

NATIONAL ARCHIVES

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General summary and comment

Introduction

The meeting was sought by Mr. Wilson about the time of the murder in South Armagh of a busload of Protestant workers. If organised at that time, it would have followed closely on a security meeting between the Minister for Justice and Mr. Rees and would obviously have been concerned, at least in the public eye, to a very large extent with security questions. It is not unlikely that security may still occupy a considerable amount of the time of the meeting, and this may be an aspect on which the British will concentrate their brief. Since Mr. Wilson has suggested the meeting, it will be for him, largely, to make the running on the subjects to be discussed. These, as agreed with the British are -

- (1) Northern Ireland
 - (a) Take stock of security situation
 - (b) Take stock of political situation after the Convention
- (2) EEC
 - (a) Tindemans Report
 - (b) Direct Elections
- (3) Common Fisheries Policy
- (4) EEC and Structural Unemployment.

Detailed notes on these items are in the brief under.

Northern Ireland -

(a) Security situation.

In general, co-operation on security on both sides of the Border is good. This has been said time and again by the Secretary of State, Mr. Rees, at meetings with the Minister for Justice, and in public, in the House of Commons. In general, therefore, it can be said that co-operation in security is satisfactory. There are, however, a number of items which could well arise. These are -

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- (1) The quantity of explosives and detonators used in Northern Ireland ^{and} for the UK which originate here.

On this it could be remarked that some of the explosives used in this country have been made in Britain - but the extent of this has been relatively small compared with stated finds in the UK and Northern Ireland.

9 x 1/2 inch material

The explosives usually used are of two kinds -

- (1) ammonium nitrate fertilizer or
- (2) commercial explosives, mainly gelignite.

(This is by no means an exhaustive list. There are well over 1,000 substances which can be used as the basis for comparatively legal explosives.)

lethal

Controls on the two substances mentioned are strict. However, it is most difficult to ensure their proper use. For example, the use of ammonium nitrate for fertilizers is widespread - running into 100,000s of tons. The outlets are this are countrywide and detailed control is obviously impossible.

Work is going ahead here and in the UK on projects to try to ensure that this fertilizer cannot be converted by ordinary methods to an explosive substance. So far these projects have not come up with any conclusive answer.

The gelignite used ^{*commercially*} ~~initially~~ is produced also in large quantities. There are five major mines in Ireland using the substance as well as innumerable quarries. In a single quarry blast as much as 10,000 pounds of explosives is used. Again, it is next to impossible to account for every pound of this material. To ensure a full check on its use body searches at every mine and quarry in the country where blasting is carried on would be necessary.

In so far as detonators are concerned, the Minister for Justice outlined the position at a recent meeting with Mr. Rees and asked about the possibility of having detonators marked at source of manufacture. Mr. Rees is to look into this aspect. However, even if satisfactory marking procedures could be devised it would be a far cry from preventing the use of detonators for illegal purposes.

In short, it can be said that the best way of controlling the use both of explosives and detonators is by ensuring that as far as is practicable security is maintained at strategic points in the trail by which they reach an illegal destination. This is being done.

That security forces are insufficient for their work.

This is included not as a point that will be made by the British but as something which may well be implied in either their comments or ^{*questions*} ~~comments~~ by journalists afterwards. ^{*answer*} The ~~effort~~ lies in the build-up which has occurred in the size of the security forces. For example, both the Gardai - at 8,500 approximately and the Army at approximately 14,000 - are at their highest strength since war time.

The security effort does not stop there. We have in existence a system of courts which is far in advance, as a weapon against terrorism, of anything in operation in Northern Ireland or the UK. We have activated an Act of 1861 under which a person found guilty of murder in any part of the United Kingdom can be tried in this country. The Criminal Law Jurisdiction Bill is going through the legislative process at present and will probably be enacted soon. *Also 7 v controls.*

The Taoiseach and Ministers have spoken repeatedly against the use of violence for the attainment of political ends and their convictions on this are known well now from recent events.

