

PM's notes on
NIO to BGC + enc
of 13.7.79



10 DOWNING STREET

THE PRIME MINISTER

I have the following comments about the
o the very excellent paper on Northern Ireland.

1 The paper gives little idea of the
resources of the terrorist activities, neither
in the numbers of individuals / R.U.C. / soldiers
killed, nor the tactics used, both in Ulster and
in the U.K. Any one reading this paper would
think the situation difficult but not serious.
Nor is there any indication of what the arms
come from nor of where knowledge of firearms

2 There is no reference to the Border Poll or
its results.

3 A calendar of events (across all parts)
from Nov. 69 to now would help. It should
include the most incidents

4 Can we not include something about the
difficulties of ^{collecting} terrorist crossing the border etc

1st that there is no contradiction with
with line. The definition with line are
the rest of the matter is dealing with terrorism.

(5) Do all R.C.'s work with line?
Tom Dalgren would contest that. Is it not
also worth mentioning that the last chief
commander of the R.U.C was himself a Roman
Catholic.

(6) The £800m 'subvention' is not put in
very covert way - the eye should just
run across it - without any impact.

(7) No mention of local government or the
definitely of getting even that.

(8) No mention of the volunteer Ulster Defence Regiment
(? is that the name) which does such valuable work.

(9) Special status for prisoners will not be sufficiently
understood unless better defined and
its history described.

From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Bryan Cartledge Esq
10 Downing Street
London SW1

13 July 1979

Dear Bryan

When Mr Atkins saw the Prime Minister last week to discuss Northern Ireland she asked him if he would prepare some material which she could send to President Carter. I understand that President Carter asked for this in the course of his telephone conversation with the Prime Minister on 4 July.

... I enclose a draft letter for the Prime Minister to send covering three papers on various aspects of Northern Ireland. I imagine that the Foreign and Commonwealth Secretary will wish to give our Embassy in Washington an opportunity to see these before they are actually delivered to President Carter.

I am sending a copy of this letter and enclosure to George Walden at the Foreign and Commonwealth Office.

Yours sincerely
Mike Hopkins
M W HOPKINS

Prime Minister

I think these papers have been very well done. Are you content with them, and with the draft letter? 13/7

RE

1 2 3 4 5 6 7 8 9 10 11 12

13 JUL 1979

DRAFT LETTER

FILE NUMBER.....

ADDRESSEE'S REFERENCE.....

To

PRESIDENT CARTER

(Full Postal Address)

Enclosures

Copies to be sent to

(Full Address, if Necessary)

LETTER DRAFTED FOR SIGNATURE BY PRIME MINISTER
(Name of Signatory)

You asked me last week on the telephone if I could let you have a note of our position on Northern Ireland. I have set this out as briefly as possible in the two enclosed papers, one on the background and one on present Government policy. I am happy that you should show these papers to anybody to whom you think that they might be useful.

The essence of our position today is that as a Government we have a good majority in the House of Commons and 5 years in which to make progress over this problem, and all those directly concerned know this. Our present view is that we can best make progress by patient and persistent negotiation with the parties, rather than by more precipitate action. We have already taken an initiative, in the sense of starting discussions with all those with a concern in the matter; but this does not mean that we expect an early solution. There is a wide gap between the outlook and aspirations of the two parts of the people of Northern Ireland, and it will not easily be bridged.

E.R.

I think that Jack Lynch and his Ministers understand this approach very well. We recognise that they have a legitimate interest in the matter, and in the outcome; but they recognise that the responsibility is ours alone. - They are at one with us that any settlement must have the broad consent of both sides of the community in Northern Ireland. To seek to impose a settlement in the face of opposition from either community would only aggravate and prolong the troubles.

I am also enclosing - because the subject is often a live one in the United States - a short paper on our security policy and its impact on Human Rights in Northern Ireland. I know that Tip O'Neill and others have been quite concerned about this. We have done all we can to encourage understanding of our problems. We have been extremely appreciative of the efforts which he and several of his colleagues have made to reduce the flow of funds from Irish-American sources in the United States to terrorist organisations over here, and more generally to put the record straight on the "Irish question" in those circles. It is an unhappy fact that perspectives on Ireland - and not only in the United States! - are still apt to owe more to the 19th Century than to the facts of the present day world.

