

ASST SEC 330/9
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JONATHAN STEPHENS
PS/SECRETARY OF STATE
23 SEPTEMBER 1993

TACC - p. 1/4/93

- 1. the ^{24/9} ~~conclusion~~
- 2. the ~~the~~ ~~center~~ ~~by~~

One or two sketches,
but a real cohesive
presentation of policy.

JWS
23.9

- cc: PS/Secretary of State (L&B) - B
- PS/Sir John Wheeler (L&B&DFP) - B/T
- PS/Michael Ancram (L,B&DENI) - B/T
- PS/PUS (L&B) - B
- PS/Mr Fell - B
- Mr Legge - B
- Mr Thomas - B
- Mr Bell - B
- Mr Shannon - B
- Mr Steele - B
- Mr Watkins - B
- Mr Williams - B
- Mr Wood (L&B) - B
- Mr Brooker - B
- Mrs Collins - B
- Mr Cooke o/r - B
- Mr Maccabe - B
- Mr Marsh - B
- Mr G Lowry, Prison Ops - T
- Mr Caine - B

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24 SEP 1993
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MR LEACH - B

ARMY COMMAND AND STAFF COURSE - SPEECH

I attach the final version of the speech which the Secretary of State delivered to this course at Camberley yesterday. I am most grateful to those who contributed, and checked and corrected various versions which were circulated at short notice.

- 2. The Question and Answer session ranged very widely. Topics covered included: the Hume/Adams Talks; the extent of co-ordination between the civil departments and the security forces; the 'deal' with the UUP; an envoy; changes in the law to convict more terrorists; the effect on political opinion of terrorism in Great Britain; whether Government attitudes towards Sinn Fein were consistent; whether an Amnesty might ever be considered; and whether

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and would be treated the same as Northern Ireland if it wished to leave the UK. The Secretary of State spoke on standard lines in response to each of these.

3. I am most grateful to Prison Operations who produced four OHP slides at short notice to accompany the Secretary of State's speech. Since this tends to be a regular occasion, we might give thought to a few more relevant OHP slides to accompany next year's. The Staff College have a very effective computer-controlled display unit which they used to create an extra slide in the midst of the Secretary of State's speech.

SIGNED

JONATHAN STEPHENS
PS/Secretary of State
OAB Ext 6462
23 September 1993

SOFS/DEH/19147

SOFS/19147

ARMY COMMAND AND STAFF COURSE - CAMBERLEY, 22 SEPTEMBER

The Army has been deployed in an emergency role in Northern Ireland since 1969. I can hold out no sensibly calculated date when that requirement will conclude. Nor even diminish. Since it began, fatal casualties sustained by the Army have numbered 643 with over 5,500 injured. It is not uncommon in a 6 month roulement tour in Belfast for a Battalion to experience 200 incidents in which injury through hostile action is sustained.

In these unexhilarating circumstances it would be reasonable for those delivering the security product to need assurance from the political management that they know what they are doing, know where they want to go, and know how they intend to get there. At all events, that is how I want to use this most welcome opportunity to address your Course.

Synopsis

Here is the scheme I shall follow. First, I shall remind you of the Government's objectives for Northern Ireland.

Secondly, I shall discuss, not the professional methods by which the RUC and the Army provide for the security of the Province, but the political initiatives which the Government for its part has taken and will maintain.

These political initiatives subdivide into three:

- (1) political policies calculated to give the security forces the support they need;
- (2) political policies aimed at eliminating or at least reducing those areas of nationalist grievance which

sustain tolerance (if not support) for PIRA and those which fuel among protestants a sense of fear and alienation;

(3) political policies designed to help the people of Northern Ireland secure, by wide agreement, a political accommodation that will restore democratic responsibility in the Province and lead to a less antagonistic and more settled and prosperous way of life for its divided community.

Finally, I shall pose some questions upon which the prospects for our success depend - and then I shall await your answers, and your interrogation.