(3) That we should accept army to army cooperation on the border.

This has been raised again and again by British official and unofficial interests. Our answer has always been "no" for the reasons that -

- (1) the army here have exactly the same status as in Britain where it does not exercise the exceptional policing powers forced on it by events in Northern Ireland;
- (2) existing cooperation, in such technical matters as bomb disposal, is sufficient;
- (3) cooperation between the police forces is excellent and has been publicly acknowledged as such; it has been brought to such a pitch technically that communication between the forces is virtually instantaneous - and even this level of communication is being improved upon;
- (4) purely from the Northern point of view the police cooperation is beneficial in that it helps to build up the RUC, give them support in the people's eyes and get them back into areas from which they have moved. [This point has been stressed to us, repeatedly, in confidence, in meetings with the British.]

(4) That the number of UDR members and former UDR members convicted of criminal offences in recent years have been disturbing.

This is a point which could be made, if undue emphasis is being placed on our security efforts.

In the period from January, 1974 to February, 1976, some 36 members of the Ulster Defence Regiment, or ex-members of the Regiment, have been convicted of crimes such as murder, malicious destruction (of a Catholic school), armed robbery, possession of firearms, intimidation, etc. A full

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list is given in this brief. It is difficult to ensure reasonable cooperation with a force where the criminal element is apparently so much in evidence.

- (5) That the number of incursions by British security forces across the Border is disturbing.

The number of these incursions in 1975 was less than in 1974 but is nonetheless disturbing. We need not over-emphasise this point, which has to do with relations between the two Governments, but obviously it is something which we cannot overlook.

- (6) That if stability is to be restored in Northern Ireland it is essential that the security forces operate with an even hand in both communities and that they operate effectively.

This has to do with the general situation in Northern Ireland as well as with the security situation in itself. As a principle it is central to any future for Northern Ireland. Direct rule cannot survive - as any other form of Government could not survive - unless it is backed up by an impartial and effective security operation. If this sort of operation is mounted, there could be a reasonable chance that Northern Ireland could survive the next year or two without any active political institution. In this sense, the way in which security is operated is, in fact, central to the future of the area.

Northern Ireland -

(b) Political situation.

The Convention is being wound up. Its members will be paid until about the beginning of May and will then cease to be members. In this situation there will be only two types of political activity in Northern Ireland -

- (1) the activity carried on by the 12 members elected to Westminster and
- (2) such limited activities as are carried on by the Northern Ireland local authorities.

The 78 Convention members, as such, will cease to have a function.

In this sort of situation, where there is, in practice, no forum for political activity in Northern Ireland, it may well be that the paramilitary organisations and other non-political forces in the North will try to stage a take-over, saying that the politicians have failed. Up to a point, there is truth in this. The only form of political institution in Northern Ireland which is acceptable to the minority is a power-sharing administration, which the majority show no

willingness to accept. However, this does not rule out all possibilities. Activity in Westminster, remote as it may be from Northern Ireland, is still a form of political activity. The obvious difficulty is that, being carried on by 12 persons - or one to every 125,000 persons approximately in Northern Ireland - it can have only limited impact and limited relevance to the man in the street in the North. Secondly, the composition of the 12 will, immediately, raise difficulties, in that there is among them only one effective member acting on behalf of the minority population. The future of Northern Ireland will, therefore, raise the question of the size of the representation which the British Government is thinking of giving the area in the British Commons. It may well be that this question could come up in discussions with Mr. Wilson.

A further question which may arise could be whether an organisation, like a County Council, could be established to govern the entire six-county area. This organisation would have limited financial and legislative powers (like byelaws) but would have no real powers of initiating legislation or taxation. In British practice, a local authority administering 1,500,000 people is a comparatively small entity. In Northern Ireland with its history, it is doubtful if an organisation like this would work at all. Certainly, some elected representatives have questioned whether they would act in a body which had no real powers.

