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Memorandum

After several days' absence from the intensive activity in which the search for a solution to the hunger strike has involved us all for five months, I venture to commit some thoughts to paper on the problem and its consequences.

First as regards the IRA, they pose a stronger challenge to our institutions than for many years. Intelligent and vigorous opposition to this challenge should be mounted (this task goes beyond the brief of our Department). We have to recognise clearly where the IRA have made political advances - in terms of support for violence and simplistic Brits-outism in Northern Ireland, in this State and in North America; in terms of misplaced "humane" sympathy on the part of soft centred persons normally remote from extremist politics; in terms of attracting knee-jerk patriotic fervour of the kind that, for instance, enables an RTE reporter in Belfast to assert with total aplomb and so far as I know without contradiction that Doherty was the third hunger-striker who held elected office to die, after Terence MacSwiney and Bobby Sands. (The interval of more than sixty years since MacSwiney's death, its wholly different circumstances and the essential illegitimacy of contemporary violent republicanism are all passed over in silence). Above all the IRA has succeeded in the last year in setting back the assertion and acceptance everywhere of the cause for a united Ireland on a basis of reconciliation and consent. The failure of the SDLP to contest Fermanagh-South Tyrone in the current by-election is a major triumph for the IRA in this regard but it is only the latest visible sign of the trend. We have to recognise what a tender plant legitimate, constitutional, political United Irelandism is. For those nurtured in the mainstream of Republican politics, this creed is an automatically accepted part of the national philosophy. Outside the State, however, it is regarded by the nostalgic ultra patriots of North America as evidence of pro-British sentiment, by Northern Unionists and by very many in Britain itself as support for hostile subversion of Northern Ireland. A reference in Mr. Atkins's discussion

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paper of November 1979 to Irish reunification as a legitimate aspiration surprised by its novelty. Amongst Americans there is the greatest difficulty in understanding the concept of unity by consent and the complex analysis of the Irish situation which it implies. In fighting back against the IRA we have to proclaim and develop this basic political philosophy on all fronts, starting with the home front. Part of the success of IRA propaganda in our own society probably results from past ambivalence about the central questions of consent on the part of Northern Protestants and of constitutional renewal - a lesser ambivalence than that about violence which lies deeper in the culture, but a significant ambivalence nonetheless which holds more ground amongst elected representatives than it should.

Turning to the British, a front which more directly concerns this Office, it appears to me on reflection that we cannot rely on the British authorities to bring about a settlement of the prison issue. There are questions of will and of handling. I think the British are capable of failing on both. As the IRA gains in spirit and ambition, the likelihood of failure becomes all the greater. In short I fear that the prison protest will continue indefinitely and that it will be in the form of the hunger-strike as long as the IRA so decides.

On British will, it seems clear that, since they either do not perceive or do not care about the damage which the hunger strike has enabled the IRA to inflict on all fronts, with the widespread gains we know about, the British authorities have at no stage been sufficiently motivated to bring about a negotiated end to the hunger strike. The limits of ingenuity and persistence have been reached - indeed the limits of prudence perhaps exceeded - in our efforts to point the way towards honourable compromise. British obstinacy should be ascribed to something other than mere adherence to principles of prison management (which we would in fact support). The likelihood that they are concerned to maintain and justify their present stance rather than move from it is reinforced rather than otherwise by their recourse to the European Commission of Human Rights and to the International Committee of the Red Cross. (I have felt this since the first moves in Strasbourg in May). Knowing the conditions of imprisonment in the Maze, it can be expected that these external instances will warmly commend the N.I. prison system while perhaps

suggesting some small cosmetic changes (no doubt including clothing). The British propaganda machine in the U.S.A. and elsewhere is so remote from reality that it will no doubt regard these findings as a complete answer to its problem and will peddle them frantically from coast to coast. Such findings would certainly give deep satisfaction in No. 10 Downing Street and would be fully used within the British administration by Mrs. Thatcher.

If however the above scenario, presupposing an absence of British will to settle, proves inaccurate and, contrary to the evidence of several lost opportunities to date, an accommodation with the hunger strikers should be worked out, there remains the enormous problem of British handling. Would they be able to deliver? The British operate the jails in Northern Ireland under difficulties our authorities have never had to face - pathological tension and hostility between prisoners and staff, publicity on every detail of cell administration, absence of consensus in society about the judicial and penal systems. In these circumstances the occasional "fudging" of certain issues which has enabled our authorities to maintain quiet conditions amongst top security prisoners without loss of principle is simply not available to the British prison administration. Over and above that there is the factor of the British security mentality - that suppression, not political movement, is the answer to the North's troubles, that the symptom is the problem, that the prisoners are unprincipled criminals whose motivation is of no account - which increases the risk of breakdown on the ground after any purported settlement. There seems little prospect that monitoring by a high ecclesiastical or other Committee would be given the chance to overcome that risk. In addition there towers on the horizon the black cloud mentioned in a recent report from London, representing the suggestion that Mrs. Thatcher may contemplate phasing out special category status at an early date. In other words the remaining Long Kesh compounds would be closed and the three hundred plus special category prisoners there would be put into cells in the Maze. Of this possible development all that need be said is, firstly, that it would be typical of Mrs. Thatcher to do this, probably at the least propitious moment imaginable and, secondly, that it would trigger off the full gamut of prison and indeed communal protest in Northern Ireland. Blanketmen, cell-fouling, furniture smashing and no doubt hunger-striking - we should have them all, all over again, and indefinitely.

This short note is intended to offer an analysis rather than conclusions. However, I would mention two conclusions; one already drawn is that we may have to fight the IRA and advance our own policies in the unfavourable circumstances of an indefinitely continuing prison protest probably involving hunger strike deaths. The second is that we should still explore with the British possible solutions within the prison regime and also, at the least, damage limitation measures.

In this latter connection it has to be recognised that the essential element in the IRA campaign success has been the actual death of prisoners from self-inflicted starvation. Ambassador Kennedy reported a conversation with the British Lord Privy Seal, Sir Ian Gilmour on 29 July in which the latter appeared to be addressing this point. Given what is at stake and remembering the unsuccess over several years of the H-block campaign before the practice of self-immolation by starvation was introduced, is there not a case for suggesting to the British that they review their policy of not force-feeding hunger strikers? This policy was only adopted in 1974, in circumstances very different from those now obtaining. Of course the force-feeding of the prisoners would give rise to much humanitarian protest, and unfortunately fine words have been used in the past by the British in defence of the idea of not interfering with suicidal abstinence by prisoners. However in advocating this idea to the British we can actually use their partiality for mere logic in the propaganda campaign. If the ICRC and ECHR find the prison regime acceptable, we could say, then evidently there can be no humane point in the men protesting about prison conditions. Therefore the protest to death should not be allowed to occur and indeed the humane thing to do would be to ensure that the protesters take nourishment using force if necessary. I suggest that this idea be examined and acted upon if found to have value. Needless to say any discussion of the possibility with the British must be absolutely confidential. We have no kudos whatever to gain from making this suggestion. On the contrary a wide measure of opprobrium will attach to the British authorities for introducing force-feeding and we should remain remote from that development in the public perception. Any contacts with the British about it should not be referred to even in the deepest of deep background briefings to the media.

D.M. Neligan

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