother was an Ulster Protestant; Reagan himself has many of the Ulster Protestant virtues.

Q4 What evidence is there that there has occurred a revival of links between Senators and Congressmen and groups supporting the IRA that were established during the last campaign of 1956-63?

A4 The main link has been Congressman Lister Wolf who has recently been advocating official Senate hearings. Unfortunately at the end of the 1960s in the United States we were put on trial. Looking at the whole thing historically the 1921 treaty was a squalid deal in which Northern Ireland should never have existed. The Boundary Commission of 1923, whose papers were not released until 1968 certainly confirms that proposition.

Q5 Have there been any incidents where disagreement between the two governments has arisen over Northern Ireland?

A5 Obviously incidents such as Bloody Sunday resulted in a certain amount of friction being generated. Generally there have been good relations between the two governments. When accusations have been made against R U C officers, this has resulted in us having to sit fast. In any final settlement we have to realise that the United States will be given a discreet role to play especially in the financial field. Generally the two bureaucratic machines, of the State Department and the Foreign Office work close together.

Q6 There have recently been a number of statements coming from Unionist politicians accusing the Foreign Office of trying to undermine the Union. Why do you think they made these accusations?

A6 This type of statement has come mainly from Powell and is considered cranky by the Foreign Office. However, the Official Unionists have always homed in on the Foreign Office; luckily we have escaped most of their attentions. They have also failed to pick up on the fact that successive British governments were primarily responsible for the situation that came to a head in 1968, not the Stormont government. Powell also seems to be leading the official Unionists up a political cul-de-sac. We shall be watching very very closely the results of the May local elections and their outcome will

determine very much what we do. Although it can be said that Paisley has dropped a few catches recently. This policy of integration will only guarantee more violence here and in Northern Ireland. Roughly speaking, one bomb in the United Kingdom is worth 100 in Northern Ireland. We cannot allow further violence in the U K. In the end I think that there will be a confederal Ireland, one could call it an honourable draw, in which a package would be put together whereby Protestant rights would be guaranteed. There would be some re-alignment with the Commonwealth and the Irish Republic and a defence agreement would also be made. There is less certainty than there has been in the past about the strategic irrelevance of Southern Ireland. You know that a submarine can be used for more functions than the launching of missiles! The Americans would sleep easier in their beds if the Irish Republic was a member of NATO. The Irish Republic will not enter into any defence agreement until the issue of partition is resolved. It is a very similar position to that which existed during the Second World War, though I doubt if the Unionist politicians would realise this, as they have no credible research departments in their party structures. It is also possible that a future left-wing Labour government would go for a confederal Ireland and it was one of the options put forward in a Labour party pamphlet published recently. As to what the phrase "the totality of the relationships between these islands" means, I just do not know what it means. It is something that Thatcher and Haughey cooked up together. Both Irish and British Civil Servants were left in the dark as to how exactly to interpret it.

CONFIDENTIAL

FOREIGN AND COMMONWEALTH OFFICE

DIPLOMATIC REPORT No. 165/82

WLE 021/4

General/Economic Distribution

REPUBLIC OF IRELAND

22 June, 1982

THE FALKLANDS CRISIS AND ANGLO-IRISH RELATIONS

*Her Majesty's Ambassador at Dublin to the
Secretary of State for Foreign and Commonwealth Affairs*

SUMMARY

The Falklands crisis caused a serious worsening of Anglo-Irish relations (paragraph 1).

2. The Irish supported Security Council Resolution 502 but other factors were at work—anglophobia, parallels with Northern Ireland, genuine distaste at the prospect of bloodshed. Mr. Haughey disillusioned with the British Government (paragraphs 2-6).

3. The Irish switch of policy came when relations were already deteriorating and was prompted by the sinking of the *General Belgrano*. Irish neutrality useful as a cloak for an anti-British attitude. Mr. Haughey may also have been trying to bolster his precarious Parliamentary position (paragraphs 7-9).

4. Responsibility for Irish policy shifted from DFA to political advisers. The Republic's unhelpful activities in the EC and at the UN (paragraphs 10-12).

5. The impact on Anglo-Irish relations may be long lasting. Mr. Haughey's policy divided public opinion here but its effects on Irish exports to Britain and tourism will probably be short-lived. Harmful effect on European Political Co-operation (paragraphs 13-18).

6. We still need to co-operate with our closest neighbour over cross border security and to offer the SDLP an Irish dimension. Mr. Haughey's position as party leader is precarious. We should put relations on a care and maintenance basis until the political scene in Dublin becomes clearer. We shall also need as much sympathy for devolution in Northern Ireland as we can muster in the Republic (paragraphs 19-22).

(Confidential)

Sir,

Dublin,

22 June, 1982.

The crisis and ensuing conflict over the Falkland Islands had, as one of its side effects, a serious worsening of the relationship between the UK and the Republic of Ireland. In this despatch I shall attempt to explain how this happened and to make recommendations for British policy now that the immediate strain on Anglo-Irish relations is passing.

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Introduction

2. Before Argentina invaded the Falklands on 2 April, few people in the Irish Republic knew where the islands were, let alone that they were in dispute. The public position of successive Irish Governments had been one of support for the principle enshrined in the 1965 and 1973 General Assembly resolutions which recognised the existence of a dispute and urged both parties to proceed with negotiations for a peaceful solution. For historical reasons, the Irish tended to sympathise with Argentina as a "fellow victim" of colonialism, although this sympathy was qualified by a recognition of the fact that the islanders preferred to remain British and the Junta's flagrant abuse of human rights.

The first stage: April

3. The Argentine invasion on 2 April surprised and disturbed the Irish Government. The Department of Foreign Affairs found no difficulty in supporting Security Council Resolution 502, given their established views on the peaceful settlement of disputes and the inadmissibility of acquiring territory by force. When the European Community determined on trade sanctions against Argentina, Ireland hesitated briefly but then went along.

4. But from the start of the crisis, factors were at work which were to undermine Irish support. The anglophobia of the green fringe of Irish politics (a minority, but a vociferous one) came quickly to the fore. Their initial satisfaction at Britain's humiliation was succeeded by alarm as the Task Force was mobilised and some of the Irish press condemned "imperialism" and "jingoism". The Irish community in Argentina—which had previously scarcely featured in national consciousness—was discovered to number at least 300,000 and to be enthusiastically behind the Junta. There was, of course, a parallel with Northern Ireland. Those features of the Falklands crisis which most stirred British national feeling (an isolated but long established British community, intensely loyal, under pressure from a hostile neighbour) reminded the Irish of the Unionist community in Northern Ireland and helped them to identify with Argentina.

5. There were other less unworthy motives. Moderate Irish opinion was genuinely disturbed by the prospect of bloodshed over some remote islands they had never heard of. Dissenting voices in Britain were replayed here. The British popular press is widely read in Dublin and the enthusiasm of *The Sun* and the *Daily Express* for a conflict aroused deep misgivings. As one Irish citizen wrote to me (enclosing a cheque for the South Atlantic Fund):

"For the Irish, war has never been a clear and uniting activity; on the contrary, our wars have been insidious, neighbourly-murderous and never heroic. With us war has usually meant brother against brother. We can only envy the classic British infantry spirit, and envy still obfuscates our foreign policy."

So much Irish opinion wished, almost at any cost, to see a peaceful settlement of the crisis and believed that the Irish Republic, which enjoyed good relations with both parties and had a seat in the Security Council, was particularly well qualified to play a diplomatic rôle as peacemaker.

6. During the first month of the crisis the Irish Government reflected the general mood of the country and supported the sanctions which the EC took against Argentina. But the Irish misgivings became evident in off-the-record press briefings from the Taoiseach's Department, casting doubt on the value of sanctions and implying that the Irish Representative at the UN, Mr. Noel Dorr,

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had acted without his Government's approval in supporting Security Council Resolution 502. This was the first indication we had that Mr. Haughey had personally taken charge of Irish foreign policy. It is most likely that the greener members of his own party disliked the Republic taking Britain's side and believed that a more traditional Irish policy would have been to follow the dictum that "England's difficulty is Ireland's opportunity". This certainly suited Mr. Haughey's mood. Within minutes of his taking office on 9 March he had said that his Government's top political priority would be Northern Ireland. As Northern Ireland had been mentioned only once in the preceding General Election, and then by Dr. FitzGerald in a responsible way, I felt that we would be in for a difficult time. And so it has turned out. Haughey Mark II differs greatly from the Mark I version we saw from November 1979 to May 1981. It is now clear that by the time he took power again in March this year he felt that his previous policy towards Britain needed to be radically altered, and his speech on St. Patrick's Day in Washington called for a British withdrawal from the North. He considered that his understanding with the Prime Minister at the summit on 8 December 1980 should have led to a fundamental change in the Northern Ireland problem to the satisfaction of the Republic. Various exchanges during the subsequent months showed either how illusory his reading of the December summit had been or how devious he thought British policy had been in our interpreting to Irish disadvantage the spirit of the December meeting. Then came the hunger-strike in May when the H-block candidates took two seats in border constituencies which normally would have gone to Mr. Haughey's governing party. As the hunger-strike, in his view, was dragging on due to British stubbornness and indifference to the Republic's interests he had, by the time he went into opposition in June, two main grievances to hold against us. In retrospect it is hardly surprising that he used the Falklands crisis, coming a month after his resumption of power, as an opportunity to play a rôle on the world stage and to make things difficult for us where he could.

The switch of policy

7. By early May Mr. Haughey was fully in control of the DFA. Mr. Collins even admitted to me that I should have to ask the Taoiseach himself about Irish foreign policy, which to many Irishmen was becoming a bit confused. Anyway, the Irish Government on 2 May signalled its unhappiness at the way in which the conflict was developing by reaffirming "Ireland's traditional rôle of neutrality in relation to armed conflicts". On the previous afternoon, I had informed the DFA that a British submarine had been responsible for the accidental sinking of the Irish trawler, *Sharelga*, on 18 April. This admission gave rise to hostile comment in the press. Our position was worsened by exasperation over our 30 May Mandate demands (for reform of the CAP and EC budget refunds) and by our threatened use of the veto against increases in EC farm prices.

8. Despite this, a change in Government policy might have been postponed but for the sinking of the *General Belgrano* on the evening of 2 May, and the considerable loss of life which ensued. The news provoked a wave of horror and revulsion, and because a British submarine was involved the event was linked in the public mind with the sinking of the *Sharelga*. At a reception on 4 May for the Indian President Mr. Collins told me that he felt he should not be seen to be shaking my hand in public. The Defence Minister, Mr. Power, had told a local party meeting on the previous day that "Britain was now very much the aggressor in the South Atlantic" and his remarks received wide publicity. Mr. Haughey disowned the Minister's comments. But the Cabinet met on

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4 May and drafted the statement which marked the decisive shift in the Republic's position. It called for an immediate meeting of the Security Council in order to prepare a new resolution calling for an immediate cessation of hostilities and the negotiation of a diplomatic settlement under UN auspices. It also announced that the Government would seek the withdrawal of EC sanctions.

9. The Government's *volte face* over the Falklands owed much, as I have suggested above, to an extreme Republican reaction to British policy combined with Mr. Haughey's grievances. He also saw that Irish neutrality, as a cloak for an anti-British attitude, might be useful in domestic political terms. He had to consider his precarious majority in the Dáil, and it seems probable that the new Falklands policy was an attempt further to solidify the support of the Dáil's leading Anglophobe, Mr. Neil Blaney, an independent Deputy whose vote Mr. Haughey needed to keep his Government in power. Mr. Blaney had already attacked Britain over the Falklands in a speech to the European Parliament. The Taoiseach also had to take account of the Dublin West by-election scheduled for 25 May. He may have calculated that a display of independence from Britain over the Falklands would increase Fianna Fail's chances of winning the seat from Fine Gael. In fact it was not a visible election issue (and Fine Gael retained the seat for other reasons). Nevertheless all parties took the crisis into account to some extent and Dr. FitzGerald admitted to me that his initial Dáil statement on the Falklands had been made with an eye on the by-election. In any event, Mr. Haughey miscalculated and it gave many Irishmen some satisfaction to see him lose the seat after he had manoeuvred so hard to secure it.

Conduct of policy

10. In the initial stage, Irish policy was articulated by the Department of Foreign Affairs. When the policy shifted, so did responsibility for its preparation. One sign of this was the inability of DFA officials to discover from their Minister what the status was of the Defence Minister's outburst on 3 May. The new line was being prepared in the Department of the Taoiseach: and there the crucial rôle was played by a political appointee rather than by career officials. The theoretical justification for the change of policy was that of "traditional Irish neutrality". This concept has never been clearly defined beyond the historical position of neutrality in World War II and the fact that, alone of the members of the European Community, Ireland is not a member of NATO. On this occasion neutrality provided a peg on which to hang a decision which had already been taken at great speed and with no careful analysis of the effect it would have on Anglo-Irish relations. But what also dismayed DFA officials (whose advice had not been sought), and a considerable section of informed public opinion (including the opposition parties), was the incompetence with which the change had been carried out. First, there was complete neglect of the spirit of European Political Co-operation in the failure to let us know in advance that Ireland was considering a change in an area of undeniable importance to Britain. Second, the Government statement failed to refer to Security Council Resolution 502, support for which remained central to Ireland's position. As a result, in the course of the day and under pressure of questioning in the Dáil, modifications were made to the new policy in a series of "clarifications" linking it again to Security Resolution 502 and explaining that the call for an urgent meeting of the Security Council need not be taken to mean a meeting that day, or indeed at any time before the Secretary-General felt one would be helpful. As a DFA official later told us, this was the first time the Government had made four inconsistent statements on the same foreign policy subject in one day.

11. Irish action in the Community was to an extent obscured by Italy's own difficulties—far more genuine—and withdrawal from sanctions. When I spoke to the Taoiseach asking him to reconsider, he said that the Republic would not obstruct a consensus if all other members wished to continue sanctions. Italian company saved the Irish from a difficult decision. However, he did not respond to a personal telephone call from the Prime Minister on 17 May and such was the impetus behind the new policy that I am far from confident that he would not, had Ireland been alone, have instructed Mr. Collins to withdraw from sanctions unilaterally.

12. In the UN, the Republic quickly realised that there was little support for an early Security Council meeting and allowed her call of 4 May to lapse for the time being. However, it remained on the table and, following the first landing of British troops on the Falklands, an Irish proposal for a formal meeting of the Security Council was agreed. This resulted in a unanimous adoption on 26 May of Security Council Resolution 505. The initial Irish draft resolution had made little attempt to take our concerns into account and, ironically, the pressure for helpful amendments came largely from small non-aligned countries (such as Guyana) with which Ireland traditionally believes she has an instinctive rapport. As pressure subsequently built up for a ceasefire, the Republic remained unhelpful. She voted for a draft Spanish/Panamanian resolution: had she joined France in abstaining, the resolution would have failed to gain the nine votes which forced us to use our veto on 4 June. One factor affecting Irish policy in the Security Council came as some surprise to me. Although they have been independent for over 60 years some Irishmen still feel that Britain regards the Republic as a vassal state without a mind of her own. Or that we take her for granted and expect her to follow any lead we give. When I told Mr. Haughey on 26 May that the Irish Resolution was unhelpful to us he said that Ireland was a sovereign and independent country not bound to follow our lead. My arguing that independent African and Caribbean non-aligned countries did not have the same difficulty about amending the Resolution caused him some embarrassment.

The effects on Anglo-Irish relations

13. It is difficult, from Dublin, to assess the impact of the Irish Government's behaviour on the crisis as a whole. It was certainly irritating and unhelpful, especially as it was due to a positive Irish vote in the Security Council on 4 June that we had to use our veto. The Irish constantly claimed that their activity in the UN was motivated by a desire to stop the bloodshed. If true, it was naive on their part to think that good intentions were alone enough. A more likely explanation was Mr. Haughey's seeing the crisis as an opportunity for Ireland to play an independent and high profile part on the world stage.

14. The impact of the Irish Government's behaviour on Anglo-Irish relations may well be more long lasting. As with the hunger-strike, the Falklands issue touched raw nerves in Ireland and reminded us yet again of the virulence in some quarters of anti-British feeling and of the tendency of Irish politicians, if not to exploit this feeling, at least to be unwilling to speak out against it. The Irish Government's policy has divided opinion in the Republic in a manner similar to the policy of neutrality during the Second World War. There are the two extremes; bitter opposition to Britain, and enthusiastic support for Her Majesty's Government's policy, the former originating on the deep green fringe of Irish politics and the latter among those with direct contacts with Britain. (Ironically, one of the first results of the crisis was a surge in the number of Irishmen seeking

to enlist in the British forces. We have also had a number of generous contributions to the South Atlantic Fund.) The broad centre of Irish opinion has been concerned at what they see as disproportion in British reaction to the crisis and the loss of life. But they are also less than happy that Mr. Haughey's policy alienated British opinion, endangered Irish exports to the UK and embarrassed the million or so Irish people who live in Britain.

15. The main opposition party, Fine Gael, has criticised Mr. Haughey's policy and propounded its own doctrine of neutrality. Dr. FitzGerald, in a speech reputedly drafted by sympathetic civil servants in the Department of Foreign Affairs, maintained that neutrality did not require the Republic to stand back as soon as armed conflict broke out and that the Irish Government had not retreated from sanctions during the Italian/Abyssinian War or, more recently, over the fighting in Afghanistan. But we are told that, at a private meeting with the Fine Gael party, Dr. FitzGerald was warned that he was out of touch with grass roots opinion and since then he has avoided public comment. The Labour Party has also laid stress on its own concept of neutrality, which is much closer to that of the Government.

16. Irish memories of the Falklands crisis will probably have less long term impact than perceptions in Britain. It is not for this Embassy to assess mainland British or Northern Ireland views of the Republic since the crisis, but it seems that, as during the Second World War, opinion at home believes that in a crisis, when British vital interests are at risk, the Irish cannot be relied on to help and may indeed be positively hostile. This will not help Anglo-Irish relations generally, nor will it encourage reconciliation in Northern Ireland. The strategic importance of Northern Ireland, which had rather dropped out of sight, has been given new prominence and it is difficult to imagine Short Brothers supplying missiles to the Royal Navy if their factory lay within an Irish Republic. The only consolation is that its unhelpful policy may be linked to Mr. Haughey personally and the ill-will may fade once he leaves active politics.

17. When sanctions were first mooted, the Irish were worried over their £9.4 million exports to Argentina. When the crisis ended, their £1.5 billion exports to Britain were of far more concern. After the Irish refusal to renew sanctions in mid May, several British newspapers called for a boycott of Irish goods, specifically butter. It is still difficult to discover what effect the crisis has had on Irish exports to Britain, but there is no doubt that Irish salesmen have been receiving rough treatment from British buyers. This comes at a time when many Irish goods are already overpriced and far from competitive. We have a favourable trade balance with the Republic and there is no advantage to us in stressing this side effect of the crisis. The impact on Irish exports and on British tourists visiting the Republic will probably be short-lived, but it has been a salutary reminder to the Irish Government that we are their largest customer (taking 40 per cent of their exports) and a gratuitously anti-British foreign policy is liable to rebound on Irish exporters. Our interdependence is still difficult for them to reconcile with their hard-won independence!

18. The crisis must also affect the Irish rôle in European Political Co-operation. Although officials at the Department of Foreign Affairs worked loyally within the system for the first month, Irish policy was rudely jerked out of it by the Taoiseach's personal intervention in early May. Irish neutrality, and a highly personalised version of it, has been enshrined once again as a guiding principle of foreign policy. It will take time to see the effects within Political Co-operation. But as one country after another opts out of specific European

decisions, it will become easier for Irish Ministers to excuse themselves from measures which seem too pro-NATO or otherwise likely to be unpopular at home.

What should we do now?

19. Irish behaviour over the Falklands crisis has gratuitously damaged our relations and British attitudes towards the Republic are likely to remain suspicious for some time. But we still need to co-operate closely with our nearest neighbour, just as they need to do so with us. At present our most urgent requirement from the Irish Government is co-operation on border security and this, despite rumblings from politicians in Northern Ireland, has not been affected by Mr. Haughey's return to power or by the Falklands crisis. Indeed co-operation is closer now than it ever has been and the operation of the Irish Extraterritorial Jurisdiction Act (1976) is having some impact on Republican terrorists in the South.

20. Under more favourable conditions we might hope to obtain explicit or implicit Irish Government support for the proposals which Mr. Prior has introduced for an Assembly in Northern Ireland. As long as Mr. Haughey is in power, we are unlikely to get this: the Irish Government can do its best to wreck movements towards devolved government in Northern Ireland, but even if it wished to help it could not tell the SDLP what to do. None the less, the Anglo-Irish process is not only of value in itself but, by offering an Irish dimension, could induce the SDLP to take part in devolved government in Northern Ireland and thus make a very real contribution to reducing tension and restoring normality. We therefore need to continue to seek Irish understanding for our initiatives—both from the Government and from public opinion here.

21. Although I think the majority of Irish people would have accepted a policy of neutrality if it had been seen to have been even-handed, many of them did not like the way Mr. Haughey interpreted neutrality. He has suffered a reverse in failing to win the Dublin West by-election which he had skilfully engineered. One of his back-benchers has since died, leaving the Government on a Parliamentary knife-edge, although they will probably survive into the summer recess and should win the ensuing by-election. Meanwhile, the economic situation grows steadily worse and the Government's will to tackle the situation with unpopular financial measures is further eroded. For all these reasons, discontent with Mr. Haughey inside his own Fianna Fail party is stronger than it ever has been and the likelihood that he will see out the year is no better than even. In the circumstances it will be best if we put Anglo-Irish relations on a care and maintenance basis until the political scene in Dublin becomes clearer. We should sit tight, not seek Ministerial meetings on political topics, still less a Summit, and let the Irish appreciate the damage which their policy has inflicted on our relations. In the autumn, when we may be in sight of elections in Northern Ireland, we should review this policy because the time may well have come to mend our fences. We will then need as much sympathy for our devolution process as we can muster in the Republic.

22. I am sending copies of this despatch to the Secretary of State for Northern Ireland (in London and Belfast), to Her Majesty's Ambassadors, Washington and Paris, to the UK Permanent Representatives to the UN and to the European Communities in Brussels.

I am Sir

Yours faithfully

LEONARD FIGG.



Ireland

10 DOWNING STREET

Discussed with Prime Minister.

Comments conveyed to Mr.

John

Hopkins in N.I.O.

A.F.C. 16/6

Mr Prior wants to publish his ^{h-a}an
defense of his devolution proposals
in the Daily Telegraph tomorrow,
and is intending to speak to the
Editor at 3.00 pm accordingly.

He would therefore like the
Prime approval as soon as possible.

He is anxious to get it published

before any guideline of the Bill
is announced (possibly tomorrow?)
especially because of paragraph 7.

W.H. 16/6



Northern Ireland Office

Great George Street, London, SW1P 3AJ
Telephone Enquiries 01-233-4626

Bernard

Mr Prior's article for the
Daily Telegraph is attached.

I would appreciate clearance as
soon as possible please, for the
reason outlined in the second
paragraph.

With the compliments of the Press Office

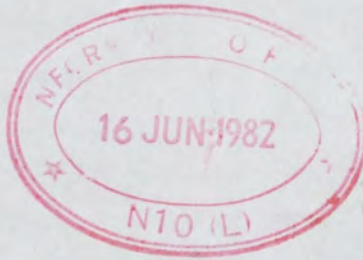
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cc: PS/SofS (L&B) - M
Mr Wyatt - M
Mr Blatherwick - M
Miss Drummond
Mr Shepherd

Mr Gilliland - M



DAILY TELEGRAPH ARTICLE

The Secretary of State was grateful for the revised version of the article and for your further passages designed to personalise it. During the course of last night's proceedings on the Bill he and Mr Scott worked further on the text, and I attach a revised version. You and other recipients of this note may care to judge how it now reads in the cold light of day.

Time is however short. The Secretary of State is anxious if possible to secure publication for tomorrow, Thursday - that is to say before there has been any announcement in that day's business statement about a guillotine. If there is to be a guillotine, from Friday onwards the article might well have to reflect it, which would detract from the point we seek to make.

[He will therefore speak to Mr Deedes as soon as he can during the course of today; we will let you know the outcome.]

Deedes
is in
the USA.

pp S W BOYS SMITH

16 June 1982

1. Confronted with yet another set of Government measures designed to provide constitutional advance in Northern Ireland I can well understand why some people's immediate reaction is "why bother?" Previous attempts have failed. The present proposals have aroused much hostility across the Northern Ireland political spectrum and have, (not least in this newspaper,) been criticised as unnecessary or misguided.

2. Yet while I respect these criticisms and the motives of those who advance them I fervently believe that they are wrong and welcome the chance to explain why the Government has brought forward its proposals and to correct some misapprehensions about them.

3. The starting point has to be that no one who knows Northern Ireland can fail to be appalled by the declining economy of the Province, the deeply worrying problems of security and the political stagnation as a result of which for over 10 years now the people of the Province have had little opportunity to exercise responsibility over their affairs. The Government is doing what can be done to help revive the economy and has put its weight firmly behind the security forces in their battle against the terrorist. But we need to move ahead on the political front too. The absence of a political forum in the Province has been bad for politics; with no outlet for political expression the men of violence all too often fill the vacuum. To help in winning the fight for investment and the battle against the terrorist, we need to develop political institutions in the Province which will enable the community to tackle their problems effectively and show outsiders that Ulster is a place with a future. We need to get the political process moving again.

4. Further, one has to concede that despite its fairness and increasing efficiency, the present system of direct rule does not provide the best answer to this problem. None of the major UK parties has an electoral base in Northern Ireland. Control therefore rests with British Ministers who unlike their counterparts in Scotland and Wales do not stand for election in the Province. Direct rule may be benign, but it is not representative. I am bound to say that I find the people of Northern Ireland extremely friendly, extremely generous and possessed of a wit and humanity which very greatly appeals to me. If I were to represent directly the people of Northern Ireland I would consider it a great privilege but I represent an English constituency and, however long I may be here, I am not an elected representative of the Northern Ireland people.

