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MEETING WITH MR G COLLINS, MINISTER FOR FOREIGN AFFAIRS FOR THE REPUBLIC OF IRELAND, NORTHERN IRELAND OFFICE, LONDON, 31 MARCH 1982

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|----------|---------------------|-------------|
| Present: | Secretary of State | Mr Collins |
| | Mr Angel | Mr Donlon |
| | Mr Eyers | Dr Kennedy |
| | Miss Christopherson | Mr Nelligan |
| | Mr Hill | Mr Dempsey |
| | Mr Shepherd | Mr O Kelly |
| | Mr Boys Smith | Mr D Kelly |

The Secretary of State offered his congratulations to Mr Collins on appointment as Foreign Minister and expressed his pleasure at the opportunity to have an early meeting. He hoped that they might have a close relationship.

Mr Collins expressed his eagerness for close relations and hoped that he might meet the Secretary of State as often as possible.

SECURITY

The Secretary of State said that the British Government was delighted at the level of security co-operation with the Republic and was grateful for the part that Mr Collins had played when Minister of Justice. He hoped that this most helpful co-operation would continue. Although he did not want to embark on a proloaged discussion of security he wished to draw attention to the Govern-

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ment's continuing worry of extradition and the difficulties in bringing terrorists to justice. He hoped that the talks between the Attorneys General could develop.

Mr Collins said that as Minister of Justice he had tried to convince people of the seriousness of the Republic's efforts to combat terrorism; Mr Mason had been the hardest of all to convince. He was glad it was now recognised that the Republic did as well as anybody could. There were large and growing demands on the Garda to deal with non-terrorist crime which the Irish Government would have to resist in order to maintain its activities on the Border. The allocation of additional resources to the Garda had slackened in the previous 7 or 8 months but he hoped that it would now be possible to increase the size of the force and to give it the resources it needed. He agreed that co-operation was essential and of the highest priority and assured the Secretary of State that the Irish Government wished this co-operation to continue. He realised the Secretary of State knew that extradition would not of itself be the answer to everything, although some in Northern Ireland tended to assume that it was. Evidence was the essential factor if terrorists were to be brought to justice; simply returning them to the North did not necessarily help. If evidence existed the Irish Authorities were ready to prosecute under the Republic's extra-territorial legislation and his government wished this method of prosecuting offenders to be made to work. He had asked the Attorney General to brief him on the state of the talks with the British Attorney General. It was good that the discussions should proceed, although they were bound to spread from technical legal matters into wider political questions. He noted the Secretary of State's view that the more the two governments could be seen to work together on security the better. But in the long term terrorism could not be contained by force alone. The terrorists were ruthless and able people. What was needed was the creation of a political situation in which they lacked support and found that they could not function.

PRISONS

Mr Collins referred to the propaganda value to the PIRA of the previous year's hunger strike. He believed that pressure was

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building up for the return to Northern Ireland of Irish terrorist prisoners in British gaols; this could create similar difficulties to the hunger strike. He hoped that the Secretary of State would look into the question.

The Secretary of State said that he was aware of the possible difficulties and was considering the matter. It would be helpful if the Irish Government could make available any information which it had.

CONSTITUTIONAL DEVELOPMENT

The Secretary of State noted that Mr Collins' concluding remarks on security were very much in line with the British Government's thinking: terrorism could not in the long run be defeated by force alone. He agreed that political progress was required. He had not been deterred from seeking it despite the pressures placed upon him such as the reaction to the previous year's Anglo-Irish talks, to the serious security situation the previous autumn, and to the way in which the hunger strike had been brought to a close. His proposals would be submitted to Cabinet the following day and he would be disappointed if they were not accepted. He hoped to be able to publish a White Paper and Bill before Easter; the Bill would amend the 1973 Constitution Act and he hoped that it would be passed into law by the summer recess and that elections could be held in the autumn.