Tribute to the Security Forces

I will begin, however, with a heartfelt tribute. We have asked and continue to ask an immense amount from the Army and the Police. From the Army in particular it has typically been delivered by young men and women in their late teens and early 20's. The task calls for a degree of sophistication from junior ranks which I would judge to be unique in the demands made upon the modern Army. Courage, steadfastness and professionalism are additionally required as a matter of course, to be delivered while working a 16 or 18, or even 24 hour day, time off duty hour day, often having to be spent in cramped, bleak and fortified accommodation.

With all my predecessors, I have acquired a great admiration for the degree in which these qualities are year in, year out, deployed. To make a thoroughly unscientific, subjective assessment, I would be confident that no other Army would have provided them in equal measure. I think it equally true that no other Army would have been asked to,

While, however, this represents a great achievement, for which I as Secretary of State for Northern Ireland express my warmest gratitude, let me assure you that I recognise this is not the principal - I was going to say the proper - job of today's soldiery. They have to be trained as fighting men and women, available for service in a world still reacting fast and unpredictably to the events of 1989, calling for quick and versatile military reaction. Detachment for Northern Ireland training and deployment is a disruption and distraction whose adverse effects I indeed recognise, and I wish to see it protracted no longer than is necessary.

The Government's objectives

Necessary for what? In a brief period of my own in the Army, fortunately not characterised by anything difficult, let alone dangerous, I recall learning that maintenance of object is the first principle of war. Perhaps the doctrine has been refined since then, but that was the gist and probably still is. If it isn't, it ought to be.

So here is the Government's object, as set out in our published 'Statement of Security Policy'. Our aims are:

- a. to maintain the rule of law;
- b. to ensure that all the people of Northern Ireland are free to express their political opinions without inhibition, fear of discrimination or reprisal;
- c. to defend the democratically expressed wishes of the people of Northern Ireland against those who try to promote political objectives, including a change in the status of Northern Ireland, by violence or the threat of violence;

d. to create in Northern Ireland the conditions for a just, peaceful and prosperous society in which local people can exercise greater control over their own affairs.

So that these aims can be achieved, it is the first priority of the Government in Northern Ireland to eradicate terrorism, from whichever section of the community it comes. There is no acceptable level of violence and, for so long as violence continues, it will be met with a firm and resolute response.

You have heard from the Chief Constable and the GOC respectively the professional methods by which the security forces are tasked for their part in the achievement of those aims. I shall not replicate or expand on that. Many of you have experienced them at first hand anyway. What I wish to do is explain the political means by which the Government plays its part. I start first with the policies the Government has in place to support the security forces.

(i) Political Support for the Security Forces

We are faced with terrorist opponents within each of the two major components of Northern Ireland's divided community. One is generally reactive to the other: that is to say, so-called loyalist organisations (UVF, UFF, UDA) can be expected to cease their operations if PIRA stops theirs. This is something I cannot say publicly, but there is every indication it is true.

As regards PIRA, it is now trite to say that it is most unlikely they will be forced into a cessation of violence by anything the security forces can do alone. I stress alone, since I believe the most powerful single influence upon them to stop violence is the effectiveness of the security forces in terms of deterrence, and attrition. We shall therefore keep this up remorselessly. For a

P still disagree - See Andrew Boyd. Scaling down, much less organisation, but "cease" us.

long time they thought our immovable opposition, demonstrated in this way, was down to British stupidity, which they could cure. Now increasingly I think they believe it is beyond their power to cure. They are right.

Our commitment is illustrated by our on-going programme of capital works and improvement of equipment, whether it is the replacement of the destroyed Cloghogue/Killeen VCP with a better one, the hardening of patrol bases and police stations, the erection of an observation tower at Rosemount, in Derry, or the purchase of airships.

ugh!

These, to PIRA, are all outward and visible signs of inward and spiritual intransigence. So they will continue, because we must always reinforce the credibility of the Government's cardinal principle, that it will not yield up the people of Northern Ireland to the terrorists, of whatever colour the flags they disgrace.

These are all illustrations of what is essentially a political policy, namely a fixed resolve to provide the Security Forces with the resources they need - whether of installations, technology, manpower or law. All but the last of these needs are operational in character. (To assess the framework of law that is needed engages a wider range of considerations.)