5. Some people would suggest that substantial powers should now be restored to local councils in the Province or a new province-wide upper tier of local government be formed. Some - a section of the Ulster Unionist Party and an even smaller section of my own - believe that the future lies in integration with Great Britain, in treating Northern Ireland like Yorkshire, as they frequently put it. (The Government simply do not believe this is the answer.) Few people in Northern Ireland want integration; most reject it or regard it as very much a second-best. The Province has a tradition of devolved government that has shaped its institutions, its habits and above all its politics, which turn on constitutional rather than economic or social issues. And within the community there exist two identities - those who think of themselves as British and those who think of themselves as Irish. Differences in Northern Ireland ^{are} substantial; it is very likely that integration would turn

E.R.

out to be direct rule under another name. Nor would local government reform be much help. The dilemma of how responsibility should be exercised would still have to be faced if local councils or a new upper tier were given greater powers. We should also remember that there is much evidence that the return of powers to local councils would not command widespread support within the community, and that there exists in Northern Ireland an administrative machine designed to underpin a devolved government. Nor could local government reform alone provide for a return of powers over the wider concerns of government - education, commerce, employment or eventually perhaps security, all of which many people in the Province feel should be under Ulster control.

cf
Scotland

6. The Government's view is therefore that neither direct rule, nor integration, nor local government reform, nor indeed a combination of any of them, offers the best way forward. The majority of people in the Province favour devolution and we believe that they should be given a fresh opportunity to work together towards this objective.

7. Our own proposals have been criticised by the Unionist parties because they do not lay down the requirement of majority rule and by non-Unionists because they do not specify power-sharing on the pattern of the 1974 Assembly. Indeed, they neither prescribe nor prohibit any particular system. The Government does not wish to impose its own scheme, or the scheme favoured by one part of the Ulster community, in Northern Ireland. What we can do, and have a duty to do, is to introduce a framework within which local politicians have the opportunity to devise new institutions which fit the needs of the Province. For these new institutions to be stable, they must enjoy the confidence of both sides of the community.

A system which cannot secure the loyalty of a significant section of the community will not provide the conditions in which the problems which affect everyday life in Northern Ireland can best be tackled. This is why our proposals require that any scheme proposed by the Assembly for the devolution of powers should enjoy wide-spread support throughout the community. Without such support, it will fail.

8. One other matter needs to be emphasised: in no way do our proposals affect the constitutional position of Northern Ireland. The 1973 Constitutional Act continues to ensure that on this issue the wishes of the majority of the people of the Province will be paramount and in no event will Northern Ireland cease to be part of the UK unless the majority of the people of Northern Ireland wish it. Devolution is not a half-way house to Irish unity; indeed, its unionist proponents see it as the best way to preserve the Union.

9. The Government believe that a fresh effort must be made to restart political dialogue in Northern Ireland, and a fresh opportunity be given for people in the Province to exert democratic control over their own affairs. No one pretends that this will be easy to achieve. It may take some time before a new Assembly is ready to ask Westminster to devolve powers to it. The alternative is not the status quo, but the continuation of the slow political and economic decline of the past dozen years. In my relatively short time in Northern Ireland I have grown to appreciate the dedication and the ability of those who have contributed so much to the industrial reputation of the Province. I have done and I will continue to do everything in my power within the framework of the Government's policy to help to reverse this economic decline. I have seen at

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first hand and I have the greatest admiration for the determination of the Northern Ireland people to overcome the obstacles and difficulties which face them in a relatively isolated position. We in Government have an obligation to work towards the best possible political and economic improvements which we can achieve even in the midst of the fearful problems.

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NORTHERN IRELAND

THE GOVERNMENT'S WHITE PAPER: A FRAMEWORK FOR DEVOLUTION

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NORTHERN IRELAND

THE GOVERNMENT'S WHITE PAPER 'NORTHERN IRELAND: A FRAMEWORK FOR DEVOLUTION' (Cmnd. 8541)

1. INTRODUCTION

(a) Direct Rule

It is now exactly ten years since the final prorogation of the Parliament of Northern Ireland, known universally as the Stormont Parliament, through which the province was governed on the basis of majority rule for fifty-one years (1921-72). Since then, with the exception of five months in 1974 when the power-sharing executive held office, Northern Ireland has been run by politicians drawn exclusively from Great Britain and responsible to the Parliament at Westminster. Because the local parties in the province have their own separate organisations quite distinct from the main British parties, it is not possible for Northern Ireland politicians to hold office, like their counterparts in Scotland and Wales. The white paper draws attention to this major defect in the arrangements for direct rule which, as it states, 'provide no opportunity for Northern Ireland politicians to play a major part in the decisions affecting the province. It is notable that none of the Secretaries of State and Ministers of the Northern Ireland Office in successive Governments has been an Ulsterman' (para 6).

The only administrative functions which locally elected representatives are able to discharge fully are a very minor order. They are exercised through the 26 district councils in the province which, in a much-quoted phrase, can do little except 'sweep the streets and bury the dead'. Under a scheme of reform agreed by the Stormont Parliament before its prorogation, all the main local government powers were transferred to the devolved institutions, which thereby became in effect the top tier of local government.

The position for almost all the last decade, therefore, is that Northern Ireland has had an extensive system of devolved administration - much more extensive than Scotland or Wales - which was created and expanded to serve a devolved parliament that, in addition, also took charge of all the principal local government powers. That devolved administration is, under direct rule, responsible to the Parliament at Westminster: but Parliament cannot provide the kind of detailed democratic control and scrutiny that is required. In addition, native Ulstermen can play no more than a very limited part in the decisions taken under the devolved administration.

Direct rule does therefore have grave administrative and democratic shortcomings. In some ways, however it has worked well. It has provided fair, impartial and generally efficient administration. It gives serious offence to very few in the province: on both sides of the community it won acceptance. But it has not won enthusiastic

approval. Everywhere it is seen as a second best. Such a system, which has failed to inspire positive support, can hardly serve as the basis for a long-term settlement. Much legislation for Northern Ireland is dealt with cursorily. No British Government over the last ten years has regarded it as anything more than an interim or temporary answer to Ulster's political problems. If it is to be capable of providing lasting stability, a pattern of government must in our democracy be able to evoke more positive approval than direct rule enjoys.

The white paper puts the point forcibly in its second paragraph: 'Direct rule from Westminster has been accepted as a temporary arrangement. But it is not a long-term answer. As a result, there is a continuing uncertainty in the Province, which undermines its political stability'.

(b) Political instability, security and the economy

Furthermore, the political problem in Northern Ireland cannot be isolated, or set apart, from the other chief aspects of the crisis: security and economic decline. They all interact with one another, though that inter-action cannot be measured or quantified in details or with real precision. Some examples can, however, be given to indicate the connection between developments in one area and another. For instance, the riots and demonstrations which accompanied last year's hunger strike added around £12m to the total cost of police operations in the province. Damage done as a result of those same riots means that the Government has had to set aside £½m of the total public expenditure in the province in this financial year to meet the cost of repairs. All of that money could have been put to other, constructive uses. In addition, the Government has estimated that millions of pounds of fresh inward investment which might have come to the province was lost because of the spectacle of severe political instability and disorder presented by the province. Without sustained improvements on the security and political fronts, it will be difficult to make continuous progress towards alleviating the economic problems, whose best-known symptom is a rate of unemployment currently close to 20% (and there is 40% male unemployment in some areas) which means that over 100,000 in the working population are without jobs.

This message is spelt out clearly in the white paper which states in paragraph 3: 'political stability, economic recovery and the defeat of terrorism go hand in hand ... Political instability discourages the domestic investment so vitally needed ... There is a direct link between the creation of a durable and fair system of government and the ending of the violence'.

The lack of the fresh investment, which the province needs so badly, places an extra strain on public expenditure as well as damaging the standard of living. GDP per head of population is 77% of the UK average. Public expenditure in 1982-3 will be 40% higher per capita than in Great Britain (having risen by 7% since 1981-2). Total public expenditure has been fixed under current plans at £3.5 billion for 1982-3 (of which around 40% will come from Great Britain).

2. DEVOLVED GOVERNMENT

The second part of the white paper argues the case for a new form of devolved government, which will not be handicapped (as the Stormont Parliament was) by a failure to attract the full-hearted support of some sections of the non-unionist minority. To overcome this problem (which unsolved will render any new system highly unstable), the white paper emphasises the crucial importance of providing a clear, practical role for responsible action by the leaders of the minority. In this, the white paper takes exactly the same position as all previous official documents and policy statements produced by successive governments since 1972 which have emphasised the need of any new system to secure widespread acceptance in both communities. As the white paper states, adherence to that principle 'is no more than a recognition of the reality that in the special circumstances of Northern Ireland nothing else can provide stable government on a lasting basis' (para 13).

A new system of devolved government is the clear desire of the four main parties in Northern Ireland (Ulster Unionist, Democratic Unionist, SDLP and Alliance) which together command the support of eighty to eighty-five per cent of the electorate in the province. All four called for a return to devolved government in their manifestos at the 1979 electorate: and have frequently reiterated their manifesto commitments since then.

At the Stormont conference held in the early months of 1980 under the Chairmanship of the previous Secretary of State, all the parties once again backed devolution and rejected the alternatives to it. As the discussion paper, Proposals for Further Discussion (Cmnd. 7950) published in July 1980 states (para 25):

'The desire for a transfer of powers comparable in scope (though not identical in detailed arrangement) with the 1920 and 1973 constitutions is widely expressed. There was general opposition among the parties who took part in the Conference to a transfer of powers and functions on the lines of local government in Great Britain. The creation of more than one sub-provincial assembly would entail expense, disruption and confusion. Northern Ireland can and should be regarded for governmental purposes above the level of the District Councils as a single entity'.

The Ulster Unionist party is sometimes described as at best lukewarm about devolution, and as seriously interested in the closer integration of Northern Ireland with Great Britain (to be secured partly by a new system of local government). It is certainly true that some elements in the party do favour integration, but they do not speak for the party as a whole which is firmly committed to devolution. In the second paragraph of its 1979 election manifesto, the position was set out unambiguously: 'For Northern Ireland our objective which we shall pursue unremittingly, remains the restoration of such a system of devolved government as will neither endanger the Union, nor confer contrived privileges on any section of the community'. In a detailed statement of policy submitted to Mr Atkins' Stormont conference in January 1980, the Ulster Unionists included 'a model for a devolved legislature and administration' which went into some detail about the

powers that should be devolved and the role of minorities (though it also contained a detailed plan for a new system of local government). At the party's annual conference last October, a protracted wrangle took place between the advocates of devolution and the proponents of integration. To paper over the cracks, a motion was eventually passed calling for enlarged powers for the existing district councils 'in a manner consistent with the return of a devolved parliament'. In response to this white paper, Mr Molyneaux has firmly commended the principle of devolution - as embodied in the report of the NI Constitutional Convention of 1975-6.

Any policy brought forward by the Government, which did not have devolution as its ultimate objective, could be open to grave objection since it would set aside the clearly expressed wishes of all the main parties (including the Ulster Unionists) whose support for devolved government has survived the last ten years practically undiminished. A different policy that made no provision whatsoever for devolution would have to be imposed on the local parties, whose own desires would be seen plainly to have been set aside. The Government's support for devolution in Northern Ireland, however, goes hand in hand with a firm commitment to the province's present constitutional position, as the white paper is at pains to point out. Recognition of electoral realities in the province 'in no way implies lack of support for the union between Great Britain and Northern Ireland; rather is it that Northern Ireland's experience makes the case for devolved government of a quite different order from that which might apply to any other part of the United Kingdom' (para 6). That different experience, and the survival of overwhelming popular attachment to devolution during the decade of direct rule, means that a very firm distinction can be made between Northern Ireland on the one hand, and Scotland and Wales on the other. As the referendums of 1979 made clear, the level of public support for devolution in Scotland and Wales is dramatically lower than in Northern Ireland.

In answer to a question in Parliament, the Secretary of State recently re-affirmed his belief that devolved institutions in Northern Ireland, far from weakening the Union, can serve to strengthen it. He said: 'I believe passionately that that is the case. Otherwise there will be continual erosion of Northern Ireland's position within the United Kingdom' (Hansard, 5 April 1982, Cols 701-2).

The Main Features of the Government's Scheme

While there is widespread support for the principle of devolution, all efforts since 1972 to translate it into practice in a new acceptable form have come to nothing because of the sharp division of opinion on the key issues of how power is to be exercised, and how the interests of both sides of the community are to be secured. Disagreement on those two issues prevented the Constitutional Convention of 1975-6, and the Stormont conference of 1980, from succeeding in their tasks of proposing plans for devolution that met the Government's criteria of fairness and acceptability.

These failures, and the continuation of disagreement among the local parties, have led the Government to construct the framework for devolution discussed in the white paper, and defined in its

Northern Ireland bill, which can evolve in accordance with local wishes, and at a pace set by local representatives. All the powers made available for devolution under the 1973 Constitution Act can be assumed by the new Assembly that is to be established in the autumn: or just a portion of them: or none of them. Yet, under these highly flexible plans, the Assembly through its powerful committee system will still have important work to do, even if it assumes no legislative and administrative powers in the early stages of its life. Furthermore, embodying as it does the concept of rolling devolution, this plan provides for the transfer of power back to the Secretary of State from the Assembly, to which it can be returned again as circumstances warrant.

3. THE TWO COMMUNITIES

The white paper devotes eleven paragraphs (14-24) to the very different characteristics and attitudes - referred to as 'the two identities' - which have tended to divide the two communities over the centuries. While pointing out that these differences 'cannot be ignored or wished away', it also emphasises the common ground that has been discovered in public bodies and voluntary organisations where co-operation has developed. Thus, the Government has to steer a delicate course, making due allowance for deep-seated differences but also promoting the cooperation that exists both with Northern Ireland and between the Irish Republic and the United Kingdom.

The existence of two divided communities means that majority rule, placing power almost entirely in the hands of the larger community, can never provide stable government or destroy the attraction of violence to some members of the community (para 19). The divisions in society ought not to preclude the minority's 'full participation in the public life of the State' (para 20). The Government's proposals therefore place on both communities an obligation to reach 'sufficient mutual respect' and 'accommodations' (rather than total agreement) before power can be transferred to locally elected representatives.

The white paper insists that 'this principle is both right in itself and unavoidable in practice; no system of government which is unacceptable to either side of the community will work effectively' (para 21).

In this section of the document, the significant improvements that have taken place in relations between the United Kingdom and the Irish Republic are also highlighted (paragraphs 23-4). This improvement can now be consolidated and extended through the medium of the Anglo-Irish Intergovernmental Council which was established in November 1981 (and whose first meetings have already been held). 'Close, friendly and practical cooperation' throughout the British Isles has been made a reality. The next stage is up to the two parliaments. It is for them to consider whether an Anglo-Irish parliamentary body should be created to act in conjunction with the Intergovernmental Council. 'The Government would expect the arrangements to enable members of the Northern Ireland Assembly to participate if they so wished' (para 23). At the same time a devolved government in Northern Ireland would be able to make its own arrangements with the Irish Republic on matters of common concern (just as previous NI Governments did).

4. THE CONSTITUTIONAL PROPOSALS IN DETAIL

(a) An Assembly of 78 members (the same number as in the 1974 Assembly and the Constitutional Convention of 1975-6) to be elected in the autumn under proportional representation by the single transferable vote (the method used at all elections in Northern Ireland since 1973 with the exception of Westminster). The elections will be held under existing legislation (section 29 of the 1973 Constitution Act), employing the existing twelve Westminster seats as multi-member constituencies (not the new 17 seats which have not yet been formally established).

(b) Powerful Committee system which will operate from the outset along the lines of the new select committee system at Westminster (itself one of the achievements of this Government). Like their counterparts at Westminster, the committees will be related to the departments of the Government of Northern Ireland (now in process of reorganisation, which will reduce their number from eight to six). Each committee will have a salaried chairman, and up to two salaried deputy chairmen. The interests of both sides of the community will be safeguarded: for the balance of parties in the Assembly will be reflected in the composition of the chairmen and deputy chairmen, taking each group as a whole (see Northern Ireland Bill, section 5(2)). The committees will make reports to the Assembly, and in some cases to Westminster via the Secretary of State:

'Ministers and their departments will co-operate closely with the Assembly and its committees, although the Assembly will not have a formal power to summon Ministers responsible to Parliament, or their officials, or have access as of right to departmental papers' (para 36).

Such an elaborate committee system has never previously existed in Northern Ireland. It will therefore break entirely new ground. It follows the important precedent created at Westminster, as a result of the changes in the select committee system introduced by the Government. It therefore represents an elaboration and extension of an important Conservative achievement.

(c) Other Functions of the Assembly. It will be able to debate, vote and report on any matter available for devolution under the 1973 Act, which under direct rule is in the hands of the Secretary of State. It will also be able to express a view about legislation for Northern Ireland, both as regards the underlying principles and the detailed content (see paragraphs 34-5).

(d) Progress towards Devolution. Whether or not there is to be progress will be decided entirely by the Assembly. In this respect, these proposals differ sharply from the procedures which operated in 1973-4 (which left the Secretary of State to decide how power-sharing could be achieved). The Assembly will be able, at any time it so chooses, to propose to the Secretary of State either full-scale devolution or (if it prefers) the devolution of just some of the powers that are available for devolution (see para 39).

'The Government is not committed to, and does not favour, any particular arrangements' (para 42). What it has done is to lay down the essential principles that must be observed, and to devise certain very clear criteria that must be met before devolved powers can be transferred to the Assembly.

(e) Criteria for devolution. These criteria are readily intelligible and free from ambiguity. A full description can be found in paragraph 43. The main points were summarised by the Secretary of State as follows:

'If the Assembly sends to the Secretary of State proposals which have the support of 70% of the total membership of the Assembly, he will be required under statute to lay those proposals before Parliament for its consideration. He would also have discretion to present to Parliament proposals which did not command 70% support but which in his view enjoyed the support of both sides of the community in Northern Ireland' (Hansard, 5 April 1982 Col 692)

(f) Partial Devolution. No previous scheme for devolution in Northern Ireland made provision for the transfer to the Assembly of responsibility for the executive and legislative activities of individual government departments either singly or as a group. Under these proposals, one or more NI Departments (except for the Department of Finance and Personnel) could be devolved (with members of the Assembly taking over as ministers) while the remainder stayed under the control of the Secretary of State. All the affairs of such departments would then come under the Assembly within a dual system in which ministers responsible to Westminster and ministers responsible to the Assembly would both work. If such a system ceased to command the support of the Assembly, the dual arrangements would end and the devolved powers would roll back to the Secretary of State (see paragraphs 45-8).

(g) Full Devolution. This is the ultimate objective of these proposals. If and when cross-community support for a complete devolved government is achieved, a Northern Ireland executive consisting of not more than thirteen members will be appointed. All other matters relating to its composition and modus operandi will be settled by the general inter-party agreement on which the whole scheme depends (see paragraphs 51-2).

Conclusions. The proposals do not have to achieve complete success in their entirety in order to improve the government and administration of Northern Ireland. They may succeed in part or as a whole. If they succeed in part, such limited success will do nothing to hamper further achievements later on: on the contrary, it may well be a necessary stage on the road to the full implementation of this major constitutional reform. On the other hand, partial or full devolution can be tried and (if things go wrong) can fail without jeopardising the scheme as a whole. Further attempts can then be made when the time seems ripe. Therefore just as the scheme can survive less than total success, so it can also, if necessary, come to terms with failure particularly where devolution is concerned without the kind of dramatic upheaval which could destroy the whole operation.

Commenting on the scheme's prospects of survival, the white paper states (para 62): it is 'designed to be resilient so that strains and even reserves can be accommodated within the constitutional arrangements.

The Government hopes that the framework will enable the political parties in Northern Ireland to establish a basis of respect and confidence in each other on which political life there will develop'.

Conservative Research Department
32 Smith Square, LONDON SW1

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10 DOWNING STREET

From the Private Secretary

6 April 1982

Dear Stephen

Mike Hopkins wrote to me yesterday, recording certain changes from the Cabinet conclusions on the handling of your Secretary of State's proposals for Northern Ireland. He recorded your Secretary of State's intention to make a statement yesterday, and publish a White Paper, but to defer introduction of the Bill until after Easter, following consultation with colleagues over the weekend.

I understand that your Secretary of State this morning expressed a strong preference for holding to the original timetable for the Bill, under which he would have given notice today, leading to introduction and first reading tomorrow. We consulted the Prime Minister about this in the course of the morning, and she asked that your Secretary of State hold to yesterday's decision, with the result that the Bill should not be introduced before Easter. I understand that your Secretary of State accepted this decision.

I am sending copies of this letter to David Heyhoe (Lord President's Office), Murdo Maclean (Chief Whip's Office) and Michael Pownall (Government Whips' Office, House of Lords).

Yours ever

Mike Pattison

Stephen Boys-Smith, Esq.,
Northern Ireland Office.

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10 DOWNING STREET

Clive

Despite the attached letter,
Mr Prier remains determined
to introduce his Bill this
week - giving notice
tonight, and taking introduction
and first reading tomorrow.

F Pym vetoed this
yesterday. J Biffen is
hardly in a position to
lay down the law. PM will,
I fear, have to decide
whether Mr Prier gets his
way, or whether we have
a row.

MP

From: THE PRIVATE SECRETARY

CONFIDENTIAL

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ



Mike Pattison Esq
10 Downing Street
LONDON
SW1

- 1. ATC ^{5/4}
- 2. CAW ^{MW SW}

We arranged for this letter to go round, as the week-end's discussion amends a Cabinet decision.

5 April 1982

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MW 5/4

Dear Mike

NORTHERN IRELAND: A FRAMEWORK FOR DEVOLUTION

I am writing to confirm that, following discussion today with the Lord President, and with the agreement of the Prime Minister, my Secretary of State is announcing in the House this afternoon the publication of the White Paper today, but he will not be arranging for the First Reading and publication of the bill before Easter. The bill's timing will not, therefore, accord fully with what was anticipated at last Thursday's Cabinet meeting.

I am copying this letter to Private Secretaries to all members of Cabinet and to David Wright (Cabinet Office).

Yours sincerely
Mike Hopkins

M W HOPKINS

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PRIME MINISTER

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Northern Ireland

I attach the text of Mr Prior's statement. It went down well in the House.

Don Concannon expressed Opposition support for the fundamental aims. Labour favoured devolution, and the proposals were broadly in line with their thinking. But they were uncertain about timing. The improvement of social conditions and economic recovery needed greater attention, and might be a greater priority. But they supported elections. There was no better way of isolating the men of violence than encouraging the people to participate in the democratic process. He sought guidance on the timing of a bill: stressed the importance of preserving the powers of Westminster; drew attention to the problems of Heads of Northern Ireland Departments who might have two political masters; expressed regret that there was not more about the role of the Irish Republic; and ended by stressing that acceptability to both communities was central. Mr Prior said that he would welcome a debate on the White Paper ahead of a debate on the Bill, but thought it might be convenient for the House if the Bill was presented before the debate on the White Paper took place.

Mr Molyneux described it as shameful to launch an operation to erode the rights and privileges of British subjects on the day a task force departed to the Falkland Islands. The statement echoed an FCO statement on the Falkland Islands in December 1980. Mr Prior responded that this attitude degraded his party. It was a difficult day for the Government but the House owed it to the people of Northern Ireland to keep going on this course.

Ian Paisley predictably welcomed the elections but attacked what he saw as a 70% vote required to meet Unionists' wishes whilst a simple majority would suffice for those who wanted to destroy the position of Northern Ireland within the United Kingdom. Enoch Powell said that, as we stood on the brink of a perhaps grave and long-lasting conflict, it would be wise to allow mature time for the White Paper to be considered, before the Government committed itself to the form of legislation, or to a series of debates, which would promote disunity within the United Kingdom. Julian Amery echoed this warning

/against

against divisive steps at this stage, and supported the call for a debate before legislation.

Clive Solely, Russell Johnston, Neville Sandelson, Kevin McNamara, Tom Arnold and Brian Mawhinney all supported Mr Prior to varying degrees. Gerry Fitt wished him well. But with the OUU, SDLP, and the Eire Government having expressed total opposition, there was little hope of success if these groups renewed their electoral mandate. At this stage another failure would be disastrous for Northern Ireland. John Biggs-Davison, Harold McCusker, Peter Robinson and Philip Goodhart spoke to their well-known views. Albert Duffy asked why Mr Prior was so nervous of the Parliamentary tier for the Anglo/Irish Council. He wanted to know who had warned off Mr Prior.

Mr Prior answered that his experience showed that Members of the House would be very reluctant to give up any of their sovereignty. Responding to Brian Mawhinney's support, he thanked Mr Mawhinney for his help and advice over many months. Mr Prior hoped that some of the resistance from the Government side of the House could be mitigated by the step by step approach.

M. A. PATTISON

5 April, 1982

Business of the House

3.39 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Francis Pym): With permission, Mr. Speaker, I should like to make a short business statement.

The business on Wednesday 7 April will now be a debate on the Falkland Islands, on a motion for the Adjournment of the House.

Mr. Michael Foot (Ebbw Vale): I thank the right hon. Gentleman for his statement. It was clearly the desire of the House on Saturday that there should be a further debate at the earliest possible moment. However, in the light of the announcements made today, can the right hon. Gentleman tell the House who will be speaking for the Government in the debate?

Mr. Pym: I cannot answer that matter of detail at this moment. I assure the right hon. Gentleman that the Government's position will be put clearly and in a forthright way, as no doubt will that of the Opposition.