The Secretary of State said that he proposed the creation of an Assembly elected on proportional representation which would in the first instance have powers of general debate, would be able to scrutinise legislation and through committees elected from the members by proportional representation would scrutinise the work of the Government of Northern Ireland. It would be up to the Assembly to determine once it had settled down how far and what speed it moved to assume powers at present exercised by the British Government. Powers could be transferred piecemeal or altogether, as the Assembly wished. If there was a 70 percent vote in the Assembly in favour of the transfer of all or some of

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the available powers a proposal to that effect would be put to the Westminster Parliament and, if accepted, an order could be put to Parliament giving effect to the transfer. Alternatively if there was a simple majority for a proposal and if the Secretary of State thought it would command widespread support throughout the community it could be similarly submitted to the Westminster Parliament. The White Paper would make fully clear that the 70 percent vote was designed to ensure cross-community support for the transfer of any powers. The scheme was designed with the maximum flexibility and to contain as many safeguards as possible against those who might not wish to proceed.

The Secretary of State realised that the scheme would be criticised by both sides. Unionists would say that it gave too much influence to the minority and that it violated democratic principles. The SDLP would seek power-sharing. Many unionists might also find the White Paper too sympathetic to the improvement of relations with the Republic, although again the SDLP would argue that it did not go far enough. In his view, the White Paper went a great deal further than previous such documents in recognising the two identities in Northern Ireland and he believed that it would say much with which the minority could be satisfied. In recognising the two identities the White Paper would emphasise the need for both communities to learn to live together. He believed that there was now a momentum for political change in Northern Ireland although he expected his scheme to evolve only slowly. It was not possible to force arrangements on people unwilling to accept them. The alternative, if the scheme failed, would inevitably be increasing demands for the integration of Northern Ireland into Great Britain, although he personally believed that gave no long-term answer.

Mr Collins thanked the Secretary of State for his explanation. He agreed that there needed to be political development; terrorism needed a political answer. The Irish Government had watched with interest previous attempts to create new institutions in Northern Ireland and it had refrained from expressing its views. He wished on this occasion however to be frank with the Secretary of State

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and to say that the course the British Government was adopting gave the Irish Government concern. They believed that the scheme was unworkable and that it contained the seeds of lasting instability; they thought that failure would have a very serious effect and would lead to an increase in violence; and in their judgment the analysis of the Irish situation on which the proposals were based was too narrow. For this last reason they remained of the view that development should be through the pursuit of the Anglo-Irish process.

Mr Collins noted that there was unionist opposition to the scheme, and he feared that the unionists would not work it. It was not clear to him how things would develop from the initial stage of the Assembly and what would happen at subsequent elections. The SDLP did not feel that the proposals gave them the basis on which they could satisfactorily seek electoral support. A decline in support for the SDLP could only benefit extremists. Yet the party realised that it could not easily opt out of elections.

In response to Mr Collins, and to questions which Mr Collins and his colleagues raised, the Secretary of State made the following further points:

- (i) He agreed that it was not possible to be certain that the scheme would work, but there were definite prospects of success and he believed it would be worse to do nothing. To let the momentum slip would, in his view, be worse than to try and to fail. The longer things were left the more they would polarise. The fact that people had been driven apart in the period up to 1972 reflected a failure in the system which had then existed; matters were different now.
- (ii) The scheme was designed to be as failure-proof as possible. If people were intransigent the Assembly could remain at the first stage; the initial functions were valuable in their own right. There was also value in members of the Assembly simply meeting and getting to know each other.

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The Committee Chairman would, he hoped, start to work together and to see the benefits of devolving powers.

(iii) He appreciated that the SDLP was concerned about its prospects in an election, although the party had been concerned before the May 1981 Local Government elections, as it turned out without cause. The SDLP was not unique: other political parties found it easier to hold to the status quo but they all needed to be tested. If they were not, the stalemate could last for years. He had told the SDLP of the advantages they stood to gain from the scheme, namely the 70 percent weighted majority, the ability to block unacceptable proposals for devolution and the opportunity to join the Inter-Parliamentary body. The Government remained firm in its undertaking that a majority of the Assembly should not be able to block individual members from participating in the Inter-Parliamentary body. He had also reminded the SDLP that unionists believed the scheme to be unfairly advantageous to the minority. These were all matters which the SDLP could proclaim in an election. It would be disastrous for the party not to fight: it would split and the way would be left open to extremists. He had told the SDLP he could not guarantee them, as a party, a place in a devolve administration, but he believed they would be very strongly placed if they fought an election. He hoped the Irish Government would urge the SDLP to participate in elections, reminding them that the British Government's scheme was a start and that the alternative was years of stagnation.