THE BACKGROUND

Northern Ireland is that part of the island of Ireland which did not become independent of the United Kingdom in 1921. When the country now known as the Republic of Ireland came into existence in that year approximately one million Protestants in the North were determined not to become part of a predominantly Catholic 'Irish Free State'. Northern Ireland was therefore given its own Parliament with power to legislate over a very wide range of matters so that it became largely self-governing within the United Kingdom.

Unlike the Republic of Ireland, the North is not homogeneous politically or culturally. It is in fact a community divided within itself. It contains not only a million Protestants but also half-a-million Catholics. The two sides are divided not only by religion, but by ethnic origins - the Ulster Scot and the Irish Celt - by culture, and by political aspirations. These divisions, which survive from experiences stretching back far beyond this century, coincide to produce a deep tribal split.

Both communities see themselves as besieged minorities - the Protestants threatened by the Catholic majority in Ireland as a whole; and the Catholics by the Protestant majority in the North. Each seeks to be part of a majority. Nearly all Protestants hold to the union with Great Britain; most Catholics aspire to the unity of Ireland. Politics are dominated by these constitutional issues, rather than by the economic and social questions which are the bread and butter of politics in most countries today.

E.R.

For fifty years after 1921, because the political parties of Northern Ireland themselves reflected the divided community, the Protestants voted for Unionist parties and the Catholics for a succession of parties aspiring to Irish unity. The devolved Parliament was therefore inevitably under the permanent control of the Unionists. Government was the exclusive preserve of one party. The Catholics were excluded from any say in affairs through their political parties, and many felt it deeply. The continued exclusion of Catholics from political power led over the decades to a strong belief that the minority suffered discrimination at the hands of the Protestant-controlled authorities in such matters as housing, jobs and local voting rights. Whatever the truth of the matter may have been (and it is still a bone of contention between the two sides) there can be no doubt of the minority's perception that discrimination occurred.

! A Civil Rights movement emerged in the late 1960s. Its street activities, carried on in the existing atmosphere of sectarian tension, led inexorably to out-breaks of violence, of which the paramilitary organisations - both "Loyalist" (ie Unionist) and Republican - were quick to take advantage. By the summer of 1969 Northern Ireland's small police force was unable to control events satisfactorily. In August the British Army was brought in to assist the police to restore calm in Belfast and Londonderry. But the presence of the Army was soon exploited by the Provisional IRA whose aim was and is to break Northern Ireland's link with the United Kingdom by force. In 1972 - the worst year for violence - the United Kingdom Government had no alternative but to take over complete responsibility for the Province from the local administration in order to control the deteriorating security situation. Since then the principal aims of the United

*This all sounds
A so little
consequence
but it was
a great
moment*

No lip

E.R.

Kingdom Government have been to overcome terrorism, restore law and order, and re-establish a devolved Government, but this time on a basis acceptable to the minority as well as to the majority community.

It was in pursuit of this last principle that the last Conservative Government negotiated successfully with three of the local political parties, including the mainly Catholic SDLP, for the setting up of a power-sharing Executive in 1974. This power-sharing arrangement was, however, rejected by the Provisional IRA who continued their campaign of violence and terrorism.

Chronology.

The parties forming the power-sharing Executive met with the British and Irish Governments in a conference at Sunningdale in late 1973. They agreed on the creation of a Council of Ireland, with equal representation from both the North and South.

Although the Irish Government solemnly accepted Northern Ireland's right to remain a part of the United Kingdom so long as a majority of the Northern Ireland electorate so wished, many Unionists saw and feared the Council of Ireland as a first step towards the political unification of the whole island; and they suspected that the minority would exploit their share in power to this end. The power-sharing Executive assumed office in January 1974; but only five months later, in May, "Loyalist" factions were able (with the help of widespread intimidation) to mobilise massive support for a general strike aimed at the scrapping of the Sunningdale arrangements and new elections. The ordinary economic and social life of the Province came virtually to a standstill. The Executive collapsed and the United Kingdom Government was forced to resume direct rule.