Northern Ireland (Political Developments)

3.41 pm

The Secretary of State for Northern Ireland (Mr. James Prior): I will, with permission, make a statement on political developments in Northern Ireland.

The Government have today published a White Paper setting out proposals for the election of an Assembly, which would provide a framework within which a devolved Government might again be set up in Northern Ireland. These proposals are designed to meet two objectives: first, to provide at once a means for greater democratic participation by the people of Northern Ireland in their own affairs; secondly, to give them the opportunity to evolve for themselves a form of government acceptable to them.

The Government propose that there should be an election later this year to a new Northern Ireland assembly. While consideration of the arrangements for a devolved administration will be its most crucial task, the Assembly will from its first day have important scrutinising, deliberative and consultative functions. It will be able to report on a wide range of topics, and its reports will be laid before Parliament. The Assembly will establish Committees corresponding to each of the Northern Ireland Departments to monitor and report on their policies and activities.

The Assembly will from the outset be empowered to recommend arrangements under which the whole or part of the full range of legislative and executive responsibilities, which were devolved in 1973, could be exercised by the Assembly and by a devolved administration answerable to it. If the Assembly sends to the Secretary of State proposals which have the support of 70 per cent. of the total membership of the Assembly, he will be required under statute to lay those proposals before Parliament for its consideration. He would also have discretion to present to Parliament proposals which did not command 70 per cent. support, but which in his view enjoyed the support of both sides of the community in Northern Ireland.

I should like to make two things clear: first, the parties in Northern Ireland will have wide discretion about the basis on which a devolved administration and Assembly might be formed and operate—Her Majesty's Government are not seeking to impose any particular system; secondly, the Government would not recommend any arrangements to Parliament unless they believed them to be acceptable to both sides of the Northern Ireland community. Stable government can come only from such acceptability. If Parliament approved the Assembly's recommendations, powers would be devolved by Order in Council.

The Assembly will have the option of moving to full devolution of powers from the outset or, if it seems easier to achieve agreement on devolving the responsibilities of only some Northern Ireland Departments, to make proposals for partial devolution.

The arrangements will be flexible in that partial devolution could lead to further or full devolution, and if the agreement on which devolution was based collapsed and could not be re-established it would be possible for the Assembly to revert to its scrutinising, consultative and deliberative functions, with the Secretary of State taking back other responsibilities.

Direct rule has served Northern Ireland well. It was, however, introduced as a temporary arrangement. It does not provide satisfactory political structures through which a divided community in Northern Ireland can make the necessary mutual accommodations to tackle its special problems. For Northern Ireland requires new political arrangements suited to its unique character. These must reflect the history of the Province and its long experience of devolved government and must recognise and respect the differences of identity and aspiration which exists there. The proposals in the White Paper take account of those circumstances. At the same time, they are firmly based upon Northern Ireland's position as a constituent part of the United Kingdom for so long as that is the wish of the people of Northern Ireland.

The Government are convinced that good relations with the Republic of Ireland are of great importance. These relations are for the sovereign Governments and Parliaments. It is for the London and Dublin Parliaments to consider whether the governmental meetings of the Anglo-Irish Intergovernmental Council should be complemented by an Anglo-Irish body at parliamentary level in which members of an elected Assembly in Northern Ireland could take part. In addition, it would remain open to a devolved administration in Northern Ireland to make such bilateral arrangements and agreements with the Government of the Republic as it wished concerning the matters for which it is responsible.

The problems of Northern Ireland are formidable. The evil of terrorism has struck at the lives and expectations of ordinary people, Catholic and Protestant alike, for far too long. The economic decline is more acute and more intractable than elsewhere in the United Kingdom. The Government believe that the defeat of terrorism, the recovery of the economy, and the establishment of effective political institutions go together and support one another. An end to the political deadlock of recent years offers the best hope of a sustained improvement in the economy and in security.

The proposals in the White Paper are fair and flexible. Like all proposals for Northern Ireland, they involve risk and controversy. The Government in no way underestimate the magnitude of the task or the strains any proposals will have to bear. But they also offer an opportunity which, with time and patience and the continued commitment and good will of Parliament, may be exploited to the advantage and relief of all the people of Northern Ireland.

Mr. J. D. Concannon (Mansfield): I thank the Secretary of State for presenting the White Paper to the House today. We hope that it will put an end to rumour and lead to a constructive debate about constitutional arrangements.

Is the Secretary of State aware that we agree on the pressing need for peace and reconciliation in Northern Ireland, and that we think it right that the people of the Province should be given opportunities for broader political participation? Does he accept that we favour devolution of political power to Northern Ireland, and that we find the proposals broadly in line with what we would wish to do and build on? However will he accept that the time is not altogether right for these proposals? Where economic and social conditions are so depressed, and

where one in five of the workers in Northern Ireland is on the dole, it is unlikely that there will be a wide or enthusiastic response to constitutional changes.

Does the Secretary of State recall that when we were in office we took the view that political progress would be lasting only if people had safe jobs and decent social conditions? Have not the Government, in choosing to go the other way, put the cart before the horse? Does the Secretary of State accept that far more attention should be devoted to creating jobs in Northern Ireland than to righting social wrongs?

Putting those doubts aside, we support the plan for the election for an Assembly, and we hope that Northern Ireland politicians will take part in the elections. Does the Secretary of State agree that there is no better way of isolating the men of violence than by participating in legitimate forms of political activity? From what the Secretary of State said, it appears that new legislation will be necessary. Can he say when that legislation will be published? Does he realise that we shall have many questions to ask, not least about the confusion that may occur when political heads of departments are responsible to two different Assemblies? We shall look for strong safeguards to prevent abuse of executive power and to protect minorities from discrimination? Additionally, we shall want to be assured about the ultimate power of Parliament and the ability of this House to debate Northern Ireland matters, even when power has been totally devolved.

Will the Secretary of State note our disappointment about how little has been said relating to the Irish Republic? Will he confirm that the only channels through which members of the Northern Ireland Assembly may partake in the Anglo-Irish dialogue will be the parliamentary tier of the Anglo-Irish Intergovernmental Council? If that is so, will he give the House an assurance that the Government will allow time for the House to debate the merits of a parliamentary tier to that council? Further, will he look into the possibilities of allowing Northern Ireland representatives to take part in the Anglo-Irish council at other levels, pending the introduction of the parliamentary tier? We give a cautious welcome to the White Paper, and will the Secretary of State accept the Opposition's wholehearted endorsement of the theme of his statement and of the White Paper that all new structures of government in Northern Ireland must be acceptable to both sides of the community?

Such a principle must lie at the centre of our deliberations on this subject.

Finally, is it the Government's intention to have a separate debate on the White Paper? That would have a great deal of support in the House.

Mr. Prior: I am grateful for the support that the right hon. Member for Mansfield (Mr. Concannon) has given to some of the proposals in the White Paper. I recognise that any Minister seeking to embark on a course of trying to restore political stability to the people of Northern Ireland is bound to find certain areas of controversy. The more that I can win and hold the support of all hon. Members, the better it will be for the people of Northern Ireland to see that we are determined to press ahead sensibly and that we are prepared to leave to the people of Northern Ireland as much as we can.

Economic stability and prosperity go hand in hand with the political and security situations. One cannot achieve

[Mr. Prior]

the one without at the same time seeking by every means possible to deal with the other two. The economic situation in Northern Ireland has deteriorated and continues to deteriorate. Regrettably, part of the reason for that is the lack of political stability in the North of Ireland as a whole.

Subject to what my right hon. Friend the Leader of the House might have to say, I would welcome a debate on the White Paper before debating the Bill, but I think that, in a matter which concerns the transfer of powers and fitting the new proposals into the context of the Northern Ireland Constitution Act 1973, it would be convenient if the House had the Bill presented to it before the White Paper debate. We would then have both in front of us even if we had, as we should, a separate debate on the White Paper.

I can confirm that it is for the Parliaments of the Republic and the United Kingdom to reach a decision about the parliamentary tier, but I hope that Members of the Assembly would be able to take part in any arrangement that is made. This ought to be a gradual process, and it is one on which all parties in the House and perhaps in the Parliament of the Republic will want to proceed with care if it is to be successful and if we are to remove the suspicions which will otherwise surround the initiative. There will also be opportunity for debates on those matters.

Mr. James Molyneux (Antrim, South): On the very day that the Armed Forces of the Crown are embarking on an expedition to free British subjects from foreign domination in the South Atlantic, is it not utterly shameful that a Minister of the Crown should come to the House on the pretext of improving internal government in part of the United Kingdom and launching an operation to erode the rights and privileges of British subjects within the United Kingdom, and in so doing using almost the same terminology as that employed in the statement on the Falkland Islands made by a Foreign Office Minister in the House in December 1980?

Mr. Prior: The hon. Gentleman does himself, his party and his fellow countrymen a grave disservice by such remarks. It could be interpreted that on a difficult day for the Government—we all know that it is a difficult day for the Government—we still thought that it was right in the interests of the people of Northern Ireland that we should face up to the difficulties as we are. I admire the people of Northern Ireland and I do not wish the hon. Gentleman's statement to detract from anything that happens in Northern Ireland or from all the great successes and contribution of British soldiers and the security forces in Northern Ireland.

Rev. Ian Paisley (Antrim, North): I welcome the Secretary of State's proposal for an elected Assembly in Northern Ireland with the powers that were envisaged in the convention report, but does he not recognise that the different valuation that he proposed to put on the religious and political colour of votes in the Assembly is repugnant to democracy in Northern Ireland? Will the right hon. Gentleman explain why a 70 per cent. vote is demanded of the Unionist people who do not want power sharing of a united Ireland, but only 50 per cent. plus is demanded of those who will not even recognise the security forces

that the right hon. Gentleman has praised but who want to destroy the position of Northern Ireland within the United Kingdom?

Will the right hon. Gentleman explain why the Assembly is not to be given its proper freedom to appoint or not to appoint people to the Council of Ireland? Surely the Assembly itself has a right to make a decision on such an important matter.

Mr. Prior: Paragraph 4 of the introduction to the White Paper states:

"The Government's proposals do not require any group in Northern Ireland to compromise its deeply held beliefs. They provide an opportunity for both sides to create a workable form of government in the interests of the common good and in the face of the urgency of the Province's problems. It will be for the people elected to a Northern Ireland Assembly to decide whether they are prepared to adopt this approach."

If it is the case, as the hon. Gentleman suggests, that the people are not prepared to move forward to a form of devolved government which involves both sides of the community, either through a 70 per cent. vote, or, as I have suggested, by something less which still has cross-community support, a devolved Government will not come into being. But there are other important matters that an Assembly in Northern Ireland could still undertake. It is in the spirit that there has to be some movement and compromise if Northern Ireland is to escape its problems that we are putting the proposals for an evolving form of devolution before the House.

Mr. J. Enoch Powell (Down, South): At a time when the United Kingdom is on the brink of a conflict which may be both grave and long lasting, would it not be wise for the Government, having presented their White Paper, to allow mature time for it to be considered by the House and all those concerned in Northern Ireland before they committed themselves to the form of legislation or introduced a series of debates in the House and in Northern Ireland which might have the effect of creating division when unity is what is needed in the coming weeks?

Mr. Prior: No one will do more than I to seek greater unity. I shall do all that I can to sustain and promote such unity. I believe that the unity of the United Kingdom is a great aim and goal to be protected and preserved at all costs.

On the question of debates, I recognise that this is an important matter for the House and the country. We should see how we get on. I do not think that we need to rush things unduly, but, at the same time, there are some who have suffered for many years. Are we to neglect their problems because of events in other parts of the world? We have a responsibility for the whole of the United Kingdom, and it is a responsibility which we shall discharge.

Mr. Julian Amery (Brighton, Pavilion): Is my right hon. Friend aware that his proposals seem likely to be deeply divisive, not only in Northern Ireland, but in the House and, I suspect, in the Conservative Party? Is he aware that they will be seen partly as implying Government support for the idea of a united Ireland and as leading inevitably to an encouragement of a revival of the devolutionist movement in Scotland and Wales?

May I join the right hon. Member for Down, South (Mr. Powell) in urging my right hon. Gentleman to let us debate the White Paper at leisure before there is any question of legislation being tabled so that he may take the feeling of the House before he finally commits himself?

*Stinks Pr 44
Ireland*

NORTHERN IRELAND: ADVANCE COPIES 18

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MR MORIARTY *M G L Angel*
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HD/NEWS DEPT DIO

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~~RESIDENT CLERK~~

GROUPS 275

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FROM DUBLIN 051500Z APRIL 1982.

TO IMMEDIATE F C O DESKBY 051600Z

TELEGRAM NUMBER 92 OF 05 APRIL.

AND TO IMMEDIATE N I O BELFAST DESKBY 051600Z APRIL

AND TO PRIORITY INFO WASHINGTON AND BIS NEW YORK.

IMMEDIATE

ADVANCE COPY

WHITE PAPER ON NORTHERN IRELAND: IRISH GOVERNMENT STATEMENT.

1. FOLLOWING IS THE TEXT OF THE STATEMENT TO BE ISSUED BY THE GOVERNMENT THIS AFTERNOON ABOUT THE WHITE PAPER ON NORTHERN IRELAND.

BEGINS

THE GOVERNMENT HAVE JUST RECEIVED THE BRITISH GOVERNMENT'S WHITE PAPER ON DEVOLVED GOVERNMENT FOR NORTHERN IRELAND AND WILL STUDY IT IN DETAIL.

IT IS AT ONCE APPARENT, HOWEVER, THAT THE PROPOSALS CONTAINED IN THE WHITE PAPER CONFORM VERY CLOSELY TO THE DESCRIPTIONS GIVEN BY MR. PRIOR, THE NORTHERN IRELAND SECRETARY, IN THE COURSE OF HIS

IN THE WHITE PAPER CONFORM VERY CLOSELY TO THE DESCRIPTIONS GIVEN BY MR. PRIOR, THE NORTHERN IRELAND SECRETARY, IN THE COURSE OF HIS CONSULTATIONS WITH THE MINISTER FOR FOREIGN AFFAIRS LAST WEEK IN LONDON.

THIS BEING SO, THE GOVERNMENT CAN ONLY CONFIRM THEIR VIEW AS TO THE UNWORKABLE NATURE AND THE MISTAKEN FOCUS OF THE PROPOSALS. THEIR UNWORKABILITY IS EMPHASISED BY THE REACTION OF THE NORTHERN IRELAND POLITICAL PARTIES. THE GOVERNMENT CONSIDER THE WHOLE FOCUS OF THE WHITE PAPER - WHICH SERVES THE AIM OF ELABORATING A FORM OF DEVOLVED ADMINISTRATION IN AND FOR NORTHERN IRELAND ALONE - TO BE MISTAKEN BECAUSE, IN THEIR VIEW, IT IGNORES THE BROADER DIMENSIONS OF THE PROBLEM. IT IS THE GOVERNMENT'S VIEW THAT ONLY POLICIES DESIGNED TO PROMOTE PEACE, STABILITY AND RECONCILIATION BETWEEN THE TWO MAJOR IRISH TRADITIONS, AND TO DEVELOP THE TOTALITY OF RELATIONS WITHIN THESE ISLANDS, CAN CONTRIBUTE TO A TRUE SOLUTION OF NORTHERN IRELAND'S DIFFICULTIES. SUCH POLICIES SHOULD BE BROUGHT FORWARD THROUGH THE OPERATION OF THE ANGLO-IRISH INTERGOVERNMENTAL COUNCIL AND, IN PARTICULAR, THROUGH THE ROLE OF AN ANGLO-IRISH PARLIAMENTARY INSTITUTION IN WHICH NORTHERN IRELAND REPRESENTATIVES PARTICIPATE.

THE FUNDAMENTAL OBJECTIVE OF GOVERNMENT POLICY REMAINS THE ACHIEVEMENT OF A UNITED IRELAND BY PEACEFUL POLITICAL MEANS.

ENDS.

TATHAM.

NNNN

SENT/RECD AT 051541Z HMT/IA

MR. PATTISON

MAP

NORTHERN IRELAND

You raised the question of whether the draft Bill should be annexed to the White Paper. After some discussion with the Northern Ireland Office in the course of today, I have confirmed to Mr. Boys Smith the Prime Minister's view - namely that the statement and the White Paper should go ahead on Monday without a Bill. If Members expressed a wish to see a Bill before debate, the Northern Ireland Secretary should undertake to publish one (without at this stage saying whether it would be a Bill in proper form or a draft).

A.J.C. 4/4.

4 April 1982

MR. COLES

h.a. 10/24

OUTSTANDING POINTS FOR DECISION

NORTHERN IRELAND

In the light of today's Commons debacle, Ministers re-considered the wisdom of the plans for handling the Northern Ireland Statement/White Paper/Bill on Monday. Ministers were conscious that the group most unhappy about Government proposals on Northern Ireland were by and large those most unhappy about the Falklands.

At the Prime Minister's request, the Home Secretary spoke on the telephone to the Northern Ireland Secretary. The Northern Ireland Secretary readily accepted the Parliamentary problem, and said that he was ready to proceed on whatever basis his colleagues wished on Monday.

Final decisions were not reached. All seemed agreed that the statement and White Paper should go ahead on Monday, but doubts remained as to whether the Bill should be introduced. One alternative would be to contemplate annexing a draft Bill to the White Paper. Another would be to leave the Bill aside until a debate had taken place following publication of the White Paper.

Adrian

You need to try to pin down arrangements in the course of Sunday. The main difficulty will arise if the Prime Minister wants to adopt the draft Bill strategy, because this will require the re-printing of the Bill in a different form. Either of the other options can be handled with no new printing arrangements.

FALKLAND ISLANDS COUNCILLOR

The Falkland Islands office telephoned this morning, to say that the Hon. John Cheek, an elected member of the legislative council, was in the country. He was to be in the House for the debate under the care of Mr. Eric Ogden and Mr. Nigel Fisher. He would be pleased to see the Prime Minister at her convenience.

Adrian

I took delivery of the message and have told the Prime Minister of this. She seems inclined to see him, but I have not had an

/opportunity

opportunity to pin it down nor have I been back to the Falkland Islands Office.

DEBATE

The Opposition have formally requested a debate next week in Government time. They have said that they wish this to be on a Motion for the Adjournment, but that they would reach a final view on this in the course of Monday. Ministers agreed to concede a debate. It cannot now be held on Monday but Ministers have not finally decided between Tuesday and Wednesday. Wednesday is most likely.

The Opposition expect to field Healey and Silkin. Government speakers are undecided. Ministers are clear that two Cabinet Ministers must speak for the Government. Mr. Nott made it clear to colleagues that he would quite understand if they did not wish to put him up again. The Prime Minister said that she felt it necessary for him to tackle the House again. It seems that we need to choose two from the Prime Minister, Nott and Atkins. Final decisions can wait until Monday, but Mr. Nott is keen to know whether he is to speak. If he and the Prime Minister end up as the speakers, his office hope that it will be possible to work more closely together on the speeches than happened in preparation for today. This was not intended as a complaint, but simply a feeling that the speech writing process in the two offices left the Prime Minister and Mr. Nott with slightly different factual information and appreciations of developments, with the result that they were not really working from a consistent base in the House today.

PM later confirmed that she wants Mr Nott to speak, but remains open-minded about the second speaker. She will wait to consult Pym & Torling on Monday. You shd confirm to MoD that she wants JN to speak.



1 (MAP)
2 (A) M
Northern Ireland Office

Great George Street, London, SW1P 3AA
Telephone 01-233-3346/3766/8844/4419

Fed 2505

*With the Compliments
of the
Parliamentary Clerk*



NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

2 April 1982

I attach a copy of the draft
Statement which our Secretary of
State intends to make on MONDAY,
for your information. A copy of the
final version will be circulated on
Monday.

S. Clancy

DRAFT STATEMENT

1. Speaker I will, with permission, make a statement on political developments in Northern Ireland:

2. The Government has today published a White Paper setting out proposals for the election of an Assembly which would provide a framework within which a devolved government might again be set up in Northern Ireland. Tomorrow I will present to this House a Bill which, if enacted, will implement these proposals.

3. The Government proposes that there should be an election later this year to a new Northern Ireland Assembly. While consideration of the arrangements for a devolved administration will be its most crucial task, the Assembly will from its first day have important scrutinising, deliberative and consultative functions. It will be able to report on a wide range of topics and its reports will be laid before Parliament. The Assembly will normally have the opportunity to comment on draft Orders in Council and I am sure the House will wish to take careful account of those comments. The Assembly will establish Committees corresponding to each of the NI Departments to monitor and report on their policies and activities. The composition of each Committee and the allocation of Chairmanships and Deputy Chairmanships will reflect, as far as practicable, the overall party representation in the Assembly.

4. The Assembly will from the outset be empowered to recommend arrangements under which the whole or part of the full range of legislative and executive responsibilities which were devolved in 1973, could be exercised by the Assembly and by a devolved

administration answerable to it. If the Assembly send to me proposals which have the support of 70% of the total membership of the Assembly I shall be required under statute to lay those proposals before Parliament for its consideration. I should also have discretion to present to Parliament proposals which did not command 70% support but which in my view enjoyed the support of both sides of the community in NI. I wish to make two things absolutely clear: first, the parties in Northern Ireland will have very wide discretion about the way in which a devolved administration and Parliament might be formed and operate - HMG is not seeking to impose any particular system; secondly, the Government would not recommend any arrangements to Parliament unless they believed them to be acceptable to both sides of the Northern Ireland community. Stable government can only come from such acceptability. If Parliament approves the Assembly's recommendations, powers would be devolved by Order in Council.

5. The Assembly will have the option of moving to full devolution of powers from the outset or, if it seems easier to achieve agreement for devolving the responsibilities of only some Northern Ireland Departments, to make proposals for partial devolution. In reaching the agreement on which its proposals are based, the Assembly will be free to consider appointments to head the Northern Ireland Departments and how executive powers should be exercised. In making executive appointments the Secretary of State would have regard to the agreement which led to devolution.

6. The arrangements will be flexible in that partial devolution could lead on to further or full devolution. And if the agreement on which devolution was based collapsed and could not be re-established it would be possible for the Assembly to revert to its scrutinising, consultative and deliberative functions, with the Secretary of State taking back other responsibilities.

7. Northern Ireland history, including its experience of devolved government and the composition of its community, require political arrangements suited to its unique character. The White Paper setting out the Government's proposals, while in no way jeopardising Northern Ireland's position as a constituent part of the United Kingdom, recognises and respects the differences of identity and aspiration which are to be found within the Northern Ireland community. The Government is convinced that good relations with the Republic, which can be furthered through the Anglo-Irish Intergovernmental Council, are of great importance. These relations are for the sovereign governments. In addition it would be open to a devolved administration in Northern Ireland, to make such bilateral arrangements and agreements with the Government of the Republic as it wished concerning the matters for which it was responsible.

/ 8.

8. Direct rule has served Northern Ireland well. It was, however, introduced as a temporary arrangement. It cannot provide satisfactory ~~democratic~~ political structures through which the people of Northern Ireland can best tackle their special problems. These problems are formidable: not only the scourge of terrorism but the burden of economic difficulties substantially more acute than those in the rest of the United Kingdom. The Government believes that in Northern Ireland the defeat of terrorism, the improvement of the economy and the establishment of effective political institutions go together and support each other.

9. There are no easy solutions in Northern Ireland. Controversy and risk are the only certainties. But the Government is confident that these fair and flexible proposals will provide a new opportunity for the people of Northern Ireland to take greater responsibility in running their own affairs [and to put politics in place of violence].

APR 1992



Ireland

Ref. A07979

PRIME MINISTERNorthern Ireland: A Framework for Devolution

(C(82)6)

BACKGROUND

On 25 March OD invited the Secretary of State for Northern Ireland to bring his proposals for constitutional development to the Cabinet, together with his draft White Paper revised in the light of the discussion. The discussion suggested that, since the last discussion in OD, the balance in the Committee had swung in favour of accepting that the Secretary of State should be authorised to proceed with his proposals, but you in particular still had considerable misgivings. The Committee thought that the Cabinet paper should address the handling of the 'West Lothian' question, in view of the decision to end the under-representation of Northern Ireland at Westminster; and that Part 6 of the White Paper, on relations between the United Kingdom and the Republic of Ireland, should if possible be omitted or essential points from it included elsewhere.

2. The Secretary of State's Cabinet paper deals with the implications for Scotland and the West Lothian question (paragraphs 14 and 15), and he has amended the White Paper to omit Part 6, including elements from it in Part 3 (paragraphs 3.9, 3.10 and 3.11). The rest of the White Paper is virtually identical with that considered by OD except that:

- (a) a change has been made in paragraph 2.1 to sharpen up the point about the uniqueness of Northern Ireland;
- (b) there has been some re-arrangement in paragraphs 2.4 and 2.5 and a reference to flexibility taken out of paragraph 2.7;
- (c) some consequential amendments have been made in the summary and conclusions.

3. The Foreign and Commonwealth Secretary and the Secretary of State for Industry will not be present as both will be abroad.

HANDLING

4. You will wish to invite the Secretary of State for Northern Ireland to introduce his memorandum. Discussion should then cover the following points:

- (a) Do the Cabinet accept the Secretary of State's view that some movement towards devolution in Northern Ireland needs to be made in the lifetime of the present Parliament, in order to break the deadlock there which is damaging the security situation, the economy and international confidence? Or do they regard such movement as likely to fail, to damage the Union and therefore not to be worth trying? This is the fundamental question on which members of the Cabinet who were not present at the earlier OD discussions will wish to comment.
- (b) If the Cabinet do favour the Secretary of State's proposals, are they prepared to agree that legislation should be introduced now, with the aim of passing the Bill into law before the Summer Recess in order to enable elections to an Assembly to be held in the autumn? Do the Cabinet agree that momentum will be lost unless the new initiative is launched now? Do they accept the Secretary of State's reason for rejecting holding elections to the Assembly on the basis of existing legislation pending a Bill next session (paragraph 13 of C(82)6)?
- (c) Do the Cabinet consider that any consequential constitutional problems, particularly for Scotland and Wales, could be contained? The Secretaries of State for Scotland and Wales should be invited to comment.
- (d) Is the balance of the White Paper now about right, in particular on the references to relations between the United Kingdom and the Republic, Northern Ireland and the Republic and Parliamentary links? Do the Cabinet accept the Secretary of State's view that some reference to relations with the Republic must be included if the document is not to be rejected by the Catholic minority? If so, are reference to relations with the Republic must be included if the document is not to be rejected by the Catholic minority?



paragraphs 3.9 to 3.11 about right, or are they still too "green"? If you feel that they still go too far, you may like to consider the attached draft of a single paragraph 3.9, to replace the existing paragraphs 3.9 to 3.11: it consists even more severely of a recital of facts and existing statements.