One way or the other, there will be a debate on Northern Ireland which the legislation empowering the Government to operate there comes up for renewal next July. If the British have a policy for the area, it will be for them to produce and "sell" it by then. Delay after that will mean that the future of Northern Ireland will, whether the Government like it or not, become enmeshed in the debate on devolution to Scotland and Wales and, if this happens, it is not unlikely that any solution may well be delayed beyond the time of the next British general election.

For the present, the problem of the North would well seem to be insoluble. It is likely that the British will decide that direct rule will continue. This will raise immediately the question of its form. It would seem advisable for us, in so far as we can, to suggest to them that some way must be found in which the Ministers responsible for the various Departments should be in a position to establish closer contact with their constituents. It is impossible to operate an area like Northern Ireland from an office in London.

The corollary of this is that there should be some vehicle through which political activity in Northern Ireland can take place. The most obvious way of providing this vehicle would be to arrange for the establishment of a form of consultative or advisory council. The exact method of achieving this need not be settled now - in fact, if it were and the council were announced it could well be shot down immediately by the people of Northern Ireland in their present mood. The best course would probably be to leave Northern Ireland with direct rule for a period so as to familiarise its inhabitants with the precise meaning of the term. The length of this period will depend on circumstances but it would seem possible that the following sequence of events will influence it -

- (1) There will first of all be the dissolution of the Convention and the apparent end of political activity for its members and for all except the 12 Westminster M. P. s;
- (2) About the beginning of May payment to the Convention members will cease;
- (3) In July there will be a wide ranging debate in the British Commons on the future of Northern Ireland as the legislation under which the British Government operate in the area comes up for renewal.

At this latter stage the time could well be ripe for the announcement of a form of consultative council for Northern Ireland. The Convention members would not have been long enough out of office to have lost contact with politics, particularly if, as suggested, arrangements can be made to facilitate them in making representations to British Ministers in charge of Departments under direct rule arrangements. At the same time there could be enough tedium with direct rule for the acceptance of some alternative to be possible.

Certainly, if the period for the announcement of a form of consultative assembly goes beyond July next, the entire debate on Northern Ireland will, almost inevitably, become involved with the debate in Westminster on devolution to Scotland and Wales. If this happens, the consequence will be that Northern Ireland will float without direction for a further eighteen months or two years from September next. The consequences could well be disastrous.

Further issues which may arise under this broad generic heading are -

- (1) the place of local government in Northern Ireland at present and under any reform;
- (2) the place of the Dublin Government in determining the future of the North; and
- (3) the Strasbourg case.

On the first of these, it could be emphasised that local government reform in Northern Ireland in recent years has not produced the sort of authority which would command respect and it would appear, on experience, that there is next to nothing that can be done to produce this type of elected council at local level in the North. ^{note} An ~~appendix~~ is included in this brief of incidents of sectarianism by the "reformed" Northern Ireland local authorities in recent years. This could, if necessary, be given to the British as an example of the sort of organisation that operates there under the name of local government in some areas.

On the place of the Dublin Government in relation to Northern Ireland, it would seem desirable to try to avoid any open attempt at institutionalising cooperation. It was, in fact, the possibly over-ambitious attempts at institutionalising this type of cooperation in the Council of Ireland which led to the opposition to the Sunningdale arrangements and eventually to their collapse. Cooperation can be offered and can be organised but it is best left to the different institutions in the island to organise themselves, in their own way, without overt Governmental backing or interference.

The Government have not yet decided on their attitude in the Strasbourg case but the assurance could be given to the British, if the matter comes up, that they intend to consider the question at an early opportunity. British views on the subject could be sought.

Whatever the course adopted, it would seem essential for us to emphasise that, if direct rule is to continue, security should be stepped up and operated with an even hand, so that both communities come to accept the administration. This means a reasonably firm British stand against the para-military organisations who may try to take over the scene on the failure of the Convention.

EUROPEAN ECONOMIC COMMUNITY

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