U.K. never abandoned rule. The U.K. remained.

E.P.

In a further attempt to find a way to a generally acceptable form of devolved government, the United Kingdom Government in 1975 held elections in Northern Ireland for a Constitutional Convention. Since this produced another Unionist-dominated body, its 'majority' report called in its essence for a return to majority rule, with only token recognition of the position of the minority. The Convention Report was rejected by all the major parties at Westminster because it was clearly not acceptable to the minority community. Since then the United Kingdom Government has sought a solution through bilateral discussions with the main political parties in Northern Ireland. Efforts by the Labour Government in its last years were hampered by its minority position at Westminster and by a belief among the Northern Ireland parties that they might get a better deal from a Government with a clear majority and the prospect of a full five year term of office. The present Government qualifies on both these counts. The Secretary of State for Northern Ireland has already begun bilateral discussions with the leaders of Northern Ireland's political parties.

E.P.

PRESENT GOVERNMENT POLICY

Northern Ireland policy is a bi-partisan matter at Westminster: the major parties are at one as to the broad objectives and methods of achieving them.

In the longer term the key point at issue is: should Northern Ireland remain part of the United Kingdom, or should it be united with the Republic of Ireland? British Government policy is based squarely on the principle of self-determination. The majority of people in Northern Ireland today clearly wish to stay as part of the United Kingdom. Parliament has laid it down in a statute that that status can be changed only with the consent of a majority of the people of Northern Ireland voting in a plebiscite. Until, therefore, a majority for change emerges the Government would not feel justified in taking any action to alter the present position. This principle of consent is one which is fully accepted by the Government of the Republic.

*Borden 10/11
- date in manuscript.*

There is at present no early prospect of reconciling the incompatible views of the two sides of the Northern Ireland community on this long-term issue. The Protestant majority cling to continued union with Britain; the Catholic minority aspire to Irish unity. In this situation the British Government has sought to concentrate minds on the more immediate problem of finding a satisfactory structure for the government of Northern Ireland which, while keeping it within the United Kingdom, would not prejudice the wider aspirations of the minority.

*Is it an election
and not a referendum?*

E.P.

Government by Westminster - "Direct Rule" as it is known in Northern Ireland - is an interim device, not a permanent solution. In administering the province HM Government have always sought to be sensitive to local opinion; and they have implemented fully both in the spirit and in the letter, the anti-discrimination legislation which is now the law in Northern Ireland. In recognition of the depressed social and economic conditions, the subvention from public funds, benefitting all the people of the province, and now running at over £800 million a year, is higher per head than in any other part of the United Kingdom; and continuous efforts have been made to create jobs through more investment.

Not too further

*more detail
+ comparison
with G.B.*

Nevertheless, the people of Northern Ireland are accustomed to their own Government, be they Unionists or members of the minority; and both history and geography point to the need for special arrangements unlike those in the rest of the United Kingdom. The United Kingdom Government thus needs to find a way of devolving power to Northern Ireland. As the present Conservative administration put it in their first formal declaration of policy in May, the Government will "seek an acceptable way of restoring to the people of Northern Ireland more control over their own affairs". An "acceptable way" is a way which commands widespread consent within the divided community in Northern Ireland and in the Parliament at Westminster. The British Government is currently seeking, through talks with the parties, how an "acceptable" way forward may be found.

*Local gov
suggestions?*

If it is possible to find a political accommodation to which the major parties can subscribe, the Government believes that it may prove feasible to build on it, so that it might lead thereafter to the resolution of the wider problems. "Consent" is essential,

E.P.

not only for sound democratic reasons, but because, in the present situation in Northern Ireland, any attempt to impose a solution against the wishes of the majority or the minority could lead to boycott or, worse, to an upsurge of renewed violence - for there are Protestant paramilitary organisations as well as the Provisional IRA. Politics and security in Northern Ireland are inextricably interwoven and political moves have to be made in full realisation of the background of actual and potential violence.