CONCLUSION

5. You will need to judge whether there is a consensus in the Cabinet that, despite the risks and the possibility of failure, the Secretary of State's proposals are better than doing nothing. If there is, the Cabinet conclusions should record their acceptance of the proposals, and should invite the Secretary of State for Northern Ireland to take account of any proposals for drafting changes which have been agreed in the lack of discussion, and to introduce a Bill in the current session of Parliament.

ROBERT ARMSTRONG

*(approved by Sir R. Armstrong
and signed on his behalf).*

31st March 1982

DRAFT REVISION OF PARAGRAPH 3.9

3.9 Relations between both sides of the Northern Ireland community inevitably influence and are affected by relations between the United Kingdom and the Republic of Ireland. At governmental level these relations are now in general conducted within the ambit of the Anglo-Irish Intergovernmental Council established at the meeting between the Prime Minister and the then Taoiseach on 6 November 1981. If a devolved government came into being in Northern Ireland, it would under existing statutory provisions be able to make with the Government of the Republic such bilateral arrangements and agreements within the field of transferred functions as it might consider appropriate and in the interests of Northern Ireland. The joint communiqué issued after the meeting of 6 November 1981 recorded the agreement of the Prime Minister and the then Taoiseach "that it would be for the Parliaments to consider at an appropriate time whether there should be an Anglo-Irish body at parliamentary level comprising members to be drawn from the British and Irish Parliaments, the European Parliament and any elected assembly that may be established for Northern Ireland" None of these arrangements pose any threat whatsoever to the position of Northern Ireland as a constituent part of the United Kingdom.

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FM WASHINGTON 291725Z MAR 82

TO IMMEDIATE F C O

TELEGRAM NUMBER 1014 OF 29 MARCH

AND TO NIO LONDON

INFO NIO BELFAST, C G NEW YORK, BIS NEW YORK

PS TO PM. NO 10 DOWNING STREET.

INFO SAVING DUBLIN, OTHER C G'S IN THE USA.

NORTHERN IRELAND: VISIT OF MR PRIOR.

1. WE HAVE BEEN WORKING ON PLANS FOR THE VISIT WHICH I HOPE MR PRIOR WILL MAKE HERE IN ORDER TO EXPLAIN THE GOVERNMENT'S INITIATIVE ON NORTHERN IRELAND TO THE U.S. GOVERNMENT, CONGRESS AND THE MEDIA. I RECOMMEND THAT MR PRIOR SHOULD COME AS SOON AS CONGRESS REASSEMBLES AFTER THE EASTER RECESS IE IN THE WEEK BEGINNING 19 APRIL. I UNDERSTAND THAT HE WOULD ONLY BE ABLE TO GET AWAY FOR THREE DAYS BUT THAT SHOULD GIVE HIM AMPLE OPPORTUNITY FOR A WORTHWHILE PROGRAMME CONCENTRATING ON WASHINGTON AND NEW YORK. IN WASHINGTON, THE PRINCIPAL TARGETS WOULD BE THE ADMINISTRATION AND CONGRESS, AND TO A LESSER EXTENT THE MEDIA. IN NEW YORK, THE MAIN TARGETS WOULD BE THE MEDIA. WE WOULD ALSO TRY TO ARRANGE FOR MR PRIOR TO MEET U.S. INDUSTRIALISTS WITH AN INTEREST OR POTENTIAL INTEREST IN NORTHERN IRELAND. WE WOULD TRY AND FIND OPPORTUNITIES BOTH IN WASHINGTON AND NEW YORK FOR MR PRIOR TO MAKE A SPEECH, WHOSE THEME MIGHT BE POLITICAL IN WASHINGTON AND ECONOMIC IN NEW YORK. GIVEN THAT PRINCESS ALEXANDRA WILL BE HERE FROM 21-23 APRIL, IT WOULD BE ADVISABLE FOR MR PRIOR TO COME TO WASHINGTON BEFORE NEW YORK, AT THE BEGINNING OF THE WEEK. ON THE ABOVE BASIS, AN ILLUSTRATIVE PROGRAMME FOR MR PRIOR MIGHT BE AS FOLLOWS:

MONDAY 19 APRIL

1515 ARRIVE WASHINGTON (DULLES) ON BA 277. THERE IS NO DIRECT CONCORDE FLIGHT ON THAT DAY.

AFTERNOON POSSIBLE TV/RADIO INTERVIEW
NO FORMAL EVENING ENGAGEMENT

TUESDAY 20 APRIL

MEETINGS WITH THE ADMINISTRATION (WE WOULD SEEK CALLS ON SECRETARY HAIG AND ON JUDGE CLARK)

MEETING WITH THE FRIENDS OF IRELAND GROUP IN CONGRESS; POSSIBLE INDIVIDUAL MEETINGS WITH LEADING CONGRESSMEN. MEETING WITH U.S. LABOUR LEADERS.

?PUBLIC SPEECH EG AT LUNCHTIME

MEETING WITH BRITISH PRESS

DINNER: WE MIGHT AIM AT A SMALLISH DISCUSSION DINNER.

WEDNESDAY 21 APRIL

A.M. FLY TO NEW YORK. MR PRIOR'S PROGRAMME IN NEW YORK WOULD CONSIST OF MEDIA ENGAGEMENTS (MOSTLY RADIO AND TV INTERVIEWS, DETAILS OF WHICH WERE SET OUT IN HALL'S TELELETTER TO INFORMATION DEPARTMENT OF 5 MARCH). NEW YORK WOULD ALSO PROPOSE TO ARRANGE A LUNCH FOR MR PRIOR TO MEET SENIOR EDITORS AND COMMENTATORS. THERE MIGHT ALSO BE A SPEAKING ENGAGEMENT, PROBABLY IN THE EVENING AND THIS MIGHT HAVE AN ECONOMIC THEME. CG NEW YORK WOULD ALSO ARRANGE FOR MR PRIOR TO MEET U.S. INDUSTRIALISTS (POSSIBLY OVER A MEAL).

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/THURSDAY

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THURSDAY 22 APRIL

A.M. ?INTERVIEW ON NETWORK BREAKFAST TV PROGRAMME
1130 DEPART NEW YORK BY BA CONCORDE
1815 (UK TIME) ARRIVE LONDON HEATHROW.

2. NIO HAVE ASKED WHETHER IT WOULD BE A GOOD IDEA IF MR NICHOLAS SCOTT WERE TO VISIT THE UNITED STATES AT THE SAME TIME AS MR PRIOR, BUT VISITING OTHER POSTS. AFTER CONSULTING POSTS WE THINK THAT IT MIGHT BE BETTER FOR MR SCOTT TO COME HERE SEPARATELY, SOME TIME AFTER MR PRIOR EG IN CONNEXION WITH THE NORTHERN IRELAND ASSEMBLY ELECTIONS. WE WOULD HAVE A BETTER CHANGE OF MAKING AN IMPACT ON THE MEDIA IF WE SPREAD THE EFFORT SO THAT WE HAVE
(A) BRIEFING OF U.S. PRESS: INTERVIEWS ETC CONDUCTED IN LONDON AT THE TIME OF THE INITIATIVE IS LAUNCHED:
(B) VISIT OF MR PRIOR LATER IN APRIL:
(C) VISIT BY MR SCOTT, TAKING IN THE OTHER U.S. POSTS, EG BOSTON AND THE WEST COAST, IN THE AUTUMN.

3. YOU SHOULD ALSO KNOW THAT A GROUP FROM THE FRIENDS OF IRELAND PLAN TO VISIT THE REPUBLIC AND NORTHERN IRELAND AT THE END OF MAY. THE GROUP WILL PROBABLY BE LED BY TOM FOLEY (THE HOUSE MAJORITY WHIP). OTHER PARTICIPANTS ARE LIKELY TO INCLUDE CONGRESSMAN JIM SHANNON (D-MASSACHUSETTS) AND CHARLES DOUGHERTY (R-PENNSYLVANIA) AND POSSIBLY SENAOR DODD (D-CONNECTICUT). THE GROUP WILL PROBABLY SPEND NO MORE THAN TWO DAYS IN NORTHERN IRELAND (WE HAVE WARNED THEM THAT 31 MAY IS A PUBLIC HOLIDAY). THEY WILL WISH TO SPEND TIME WITH HAROLD MCCUSKER (WHOM FOLEY, DODD AND SHANNON KNOW WELL AND LIKE) AND SOME TIME WITH JOHN HUME. THEY ALSO HOPE TO CALL ON MR PRIOR.

FCO PASS SAVING DUBLIN

HENDERSON

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- PS/LORD TREFGARNE
- PS/MR LUCE
- PS/PUS
- MR WRIGHT
- MR GIFFARD
- MR ADAMS
- MR BULLARD
- MR GOODISON
- LORD N G LENNOX
- MR URE

ADDITIONAL DISTRIBUTION
NORTHERN IRELAND

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NOT FOR PUBLICATION OR REFERENCE
TO CONTENT BEFORE TIME OF DELIVERY

Speech by the Rt. Hon. J. Enoch Powell, M.P.,
at the Annual Conference of the Greater London
Young Conservatives at the Westcliff Hotel,
Westcliff-on-Sea, Essex, at 1.15 p.m. on
Saturday, 27th March, 1982

I bring to you a call for help from the hardest pressed of all the parts of our country, from the smallest of its provinces, gallant Ulster, whose people - our fellow subjects in the United Kingdom - have for ten years and more lived in the shadow not only of terrorism but of repeated and determined attempts to take from them their birthright as British citizens.

Before I deliver the message, I must explain the nature of their danger. It is perilously little understood, even in high places. It is not an inveterate quarrel or conflict between Protestants and Roman Catholics. Both these yearn for peace and safety, both know how to live together in their common country, and both can rely on their rights and privileges being protected by the Parliament of this United Kingdom. Nor is the danger that of private para-military bodies. Those who foolishly or criminally try to protect themselves and others by usurping the use of force which lawfully belongs to the Crown alone, are a negligible factor, reacting to events, not causing them. The danger is not even the IRA in itself. The IRA alone, despite the money and material which it obtains from robbery or sympathisers, would long ago have brought to an end the campaign which opened in 1971, as it has brought other campaigns to an end before, if it were not being used as an instrument by much greater powers of a very different kind. It is those other powers, united in a joint intention to eliminate Ulster as part of the United

Kingdom, which are Ulster's real danger - and the United Kingdom's.

It has for years been the object and determination of American defence policy to bring the whole island of Ireland into the framework of the North Atlantic Alliance, to which its value both for the positioning of missiles and for commanding the eastern Atlantic needs no explanation. The obstacle has always been the existence of Ulster as part of the United Kingdom; for the Irish Republic, from the beginning of NATO in 1949, consistently made it clear that only if the border was abolished would it be possible to accede to the Alliance. To bring the fulfilment of that condition about, therefore, has been, and is, the understood agreed aim of the American State Department, of the British Foreign Office, and naturally of the Irish Republic. The method chosen for achieving it is to create a separate political set-up in Ulster, which can be drawn or forced by stages into a pre-arranged common framework with the Irish Republic and then separate it from Great Britain. Until that is achieved, the confederates will ensure that the pressure of terrorism and violence upon the people of Ulster and upon successive British governments is not relaxed.

They have scored substantial advances already. In 1979 an agreement was made at official level and sealed by the meeting between Mrs Thatcher and Mr Lynch, whereby the Republic's "co-operation" against the IRA was to be repaid by "political progress" in Ulster, which Mr Lynch publicly explained was "the first step" to the unification of Ireland. A year later the meeting between Mrs Thatcher and Mr Haughey in Dublin produced a communique, drafted weeks previously by British, Irish and American officials in concert, which formally acknowledged the role of the Republic in the internal affairs of Ulster on the basis of "the totality of relationships within these islands".

Last November the plan was carried a stage further between Mrs Thatcher and Dr FitzGerald, who agreed that all future relations between the two countries would be within an Anglo-Irish Council. This would have a parliamentary tier, in which Ulster would participate as a distinct and separate third party. It is in order to establish this tier before the next prime ministerial meeting programmed for May, that a date in April for electing an Ulster assembly was ringed in the diaries of officials of the Northern Ireland Office before the end of last year.

It is no accident that this accelerating process has been accompanied, like a refrain, by the resumption of terrorist activity, which had diminished to low levels in 1977-79, and has been punctuated by outrages like the murder of the Strong's and crises like the hunger strike, which kept up the pressure upon the British government, whenever it showed hesitation or delay in paying the agreed political price for the imaginary "co-operation" of the Irish Republic.

The operation is conducted, as are similar operations of American statecraft in other parts of the world, at two levels - "clean" officialdom and thuggery. Not that the officials who conduct the "clean" part of the operation think it necessary to explain to their nominal political chiefs - even presidents of the United States - the true significance of the pattern of the carpet which they unroll for them to walk along. I want to make it clear that I acquit the Prime Minister of any shadow of insincerity in those declarations of reassurance to Ulster which she has repeatedly made. I do not believe for a moment that she is a conscious or intending party to the process in which she has herself partaken, designed to lever Ulster out of the United Kingdom. Neither do I believe that Humphrey Atkins or Jim Prior have known, let alone approved, of the shameless intrigues by officials of their Department, who for months have been using the resources of bribery and blackmail to "soften up"

the Ulster political parties for acquiescing in the next political initiative or to smash them if they do not.

Nevertheless, it is understood that the Cabinet are about to consider proposals to create in Ulster an elected set-up which will have no actual powers but on which powers can be progressively conferred upon condition that they are exercised jointly by those elected to represent opposite political objects. To say that in Britain unemployment will fall and law and order will be restored if only Margaret Thatcher and Tony Benn form a coalition would be less manifestly absurd. Yet this plan, according to the Secretary of State, is the only way to bring back peace and promote economic recovery in Ulster.

Many newspapers, and notably an excellent series of leaders in the Daily Telegraph, have pointed to the hopeless^{ness} and the danger of thus repeating once more, with different details but the same essentials, a political initiative which has been attempted and predictably collapsed in disaster before. What has not been understood is the sinister causation of this apparently inexplicable persistence. This time the international confederacy which has prepared and laid the trap will spare no effort to ensure that Ulster is precipitated into a turmoil from which they believe a united Ireland within NATO can be made to emerge.

And now the moment has come for me to deliver to you the message of those I represent. It is this. "We do not believe that you, our fellow countrymen, will knowingly be the accomplices of those who intend by guile and terror to sacrifice Ulster to their purposes. In the end they will fail, as every attempt to take the Ulsterman's birthright from him has failed. But only you stand between us and an endless vista of violence and conflict, terrible for us and disgraceful for Britain. Open your eyes, before it is too late, and do not force upon us something which you would never for a moment accept for yourselves".

Ref. A07908

PRIME MINISTER

Northern Ireland: Constitutional Development

(OD(82) 13 and 14)

BACKGROUND

When the Secretary of State for Northern Ireland brought his proposals for constitutional development to OD on 16th February, opinion in the Committee was less than enthusiastic on their merits and clearly against the Secretary of State on the timing of their introduction.

2. On their merits, some Ministers feared that the proposals would divide the Conservative Party, because they would be seen as a step towards separation of Northern Ireland from the United Kingdom. Devolution to Northern Ireland was regarded as inconsistent with the decision to increase the Province's representation at Westminster from 12 to 17 MPs. The creation of a Northern Ireland Assembly was seen as raising again the "West Lothian Question" - the problem of a class of MPs able to vote on questions affecting Great Britain where the relevant powers for Northern Ireland had been devolved. Doubts were also expressed about the willingness of the Northern Ireland parties to participate in elections and in an Assembly.

3. Since then, as the Secretary of State for Northern Ireland reports in OD(82) 13, he has continued his consultations with the main Northern Ireland political parties and has had mixed reactions. After a meeting with Mr. Prior on 8th March, the Ulster Unionist Party (UUP) have refused to have further discussion with him until the White Paper is published. Dr. Paisley's Democratic Unionist Party (DUP) is licking its wounds after defeat in the South Belfast by-election. The Social Democratic and Labour Party (SDLP) would strongly prefer to concentrate on institutionalising the Anglo-Irish relationship. But the UUP have said that they will participate in an Assembly; the DUP seem keen to contest the proposed elections; and the Secretary of State judges that the SDLP will also take part.

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4. The Secretary of State's paper also attempts to deal with the concern expressed at the Committee's later meeting on the effect of introducing a Bill this Session on the Government's legislative programme this Session and the possibility of holding elections under the existing legislation pending a Bill next Session. He concludes that only a Bill this Session will give the Government a real chance of political progress this side of the General Election. A draft Bill has been circulated as OD(82) 14, and a draft White Paper is attached to OD(82) 13. He wishes to publish both before Easter.

5. Mr. Haughey has returned to power in Dublin since the Committee's earlier discussion. The Secretary of State does not now expect this to affect the SDLP's attitude, though he was gloomier about it in February. Mr. Haughey's initially strident (but latterly more cautious) calls for Irish unity, and his emphasis in that context on the proposed "Parliamentary tier" of the newly institutionalised Anglo-Irish relationship, have increased Unionist fears that the establishment of a Belfast Assembly is primarily intended as a step towards the creation of such a tier, and thereby towards the loosening of the Union. Such fears are natural enough but hardly well-founded; no-one could force either a Belfast Assembly or the Westminster Parliament to send representatives to an Anglo-Irish institution if they did not choose to do so.

6. Press reports following OD's February meeting suggested that the Secretary of State had won his colleagues' broad approval for his proposals. His personal position will be very difficult if they are now rejected. The Committee will need to weigh the danger of the proposals proving divisive within the Conservative Party, if they are endorsed, against the danger of a damaging split in the Cabinet if they are not.

7. The Secretary of State for Scotland and the Chief Whip have been invited to the meeting. The Lord Chancellor, who missed the discussion on 16th February, will be present, but the Attorney General will be abroad. The Secretary of State for Defence will be abroad.

HANDLING

8. You will wish to invite the Secretary of State for Northern Ireland to introduce his memorandum. Discussion should then cover the following points:

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- (a) Do the Committee accept the Secretary of State's view that some movement towards devolution in Northern Ireland needs to be made in the lifetime of the present Parliament, in order to break the present deadlock there which is damaging the security situation, the economy and international confidence? Or do they regard such movement as too dangerous to the Union, and the status quo as therefore the lesser evil? The Home Secretary and most other members of the Committee will have views on this fundamental point.
- (b) If the Committee do favour movement, do they agree that the Secretary of State's proposals are right in substance? Or can any alternative form of movement be envisaged? Specifically, can the "West Lothian" implications be accepted? In February the Secretary of State for Scotland thought they just could; is that still his view?
- (c) How is Mr. Haughey to be handled? Is he right to see the proposed "Parliamentary tier" of the new Anglo-Irish relationship as the key to his declared aim of breaking the Union? If so, is that a barrier to our establishing any form of Assembly in Northern Ireland? Or can we use his "Parliamentary tier" ambitions as a lever for securing his support for our devolution plans, while leaving both the Westminster Parliament and the Belfast Assembly wholly free (if they so wish) to decline to participate in any Anglo-Irish institution? The Foreign and Commonwealth Secretary and others will have views on this.
- (d) If substance is agreed, are the Committee prepared to endorse the Secretary of State's views on timing? Do they agree that momentum will be lost unless the new initiative is launched now? Do they accept the Secretary of State's reasons (paragraph 13 of OD(82) 13) for rejecting the compromise over the Parliamentary timetable suggested by the Home Secretary at the previous meeting? If so, and the Bill has to be passed this Session, what do the Business Managers see as the penalty, in terms of sitting into August and/or resuming earlier in October? And do they agree that the Bill should be introduced before Easter?

9. When the Committee has taken a view on the merits of the proposals, you should direct their attention to the draft White Paper and Bill. Points to establish in discussion are:

- (i) Does the White Paper sufficiently stress the uniqueness of Northern Ireland in having had, from the 1922 partition of Ireland to 1972, a system of devolved government? This argument is important both to counter the criticism that the proposal for an Assembly is a step towards breaking the Union and to deal with demands for separate Assemblies for Scotland and Wales. Excessive criticism of direct rule, such as the statement "The direct rule arrangements rely entirely upon Westminster to provide democratic safeguards on executive authority" from paragraph 2.1 of the draft White Paper, could be used out of context to support devolution elsewhere in the United Kingdom. The Home Secretary and the Secretary of State for Scotland will wish to comment.
- (ii) The White Paper has to be carefully drafted to meet the requirements imposed by a variety of readers - not just the various factions in Northern Ireland, but also public opinion in Great Britain, including the Government's supporters in Parliament, and overseas opinion, notably in the Republic of Ireland and the United States. Is the balance right? The Home Secretary, the Lord President and the Foreign and Commonwealth Secretary should comment.
- (iii) Is the form of the draft Bill best designed to achieve a reasonably swift passage through Parliament? The Lord President, the Chief Whip and the Chancellor of the Duchy should comment.

CONCLUSION

10. This is likely to be an exceptionally difficult meeting to sum up. You will need to judge whether a reluctant consensus is emerging that, for all their snags, the Secretary of State's proposals represent the only way forward. If so, you could ask him to put a brief paper to the Cabinet for their consideration on 1st April. If they agree, the way would then be clear for the White Paper and Bill to be published before Easter.

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11. If there is a clear consensus against the Secretary of State, he will no doubt still wish the matter to be referred to the Cabinet. In that case he should be asked to provide a somewhat fuller paper, explaining why he feels unable to accept OD's objections to his proposals.

12. If there is no consensus either way, your best course may be to suggest that you and the Home Secretary should be authorised to explore further with the Secretary of State for Northern Ireland whether any possible basis could be found for a compromise. The Lord President and the Foreign and Commonwealth Secretary would need to be involved in, or at least kept informed of, this process. Publication by Easter would presumably be impossible.

RAA

ROBERT ARMSTRONG

24th March, 1982

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PS TO PM. NO 10 DOWNING STREET.

FM DUBLIN 231655Z MAR 1982

TO IMMEDIATE F C O

TELEGRAM NUMBER 76 OF 23 MARCH

AND TO INFO IMMEDIATE N I O (BELFAST)

F C O PLEASE PASS SAVING TO WASHINGTON

M I P T

1. I CALLED THIS MORNING ON DONLON TO ASK ABOUT THE JOINT STATEMENT WITH THE S D L P AND TO GET SOME EXPLANATION OF MR HAUGHEY'S POLICY. THE MEETING WITH THE S D L P HAD BEEN AT THEIR REQUEST AND MR HUME HAD ONLY YESTERDAY MORNING RETURNED FROM THE U S A. IT SEEMS THAT HE WAS LESS KEEN THAN THE OTHER MEMBERS OF HIS PARTY TO ISSUE A STATEMENT AND THE HARD LINE HAD BEEN MAINTAINED BY SEAMUS MALLON. BEFORE THE MEETING MR HAUGHEY HAD HAD A CAREFUL BRIEFING ON MR PRIOR'S PROPOSALS BY NELIGAN.

2. DONLON ADMITTED THAT NEITHER HE NOR ANY OFFICIALS HAD EVEN NOW HAD ANY MEANINGFUL TALK WITH MINISTERS ABOUT NORTHERN IRELAND. HOWEVER, HE THOUGHT THAT MUCH OF MR HAUGHEY'S RECENT REMARKS WERE A HANG-OVER FROM ELECTIONEERING AND STIMULATED BY THE EXCITEMENT OF ST PATRICK'S DAY AND THE VISIT TO PRESIDENT REAGAN. HE SAW IT AS VERBAL REPUBLICANISM AND POINTED OUT THAT MIGHT ALSO BE THE PRICE HE HAD TO PAY FOR BLANEY'S SUPPORT. WE HAD HEARD A LOT ABOUT THE PRICE PAID FOR GREGORY'S SUPPORT AND WE MUST NOT FORGET THAT BLANEY IS NOT A MAN TO BE TAKEN OFR GRANTED BY FIANNA FAIL.

3. I SAID THAT WHILE I WAS NOT SPEAKING ON INSTRUCTIONS, I WAS GLOOMY ABOUT THE WAY THINGS WERE GOING. WE HAD HOPED THAT THE INSTITUTION OF THE ANGLO-IRISH INTERGOVERNMENTAL COUNCIL WOULD PROVIDE A FRAMEWORK FOR INTER GOVERNMENTAL EXCHANGES OF VIEWS IN A PRIVATE WAY AND THAT WE COULD GET AWAY FROM THE DANGEROUS METHOD OF POLICY MAKING THROUGH PRESS CONFERENCES AND PUBLIC SPEECHES. I ASKED HIM TO MAKE CLEAR TO THE TAOISEACH THAT MR PRIOR HAD FOUGHT THE MINORITY'S CORNER IN THE NORTH PRETTY HARD OVER RECENT MONTHS AND HE DESERVED BETTER SUPPORT THAN HE WAS GETTING FROM DUBLIN. I ADDED THE POINT IN MY TELEGRAM NO 71 ABOUT THE RELATIONSHIP BETWEEN AN ELECTED ASSEMBLY AND A PARLIAMENTARY TIER.