Having referred specifically to installations, let me similarly dwell in the same context upon manpower. We now have a Province Executive Committee - the GOC explained its composition and terms of references to you earlier.

I am glad to tell you, that in February this year it reported that the present Army manpower in the Province was sufficient for the tasks required. This report was endorsed by the Chief Constable and GOC. It is our policy to keep it that way. I do not think the

British people would take kindly to our troops being sent to intervene in other people's civil wars at the expense of our ability to counter political violence within our own country.

Security co-operation

Another key element of the Government's security policy is co-operation with the Government of the Republic of Ireland. I am quite clear that cross-border security co-operation has seen improvement since the Anglo-Irish Agreement. Progress has been made in a number of areas, such as the joint assessment of the terrorist threat, the establishment of liaison structures at all levels of command, and technical co-operation in a number of fields. I am also greatly encouraged by significant finds of arms and explosives which have been made by Garda.

Last month, for example, in a series of finds in Donegal the Irish Garda retrieved 3 AK47 assault rifles, 2 Heckler and Koch assault rifles, 1 rocket launcher and 3 warheads, 1500 lbs of home-made explosive and assorted ammunition.

I am in no doubt that PIRA had destined all this equipment for use in Northern Ireland. Continuing and developing the level of co-operation with the Irish authorities at every level is essential.

Criminal Law Act (Northern Ireland) 1967.

Security Forces and the Law

Let me add here a word about the status of police officers and the military, itself the product of political decision.

Whatever changes, if any, we may make in the criminal law, or the law of evidence, with a view to bringing guilty people to justice without putting innocent people at the risk of being convicted, we shall not change the essential status of the military. Police primacy will continue, with the military acting only at the request and in support of the RUC.

Nor shall we confer legal immunities or privileges on the military, any more than on the police. We judge it essential that each should continue to be subject to the ordinary law: carrying special responsibilities and duties (often very dangerous ones) but attracting no privilege.

This is part of the true meaning of the rule of law. When faced, as they are, with ruthless enemies acknowledging no law, it is the acceptance of this restraint that calls for - and receives - that sophistication and professionalism I mentioned at the outset. Policing in a democracy can only be achieved by consent. Consent to policing in any part of our country would never be given on any other basis, and certainly not by either side of the community in Northern Ireland.

Use of Force

In its most obvious application, this means that in the use of force the soldier is, in the eye of the law, in the same position as the civilian citizen. This is so notwithstanding that he is acting on the Queen's business, tasked with helping the RUC to maintain the Queen's peace. Reflecting identically the legislation in England and Wales, his position is governed by section 3 of the Criminal Law Act (Northern Ireland) 1967.

"A person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large"

It is, of course, impossible to provide a definitive list of circumstances in which force of a certain kind will or will not be reasonable. Ultimately the courts must decide. Everything turns on the circumstances - including those of the soldier whose life

may be in peril, or who may have to decide in 1½ seconds a question that will keep lawyers happily engaged thereafter for months. It is for this reason that the yellow card with which he is equipped gives the soldier a margin of safety in the circumstances in which it prohibits the use of his weapon. I would not be receptive to any suggestion that the margin should be reduced: but nor do I think it should be extended.

Recent Anti-Terrorist Legislation

It must be rather easy, sometimes, for the Police and the Army to feel that changes in legislation are only looked at seriously if the result would be to make their job more difficult, by circumscribing them ever more closely. That is not the case. Let me refer to recent legislation which has tightened the screw on the terrorists.

The Northern Ireland (Emergency Provisions) Act 1991 introduced new provisions directed against terrorist racketeering. The recently enacted Criminal Justice Act 1993 has added further to this body of legislation. Tough statutory powers now exist to enable the RUC and specially appointed expert financial investigators to disrupt and eradicate sources of terrorist funds.

It is increasingly important to bear down hard on the financial infrastructure that sustains the terrorist organisations. They have been large scale operations against terrorist controlled social clubs in Belfast, against IRA racketeers and against UDA godfathers. In each case, considerable quantities of documents were seized which confirmed the existence of (and identified) terrorist financiers and money launderers. The cases are now being considered by the authorities.