(iv) He appreciated what it was that the minority sought. Their wishes could best be met if there was an Assembly. There was no way in which he could enforce power-sharing. He realised, as Mr Donlon pointed out, that the SDLP was concerned that a future Secretary of State or a future British Parliament would not hold to the position that he had adopted. He could not of course speak for his

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successors and no government could bind another Parliament. But he did not believe that any British Parliament would allow devolution save in a way which would ensure political stability, and that meant that there had to be cross-community support. This support, of which the 70 percent weighted majority was indicative, was fundamental to his proposals. Nor did he think that the SDLP were right to believe the system would collapse at the first Assembly elections. The Executive might decide to fight jointly or separately. The latter would not necessarily mean total collapse. The Executive could be reconstructed and the scheme in any case provided for circumstances where there was a breakdown in the agreement.

- (v) He appreciated, as Mr Collins said, that some felt the scheme was too internal to Northern Ireland and paid too little regard to the Irish dimension. The Government had stood firm in its commitment to the Anglo-Irish process despite great pressures from unionists. This commitment was made clear in the White Paper. Even if at some stage in the future a federal or confederal solution was judged right for Northern Ireland, there would have to be a large degree of autonomy in the North. Devolution did not therefore obstruct an all-Ireland solution. For the foreseeable future Northern Ireland needed its own administration, and he noted that the SDLP was ready to work within Northern Ireland.
- (vi) He noted Mr Collins' view that the Irish Government felt the two governments should take the lead in the establishment of an Inter-Parliamentary body, and that without such a lead insufficient progress would be made. For his part the Secretary of State feared that a lead of this kind could be counter-productive and would create difficulties. While he agreed with Mr Collins that governments did take Parliamentary initiatives, this matter affected the working of Parliament and was of a different nature. If the Government pressed too hard it risked an

adverse reaction, for example in the form of counter-motion from those opposed to the Inter-Parliamentary body. There was yet no great interest in the body in the Westminster Parliament. In answer to questions from Mr Collins, he said that there was absolutely no way in which there could be direct elections in Northern Ireland to Inter-Parliamentary body. Unionists would boycott the elections and there would be a massive reaction. Nor it would be possible to nominate members of the former Convention to the body. The body should, on the contrary, be allowed to develop gradually. The existence of the Assembly would give it impetus.

- (vii) He believed that Dr Paisley remained firmly at the head of the DUP although he had undergone a difficult period: the day of action, the third force, antics in the House of Commons and Kincora had all cast their shadow. He did not believe that the South Belfast by-election was indicative of the level of DUP support in Northern Ireland as a whole. Dr Paisley remained a dangerous man and one liable to exploit issues to his own advantage. The Official Unionists were very divided and were seeking a spurious unity by opposing his scheme. It was possible that the publication of his proposals would highlight splits within the OUP. The Alliance Party was keen to proceed to elections although it had made clear that it would not join an administration which did not have cross-community support. There were also factions within the SDLP, but he thought that party was misguided in believing that it could obtain more by waiting. Within the British Parliament certain members of the Conservative Party remained in favour of integration, and some people believed that the unionists could find themselves in a powerful position holding the balance of power after the next general election.

In conclusion, Mr Collins said that he recognised the Secretary of State's efforts to seek political progress although he regretted

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that the proposals did not go further. He looked forward to other meetings with the Secretary of State.

The Secretary of State expressed his gratitude to Mr Collins for calling, noting that they were in agreement on the approach and principles of the scheme, if not on how far it went.

After the meeting had broken Mr Collins indicated privately to the Secretary of State that he saw the force of the arguments the Secretary of State had put forward, and that he would use his influence to urge the SDLP to take part in elections.

STATEMENT

Mr Collins and the Secretary of State agreed the text of a short statement to be issued after the meeting.

S.W. Boys Smith

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