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4. IN THE DAIL THIS AFTERNOON AT QUESTION TIME THE TAOISEACH REITERATED THE IMPORTANCE HE ATTACHED TO A PARLIAMENTARY TIER AND SAID IN ANSWER TO A QUESTION THAT HE THOUGHT NORTHERN IRELAND POLITICIANS MIGHT BE FOUND TO JOIN IT EITHER THROUGH NOMINATION BY THE POLITICAL PARTIES OR BY ELECTION HELD EXPRESSLY FOR THIS PURPOSE. THE SECOND METHOD IS A NEW DEPARTURE.

5. DONLON ASSURED ME THAT , AT THE OFFICIAL LEVEL AT ANY RATE, THEY WOULD KEEP OPEN AS MANY LINES AS POSSIBLE TO UNIONISTS AND OTHERS IN THE NORTH IN ORDER AT LEAST THAT MR HAUGHEY AND OTHER MINISTERS SHOULD BE AWARE OF WHAT PEOPLE IN THE NORTH WERE THINKING. AS REGARDS A POSSIBLE MEETING BETWEEN MR COLLINS AND MR PRIOR HE WAS NOT YET SURE OF WHAT HIS MINISTER WANTED AS HE HAD BEEN AWAY FROM DUBLIN VIRTUALLY SINCE THE FORMATION OF THE GOVERNMENT. I THINK IT IS THEREFORE UNLIKELY THAT MR COLLINS WILL ASK FOR AN EARLY MEETING. ON THE OTHER HAND, I GATHERED THAT THEY WOULD BE VERY READY TO FIX UP A MEETING IF MR PRIOR WANTED ONE QUICKLY. IN VIEW OF THE RECENT STATEMENTS I THINK SUCH A MEETING WOULD BE HELPFUL.

6. AS REGARDS THE WASHINGTON VISIT, DONLON TOLD ME THAT THE ACTUAL TIME IN WHICH MR HAUGHEY SPOKE WITH THE PRESIDENT WAS ONLY ABOUT 15 MINUTES. THERE WAS NO SERIOUS DISCUSSION OF ANY KIND AT LUNCH.

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 MR WRIGHT
 MR ADAMS
 MR BULLARD
 MR GOODISON
 LORD N G LENNOX
 MR URE

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UNCLASSIFIED

FM DUBLIN 231530Z MAR 1982

TO IMMEDIATE F C O

TELEGRAM NUMBER 75 OF 23 MARCH

AND TO IMMEDIATE INFO N I O (B)

F C O PLEASE PASS SAVING TO WASHINGTON

NORTHERN IRELAND : TAOISEACH'S MEETING WITH HUME

1. FOLLOWING IS THE TEXT OF THE JOINT STATEMENT ISSUED ON 22 MARCH AFTER THE MEETING BETWEEN THE TAOISEACH AND JOHN HUME.

BEGINS

THE TAOISEACH, MR CHARLES J HAUGHEY , T D , ACCOMPANIED BY THE MINISTER FOR AGRICULTURE, MR BRIAN LENIHAN T D AND MINISTER FOR TRANSPORT AND POSTS AND TELEGRAPHS , MR JOHN WILSON, T D, MET A DELEGATION FROM THE S D L P IN GOVERNMENT BUILDINGS TODAY. THE DELEGATES CONSISTED OF MR JOHN HUME, M E P, LEADER OF THE PARTY , MR SEAMUS MALLON, DEPUTY LEADER, MR EDDIE MCGRADY SPOKESMAN ON THE ENVIRONMENT AND DR JOE HENDRON, CHAIRMAN OF THE CONSTITUENCY REPRESENTATIVES.

THE MEETING CONSIDERED THE CURRENT SITUATION IN NORTHERN IRELAND, IN PARTICULAR THE PROPOSALS BEING DEVELOPED BY THE NORTHERN IRELAND SECRETARY OF STATE FOR A FORM OF ADMINISTRATION THERE.

BOTH SIDES CONSIDERED THAT THE PROPOSALS AS THEY WERE EMERGING WERE UNWORKABLE. THEY FOUND THEM DEFICIENT IN THAT THEY CONCENTRATED ON THE DETAILS OF AN ADMINISTRATION FOR NORTHERN IRELAND, WITHOUT DUE REGARD FOR THE BROADER DIMENSIONS OF THE PROBLEM.

/ BOTH

BOTH SIDES AGREED THAT ANOTHER FAILED INITIATIVE IN NORTHERN IRELAND COULD ONLY LEAD TO FURTHER FRUSTRATION THERE AND LESSEN THE PROSPECTS FOR PROGRESS BY DEMOCRATIC POLITICAL MEANS. THEY SHARED THE CONVICTION THAT SUCH PROGRESS SHOULD BE PURSUED IN PRESENT CIRCUMSTANCES THROUGH THE FURTHER DEVELOPMENT OF THE ANGLO-IRISH PROCESS INITIATED BETWEEN THE TAOISEACH AND THE BRITISH PRIME MINISTER AT THEIR MEETING IN DECEMBER, 1980.

THE MEETING ALSO NOTED THAT THE MAIN UNIONIST PARTIES HAD ALREADY REJECTED THE PROPOSALS AS UNACCEPTABLE.

ENDS

2. SEE M I F T FOR COMMENTS.

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SIR. J. LEAHY
MR WRIGHT
MR ADAMS
MR BULLARD
MR GOODISON
LORD N G LENNOX
MR URE

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Prime Minister

I shall take it that you have no objection, unless you indicate otherwise on Thursday morning.
M 25/3

Treasury Chambers, Parliament Street, SW1P 3AG

John Coles Esq
No.10 Downing Street
Whitehall
London SW1

23 March 1982

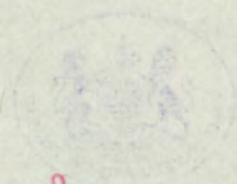
Dear John,

The Chief Secretary has asked me to say that he would be grateful to take up his invitation to attend the meeting of OD Committee arranged for Thursday 25 March. He has asked me to mention that he will have to leave the meeting at 11.25 pm to chair a meeting in the Treasury.

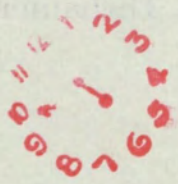
I am copying this letter to Roger Facer at the Cabinet Office.

Yours sincerely
Terry Matthews

TEMMATHEWS
Private Secretary



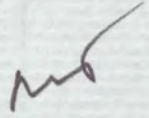
23 MAR 1982



COMMUNICATIONS

Prime Minister

NORTHERN IRELAND

- 
1. You asked this morning whether I had seen the Memorandum from Jim dated 18th March, and I replied that I had done so.
 2. I am sorry to say that neither Jim's Memorandum nor the White Paper represents any improvement whatever on the proposals which Jim sets out in his earlier document, and upon which I commented in my note to you dated 15th February, of which I attach a copy.
 3. These proposals will divide the Parliamentary Party. The proposals for a new Assembly are unworkable, and are doomed to failure. The whole initiative will collapse.
 4. It may be said that that would not really matter. However, I attach to this note a copy of a letter of yesterday's date from Enoch, with which I agree.
 5. I wish to draw your attention to the most potentially damaging part of the draft White Paper, which is Part VI, headed:-
"Relations between the United Kingdom and the Republic of Ireland."
 6. The White Paper, presented by you to Parliament in November 1981 (Command No: 8414) states, on page 12:-
"Apart from the obvious benefits of parliamentary exchanges, the Irish side saw the committee as providing a forum for the participation of representatives from Northern Ireland in the new institutional structures. They considered that, in view of the special circumstances within these islands and in order to permit the adequate

.../...

representation of both sections of the community there, the Northern Ireland membership should be composed in proportion to the size of the different parts of the Community there and should be a significant component of the committee. In the absence of an elected Assembly in Northern Ireland, representatives could be chosen on the basis of appointment by the Secretary of State on the nomination of, or after consultation with, leaders of political parties. More generally the Irish side recognised that consultation with political interests and with the appropriate parliamentary authorities should be undertaken immediately following a decision to establish an inter-governmental body with the objective of having the group working in its new format as soon as possible.

"The Irish side saw the ambit and purposes of the committee as corresponding to those of the inter-governmental body. Its functions would essentially be consultative, advisory and review in nature. It could discuss the activities of the inter-governmental body and review the work of ancillary bodies, on the basis - but not exclusively so - of an annual report on co-operation from the inter-governmental body. Members might receive an allowance in respect of attendance."

7. You will note that the above quotation, from the document which you yourself presented to Parliament, sets out the views of the Irish side. The words quoted above do not, repeat not, reflect the views of Her Majesty's Government.
8. However, may I ask you to note, please, what has happened during the past four months? That which was recorded as having been the policy of the Irish Government in November 1981, has become, in March 1982, and become hook, line and sinker, the policy of Her Majesty's Government.
9. Para VI (4) of the draft White Paper contains the following words:
"As the relationship between Northern Ireland and the

Republic is an important aspect of the relationship between the United Kingdom and the Republic, it would be sensible for Members of a Northern Ireland elected Assembly to have an opportunity to put their views direct in any inter-Parliamentary body which may be created. The establishment of such a body and the role it would play, are now matters for Westminster and Dublin Parliaments. The Government would expect the arrangements to enable the Members of the Northern Ireland Assembly to participate if they so wished."

10. Jim's proposals about the involvement of Members of the new Assembly with the proposed "Anglo-Irish body at Parliamentary level" are dynamite. They will revive all the old fears about a Council of all Ireland. It is obvious that these paragraphs in the White Paper have been inserted in order to satisfy the SDLP and have, no doubt, been approved by Dublin, as the minimum which is required at this stage. Further demands and further concessions will, of course, follow because of the views of Civil Servants in the Foreign Office and in the Northern Ireland Office.
11. A significant number of our backbenchers, including the writer of this note, believe that these proposals go in precisely the opposite direction to the one which Airey would have followed and are likely to give encouragement to the Provisional IRA and cause dismay to decent Unionists. They will result, in my opinion, in a further accretion of strength to Paisley who will be able to exploit the paragraphs which deal with relations with the Republic.
12. I well understand what the consequences would be, but I do not see how I can vote for the Second Reading of a Bill which I consider would be gravely damaging to Northern Ireland and to the unity of this Kingdom.

PERSONAL

22 March, 1982.

Dear Ian,

When I wrote to you on 2 November about the Prime Minister's meeting with Fitzgerald, I was obliged to rely upon press reports of the intended outcome, which unfortunately proved accurate. I am in the same position now in writing to you about the reported intention to elect an assembly in Northern Ireland, with a view to certain responsibilities being transferred to it in some form subsequently.

To get an assembly set up, by whatever device, has been the fixed objective of ^{the} Northern Ireland Office for at least the past two or three years. It is now bound to be seen as designed to provide the Ulster element for the parliamentary tier of the Anglo-Irish Council which the Prime Minister and the Irish premier established last November. Indeed, no other explanation for such an initiative is tenable. There can be no serious prospect that politicians committed to oppose or to promote a united Ireland will ever co-operate in joint administration of the province, and any assembly sustaining no executive would be a focus of irresponsible opposition to government.

I do not deny that an assembly can be elected and that representatives from it could be induced to participate in the Anglo-Irish Council. What I wish to put on record is my conviction that not only would conflict in the province be exacerbated by these processes but, as soon as the significance of participation in the Anglo-Irish Council was perceived, it would be the signal for still graver convulsion than followed the Prime Minister's two previous meetings with the Irish premier of the day. Knowing, as I do, her goodwill towards Ulster and her understanding of the realities there, I trust she will not sanction proposals so self-evidently adverse to peace and good government in the province.

I Gow, Esq., MP.

*Yours ever,
Ernoch.*

SECRET

4

1/41

L.R.

N. B. P. R.

ML 25/3

NIOM(82) 2nd Meeting.

NOTE OF A MEETING HELD IN THE NORTHERN IRELAND OFFICE ON FRIDAY
19 MARCH 1982.

Present: Mr Burns (in the chair)

Mr Blelloch)
Mr Abbott)
Mr Alexander) NIO
Mr Fisher)
Mr Bates)

Mr Stephens)
Mr Jackson)
Col Morton) MOD
Maj Hughes)
Maj Wynne-Davies)

Mr Snoxell - FCO
Mr Colvin - Cabinet Office

Security

1. On most criteria, security had been going well since the murder of the Rev Bradford in November 1981 - the RUC had made a large number of important arrests leading to charges, often based on information received from informers. PIRA and INLA were under pressure; but hard core terrorists were that much more difficult to reach, and were more inclined to strike out viciously. They were quite likely to choose their targets with a view to maximum impact (cf the attempted murder of the Lord Chief Justice).

2. Loyalist paramilitary groups had not been engaging in violence to any significant extent recently. The "Third Force", after a quiet period, had recently mounted a show of force (significantly, in the relatively safety of Co Down). Its existence continued to be a cause for concern, and there was a distinct possibility of a confrontation between it and the security forces in the next few months. Arising from "Third Force" activities last Autumn, some 50 cases had been sent to the Director of Public Prosecutions with a view to charges being brought.

3. There had been a number of significant finds of explosives in the Republic and co-operation with the security forces there remained

SECRET

D.R.

good. This did not appear to have been affected by the change of Government. Talks between the two Attorneys General on ways of dealing with fugitive offenders had been dormant and the UK would be pressing the Republic to resume these.

4. Some 230 prisoners remained on the no work protest at Maze compared with over 500 during the first hunger strike. The number was falling slowly but was unlikely to show any dramatic reduction.

H Block campaigners were believed to be giving thought to a further publicity campaign, possibly focussing on Republican prisoners in British prisons. A protest campaign by Loyalist prisoners at the temporary court adjacent to Maze prison seemed to be about length of time spent on remand and their wanting to be segregated from Republican prisoners. Maghaberry prison would open at about the end of the year; crucial decisions would be needed before then about the compound accommodation at Maze. There were no plans for a guard force at Maghaberry.

Policy decisions would also need to be taken on life sentence prisoners; we were reaching the point in time when a number might be released if ^{the} average length of custody of lifers' in G.B. prisons became the adopted yardstick in NI.

5. The Home Secretary had recently announced a review of the Prevention of Terrorism (Temporary Provisions) Act 1976, and as a consequence the Northern Ireland Secretary intended to announce in July his willingness in principle to the Northern Ireland (Emergency Provisions) Act 1978 also being reviewed. But this review would not start until that of the former was complete.

6. As to the security outlook, it was not yet clear whether trouble was to be expected over Easter, but the anniversaries of the deaths of Bobby Sands and the other hunger strikers might well be occasions for demonstrations.

Political

7. The Secretary of State had continued to hold talks with the political parties, particularly the OUP and the SDLP, but the results had not been encouraging. The SDLP thought the "Irish dimension" of the Secretary of States constitutional proposals was not strong

enough; the OUP felt just the opposite and also objected to the requirement for cross-community support. The OUP had withdrawn from further talks until the White Paper was produced. The Democratic Unionist Party had kept its head down and appeared to be quite keen to fight an election despite their disappointing show at the South Belfast by election.

8 Proposals were to be put to OD Committee on 25 March (and Cabinet on 1 April) with a draft White Paper and Bill. The Bill would provide for committees of the Assembly to shadow the work of Northern Ireland Departments; and partial or full devolution or even stage-by-stage devolution of powers was possible. In essence, the Bill provided that if a proposal for devolving powers secured the support of 70% of the Assembly Members, the Secretary of State would be required to put it before Parliament; and, if it seemed to him to command cross-party support, he would commend it to Parliament. If a proposal failed the 70% test, but seemed to the Secretary of State to have cross party support, he would have discretion to recommend this to Parliament. It seemed likely that all the major parties would fight the election and take their seats. The time-table was an extremely tight one; if a Bill were not passed in the present session, momentum could be lost and legislation would be over-shadowed by the prospect of the next General Election. Publication of the White Paper and the Bill was therefore desirable before Easter. The Taoiseach had called on the UN Secretary-General and, according to the Irish Press raised the subject of Northern Ireland; but UN staff had denied this to the UK Mission.

9 There was no question of security policy being devolved; the Order in Council procedure for legislating on reserved (including law and order) matters would be retained. But it was unrealistic to expect that the Assembly would not take an interest in security matters, and it seemed right to provide a channel for this, in the form of a Committee.

The Economy

10 Unemployment had not risen significantly in the last few months and stood at about 19.5%. Redundancies had been announced by a number of large firms, including British Enkalon and unexpectedly at Moygashel (Dungannon). The immediate prospects of

Harland and Wolff had improved; it would become clear around Easter whether De Lorean could be salvaged,

SECRET

F.R.

A collective Ministerial meeting might be needed if its complete collapse ^{became} inevitable. The Kinsale Gas Project had been taken as far as it could by officials and their respective positions were clear; the matter now needed to be pursued at Ministerial level.

Kincora

9. The inquiry by Sir George Terry into allegations about the way in which the police had conducted enquiries into this affair (and oversight of the continuing investigations) would take about 2/3 months. Allegations continued to be made but they were not substantially different to those made earlier. In the event of an inquiry being established with powers to compel the attendance of witnesses, the Home Office would need to be consulted if any question arose of the attendance of Colin Wallace (formerly employed at HQNI but now in custody in Maidstone prison).

Northern Ireland Office

24 March 1982

SECRET

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MR MARSHALL
MR MORIARTY *GL Angel*
MR HARRINGTON

HD/PUSD (2)

CABINET OFFICE - SIR R ARMSTRONG

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Prime Minister

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TO IMMEDIATE F C O

TELEGRAM NUMBER 895 OF 17 MARCH

INFO IMMEDIATE NIO LONDON NIO BELFAST DUBLIN BIS NEW YORK

INFO SAVING ALL CGS IN USA.

*To be aware, in view of
Quentin Tomson.*

A-J-C 17/3

MY TELNO 891: NORTHERN IRELAND:

PRESIDENT REAGAN'S ST PATRICK'S DAY STATEMENT

1. FOLLOWING IS THE TEXT (NOW BEING RELEASED TO THE PRESS) OF
PRESIDENT REAGAN'S ST PATRICK'S DAY STATEMENT WHICH STRIKES ME AS
VERY SATISFACTORY FROM OUR POINT OF VIEW.

BEGINS.

ST. PATRICK'S DAY REMINDS US OF THE POWER OF JOY. IT IS A
DAY WHEN SPIRITS ARE LIFTED, WHEN MILLIONS JOIN TOGETHER IN
FRIENDSHIP, WHEN STRANGERS GREET EACH OTHER WITH AFFECTION.

THE SPELL CAST ON US BY A SMALL ISLAND 3,000 MILES AWAY
BEGAN MORE THAN A CENTURY AGO WHEN IRISH IMMIGRANTS FIRST

~~THE SPELL CAST ON US BY A SMALL ISLAND 3,000 MILES AWAY~~
~~BEGAN MORE THAN A CENTURY AGO WHEN IRISH IMMIGRANTS FIRST~~
CAME TO THIS LAND -- IMMIGRANTS WHOSE SWEAT AND LABOR BUILT
OUR ECONOMY, WHOSE HEARTS AND MINDS SHAPED OUR LITERARY AND
INTELLECTUAL HISTORY, WHOSE SMILES AND MIRTH GAVE US THE
GIFT OF LAUGHTER, WHOSE CONSCIENCE AND SPIRITUALITY REMINDED
US OF THE IMPORTANCE OF RELIGIOUS FAITH IN OUR LIVES.

TODAY ALL AMERICANS -- OF IRISH DESCENT AND HONORARY IRISH
DESCENT -- CELEBRATE ONE OF THE HAPPIEST DAYS OF THE YEAR IN
OUR COUNTRY -- A DAY MARKED BY PEACE, FRIENDSHIP AND HARMONY.

YET TODAY OUR THOUGHTS CANNOT BE ENTIRELY JOYFUL -- WE WHO
OWE SO MUCH TO THE QUOTE LAND ACROSS THE IRISH SEA UNQUOTE CANNOT
HELP BUT REFLECT ON A TRAGIC IRONY: NORTHERN IRELAND IS TROUBLED
BY CONFLICT AND VIOLENCE. WE IN AMERICA WHO OWE SO MUCH TO
OUR KINSMEN OF BOTH IRISH AND BRITISH HERITAGE, PROTESTANT
AND CATHOLIC ALIKE, CAN NEVER BE INDIFFERENT TO THE PROBLEM
OF VIOLENCE IN NORTHERN IRELAND. THAT IS WHY WE SEEK TO
CONTRIBUTE IN ANY WAY WE CAN TO A LASTING, PEACEFUL SOLUTION
THAT WILL BRING TO AN END YEARS OF CONFLICT AND VIOLENCE.

THE TWELVE MONTHS SINCE LAST ST. PATRICK'S DAY HAVE BROUGHT
BOTH HOPE AND SORROW IN NORTHERN IRELAND. THERE HAVE BEEN
GROUNDS FOR OPTIMISM FOR THE FUTURE. THE LEVEL OF VIOLENCE
CONTINUED ITS GENERALLY DOWNWARD TREND. IN THIS COUNTRY,
U.S. LAW ENFORCEMENT AUTHORITIES CONFISCATED A LARGE NUMBER
OF WEAPONS INTENDED FOR TERRORIST HANDS IN IRELAND. PERHAPS
MOST IMPORTANT DESPITE THE SORROWS OF THE PAST YEAR, THERE
ARE SIGNS THAT THE CLIMATE HAS IMPROVED FOR MODERATE POLITICAL
SOLUTIONS.

WE WILL CONTINUE TO STAND BY OUR POLICY -- TO URGE THE
PARTIES IN NORTHERN IRELAND TO COME TOGETHER FOR A JUST
SOLUTION AND TO CONDEMN ALL ACTS OF TERRORISM AND VIOLENCE.

WE BELIEVE A LASTING SOLUTION CAN BE FOUND ONLY THROUGH A
PROCESS OF RECONCILIATION BETWEEN THE TWO TRADITIONS IN
NORTHERN IRELAND AND BETWEEN BRITAIN AND IRELAND. WE ENCOURAGE
AND APPLAUD SUCH EFFORTS. WE PARTICULARLY WELCOME THE BRITISH
AND IRISH GOVERNMENTS' WIDENING OF THE FRAMEWORK OF
THEIR COOPERATION TO THIS END.

BUT AS MUCH AS WE WISH FOR A JUST AND PEACEFUL SETTLEMENT,
WE IN THE UNITED STATES CANNOT CHART A COURSE FOR THE PEOPLE
OF NORTHERN IRELAND. IF SOLUTIONS ARE TO ENDURE, THEY MUST

THEIR COOPERATION TO THIS END.
BUT AS MUCH AS WE WISH FOR A JUST AND PEACEFUL SETTLEMENT,
WE IN THE UNITED STATES CANNOT CHART A COURSE FOR THE PEOPLE
OF NORTHERN IRELAND. IF SOLUTIONS ARE TO ENDURE, THEY MUST
COME FROM THE PEOPLE THEMSELVES.

WE STAND UNALTERABLY OPPOSED TO THE FORCES OF VIOLENCE AND
DISCORD IN NORTHERN IRELAND, WHICH OBSTRUCT THE PROCESS OF
RECONCILIATION SO NECESSARY TO PEACE. THOSE WHO ADVOCATE
VIOLENCE OR ENGAGE IN TERRORISM WILL HAVE NO WELCOME IN THE
UNITED STATES.

LAST YEAR, I CALLED ON ALL AMERICANS TO QUESTION CLOSELY ANY
APPEAL FOR FINANCIAL OR OTHER AID FROM GROUPS INVOLVED IN
THE NORTHERN IRELAND CONFLICT TO ENSURE THAT CONTRIBUTIONS
DO NOT END UP IN THE HANDS OF THOSE WHO PERPETUATE VIOLENCE,
EITHER DIRECTLY OR INDIRECTLY. TODAY, I RENEW THAT REQUEST.
CONTINUED VIOLENCE, EVEN BY A MISGUIDED FEW, CAN ONLY
FRUSTRATE THE DESIRE FOR PEACE OF THE OVERWHELMING MAJORITY
OF THE ENTIRE COMMUNITY OF NORTHERN IRELAND.

AS WE LOOK TO THE FUTURE, WE CAN BE PROUD THAT THE UNITED
STATES ALREADY IS MAKING AN IMPORTANT CONTRIBUTION TOWARD
ECONOMIC AND SOCIAL PROGRESS IN NORTHERN IRELAND. WE ARE
PROUD OF OUR ROLE IN STRENGTHENING THE IRISH ECONOMY. THERE
ARE 37 AMERICAN COMPANIES WITH MANUFACTURING PLANTS IN
NORTHERN IRELAND, REPRESENTING MORE THAN A BILLION DOLLARS
OF INVESTMENT, WITH A POTENTIAL EMPLOYMENT OF ABOUT 25,000
PEOPLE, A SIGNIFICANT PORTION OF THE MANUFACTURING WORK
FORCE IN NORTHERN IRELAND. THIS INVESTMENT BY AMERICAN
INDUSTRY SHOWS A CLEAR COMMITMENT TO A FUTURE BASED ON PEACE
AND WELL-BEING FOR THE PEOPLE WHO LIVE IN NORTHERN IRELAND.

THIS ADMINISTRATION WILL MAINTAIN THE U.S. COMMITMENT, IN
THE CONTEXT OF A PEACEFUL SETTLEMENT IN NORTHERN IRELAND, TO
FACILITATE GROWTH OF ADDITIONAL JOB-CREATING INVESTMENT --
INVESTMENT THAT WILL BENEFIT ALL THE PEOPLE IN NORTHERN
IRELAND. IN THE MEANTIME, WE ENCOURAGE THE AMERICAN PRIVATE
SECTOR TO CONTINUE TO ASSIST IN CREATING MORE JOB OPPORTUNITIES
IN NORTHERN IRELAND.

