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PM/86/002

PRIME MINISTER

Northern Ireland

1. I have seen Tom King's sombre minute to you of 10 January which takes stock of the current position in Northern Ireland two months after the signature of the Hillsborough Agreement. I am in absolute agreement with him that our policy must be to stand firm on the Agreement and to make it work. It would be fatal for the ultimate success of the process which you initiated at Hillsborough if Unionist opponents of the Agreement gained the slightest impression that the British Government could be thrown off course by their opposition to it. We expected a bad reaction from the Unionist community. It would be unrealistic to suppose that the initial shock and feelings of outrage among Unionists would give way quickly to a more accommodating attitude. This is something that we shall have to work at patiently and persistently, and with great firmness. Passions have been raised by the current by-election campaign, but it is only the first stage in what will be a long struggle for the support of the two communities in Northern Ireland for or against the Agreement. Tom King rightly stresses that we need to be prepared for a long haul and establish our long term objectives. We also need to make sure that we are properly organised to cope with a possibly fast-moving situation and have the necessary manpower resources for the job.

2. I also agree with Tom King that we need to press the Irish Government and the SDLP hard to find positive ways of demonstrating to the Unionist community that the Agreement is ultimately in their best interests as well as in those of

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the Nationalists. It is perhaps understandable that in the middle of the current election campaign the SDLP should be cautious about making concessions which could be exploited against them by Sinn Fein. But once the by-elections are out of the way it will be of paramount importance to the eventual acceptance of the Agreement by the Unionist community that the SDLP should come out unequivocally in support of the RUC's endeavours to maintain law and order in the Province, and that they should express an unconditional willingness to enter into talks with the Unionists and other parties about a devolved administration. We have of course made these points both to the Irish Government and directly to the leader of the SDLP, so far with only limited results: but as I have already said, we have to be realistic about the timetable of any possible moves.

3. It was to be expected that there would at first be a wide gulf between the Irish Government and ourselves on perceptions of the underlying realities in Northern Ireland. But my impression of the first three meetings of the Intergovernmental Conference is that it is already providing a forum for educating the Irish about our concerns and narrowing the gulf. We need to work patiently at this and to establish a regular pattern for the meetings so that they become an accepted feature of the political landscape and as far as possible a matter of routine.

4. Tom King's minute rightly gives prominence to the worst case in considering what the outcome of the present situation might be, so that we know what we have to prepare against in the last resort. But the situation is not without some positive features. As Tom King points out, the adverse consequences of the Agreement have so far been at the lower end of the range of what we expected. Although there may well be extremist pressure for some sort of independent

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Northern Ireland, I do not believe that this is what most Unionists want or would be prepared to support. Once the by-elections are out of the way, and provided we stand firm, the sterility of the Unionist position should become increasingly apparent. The present cohesion between the DUP and the OUP may come under strain, especially if Dr Paisley continues to argue in terms which point towards a UDI. At that point it may be possible to encourage moderate Unionists to start thinking realistically about possible patterns of devolved government; we might for example consider the possibility of another exercise like that carried out by Chris Patten in the first half of 1985.

5. In this connection I believe we should be cautious in pointing to the disastrous consequences for the Province of following extremist policies: we must avoid giving credence to those who suggest that the Agreement shows that in the last resort the British Government would be willing to be rid of Northern Ireland. We should rather build on the opportunities which division in the Unionist ranks may give to us to encourage movement towards a devolved administration on a basis acceptable to both communities.

6. Tom King is right to be looking for ways of meeting the widespread Unionist criticism that they are excluded from the processes of the IGC, and that this gives the Nationalists an unfair advantage. Part of the purpose of the Conference was of course to correct what the Nationalists saw as the previous imbalance in favour of the Unionists. But without losing sight of that objective, it may be possible to do more to take formal account of Unionist views on matters which come within the Conference's remit.

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7. There are three other points of detail which the Northern Ireland Secretary raises on which I would like to comment. Firstly, the renewed campaign against the use of supergrass evidence springs in my view not only from the suspended hunger strike of some of the INLA prisoners but also from the dismaying effect that the Kirkpatrick trial itself has had on Nationalist opinion. There are aspects of the Diplock procedures, particularly in the so-called supergrass cases, which seem to me to be a legitimate cause for public concern, and we need to consider carefully whether any modifications are feasible. In this connection I note that it has been agreed with the Irish in the IGC that there should be early meetings of officials and law officers from both jurisdictions to look into this. It would also be helpful if an early announcement could be made of our intention to implement the acceptable recommendations contained in the Baker Report on the operation of the Emergency Provisions Act.

8. Secondly, Tom King refers to the possibility of pressing the Irish Government to amend Articles 2 and 3 of their Constitution. I think we have to be realistic about this. It is not within the gift of the Irish Government to amend the Constitution: it can only be done by referendum. Although the Agreement has been well received in the Republic, I doubt very much whether it has yet produced sufficient visible change in Northern Ireland to enable the Irish Government to get popular support for a further major step towards acknowledging the legitimacy of partition. But I see no reason why we should not remind Dr FitzGerald that we believe that amendment remains necessary and desirable and that it would be helpful if he could start to prepare public opinion in the Republic for a move in that direction.

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9. Finally, I agree that we need to offer Parliamentary means of making it easier for the Unionist voice to be heard. The suggestions raised in John Biffen's recent paper will need to be looked at again to see which may be the most effective way of doing this. We will also need to consider what role if any can be accorded to Unionists in any Anglo-Irish Parliamentary arrangements which may be devised.

10. I am copying this minute to the Lord President, the Northern Ireland Secretary, the Home Secretary, the Defence Secretary, the Lord Privy Seal, the Chancellor of the Duchy of Lancaster, the Chief Whip and Sir Robert Armstrong.

*CLBudd (Private Secretary)*

*PP*

GEOFFREY HOWE

Foreign & Commonwealth Office

(Approved by the Secretary of State and signed in his absence)

15 January 1986

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Ireland : Taussein PH13.

