

C O N F I D E N T I A L

PAB/5980/DP

FROM: S A MARSH, PAB
2 MARCH 1990

Mr Blackwell - B

cc PS/Secretary of State (L&B) -B
 PS/Minister of State (L&B) - B
 PS/Dr Mawhinney (L&B) - B
 PS/PUS (L&B) - B
 /PS/Sir K Bloomfield - B
 Mr Burns - B
 Mr Miles - B
 Mr Thomas - B
 Mr Daniell - B
 Mr Dodds - B
 Mr Kirk - B
 Mr McConnell

McGIMPSEY

Ken Maginnis telephoned Mr McConnell this morning about the McGimpsey judgement; I believe he spoke emotionally and at length.

2. He said, apparently, that yesterday's judgement had changed things "dramatically". As described to him by one of the barristers acting for the McGimpsey brothers, the Supreme Court had said unequivocally that Articles 2 and 3 of the Irish Constitution were far more than a mere aspiration and thus not what supporters of the Anglo-Irish Agreement had claimed them to be.

3. Maginnis said that he would talk to Molyneaux over the weekend, and also have conversations with politicians in the Republic in the near future. He would take the line that all bets were now off and that in the face of such an aggressive challenge to their position unionists now felt more "under siege" than ever. When it was put to him that this would be letting certain people off the hook he replied that sadly he appreciated it but that he felt he had no option. He said that he would also be seeking an emergency debate in the House of Commons (or failing this an adjournment debate) and that he and the McGimpseys would seek an early meeting with the

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Secretary of State. He considered that it was now for HMG to make clear its position regarding the terms of the judgement.

4. From what Maginnis was saying, and judging by what he is reported to have said in this morning's Irish Times, this might be the first step in a new unionist campaign. It is unfortunate that from being a moderating influence in the UUP Maginnis now seems to be on the verge of turning into a hard-liner on the Agreement. We shall need to consider carefully whether we should accept any request for a meeting, should one be made.

[Signed]

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