IN AFFIRMING THESE PRINCIPLES OF OUR POLICY TOWARD NORTHERN
IRELAND, I WISH TO ADD MY APPRECIATION AND SUPPORT FOR THE
MANY TRUE FRIENDS OF IRELAND IN THIS COUNTRY, IN THE CONGRESS
AND AMONG THE PUBLIC, WHO CONTINUE TO SPEAK OUT AGAINST
VIOLENCE AND IN SUPPORT OF PEACE AND RECONCILIATION. THEIR

SECTOR TO CONTINUE TO ASSIST IN CREATING MORE JOB OPPORTUNITIES
IN NORTHERN IRELAND.

IN AFFIRMING THESE PRINCIPLES OF OUR POLICY TOWARD NORTHERN
IRELAND, I WISH TO ADD MY APPRECIATION AND SUPPORT FOR THE
MANY TRUE FRIENDS OF IRELAND IN THIS COUNTRY, IN THE CONGRESS
AND AMONG THE PUBLIC, WHO CONTINUE TO SPEAK OUT AGAINST
VIOLENCE AND IN SUPPORT OF PEACE AND RECONCILIATION. THEIR
EFFORTS ARE AMONG THE MOST IMPORTANT CONTRIBUTIONS TO THE
CAUSE OF PEACE IN NORTHERN IRELAND, AND I JOIN THEM IN THE
PRAYER THAT OUR HOPES WILL SOON BE REALIZED. IT IS BY
ASSISTING IN COMMERCIAL DEVELOPMENT, COMBATING TERRORISM AND
ENCOURAGING THE PROCESS OF PEACEFUL RECONCILIATION THAT WE
IN AMERICA CAN DO OUR PART TO BRING PEACE TO NORTHERN IRELAND.

HENDERSON

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TO IMMEDIATE FCO

TELEGRAM NUMBER 891 OF 16 MARCH .

INFO IMMEDIATE NIO LONDON, NIO BELFAST, DUBLIN

PRIORITY BIS NEW YORK

MY TELNO 818: NORTHERN IRELAND: ST PATRICK'S DAY STATEMENT

1. I CALLED ON JUDGE CLARK THIS MORNING. I GAVE HIM AN ACCOUNT OF MR PRIOR'S THINKING AND SAID THAT, AS HE WOULD KNOW FROM SOME OF THE THINGS THAT HAD BEEN SAID IN PUBLIC BY THE NORTHERN IRELAND PARTIES, MR PRIOR'S DISCUSSIONS WERE AT A VERY DELICATE STAGE. WE WERE ANXIOUS THAT NOTHING SHOULD BE SAID AT THE PRESIDENT'S LUNCH FOR THE IRISH PRIME MINISTER WHICH COULD MAKE MR PRIOR'S TASK STILL MORE DIFFICULT. THE FACT, FOR EXAMPLE, THAT JOHN HUME WOULD BE AT THE LUNCH MIGHT BE INTERPRETED IN NORTHERN IRELAND AS AN INDICATION THAT THE PRESIDENT FAVOURED THE SDLP. HUME MIGHT BE TEMPTED TO THINK THAT THE AMERICANS COULD OFFER SOME MORE TEMPTING ROUTE THAN MR PRIOR'S.

2. CLARK SAID THAT HE WAS AWARE HOW SENSITIVE THE WHOLE ISSUE WAS. HE KNEW THE BACKGROUND AND THE LAST THING THE WHITE HOUSE WANTED TO DO WAS TO INTERFERE IN WHAT JIM PRIOR WAS DOING. THE PRESIDENT'S STATEMENT WOULD NOT GO BEYOND WHAT HE HAD SAID IN PREVIOUS PUBLIC STATEMENTS. HE WOULD URGE RECONCILIATION BUT WOULD MAKE NO MENTION OF REUNIFICATION. HE WOULD ENCOURAGE INWARD INVESTMENT IN NORTHERN IRELAND AND DISCOURAGE SUPPORT FOR TERRORIST VIOLENCE. THE PRESIDENT MIGHT ALSO MAKE A REFERENCE TO THE DOWNWARD TREND IN TERRORIST VIOLENCE AS AN INDICATION THAT THE SITUATION ON THE GROUND WAS IMPROVING. AS FOR JOHN HUME (WHO NOW SPENT SO MUCH TIME IN WASHINGTON THAT HE HAD ALMOST BECOME A WASHINGTON LOBBYIST) HE SHOULD UNDERSTAND THAT THE OCCASION WAS INTENDED AS A LIGHT, SOCIAL ONE, AND THAT NO POLITICAL SIGNIFICANCE SHOULD BE READ INTO HIS INVITATION. NONETHELESS, CLARK ADDED, HE HAD TRIED TO HAVE HUME'S NAME TAKEN OFF THE GUEST LIST. HOWEVER, HE HAD DISCOVERED TOO LATE THAT THE INVITATION HAD ALREADY GONE OUT. HE HAD TRIED, BUT NOT SUCCEEDED, TO HAVE IT INTERCEPTED.

CONFIDENTIAL

13. SINCE

STATE DEPARTMENT OF DEFENSE

CONFIDENTIAL

3. SINCE MY CALL ON CLARK WE HAVE SPOKEN TO HIS STAFF TO SAY THAT, IN THE LIGHT OF YESTERDAY'S CAR BOMBINGS IN NORTHERN IRELAND, THE PRESIDENT MIGHT WISH TO BE CAREFUL ABOUT WHAT HE SAID ABOUT A DIMINUTION IN TERRORIST VIOLENCE. THE WHITE HOUSE SAY THAT ALL THE PRESIDENT INTENDS TO DO IS TO REFER TO THE FACT THAT THE GENERAL TREND OF VIOLENCE HAS BEEN DOWNWARD.

HENDERSON

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PS/LORD TREFGARNE

PS/PUS
SIR B ACLAND

MR ADAMS
MR BULLARD
MR GOODISON
LORD N G LENNOX
MR URE

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FM WASHINGTON 170106Z

TO IMMEDIATE F C O

TELNO 890 OF 16 MARCH 1982,

INFO IMMEDIATE NIO BELFAST, NIO LONDON, DUBLIN, BIS NEW YORK,
ROUTINE CG'S IN THE USA.

NORTHERN IRELAND: ST PATRICK' DAY STATEMENT BY THE FRIENDS OF IRELAND.

1. FOLLOWING IS TEXT OF ST PATRICK'S DAY STATEMENT BY THE FRIENDS OF IRELAND.

BEGINS:-

THE UNDERSIGNED MEMBERS OF THE FRIENDS OF IRELAND IN THE SENATE AND HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES ISSUED THE FOLLOWING STATEMENT TODAY:

ST PATRICK'S DAY 1982 MARKS THE FIRST ANNIVERSARY OF THE FOUNDING OF THE FRIENDS OF IRELAND -- A BIPARTISAN ENTERPRISE IN THE CONGRESS OF THE UNITED STATES DEDICATED TO THE PROMOTION OF COOPERATION AND UNDERSTANDING BETWEEN THE IRISH PEOPLE AND THE AMERICAN PEOPLE. OUR SPECIAL GOAL HAS BEEN TO WORK TOGETHER IN THE CONGRESS FOR AN END TO THE VIOLENCE IN NORTHERN IRELAND AND FOR PEACE AND RECONCILIATION BETWEEN THE TWO PARTS OF THE COMMUNITY THAT HAS SUFFERED SO MUCH FROM A DECADE OF KILLING AND DESTRUCTION.

FOR ALL OF US COMMITTED TO THE CAUSE OF PEACE IN IRELAND, 1981 WAS OFTEN A YEAR OF ANGUISH. THE EXTENDED HUNGER STRIKE, THE CONTINUING BOMBINGS AND RANDOM SECTARIAN MURDERS, THE ASSASSINATION OF ELECTED REPRESENTATIVES, THE RELENTLESS APPEALS TO RELIGIOUS HATRED, THE RISE OF SECTARIAN DEMAGOGERY TO NEW LEVELS OF VIRULENCE -- THESE AND OTHER EVENTS BORE VIOLENT WITNESS TO THE WORSENING TRAGEDY IN NORTHERN IRELAND IN THE PAST YEAR.

OTHER EVENTS IN 1981 GAVE CAUSE FOR HOPE. IN PARTICULAR, WE WERE HEARTENED BY THE SUMMIT CONFERENCE LAST NOVEMBER BETWEEN THE PRIME MINISTERS OF IRELAND AND GREAT BRITAIN, THEIR CREATION OF AN ANGLO-IRISH INTER-GOVERNMENTAL COUNCIL, AND THEIR SIGNIFICANT AGREEMENT ON "THE NEED FOR EFFORTS TO DIMINISH THE DIVISIONS BETWEEN THE TWO SECTIONS OF THE COMMUNITY IN NORTHERN IRELAND AND TO RECONCILE THE TWO MAJOR TRADITIONS THAT EXIST IN THE TWO PARTS OF IRELAND." AND WE NOTE WITH INTEREST THE GROWING DEBATE IN BOTH THE REPUBLIC OF IRELAND AND NORTHERN IRELAND ON THE ROLE OF NORTHERN PROTESTANTS IN IRELAND'S FUTURE. WE REGARD ALL OF THESE DEVELOPMENTS AS SIGNS OF THE GOOD WILL AND COMMITMENT TO COOPERATION BY BOTH GOVERNMENTS IN THE COMMON SEARCH FOR PEACE.

WE ARE ALSO ENCOURAGED BY THE SUPPORT EXPRESSED FOR THE FRIENDS

OF IRELAND BY BOTH THE IRISH AND THE BRITISH GOVERNMENTS. WE HAVE MET IN THE PAST YEAR WITH REPRESENTATIVES OF THOSE GOVERNMENTS AND WITH LEADERS OF THE POLITICAL PARTIES IN NORTHERN IRELAND. WE HAVE TRIED TO BE A FORUM IN THE CONGRESS TO INFORM THE AMERICAN PEOPLE ABOUT THE CAUSES OF THE CONFLICT AND THE MOST HOPEFUL MEANS TO END IT.

IN THE COMING YEAR, WE INTEND TO PURSUE THE PATH OF PEACE IN EVERY WAY WE CAN. TOWARD THIS GOAL, THE FRIENDS OF IRELAND IS HONORED TO ACCEPT THE INVITATION FROM THE SPEAKER OF DAIL EIREANN FOR A DELEGATION FROM THE FRIENDS OF IRELAND TO VISIT THE IRISH PARLIAMENT AT A SUITABLE TIME THIS SPRING.

WE ALSO COMMEND PRESIDENT REAGAN FOR HIS COMMITMENT TO PEACE IN IRELAND, HIS CONCERN FOR AN END TO THE VIOLENCE, AND HIS SUPPORT FOR THE FRIENDS OF IRELAND. WE WELCOME THE PRESIDENT'S MEETING WITH PRIME MINISTER HAUGHEY TOMORROW AT THE WHITE HOUSE. AND WE URGE THE PRESIDENT TO TAKE THE OCCASION OF HIS FORTHCOMING TRIP TO EUROPE IN JUNE TO MAKE A SUBSTANTIAL VISIT TO IRELAND.

AS FRIENDS OF IRELAND, WE ARE ALSO UNITED IN OUR CONDEMNATION OF THE VIOLENCE ON BOTH SIDES IN NORTHERN IRELAND. MORE THAN 2,100 MEN AND WOMEN AND CHILDREN HAVE DIED SINCE THE CONFLICT BEGAN, AND MORE THAN 23,000 HAVE BEEN INJURED. WE THEREFORE RENEW OUR EARNEST APPEAL TO OUR FELLOW AMERICANS TO SUPPORT POSITIVE POLICIES FOR PEACE, TO REJECT THE PATH OF VIOLENCE, AND TO REFUSE TO PARTICIPATE BY WORD OR DEED OR DOLLAR IN ANY EFFORT THAT SUPPORTS OR CONDONES THE VIOLENCE. NO ACTION IN THE DAILY LIFE OF ANY AMERICAN SHOULD CONTRIBUTE IN ANY WAY TO THE DAILY TOLL OF DEATH IN NORTHERN IRELAND.

FINALLY, AS FRIENDS OF IRELAND, WE RENEW OUR COMMITMENT TO THE GOAL OF IRISH UNITY AS THE MOST EFFECTIVE MEANS TO ACHIEVE A LASTING PEACE. THE UNITY WE FAVOR IS AN IRELAND UNITED ON THE BASIS OF RECONCILIATION BETWEEN THE IRISH PROTESTANT TRADITION AND THE IRISH

CATHOLIC TRADITION. IT IS A UNITY TO BE ACHIEVED, NOT BY THE BOMB OR BY THE BULLET, NOR BY THE OFFICIAL COERCION OF ANY SECTION OF THE COMMUNITY, BUT BY THE CONSENT, FREELY GIVEN, OF A MAJORITY OF ALL THE PEOPLE OF NORTHERN IRELAND.

ENDS.

HENDERSON

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NORTHERN IRELAND



10 DOWNING STREET

From the Private Secretary

15 March 1982

Northern Ireland:
The Overseas Information Effort

The Prime Minister was grateful for Mr. Scott's minute of 11 March about the above subject and is content with the efforts he describes to promote our Northern Ireland policy overseas.

I am copying this letter to the Private Secretaries to the Foreign and Commonwealth Secretary, the Lord President, the Chief Whip and Sir Robert Armstrong.

A. J. COLES

S.M. Pope, Esq.,
Northern Ireland Office.

SM

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NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Parliamentary Under Secretary of State

PRIME MINISTER

Prime Minister

*Content will these efforts to promote
on Northern Ireland policy overseas?*

Yes

A.J.C. 12/3

NORTHERN IRELAND: THE OVERSEAS INFORMATION EFFORT

Publicising Her Majesty's Government's Northern Ireland policy overseas, especially in the United States, is a task performed by the Foreign and Commonwealth Office in very close consultation with the Northern Ireland Office. As you may know, Jim Prior has asked me to take a special interest in the subject and he and Peter Carrington thought you would like to have a report on a reassessment of this effort, which has been carried out since the ending of the difficult time we had during the hunger strike last year.

2. Our reassessment follows a review conducted by a senior official of the Foreign and Commonwealth Office, Mr Kelvin White, towards the end of the hunger strike. He found that in important respects we had weathered that storm rather better than many had feared. In the United States the press, the Administration, politicians and other opinion-formers had received and were themselves expressing, a reasonably balanced picture. David Trefgarne and I have, however, been concerned about the difficulty of countering sensationalist reporting by the popular press and on TV, although our posts did an excellent job in very difficult circumstances replying to biased material wherever and whenever that seemed likely to do more good than harm. The ending of the hunger strike and other subsequent events means that some of the judgments in that report have been overtaken by events.

3. Acute peaks of media interest, as during the hunger strike, will, we believe, be interspersed by quieter periods. We must be better prepared for the peaks which can hit us suddenly and that means a continuing effort to get our case across. The FCO see no case for a radical restructuring of their staffing of United States posts, although David Trefgarne, who visited British Information Services, New York as part of this reassessment, will see the posts are adequately staffed. The Washington Embassy had already reallocated staff to devote more resources to the Information Effort. The main changes subsequently required by Mr White's report relate to the support provided from London, in both the FCO and the NIO, and from Belfast. These have necessitated one or two additional Foreign and Commonwealth Office staff in the relevant sections in London.

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4. The main features of the arrangements now established, and the programme we shall be following in the immediate future, are as follows:-

- (a) There is now a Northern Ireland Overseas Information Committee, drawn mainly from NIO, FCO and COI, of which I shall normally take the chair. Its role will be to co-ordinate and monitor the information effort; to identify opportunities to get our message across; and to identify developments in Provisional Sinn Fein propaganda tactics, and ensure that we have effective material to counter it. It will concentrate primarily, but not exclusively on the US - the Communist Party in France has shown an opportunist tendency to support PIRA, and there is growing interest in the European Parliament. Information work in this field is a three-way process: needs may be identified in posts abroad, in London or in Belfast; and to meet them may require an input from one or more of those places. The committee will fulfil a useful function as a clearing house.
- (b) The Central Office of Information have provided a film for use with journalists and selected overseas audiences. Bernard Ingham has already shown it to the US lobby in London and I have shown it to the Foreign Press Association. On both occasions it created a favourable impression. It is too soon to assess its impact abroad but we believe that its deliberately educational exposition of the origins of the deep-seated problems of Northern Ireland struck the right note. We shall update it as necessary.
- (c) We have given extensive help to the three major United States television companies to prepare features on the real nature of the IRA, the NORAIID link and so on.
- (d) Feature articles are being commissioned, some of which (including a forthright denunciation of the IRA by Gerry Fitt) have already been placed in United States' newspapers.
- (e) We are extending the range of background briefs on particular topics, and existing briefs (on for example, the extensive safeguards for the accused in Diplock courts; why baton rounds have to be used) are regularly updated.
- (f) I will be keeping in close touch with US journalists in London and encouraging other Ministers to do the same: they are a key target.
- (g) David Trefgarne and I expect shortly to have a report from a public relations consultant in the United States on whether there are additional ways of reaching a wider range of opinions. (We are not contemplating handing our public

relations effort over to an outside agency: but some monitoring of our efforts and some "in house" professional public relations advice may prove helpful).

- (h) We are promoting and assisting visits by moderate Northern Ireland spokesmen to the United States, eg Harold McCusker MP and Austin Currie of the SDLP are undertaking separate tours this month.
- (i) The development of Anglo-Irish relations is a matter of great interest in the United States - the creation of the Intergovernmental Council has gone down very well. We can get some advantage by judicious use of such developments.
- (j) Interest in the United States in possible political progress in Northern Ireland is building up fast. Charles Wick, producer of "Let Poland be Poland" and a close confidant and public relations adviser of President Reagan, emphasised to us when in London recently that this more than any other factor would win understanding of our position in United States' eyes. If the Government decide upon any kind of move forward, we should need to exploit it in the United States, and Peter Carrington agrees that it would be helpful for Jim Prior to visit the United States after any announcement is made.
- (k) I shall be keeping in touch with backbenchers, some of whom have been critical of our past efforts. I am arranging for those interested to see the Central Office of Information film, and we shall be putting cuttings from the United States press in the House of Commons' Library regularly so that Members may see that the American press have not been as uniformly unhelpful as some believe.
- (l) It is necessary to use our judgment on balancing our efforts in countering IRA propaganda with the commercial need to emphasise normality and thus encourage inward investment in the Province. That balance will vary from time to time; both needs have to be borne in mind.

5. In the main, our approach is primarily educational. However, we learnt from the hunger strike how to be more aggressive when necessary. The "Fact Files" we published, spelling out bluntly the hunger strikers' crimes, had a valuable effect and the Provisional IRA's spokesmen have provided excellent opportunities, which we use to the full, to emphasise their revolutionary Marxist sympathies. A higher profile approach involving advertising and more extensive public relations techniques would be too easily discounted as mere propaganda and would be very much more expensive. David Trefgarne and I are confident that our available resources are now well-organised to be deployed to the best advantage.

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6. I am copying this minute to the Foreign and Commonwealth Secretary, to the Lord President, because of his responsibility for the co-ordination of Government information, to the Chief Whip, because of the backbench exercise and to Sir Robert Armstrong.

N.S.

NICHOLAS SCOTT

// March 1982

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Ireland

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GRS 300
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 FM WASHINGTON 110122Z MAR 82
 TO PRIORITY FCO
 TELNO 819 OF 10 MAR 82
 INFO PRIORITY NIO LONDON NIO BELFAST DUBLIN.

M I P T : NORTHERN IRELAND : ST PATRICK'S DAY

1. THE NATIONAL SECURITY COUNCIL HAVE JUST TOLD US THAT AN INVITATION HAS BEEN SENT TO JOHN HUME TO ATTEND THE PRESIDENT'S LUNCH FOR THE TAOISEACH, AND THEY HAVE CONCLUDED THAT IT WOULD CAUSE GREATER POLITICAL EMBARRASSMENT TO WITHDRAW IT. WE POINTED OUT THE PROBLEMS THIS WAS LIABLE TO CAUSE. AFTER SOME DISCUSSION, THE NSC SAID THAT THEY WOULD MAKE CLEAR IN BRIEFING THE PRESS THAT THE INVITATION TO HUME HAD NO POLITICAL SIGNIFICANCE: HE WAS BEING INVITED BECAUSE HE WOULD BE IN WASHINGTON AT THE TIME AND HAD MET JUDGE CLARK (WHOSE IDEA, OF COURSE, IT WAS TO INVITE HIM). WE SAID THAT THIS WOULD MEAN THAT WHATEVER THE PRESIDENT SAID ON ST PATRICK'S DAY WOULD BE SCRUTINISED MORE CLOSELY THAN EVER. WE HOPED THAT NOTHING WOULD BE SAID WHICH WOULD COMPLICATE MR PRIOR'S TASK. THE NSC SAID THAT THEY TOOK THE POINT. I HAVE SUBSEQUENTLY PROTESTED TO STOESSEL POINTING OUT HOW INFLAMMATORY THE INVITATION TO HUME WILL BE SEEN TO BE IN LONDON AND BELFAST. STOESSEL ASKED WHAT COULD BE DONE. I SAID THAT THE INVITATION SHOULD BE WITHDRAWN. STOESSEL SAID THAT HE WOULD LOOK INTO IT, HE ASKED WHETHER THEY SHOULD INVITE A PROTESTANT FROM BELFAST. I SAID THAT IT WOULD BE BETTER NOT TO INVOLVE POLITICIANS FROM NORTHERN IRELAND IN THIS PRESIDENTIAL LUNCH WHICH WAS ALREADY DELICATE ENOUGH.

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TELNO 818 OF 10 MAR 82
INFO PRIORITY NIO LONDON NIO BELFAST DUBLIN.

YOUR TELS 449 AND 450 : NORTHERN IRELAND : ST PATRICK'S DAY STATEMENT

1. I CALLED ON STOESSEL THIS AFTERNOON. I TOLD HIM ABOUT MR PRIOR'S DISCUSSIONS WITH THE NORTHERN IRELAND PARTIES (YOUR TELNO 450) AND SAID THAT IT WAS VERY IMPORTANT AT THIS DELICATE STAGE THAT NOTHING SHOULD BE SAID BY THE PRESIDENT WHICH COULD JEOPARDISE OUR INITIATIVE. SO AS TO LEAVE STOESSEL IN NO DOUBT ABOUT WHAT I MEANT I QUOTED TO HIM PASSAGES FROM MR HAUGHEY'S STATEMENT ON NORTHERN IRELAND IN THE IRISH PARLIAMENT YESTERDAY (DUBLIN TELNO 67). I SAID THAT IF, FOR EXAMPLE, THE PRESIDENT WERE TO ENDORSE MR HAUGHEY'S SUGGESTION OF A CONFERENCE BRINGING TOGETHER ALL THE PARTIES INVOLVED, THIS COULD ONLY HAVE THE EFFECT OF HARDENING OPINION ON BOTH SIDES IN NORTHERN IRELAND AND MAKE POLITICAL PROGRESS OF ANY KIND IMPOSSIBLE. EVEN WELL MEANING REMARKS SUCH AS THE REFERENCE TO RECONCILING THE TWO POLITICAL TRADITIONS, WHICH THE PRESIDENT HAD MADE IN HIS LETTER TO DR FITZGERALD LAST YEAR, WERE SEEN IN NORTHERN IRELAND AS INDICATING THAT THE UNITED STATES HAD TAKEN UP A POSITION IN FAVOUR OF REUNIFICATION. STOESSEL SAID THAT HE TOOK THE POINT AND HOPED THAT THE PRESIDENT WOULD BE AS GENERAL AS POSSIBLE IN HIS ST PATRICK'S DAY STATEMENT.

2. I GAVE STOESSEL A COPY OF THE EDITORIAL 'MUZZLING IRA GUNS' WHICH APPEARED IN THE TIMES ON 4 MARCH. I ALSO TOLD HIM ABOUT OUR LATEST PIECE OF INTELLIGENCE ON IRA FUNDING IN THE USA INDICATING THAT IT IS RUNNING AT A MUCH HIGHER LEVEL THAN THAT DECLARED BY NORAID. I SAID THAT, NOW THAT THE US COURTS HAD NAMED NORAID AS AGENTS OF THE PROVISIONAL IRA, WE HOPED THAT THE PRESIDENT MIGHT GO FURTHER THAN HITHERTO AND ACTUALLY CONDEMN NORAID BY NAME.

3. I ADDED THAT IF THE PRESIDENT COULD SAY SOMETHING WHICH WOULD ENCOURAGE US INVESTMENT IN NORTHERN IRELAND THAT WOULD BE WELCOME TO US, PARTICULARLY GIVEN NORTHERN IRELAND'S PRESENT ECONOMIC DIFFICULTIES.

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4. THE STATE DEPARTMENT HAVE TOLD US THAT THEY HAVE SENT TO THE WHITE HOUSE A DRAFT ST PATRICK'S DAY STATEMENT COINED IN TERMS WHICH WE WOULD FIND HELPFUL. I AM SURE THAT STOESEL WILL PASS ON WHAT I SAID TO HIM. BUT IT IS CLARK WHO WILL DECIDE THE SHAPE OF THE FINAL DRAFT OF THE PRESIDENT'S STATEMENT (AND IT IS HE WHO IS MORE LIABLE TO BE ATTRACTED BY HAUGHEY'S PROPOSAL FOR A CONFERENCE AND LESS AWARE OF THE DAMAGE WHICH IT COULD DO). CLARK'S STAFF TELL US THAT THEY HAVE WARNED HIM OF THE DANGERS OF APPEARING TO TAKE SIDES ON THIS ISSUE. I HAVE ASKED TO SEE CLARK MYSELF AS SOON AS POSSIBLE.

HENDERSON

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MR URE

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NORTHERN IRELAND

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10 March 1982

Northern Ireland

Thank you for your letter of 9 March enclosing the text of a message from the Pope to The Queen and The Queen's reply. The Prime Minister has seen and taken note of these documents.