E.P.

SECURITY POLICY AND ITS IMPACT ON HUMAN RIGHTS IN NORTHERN IRELAND

The aim of the British Government's security policy in Northern Ireland is to do their utmost to defeat terrorism and to extend the pattern of normal policing throughout the whole Province. These aims are pursued within the framework of the normal criminal law and procedures as far as practicable. Terrorists when caught are prosecuted under the criminal law; and if convicted are imprisoned in the ordinary way. There will be no return to special category status for terrorists claiming political motivation for their crimes; and there is no question of an amnesty.

Handwritten note:
Hills 7
Hills 7

The first responsibility for the implementation of this policy rests upon the police, who are assisted as necessary by the Army. All members of both forces operate strictly within the law, and are individually amenable to the law should they at any time be thought to have transgressed.

There is some concern abroad, as in the United Kingdom, that the quality of regard for Human Rights in Northern Ireland is liable to be diluted as a result of the Government's determination to eliminate terrorism. Without attempting to spell out the wide range of measures taken in recent years with the positive aim of safeguarding human rights there, there are three particular areas of concern which deserve mention.

First, it has been found necessary to modify some normal practices by the enactment of Emergency Legislation. The three most significant changes have probably been: the use of non-jury courts to try terrorist cases (made necessary because it was found that juries were subject to intimidation and justice consequently denied); provision for the executive detention

E.P.

of suspected terrorists (which, however, has not been used for the past 4 years); and a power for the police to hold suspected terrorists for up to 3 days without charge. Because of the emergency character of this legislation, Parliament requires the Government to make a case for its renewal every six months. The Government considers these special arrangements necessary in the present situation, and justified as a counter to the serious denial of human rights represented by the total disregard of the terrorist for the safety of the lives and property of the public at large.

Secondly, there has been concern that the police might be prepared to resort to ill-treatment of suspects in their anxiety to obtain confessions. The Government last year set up a Committee (the Bennett Committee) to investigate police procedures and practice in this area, following a critical report from Amnesty International. This Committee has made a number of recommendations, designed to reduce to a minimum the possibility both of ill-treatment of suspects by the police and of false allegations against the police. The Government have accepted virtually all these recommendations, which are in process of being implemented. All complaints against the police are investigated, and the report of the investigation has to be referred to the Director of Public Prosecutions, who is an independent officer of the Crown who alone decides whether the evidence justifies the bringing of charges. He has recently considered afresh medical evidence in 15 cases which had led the Bennett Committee to the conclusion that some persons had suffered injuries, which were clearly not self-inflicted, while in police custody. He still has some of these cases under consideration, but in 9 of them has confirmed his view that no prosecution is justified.

*Give some favourable findings
to the Bennett Committee.
It was completely wrong on the whole.*

E.P.

Thirdly, people have been worried about the conditions in which some terrorist prisoners are living in the Maze Prison. A group of Provisional IRA prisoners have chosen to publicise their demand to be accorded a political or prisoner of war status by refusing to obey normal prison rules, which require all prisoners to work and to wear prison clothing. For the past 15 months they have also been refusing to wash or to use toilet facilities. The resultant foul living conditions are entirely self-imposed, and have been created in what is one of the most modern and best equipped prisons in the United Kingdom. The Government is not prepared to grant special "political" status to people who have been properly convicted in the courts of serious criminal offences. To do so would be a step towards their ultimate aim, which is an amnesty for all terrorists; and to encourage the belief that this is attainable would be to encourage them to commit crimes with impunity.

Since they will not conform to the rules which are observed by all other prisoners, it follows that the protestors lose remission and other privileges as a punishment for their refusal to conform. All of this is a direct consequence of their own acts. On the practical level, the authorities do everything possible - such as steam-cleaning of the cells every 9 or 10 days - to alleviate the unpleasantness of the insanitary conditions that the prisoners have themselves brought about.