JC

John Holmes Esq
Foreign and Commonwealth Office

h



Foreign and Commonwealth Office

London SW1A 2AH

1. AJC
2CVP

2

9 March 1982

Prime Minister

To be aware.

ms

A.J.C. $\frac{2}{3}$

Dear John,

In view of the forthcoming visit to this country of the Pope, the Prime Minister may wish to see the texts of a message which the Pope sent to The Queen, dated 5 December, about Northern Ireland, (Holy See telegram No 29 of 10 December 1981), and of The Queen's reply, *Passage deleted and closed, 40 years, under FOI Exemption.*

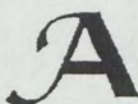
Wayland
2 October 2012

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles
10 Downing Street



The National Archives

LETTERCODE/SERIES <i>PREM 19</i>	Date and sign
PIECE/ITEM <i>815</i> (one piece/item number)	
Extract/Item details: <i>Enclosures to letter from Holmes to Coles dated 9 March 1982:</i> <i>1. Telegram 29 from Holy See, 10 Dec 1981;</i> <i>2. Letter from the Pope to the Queen,</i> <i>5 Dec 1981; and</i> <i>3. Letter from the Queen to the Pope,</i> <i>1 March 1982</i>	
CLOSED FOR <i>40</i> YEARS UNDER FOI EXEMPTION	<i>2 October 2012</i> <i>@Wayland</i>
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DEVOLUTION TALKS with SECRETARY of STATE

Monday, 8th March, 1982 at 4.00 p.m.

p.a.
MR 16/3

A meeting took place at Stormont between the Secretary of State, Rt. Hon. James Prior, M.P.; Sir Ewart Bell; Mr. Wyatt; Mr. Blatherwick; Mr. Shepherd and Mr. Boys-Smith and the Ulster Unionist Council representatives:- Mr. James Molyneaux, M.P.; Sir George Clark, Bart., D.L.; Mr. Harold McCusker, M.P.; Mr. Wm. Ross, M.P.; Cllr. Wm. Bleakes; and Cllr. Raymond Ferguson.

The Secretary of State welcomed the U.U.C. delegation. And said he proposed to deal with the Timetable and Anglo-Irish relations. He stressed that he was not saying anything to one party and something else to another. His Cabinet colleagues agreed that he continue to prepare proposals and go back to them with a draft White Paper. He hoped to publish a White Paper before Easter. He said it was not necessary to have Legislation. The '73 Act under which the Assembly and Executive were set up would be used and the White Paper would deal with modifications such as the Committee system; 70 per cent. weighted majority; rolling devolution and the scheme whereby powers could be clawed back by the Secretary of State without the whole Assembly collapsing.

Mr. Molyneaux pointed out that a Ministerial Order would be needed to fix an election date. The Secretary of State commented that using the '73 Act modified by White Paper proposals later implemented by Order in Council was not as tidy as having new legislation; but this could not be brought in before the summer recess.

The Secretary of State, in reply to Mr. McCusker, stated that the 1973 Act would be used and subsequent changes to that Act would be shown in the White Paper.

Councillor Bleakes enquired if the Irish Dimension would be excluded. The Secretary of State said that he would deal with that later.

The Secretary of State read from the draft paper, proposals for devolving powers. If there was a 70 per cent. vote in favour of devolving power and the Secretary of State was convinced there was "cross-community" support the Government would put that before Parliament and if Parliament agreed an Order would be laid accordingly.

The Secretary of State stated that the Government would not accept any lower figure than 70 per cent. They had to be assured that there was "cross-community" support, assured that there was R.C. involvement, as they represented over 35 per cent. of the population, hence the figure of 70 per cent.

In other words if the Secretary of State was not satisfied that the weighted majority of 70 per cent. contained sufficiently large R.C. involvement he would be unable to recommend the formation of that department to the Parliament.

Mr. Ross immediately pointed out that this was blatant sectarianism.

Mr. Molyneux then challenged the Secretary of State to concede that his (Mr. Molyneux's) speech to last conference was accurate when he warned that Government and Parliament would not restore devolved government in a form Unionists could accept. The Secretary of State replied that he would only restore devolved government in a form in which there was "cross-community" support. He went on to point out that no "Unionist/Independent/Loyalist" grouping of 70 per cent. would be recognised as having "cross-community" support.

A lengthy discussion followed. The delegation suggested the likelihood that as in previous occasions the minority might decide to boycott the Assembly because of outside factors, e.g., some action of the army as happened in 1972. The Secretary of State stated that if in his consideration such a breakdown took place, then the powers would revert to the Secretary of State. Hence the need for "claw-back" powers.

The Secretary of State said he did not envisage that such a situation would arise at the initial stage. He stated that after the election, the first duties of the Assembly would be to elect a Presiding Officer then prepare Standing Orders, elect six committees under P.R. with Chairman, Vice-Chairman and Rapporteur. On questioning, the Secretary of State denied that the addition of Rapporteurs was creating "jobs for the boys".

Despite the fact that the delegation went to considerable length to point out the impracticalities of the scheme suggested in the draft White Paper; the Secretary of State was adamant that the 70 per cent. weighted majority would have to contain an element of cross community support.

The Secretary of State conceded, however, that

Provided there was sufficient evidence of cross-community support he might be prepared to recommend a figure of 65 per cent. to the Government, but this suggested concession was only made after the most persistent questioning by the delegation.

The delegation left him in no doubt that this was totally unacceptable to the Ulster Unionist Party. Sir George Clark informed the Secretary of State that the foregoing would not be acceptable to the Executive Committee to whom he would be reporting on Friday.

Mr. McCusker enquired of the Secretary of State "was Westminster opting out?" The Secretary of State said Westminster was in a difficult position and went on to say that it was vital to keep up the momentum. He expressed concern that if the Ulster Unionists didn't take part it would be difficult to get anyone to take part.

This spurred Mr. Molyneux to enquire had the Secretary of State put these proposals to other parties, to which the Secretary of State and Mr. Blatherwick agreed that they had been read to all parties.

Dr. Paisley had made it clear that he did not like the 70 per cent. weighted majority. Mr. Molyneux suggested that they could not have understood what was read to them - hence their silence.

Sir George suggested to the Secretary of State that he reconsider his proposals in view of the fact that the Ulster Unionist Party would not accept the proposals for the devolving of powers as presented, to which Mr. Ross said in addition that we were also totally opposed to P.R. because it would perpetuate political instability.

Anglo-Irish Affairs

The Secretary of State then went on to say that he proposed to deal with that part of the White Paper which dealt with Anglo-Irish Affairs.

The Secretary of State said the Government's policy on Anglo-Irish Affairs was well known and was in the interest of the U.K. as a whole, as well as a benefit to the security policy.

The Secretary of State read the following passage from his draft White Paper:-

"The Anglo-Irish Council is a matter between the Westminster and Dublin Governments. A parliamentary tier would be set up between the Republic and U.K. in which representatives from Westminster; Dail; European Parliament and the political parties from the Assembly would participate. The White Paper states that recognition must be made of both political and cultural identities when evolving a system of government and therefore no system can be stable unless account is taken of:-

1. The two political and cultural identities.
2. That the minority have equal rights.
3. That the minority acknowledge the rights of the majority.
4. Right to pursue political objectives by democratic means."

The Secretary of State expressed concern at the inaccuracy of the report of the foregoing in the Irish Times and hoped that this explanation would put the record straight.

The Secretary of State was questioned on the wisdom of including such arrangements in the White Paper when he had already stated that the Anglo-Irish Council and its affairs were entirely between Westminster and Dublin and that raising this issue in the White Paper was detrimental to his initiative. On further questioning the Secretary of State admitted

it was included because the SDLP had so demanded.

The Secretary of State quoted from the communique issued after the last Anglo-Irish Summit.

Sir George Clark stated that this was a first step back to Sunningdale and went on to say that this appeared to him to be a strange way to conduct the affairs of the United Kingdom. He told the Secretary of State that the draft White Paper would not have his support as it appeared the Secretary of State had not made any attempt to understand the majority position and he warned the Secretary of State that he would fight against it as it appeared that Ulster was to be eroded into the Irish Republic.

Mr. McCusker said that no one could object to "extra-Assembly activity" provided that the object of this activity was not to allow politicians from the Irish Republic to discuss the affairs of Northern Ireland. He pointed out to the Secretary of State that they were obviously not going to discuss "Lowestoft" or "croft farming" but in all probability how best they could advance the cause of Irish unity. The Secretary of State revealed that it was included to narrow the area of disagreement with the SDLP.

Councillor Ferguson warned the Secretary of State that the combination of the 70 per cent. weighted majority and the Anglo-Irish relationship would give the Ulster Independence Party a lift. The effect of these two proposals were worse than Sunningdale.

As the meeting had gone on for 2 $\frac{1}{4}$ hours it was agreed to adjourn the discussion.

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PS TO PM. NO 10 DOWNING STREET.

GR 380

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FM WASHINGTON 042359Z MAR 82

TO PRIORITY FCO

TELEGRAM NUMBER 744 OF 4 MARCH

INFO NIO LONDON, NIO BELFAST

INFO SAVING DUBLIN, SAN FRANCISCO

MY TELNO 520: NORTHERN IRELAND: EXTRADITION OF WILLIAM JOSEPH QUINN

1. WE HAVE HAD A SERIES OF MEETINGS WITH THE US ASSISTANT ATTORNEY (ZANIDES) WHO WILL BE CONDUCTING OUR EXTRADITION CASE AGAINST THE IRA TERRORIST, QUINN. PAUL WILKINSON OF ABERDEEN UNIVERSITY, WHO HAD ALREADY DONE SOME BACKGROUND WORK FOR ZANIDES ON THE CASE, TOOK PART IN ONE OF THE MEETINGS.

2. ZANIDES, SUPPORTED BY THE DEPARTMENT OF JUSTICE, HAS MAINTAINED HIS VIEW THAT OUR BEST CHANCE OF SECURING QUINN'S EXTRADITION LIES IN MAINTAINING THAT THE MURDER AND OTHER ACTS COMMITTED BY QUINN WERE STRAIGHTFORWARD CRIMES WHICH CANNOT BE CONSIDERED INCIDENTAL TO ANY REBELLION OR UPRISING IN NORTHERN IRELAND. FOR THIS REASON, WHILE THEY WILL TRY TO DENT THE TESTIMONY OF QUINN'S DEFENCE WITNESSES IN CROSS EXAMINATION, THE US AUTHORITIES HAVE DECIDED NOT TO USE WILKINSON AS A PROSECUTION WITNESS OR EVEN TO HAVE HIM ON HAND IN CASE OF NEED. ZANIDES HAS, HOWEVER, SAID THAT HE WOULD BE GLAD TO HAVE AN OFFICIAL FROM THE NIO ATTEND THE COURT HEARING, NOT LEAST TO HELP BRIEF HIM ON ANY DIFFICULT ISSUES WHICH MAY COME UP IN THE DEFENCE TESTIMONY.

3. WE HAVE SAID, BOTH TO ZANIDES AND TO THE DEPARTMENT OF JUSTICE, THAT WE WOULD HAVE LIKED THEM TO HAVE WILKINSON ON HAND IN CASE THE COURSE OF THE EXTRADITION HEARING INDICATED THAT HIS TESTIMONY COULD, AFTER ALL, BE USEFUL. THEY APPEAR TO HAVE TAKEN A FIRM DECISION, BUT WE DO AT LEAST HAVE AN ASSURANCE THAT THE DEFENCE CASE ON THE NATURE OF THE IRA AND OF THE POLITICAL SITUATION IN NORTHERN IRELAND WILL NOT GO UNANSWERED. ZANIDES WILL CONDUCT A DETAILED CROSS-EXAMINATION OF THE DEFENCE WITNESSES AND, IF THE NIO ARE ABLE TO SEND AN OFFICIAL (EG HARRINGTON), THIS SHOULD ENSURE THAT ZANIDES IS FULLY BRIEFED AND HAS SOMEONE OF AUTHORITY TO WHOM HE CAN REFER. THE MEMORANDUM WHICH ZANIDES HAS NOW SUBMITTED TO THE COURT (WALL'S LETTER TO HARRINGTON OF 2 MARCH) ALSO STRIKES US AS A COMPETENT DOCUMENT WHICH EFFECTIVELY EXPLAINS WHY THE US AUTHORITIES HAVE CHOSEN TO ADOPT THE TACTIC OF CONCENTRATING ON THE CRIMINAL ASPECTS OF QUINN'S BEHAVIOUR.

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4. THE HEARING OF QUINN'S CASE IS LIKELY TO LAST FROM MONDAY 22 TO FRIDAY 26 MARCH AND HARRINGTON WOULD NEED TO BE PRESENT THROUGHOUT. I RECOMMEND THAT HE SHOULD BE MADE AVAILABLE IF AT ALL POSSIBLE.

5. THERE IS A SLIGHT RISK THAT QUINN'S DEFENCE LAWYERS COULD TRY TO SUBPOENA HARRINGTON AND PUT HIM INTO THE WITNESS BOX. ZANIDES THINKS THAT ON THE WHOLE, THEY ARE UNLIKELY TO DO SO BECAUSE THEY WILL NOT WISH TO RISK TESTIMONY DAMAGING TO QUINN. HOWEVER, AS A SAFE-GUARD, WE WOULD SEEK TO HAVE HARRINGTON LISTED BY THE STATE DEPARTMENT AS AN ATTACHE AT THE EMBASSY, THEREBY GIVING HIM DIPLOMATIC IMMUNITY.

FCO PASS SAVING DUBLIN

HENDERSON

[REPEATED AS REQUESTED]

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[NOT ADVANCED]

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FM WASHINGTON 032254Z MAR 82
TO IMMEDIATE F C O
TELEGRAM NUMBER 713 OF 3 MARCH
AND TO NIO LONDON
INFO DUBLIN

PS TO PM. NO 10 DOWNING STREET.

NORTHERN IRELAND: ST PATRICK'S DAY

1. PRESIDENT REAGAN HAS RENEWED HIS INVITATION TO THE IRISH PRIME MINISTER (WHOEVER HE MAY BE) TO VISIT WASHINGTON ON ST PATRICK'S DAY. WHETHER OR NOT THE TAOISEACH IS HERE, 17 MARCH WILL BE THE OCCASION FOR A STATEMENT BY PRESIDENT REAGAN AND THERE IS BOUND TO BE SOME REFERENCE TO NORTHERN IRELAND. WE KNOW THAT SOME OF THE PRESIDENT'S ADVISERS WOULD LIKE HIM TO CONDEMN NORAID BY NAME (SOMETHING HE DID NOT DO WHEN HE ADDRESSED THE IRISH-AMERICAN HISTORICAL SOCIETY LAST YEAR, PARTLY BECAUSE OF LOBBYING BY NORAID AND ITS SUPPORTERS). MR REAGAN'S OWN ATTITUDE TO TERRORISM, THE US AUTHORITIES' RECENT SUCCESS IN ARRESTING PIRA ILLEGAL IMMIGRANTS, THE FAILURE OF PROVISIONAL SINN FEIN CANDIDATES IN THE IRISH ELECTION AND THE DEVELOPMENT OF ANGLO-IRISH RELATIONS SHOULD ALL HELP TO MAKE IT POSSIBLE FOR THE ADMINISTRATION TO TAKE A TOUGHER PUBLIC STAND ON IRA AND NORAID.

2. IT IS ALWAYS EASIER FOR THE PRESIDENT TO MAKE VAGUE AND GENERAL STATEMENTS ABOUT IRELAND THAN TO RISK TROUBLE FROM IRISH-AMERICAN GROUPS BY SAYING THINGS UNPALATABLE TO THEM. I THINK WE SHOULD MAKE AN EFFORT TO ENCOURAGE THE ADMINISTRATION TO GO BEYOND GENERAL CONDEMNATION OF VIOLENCE IN THIS YEAR'S ST PATRICK'S DAY STATEMENT. ALTHOUGH THIS WILL BE VERY DIFFICULT TO ACHIEVE, I SHOULD LIKE TO URGE ON THEM THE NEED FOR MORE EXPLICIT CONDEMNATION OF THE PIRA (AND INDEED OF NORAID). I PROPOSE TO CALL ON EITHER STOESSEL OR EAGLEBURGER AT THE STATE DEPARTMENT TO MAKE THIS POINT. I HAVE IT IN MIND ALSO TO TRY TO FIND AN OPPORTUNITY TO RAISE THIS WITH CLARK AND TO GIVE HIM A COPY OF THE RECENT PAPER ABOUT PROVISIONAL IRA LINKS WITH OTHER TERRORIST ORGANISATIONS WHICH WAS PREPARED AT BULLARD'S REQUEST AND HAS ALREADY BEEN GIVEN TO EAGLEBURGER.

3. I HAVE NO DOUBT THAT IT WOULD HELP GREATLY IF, IN DOING SO, I COULD ALSO GIVE SOME ACCOUNT OF MR PRIOR'S THINKING ON THE GOVERNMENT'S PROPOSED NORTHERN IRELAND INITIATIVE. I SHOULD LIKE TO BE ABLE TO TELL STOESSEL AND CLARK THAT MR PRIOR HAD ASKED ME, ON HIS BEHALF, TO GIVE AN ACCOUNT OF HIS THINKING, INCLUDING HOW WE PLAN TO SAFEGUARD MINORITY INTERESTS IN NORTHERN IRELAND. I WOULD NOT NEED TO GO INTO ANY DETAIL. BUT ANY INDICATION I COULD GIVE OF OUR INTENTIONS WOULD, I AM SURE, BE HELPFUL IN GETTING THE RIGHT KIND OF RESPONSE. IN ORDER TO HAVE ANY CHANCE OF INFLUENCING WHAT THE WHITE HOUSE SAY, I SHOULD NEED TO SEE THOSE CONCERNED IN THE ADMINISTRATION NOT LATER THAN THE MIDDLE OF NEXT WEEK (9 OR 10 MARCH).

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4. AS YOU KNOW, I HOPE THAT MR PRIOR WILL BE ABLE TO VISIT THE UNITED STATES SHORTLY AFTER PUBLICATION OF OUR INITIATIVE TO EXPLAIN OUR THINKING AND POLICIES TO THE ADMINISTRATION, CONGRESS ETC.

HENDERSON

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Lough Foyle (Bombing Incident)

3.31 pm

Mr. William Ross (Londonderry): (*by private notice*) asked the Prime Minister what action she will take following the destruction of a vessel in British territorial waters namely Lough Foyle and if she will make a statement.

The Under-Secretary of State for Northern Ireland (Mr. Nicholas Scott): I have been asked to reply.

I understand that the collier "St. Bedan" was boarded by armed men while at anchor in Lough Foyle on the night of 22 February and sunk by explosives at about 1 am this morning. The crew reached the shore in safety. The wreck does not present a navigational hazard.

It appears that the group which boarded the St. Bedan set out from and returned to the Republic of Ireland's shore. The RUC is in touch with the Garda Siochana. The Irish authorities are pursuing their inquiries into the incident.

It is, of course, open to the owners and other interested parties to seek compensation under the Criminal Damage (Compensation) (Northern Ireland) Order 1977. I am sure the whole House will join me in condemning this attack, which put the crew of the vessel in danger and which strikes at the livelihood of those living in the area.

Mr. Ross: Will the Under-Secretary assure us that there will be an increase in security forces activity in Lough Foyle? Will he agree that the owners of this vessel should have it brought to notice that the United Kingdom is responsible for compensation for any loss suffered? Will he assure the House that the United Kingdom will shoulder its responsibilities and ensure this time that it is members of Her Majesty's Forces who search and clear the wreck of any further explosives? Will he assure us that the United Kingdom will be responsible for keeping the shipping lane clear and safe? Finally, will he tell the House which RUC divisional commander is responsible for the investigation and that he will not rely on the police force of a foreign country?

Mr. Scott: The RUC, of course, is concerned about this incident. Compensation is a matter for the Department of Trade and the Northern Ireland Office. We will obviously bear in mind what the hon. Gentleman said. On jurisdiction, Lough Foyle is an integral part of County Londonderry, and thus of the United Kingdom. On future security, we are of course already in touch with my right hon. Friend the Secretary of State for Defence whose responsibility this is.

Several Hon. Members *rose*—

Mr. Speaker: This is an extension of Question Time. I shall call those right hon. and hon. Members who have intimated that they wish to speak.

Sir John Biggs-Davison (Epping Forest): Does not my hon. Friend recall that this is not the first time that a ship has been sunk in these waters? Is he then satisfied that surveillance is adequate? Is this not a matter for the RUC, the Royal Navy and possibly the Royal Air Force?

Mr. Scott: This is the second incident of this sort, and that underlines the importance of improved security in the future. That is why we are in touch with the Ministry of Defence about it.

Mr. J. Enoch Powell (Down, South): Will the Government be sure that in this case, unlike the previous incident, no steps are taken or permitted which in any way prejudice the sovereignty of the United Kingdom over these waters, which the hon. Gentleman has just reaffirmed?

Mr. Scott: No such steps were taken on the last occasion and none will be taken on this occasion.

Mr. A. J. Beith (Berwick-upon-Tweed): Since this ship was bringing coal from Northumberland to Northern Ireland, is it not another example of IRA tactics which harm ordinary people trying to live their ordinary lives in Northern Ireland?

Mr. Scott: We certainly entirely agree with that. It also underlines the need for the closest cooperation across the borders in countering these men. It is in the interests of both Northern Ireland and the Republic that they should not be allowed to carry on in this way.

Mr. James Kilfedder (Down, North): Since a similar incident occurred a year ago, have not the authorities been negligent in failing to prevent a recurrence of that incident? The IRA has described the sinking of the collier as an economic measure. However, in truth, is the IRA not seeking the maximum publicity for its campaign?

Mr. Scott: Of course, the IRA seeks maximum publicity for its campaign. It is in our interests to ensure that we respond appropriately to the action that it has taken. I am sure that, in co-operation with my right hon. Friend the Secretary of State for Defence, appropriate measures will be taken.

Mr. Michael English (Nottingham, West): Is it not fortunate for the Provisional IRA that it committed this offence where it did and not a few miles away? Had it committed an act of violence on the high seas—outside territorial waters—it would have been piracy, for which the penalty is substantially greater than for any offence it may have committed.

Mr. Scott: I noted that, but it did not do so.

Mr. Clive Soley (Hammersmith, North): I confirm to the Minister our opposition to all paramilitary activity of this sort, from wherever it comes. Given the nature of this and previous incidents, are there standard procedures for checking on the dangers? Above all, is there a standard procedure for co-operation with Southern Ireland?

Mr. Scott: The Department of Trade gives ordinary advice on security to vessels using all ports, including those in Northern Ireland. That procedure exists and there are continuing and effective arrangements between the RUC and the Garda Síochána for cross-border co-operation.

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FROM DUBLIN 181240Z FEBRUARY 1982.
TO IMMEDIATE F C O
TELEGRAM NUMBER 43 OF 18 FEB 1982.
AND TO IMMEDIATE INFO N I O BELFAST AND N I O LONDON

NORTHERN IRELAND: MR PRIOR'S PROPOSALS

1. I HANDED MR PRIOR'S REPLY TO SENATOR DOOGE'S LETTER OF 15 FEBRUARY TO NELIGAN THIS MORNING. THE LATTER THOUGHT THAT THE REPLY WAS REASSURING AND WELCOME.
2. IN FURTHER DISCUSSION, NELIGAN EXPLAINED THAT WHAT THE SDLP WERE WANTING FROM THE NEW PROPOSALS AND WHAT THE IRISH GOVERNMENT THOUGHT IT REASONABLE FOR THEM TO ACCEPT WERE NOT THE SAME THING. HE AGREED THE SDLP WERE PERHAPS ASKING TOO MUCH TOO SOON. HOWEVER, THE IRISH GOVERNMENT, WHILE AGREEING THAT THE QUESTION OF "AN IRISH DIMENTION" WAS EMOTIVE JUST NOW AND WOULD UPSET THE UNIONISTS HOPED NEVERTHELESS THAT THE PROPOSALS WOULD HAVE A "WINDOW OPEN TO THE REPUBLIC".
3. THE IRISH CLEARLY ATTACH GREAT IMPORTANCE TO SOME EFFORT ON OUR PART TO ALLOW FOR A "WINDOW" OR SOMETHING OF THE SORT. I HAVE NOT YET SEEN THE DRAFT PROPOSALS AND IT WOULD BE HELPFUL TO KNOW TO WHAT EXTENT THEY MEET THE IRISH POINT.

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TO IMMEDIATE FCO

TELEGRAM NO 516 OF 17 FEBRUARY

INFO IMMEDIATE NIO LONDON, NIO BELFAST, OTTAWA, DUBLIN

ROUTINE PARIS

OTTAWA TELNO 89: NORTHERN IRELAND: PIRA ARRESTS

1. ALL FIVE OF THE IRISHMEN WHO ENTERED THE US ILLEGALLY ON 6 FEBRUARY WERE INDICTED BY A GRAND JURY IN BUFFALO, NEW YORK, YESTERDAY EVENING (16 FEBRUARY). CHARGES ARE AS FOLLOWS:

- (A) (ALL FIVE) CONSPIRACY TO BRING ALIENS INTO THE UNITED STATES ILLEGALLY
- (B) (ELLIS) MISUSE OF PASSPORT
- (C) (ELLIS) MAKING FALSE STATEMENTS
- (D) (HOWELL) MISUSE OF PASSPORTS
- (E) AND (F) (O'NEAL AND GILROY) SMUGGLING ELLIS AND HOWELL INTO THE UNITED STATES.

2. ELLIS MAY FACE FURTHER CHARGES CONNECTED WITH FALSE STATEMENTS.

3. ALL FIVE ARE TO BE ARRAIGNED AT 1130 LOCAL TIME (1630Z) TOMORROW, 18 FEBRUARY, WHEN THE CHARGES WILL BE FORMALLY LAID, A TRIAL DATE NAMED AND BAIL SET. THE US AUTHORITIES WILL SEEK A SUBSTANTIAL FIGURE FOR BAIL AND WILL POINT OUT TO THE COURT THAT ELLIS IS A FUGITIVE FROM JUSTICE. ALTHOUGH BAIL WILL ALMOST CERTAINLY BE GRANTED THERE IS A GOOD PROSPECT THAT THE FIVE WILL NOT IMMEDIATELY BE RELEASED SINCE THEY FACE A SEPARATE EXCLUSION HEARING WHICH IS DUE TO TAKE PLACE IN BUFFALO AT 1000 LOCAL TIME (1500) ON FRIDAY 19 FEBRUARY. THE IMMIGRATION AND NATURALISATION SERVICE (INS) HAVE BEEN MADE WELL AWARE FROM OUR REPRESENTATIONS AND THOSE OF THE IRISH (BOTH DIRECTLY AND THROUGH STATE DEPARTMENT) THAT WE ATTACH GREAT IMPORTANCE TO ALL FIVE BEING HELD IN CUSTODY UNTIL SUCH TIME AS THEY ARE EXCLUDED TO CANADA, SHOULD THAT BE THE DECISION OF THE IMMIGRATION COURT. THE INS HAVE SAID THAT THEY TOO HAVE NO WISH TO SEE ANY OF THE FIVE QUOTE OUT ON THE STREETS UNQUOTE.

4. IF THINGS GO AS THEY DID IN THE CASE OF CARRON AND MORRISON, IT SEEMS LIKELY THAT ALL FIVE IRISHMEN, INCLUDING ELLIS, WILL BE QUOTE EXCLUDED UNQUOTE TO CANADA, EITHER ON FRIDAY 19 FEBRUARY OR, IF PROCEEDINGS CANNOT BE COMPLETED ON FRIDAY, ON MONDAY 22 FEBRUARY. ALL FIVE WOULD BE EXPECTED TO RETURN TO THE UNITED STATES TO STAND TRIAL IN DUE COURSE. YOU MAY WISH TO CONSIDER WHAT LEGAL AND PRACTICAL DIFFICULTIES MIGHT ARISE WERE WE TO BE SEEKING ELLIS' REMOVAL FROM CANADA UNDER THE FUGITIVES OFFENDERS ACT AT THE TIME HE WAS DUE TO APPEAR FOR TRIAL IN THE UNITED STATES. IT

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OCCURS TO US THAT WERE HE TO BE ALLOWED BY THE CANADIAN AUTHORITIES TO RETURN TO THE US FOR TRIAL HE MIGHT THEN TRY TO SEEK POLITICAL ASYLUM IN THE US ON THE GROUND THAT HE WAS BEING HOUNDED BY THE BRITISH AUTHORITIES. WHILE SUCH A PLOY WOULD BE UNLIKELY TO SUCCEED, IT WOULD CERTAINLY BUY HIM TIME AND MIGHT ALLOW ELLIS TO SLIP FROM OUR GRASP.

5. WHATEVER COURSE OF ACTION IS DECIDED ON, IE WHETHER WE OR THE IRISH SEEK ELLIS' RETURN, WE SHOULD CLEARLY TRY TO CLOSE ANY LEGAL LOOPHOLE WHICH COULD ALLOW HIM TO RETURN TO THE UNITED STATES ONCE, AS WE HOPE, HE HAS BEEN SENT BACK ACROSS THE CANADIAN BORDER AT THE END OF THIS WEEK.

6. HOWELL HAS BEGUN A HUNGER STRIKE AND IS TO BE JOINED BY ANOTHER OF THE DETAINEES EVERY FIVE DAYS. THE STRIKE IS IN PROTEST AT DENIAL OF BAIL, BEING FORCED TO WEAR PRISON CLOTHES, NOT BEING ABLE TO SPEAK TO EACH OTHER AND BEING GIVEN REGULAR PERIODS OF SOLITARY CONFINEMENT.

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TO IMMEDIATE FCO

TELEGRAM NUMBER 95 OF 17 FEBRUARY

AND TO IMMEDIATE WASHINGTON AND DUBLIN

MY TELNO 89: NORTHERN IRELAND : PIRA -- DESMOND ELLIS

1. CROWN COUNSEL IN THE DEPARTMENT OF JUSTICE TELEPHONED A MEMBER OF CHANCERY THIS MORNING ABOUT THE ELLIS CASE. SHE SAID:
(A) IN HER OPINION THE PROVISION REGARDING "HARD LABOUR" IN THE FUGITIVE OFFENDERS ACT WOULD NOT PRESENT ANY PROBLEM.
(B) THERE WAS INDEED NO EXTRADITION TREATY BETWEEN THE REPUBLIC OF IRELAND AND CANADA.
(C) SHE REFERED TO REFERENCE TO THE REPUBLIC OF IRELAND IN THE INTRODUCTORY SECTION OF THE BRITISH FUGITIVE OFFENDERS ACT BUT DOUBTED WHETHER THIS AFFECTED THE POINT IN (B) ABOVE.
(D) IF WE WISHED TO SECURE ELLIS'S RENDITION IT WOULD BE IMPORTANT THAT THE OFFENCE FELL WITHIN THE PROVISIONS OF THE CANADIAN FUGITIVE OFFENDERS ACT. POSSESSION OF EXPLOSIVES MIGHT NOT BE SUFFICIENT.

2. THE CANADIANS ARE CLEARLY APPLYING THEIR MINDS IN A POSITIVE AND HELPFUL WAY TO THIS PROBLEM. THIS IS ENCOURAGING.

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Prime Minister

NORTHERN IRELAND

1. John Coles handed to me this afternoon the Memorandum prepared by the Secretary of State for Northern Ireland which is to be considered by the Defence and Overseas Policy Committee of the Cabinet tomorrow.
2. I regret that I have not had more time in which to consider the Memorandum and in which to prepare this note.
3. I remind you of the words of our Manifesto:-
"In the absence of devolved Government, we will seek to establish one or more elected regional councils with a wide range of powers over local services."
4. The reference to "one or more elected regional councils" was, of course, to the equivalent of one or more County Councils - and one, two (or even three) County Councils would have been appropriate to a population of 1½ million.
5. Airey knew that there could never be a return to Stormont. But he also recognised that in a democracy there must be Government by the majority, provided that the essential liberties and rights of the minority were protected by a just law. But the protection of liberties and rights of the minority does not mean power sharing, any more than it is necessary for the protection of Labour or Liberal voters to have Labour and Liberal Ministers in your Cabinet.

It would be difficult for you to share power with Mr Roy Mason and Mr Roy Jenkins, even though both are, I believe committed to the survival of the United Kingdom, as an independent sovereign state. But it would be much more difficult for you to share power with Dr Paisley (who in Enoch's view wants to see an independent state of Northern Ireland) or ^{with} Gerry Fitt (who wants to see Northern Ireland incorporated into the Republic).

6. Yet the Memorandum of the Secretary of State does envisage power sharing so that decisions are taken not by a majority, but by a majority of 70%; furthermore, the Secretary of State clearly envisages that a new Northern Ireland "Executive" (with these powers) would itself be power sharing so that its members would include those who believed in the Union, those who want Northern Ireland to be an independent state, and those who want to incorporate Northern Ireland into the Republic. This is doomed to failure.
7. I disagree, fundamentally, with the first eight paragraphs of the Secretary of State's Memorandum. For years, there has been a misconception that it is necessary to "do something" and that there has to be "political development".
8. Sometimes the wisest course is not to try to do anything spectacular.
9. There are three particular objections to the proposals of the Secretary of State:-
 - (a) A Consultative Assembly would be likely to be composed of a large number of "Paisleyites", a significant number of Republicans and only a smattering of "moderate" Unionists and Republicans.

Few, if any, members of the Assembly would be well disposed towards the Government. The Assembly would, in the literal meaning of the word, be "irresponsible".

(b) A weighted majority of 70% gives, in effect, a veto to the Republicans or to the Paisleyites.

(c) To seek to combine Republicans and Unionists in the same power sharing Executive is as absurd as asking Petain and De Gaulle to sit in the same Cabinet in 1940.

10. The surest guarantee of fair treatment for the minority in Northern Ireland is that the Province should be governed as closely as possible to any other six Counties in the Kingdom. Some District and (certainly if there were three) some County Councils, would be controlled by Republicans as there are Labour and Tory controlled Councils in all Great Britain. I believe that the Secretary of State is moving in what is fundamentally the wrong direction; that his proposals are doomed to failure; that far from restoring stability and confidence to Northern Ireland they are certain to cause further uncertainty and disunity; that they are likely to produce an Assembly administered by extremists on both sides; and that they will arouse substantial hostility within our own Party.

11. I fear that the Government, which is on the whole, disinterested in Northern Ireland, will back Jim's proposals. It may be that the best way of preventing this initiative is the absence of Parliamentary time this Session and the desirability of getting our new Housing Bill through this Session. I certainly think that any Northern Ireland Bill would be highly controversial and would be strongly opposed by a significant number in both Houses.

15th February 1982

IAN GOW

Ref: A07503

CONFIDENTIAL

PRIME MINISTERNorthern Ireland: Constitutional Development
(OD(82) 6)

BACKGROUND

Since OD discussed political development in Northern Ireland on 18th June 1981 there have been a number of significant developments: the second hunger strike in the Maze and its collapse; the publication of the Anglo-Irish joint studies and the creation of the Anglo-Irish Intergovernmental Council; the murder of the Rev. Robert Bradford; the fall of the Government of the Republic; and the recent improvements in the security situation in the Province. There is to be a general election in the Republic on 18th February and a by-election at Belfast South on 4th March. The economy of Northern Ireland is continuing to deteriorate, with the De Lorean car company ^{on the brink of calling} ~~having called~~ in a Receiver and continuing difficulties at the Harland and Wolff shipyard. Unemployment in the Province has now reached 19.7 per cent, an all time record.

2. The Secretary of State for Northern Ireland's analysis of the scope for political development, as he acknowledges, does not differ greatly from that of his predecessor. His proposals for an elected Northern Ireland Consultative Assembly is not unlike that considered again in June last year and abandoned because of the atmosphere created by the hunger strike. (The decision last June was to go instead for a nominated body, which in the end proved impracticable) But the new proposal includes a statutory procedure for transforming the Assembly into a body actually exercising executive and legislative powers. The Secretary of State would be obliged to lay before Parliament the Assembly's proposals for exercising such powers if 70 per cent of Assembly members agreed on them; and additionally he would be free to lay an Order in Council before Parliament if he believed that a consensus covering the views of both sides of the community in Northern Ireland had been reached, even though there was no 70 per cent majority in the Assembly.

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3. The Secretary of State for Northern Ireland discussed his proposals with you on 26th January and has been holding wide-ranging discussions with interested parties. Fairly full accounts of his proposals (including details of the circulation of this memorandum to the Committee) have appeared in the Press. The Government is therefore widely expected to bring forward its proposals soon. The Secretary of State argues that a window of opportunity now exists, and that if we do not take it there will be no further opportunity, because the next general election in the United Kingdom will begin to cast its shadow over the problem.

4. The formation of an elected Assembly would no doubt be welcome to international opinion, but it could easily be a lead balloon in Northern Ireland itself, for a number of reasons: the political parties could reject it out of hand; the elections to the Assembly could result in a setback for the more moderate parties, the Official Unionists and the SDLP and an opportunity for Mr. Paisley to establish a dominant political lead over the Protestant community; the Assembly might never get to the point at which executive and legislative powers could be transferred to it, thus remaining a "talking shop" which could provide a ready forum for criticism of Government policy without accepting any responsibility for constructive action.

5. One crucial question is whether the Secretary of State is right in his view that making no move on the political front would result in a continued fall in support for the Official Unionists and the SDLP. There may be a risk that creation of an Assembly would not stop the move away from the centre in Northern Irish politics, and that Assembly elections in the autumn might both demonstrate and accentuate this tendency, particularly as the present Official Unionist leadership is weak and divided. There is also the perennial danger that events between the announcement of the Government's intention to legislate for an Assembly and the Assembly elections themselves could conspire against the moderates; for instance, the Provisional IRA might be able to carry out some spectacular action which alarmed the Unionists who are already nervous of Government policies and highly suspicious of the Government's attitude to the "Irish dimension".

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6. Nevertheless the appointment of a new Secretary of State last autumn was regarded as a signal that a new political initiative might be expected soon. To do nothing would indicate irresolution. On this reading the question is not so much whether a political initiative is advisable but whether the present proposals are the most promising ones and whether the present is the right time to introduce them. No other proposals are in sight which would have a better chance of acceptance; nor does any other time seem likely to prove more suitable for their introduction. The Catholics remain wedded to power sharing and the Unionists resolutely opposed to it. So prospects for acceptance of any immediate transfer of executive or legislative powers are virtually non-existent, beyond the possibility of a modest increase in the powers of district councils, which is not considered in the Northern Ireland Secretary's paper and would be very unpopular with the Catholic community and their friends abroad.

7. The Secretary of State for Scotland and the Attorney General have been invited to the meeting. The Lord Chancellor is unlikely to be present as he expects to be sitting judicially.

HANDLING

8. You will wish to invite the Secretary of State for Northern Ireland to introduce his memorandum. Discussion should cover the following points:-

- (a) Is it agreed that a political initiative of some sort is desirable? If so, does the present proposal offer enough to be worth pursuing? What are their chances of acceptance in Northern Ireland? What would be the likely effect of greater political devolution to Northern Ireland on the willingness of industry to invest there and thus help arrest the very serious decline in the local economy?
- (b) Is it advisable to legislate now on the mechanism by which a transfer to the second stage, under which the Assembly would exercise powers, would be achieved? If so, is the 70 per cent majority proposal right? Is there a risk that the 70 per cent requirement would give Mr. Paisley, as well as the Catholic minority, an effective veto?

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- (c) Is there a reasonable prospect that elections for the Assembly in the autumn would result in the Official Unionists and SDLP each obtaining a reasonable share of the seats? Or is it likely that Mr. Paisley's DUP will get the lion's share of Protestant votes and that much of the Catholic vote will go to extremist candidates?
- (d) If there is to be a political initiative, is the timing right? You will wish to ask the Lord President and the Chancellor of the Duchy of Lancaster for their assessment of the impact on the Government's legislative programme of the introduction of a Northern Ireland Assembly Bill this Session. To meet Mr. Prior's timetable it would need to be passed by the summer Recess. If this could not be done without affecting the Government's other objectives, would the Secretary of State for Northern Ireland accept a timetable involving introduction of a Bill in the autumn?
- (e) Since the Secretary of State's proposals have been widely canvassed, how much longer should be allowed for discussions with the Northern Ireland parties, or is there something to be said for an early announcement of the Government decision to set up an Assembly? Is it necessary to publish a White Paper to accompany the Bill, and if so what would be the best time, bearing in mind the need for the White Paper to be considered by the Cabinet?
- (f) What is the likelihood of the security situation in Northern Ireland deteriorating, either if the Government takes no early political initiative or if the initiative leads to renewed efforts by the Provisional IRA to wreck the proposals? You could ask the Secretary of State for Defence to comment on the ability of the security forces to deal with any resurgence of violence, particularly around the time of the elections. And would the existence of an Assembly make the life of the security forces harder? Even though there is no question at this stage of giving

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the Assembly any role in law and order, it will not be possible to prevent it from debating security issues. Would it lead to a decline in cross-border security co-operation?

(g) Does the Foreign and Commonwealth Secretary think we should take soundings of whatever Government emerges in the Republic after the general election, before announcing the proposals?

(h) Does the Secretary of State for Scotland believe that the proposals will stimulate pressure for devolution in Scotland?

CONCLUSION

9. The Committee seem likely to conclude that an early political initiative in Northern Ireland should be taken; that any devolution should not involve a transfer of actual powers at the outset; that a progressive approach, on the lines of the Secretary of State for Northern Ireland's proposals, offers the best hope of progress; and that room should be found in the legislative programme for a short Bill, either this Session or early next Session. You may wish to invite the Secretary of State for Northern Ireland to submit the draft of a White Paper for consideration by the Cabinet early next month.

RTA

Robert Armstrong

15th February 1982

L. Lang
S. Lang

SECRET

HL

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15 February 1982

Recent arrests and charges against terrorists

The Prime Minister was grateful for the details contained in your letter of 12 February of which she has taken note.

JOHN COLES

Stephen Boys-Smith, Esq.,
Northern Ireland Office.

S

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S E C R E T

GRS 540

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FM WASHINGTON 130008Z FEB 82

TO IMMEDIATE FCO

TELEGRAM NUMBER 481 OF 12 FEBRUARY

INFO NIO LONDON, NIO BELFAST AND DUBLIN

NORTHERN IRELAND : PIRA ARRESTS

1. FIVE IRISHMEN, TRAVELLING IN TWO CARS FROM CANADA, WERE ARRESTED IN BUFFALO, NEW YORK, ON SATURDAY 6 FEBRUARY ATTEMPTING TO ENTER THE US ILLEGALLY. DETAILS OF THE FIVE, WHO ARE DUE TO APPEAR IN COURT IN BUFFALO ON 16 FEBRUARY CHARGED WITH IMMIGRATION OFFENCES, WILL ALREADY BE AVAILABLE TO YOU ON OTHER CHANNELS.

2. AS YOU KNOW, ONE OF THOSE ARRESTED HAS TURNED OUT ON INVESTIGATION TO BE DESMOND ELLIS, WHO WAS ARRESTED IN DUBLIN IN MAY 1981 FOR POSSESSION OF ELECTRONIC REMOTE-CONTROLLED DEVICES. WE UNDERSTAND THAT ELLIS IS LINKED BY FORENSIC EVIDENCE TO SOME FIFTY MURDERS IN NORTHER IRELAND AND THE REPUBLIC, *

3. WE HAVE TOLD THE STATE DEPARTMENT THAT, WHILE WE WERE NOT YET IN A POSITION TO SAY WHETHER ELLIS WAS WANTED IN THE UNITED KINGDOM WE DID KNOW THAT HE WAS WANTED IN DUBLIN AND THAT, GIVEN HIS RECORD, WE HOPED THAT STEPS COULD BE TAKEN TO ENSURE THAT HE WAS NOT SIMPLY SENT BACK TO CANADA FOLLOWING NEXT TUESDAY'S COURT HEARING AND THUS ESCAPE FROM JUSTICE.

4. STATE DEPARTMENT HAD HEARD ABOUT ELLIS FROM THE US EMBASSY IN DUBLIN FOLLOWING AN APPROACH FROM THE IRISH AUTHORITIES WHO HAD EXPRESSED KEEN INTEREST IN HIS BEING RETURNED TO THE REPUBLIC. IN THE ABSENCE OF A US/REPUBLIC OF IRELAND EXTRADITION TREATY, IT MAY BE DIFFICULT FOR THE US TO HOLD ELLIS MUCH BEYOND TUESDAY'S HEARING. UNLESS SENT FOR TRIAL HE COULD EITHER BE SENT BACK TO CANADA OR POSSIBLY DEPORTED TO A COUNTRY OF HIS CHOICE. EVEN IF SENT FOR TRIAL, HE COULD EXPECT TO BE RELEASED ON BAIL. STATE DEPARTMENT ARE, HOWEVER, WILLING TO HELP AND WILL DO WHAT THEY CAN TO AVOID AN EARLY OUTCOME WHICH WOULD ALLOW ELLIS TO GO FREE.

S E C R E T

/ 5. IF ELLIS

~ Passage deleted and closed, 40 years,
under FOI Exemption.

Wayland
2 October 2012

SECRET

From: THE PRIVATE SECRETARY

1



NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

John Coles Esq
No 10 Downing Street
Whitehall
LONDON SW1

M

12 February 1982

Prime Minister

To note

A.S.C. 12.
2

Dear John,

RECENT ARRESTS AND CHARGES AGAINST TERRORISTS

My Secretary of State thought the Prime Minister might like to have some details of the recent large number of arrests of and charges against Republican terrorists in Northern Ireland. Among those charged with serious crimes are several leading members of both the Irish National Liberation Army and the Provisional IRA.

Since 4 February, 38 suspected members of INLA have been arrested and detained for up to 7 days under the Prevention of Terrorism Act. 24 of these have so far been charged, 3 with murder. Among other charges are 17 of attempted murder. 11 of the 38 are still being questioned by the police, the remaining 3 having been released without charge. Those charged with murder, including in particular Gerry Steenson, have over the last year or so, been making all the running in INLA and were responsible for a high proportion of Security Force murders in the first half of 1981.

The security forces have also chalked up a notable string of successes against the Provisional IRA in recent weeks. Since 1 January 54 suspected members of the organisation have been arrested and detained for up to 7 days under the PTA. 20 of these have been charged, 4 with murder (6 charges altogether) and 6 with attempted murder (7 charges altogether). 2 of the 54 are still being questioned. Thus on the Provisional side the news from the Province is encouraging, not least because it is accompanied by equal success elsewhere. South of the border there have been a string of important arms finds and the Garda have seriously damaged PIRA in the Monaghan Salient from where most of the cross-border attacks came. In Northern Ireland, the most important arrest may have been that of Jim Girney (charged with two murders) and responsible for Provisional Sinn Fein organisation.

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It is clear from intelligence that the Provisionals are deeply worried by what is happening , not least because of their neurotic concern about informers, but it would be foolish (and impolitic) to underestimate PIRA's ability to recover or to provoke them to a wild spectacular by claiming a victory. The facts can speak for themselves.

Now,

Stephen

S W BOYS SMITH

SECRET



10 DOWNING STREET

From the Principal Private Secretary

8 February 1982

Ireland
CES Cabinet
+ Sir R Armstrong

File AH

Dear Adrian,

You sent me a copy of your letter of 4 February 1982 to Nick Huxtable about the position of Ministers whose property is damaged as a result of politically motivated criminal attacks.

I have shown this to the Prime Minister and she has noted the position as far as Ministers are concerned.

As regards compensation for ex-Ministers or Opposition spokesmen, she is content that matters should be left as they are, at least for the time being.

I am sending copies of this letter to the Private Secretaries to members of the Cabinet and to David Wright (Cabinet Office).

Yours sincerely,

Shirley Williams

Adrian Carter Esq.,
HM Treasury.

AH

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GTN 273 }

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Private Secretary to the
Lord President
Privy Council Office
Whitehall
LONDON SW1A 2AT

Handwritten initials: 'JMS' and 'MS'.

*Prime Minister.
As regards compensation for ex-
Ministers and Opposition spokesmen,
are you content to leave matters
as they are, or
least for the time
being?*

Handwritten initials: 'JMS' and 'MS'.

4 February 1982

Dear Nick,

Thank you for your letter of 8 January to John Kerr about the Lord President's wish for more detailed guidance on the position of Ministers whose property is damaged as a result of politically motivated criminal attacks.

The first sentence of paragraph 6 of the Chancellor's minute of 18 December to the Prime Minister is the starting point. Ministers are expected to insure themselves against damage to property from whatever cause, and it is to their private insurers that they should look for compensation in the first instance. It is, therefore, Ministers' own responsibility to inform their insurance companies, including of course those with whom they have life insurance, of the nature of their appointments and to ensure that their insurance cover is adequate and not subject to unacceptable invalidating clauses. If an insurance company loads a premium because of the nature of the Minister's appointment, provision exists for the excess to be met out of public funds. We know of one instance where an insurance company loaded the life insurance premiums because it considered that the Minister's appointment made him a bad risk, but we have not yet had a case of loading of premiums on property insurance.

If damage occurs to a Minister's property which is not covered by his insurance policies through no fault of his own, compensation for that damage will be paid out of departmental funds provided that it is accepted that the damage was incurred as a result of his appointment. If an insurance company repudiates a claim for compensation in the event of criminal damage attributable to the Minister's appointment, again compensation should be available out of departmental funds, but the department in that event is likely also to pursue a claim against the repudiating insurance company.

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Riot damage presents its own problems since most insurance policies exclude damage caused by civil disturbance or commotion. As the Chancellor's minute explained at paragraph 6, except in Scotland compensation for riot damage generally falls to the Police Fund; though even here Ministers should make a claim on their insurance companies in the first instance.

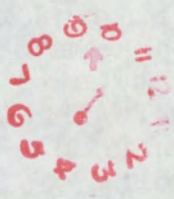
No arrangement exists at the moment for compensating ex Ministers or Opposition Spokesmen for loading of insurance premiums or for damage to property attributable to their former or present responsibilities. The Lord President is of course right in saying that such people are still potential targets for terrorist attacks and loading of premiums is likely to continue after a Minister leaves office. However, ex Ministers and Opposition Spokesmen are not Government employees and therefore fall outside the arrangements described in this letter. It may be that the absence of such arrangements is explained by the simple fact that no case has yet arisen of damage or loaded premiums for such people or for MPs in general for that matter. Certain provisions do of course exist for the security of certain ex Ministers and for access to the Government car service for some individuals. These provisions are the subject of agreement between the Government of the day and the Opposition, and Ministers could of course make a similar agreement with the major Opposition parties that certain Opposition Spokesmen and ex Ministers should be covered by the compensation arrangements available to Ministers. It may, however, be thought advisable to leave matters as they are until a case actually arises. An agreement of that sort might provoke criticism if it became known. Moreover, the financing arrangements would be tricky since it would hardly be appropriate to charge any payments made to departmental funds, and it would probably be difficult to decide where to draw the line between those members of the Opposition who were to be covered and those not.

I am copying this letter to the recipients of yours.

*Yours sincerely,
Adrian Carter*

A. A. CARTER
Private Secretary

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15 FEB 1982

PART

10

ends:-

27 - 1 - 82

PART

11

begins:-

4 - 2 - 82