In addition new laws were introduced in the Northern Ireland (Emergency Provisions) Act 1991 to attack the terrorist

godfathers. Section 27 makes it an offence to direct at any level the activities of a terrorist organisation.

To combat the increasing ingenuity of the men of violence in using every day items to prepare attacks, the 'coffee jar' device being an obvious example, Section 30 was also introduced. This makes it an offence to possess items that may be used for terrorist purposes. The onus of proof is on the accused he must establish that the item was not to be used for such a purpose.

(ii) Reduction of Economic and Social Grievances and Alienation

Now I turn from political policies in support of the security forces to the second subdivision of political policies: those aimed at the reduction of economic and social grievances and alienation.

Legislative change has a broader potential than merely to tighten the screw on the terrorist. It is necessary to remember that PIRA seeks a political objective, and is sustained by those who are alienated from the present governance of Northern Ireland. In some the roots of that alienation probably go too deep to be drawn out: we must hope to work on the minds of the next generation. But in others we must recognise minds that are open to reason, and where we find unfairness, in the shape of discrimination, for example, or disproportionate and chronic deprivation, we must not lose an opportunity to get rid of it. If we succeed, we stand a fair chance of securing the withdrawal of consequential toleration for PIRA - true support is limited such as inhibits people with knowledge of a terrorist offence from passing it in confidence to the RUC.

Reducing Alienation

Let me turn, therefore to the subject of political advance. We have worked hard at the reduction of alienation, and we shall continue to do so. For example, there remain quite substantial differentials across most economic and social indicators. The level of male Catholic unemployment, for example, is over twice that of male Protestant unemployment. It is against that background that the Government has sought to frame a wide range of policies designed to promote reconciliation and mutual respect between the two communities, and to ensure equality of opportunity and equal treatment for all.

Four years ago, the Government enacted the toughest laws against discrimination in employment in the United Kingdom, imposing a duty on all employers to provide genuine equality of opportunity and fair participation by both sections of the community.

In 1991, the Government introduced a programme entitled "Targeting Social Need", the main objective of which is to tackle areas of social and economic difference by targeting Government policies and programmes more sharply in those areas or sections of the community suffering the highest level of disadvantage and deprivation. Government departments are now required to monitor closely the impact of their policies and programmes on the two sections of the community respectively.

We have in addition instituted specific initiatives such as the Making Belfast Work programme, which is built around over 130 projects relating to problems such as unemployment, lack of skills, low educational achievement, poor health and a depressing physical environment.

Spending on community relations programmes has been substantially increased in the past few years. Most of the district councils now employ full-time community relations officers. About 500 schools

in Northern Ireland are involved in cross community contact programmes, and all schools are now obliged, under the law, to develop cross-curricular themes on mutual understanding and cultural heritage.

The main churches in Northern Ireland have co-operated with us to develop a common religious education curriculum which will be uniform throughout all schools, of both Catholic and Protestant denominations. The development of integrated education now has firm Government support, and is taking place at a slow but steady pace.

I mention all these developments because they patently impact upon the wider society within which the terrorists operate. They affect people's attitudes to their involvement in society, and towards others outside their own community. Taken together, there is no question but that they help to undermine the political infrastructure of terrorism in Northern Ireland.

Ensuring that everyone, Catholic and Protestant, enjoys a growing stake in the prosperity of the Province is a central element in persuading those who might otherwise feel ambivalent about terrorism to reject violence and the politics of destruction. Ownership of property, employment, a sense of purpose in life, all contribute to a community's and an individual's stake in the well-being of a society which terrorism so seriously threatens.

Nationalist Aspirations

But there is a parallel source of grievance: and it is reflected in PIRA's claim to be the only political force capable of fulfilling the aspirations of many nationalist people to secure a United Ireland.

They tell people the British Government will never get out of Northern Ireland because they are in it for their own purposes.

This of course is rubbish. I got into trouble at the end of last year for the way I addressed this. I judged it necessary, as I still do, that nationalists who wish to see a United Ireland should realise that the British Government sees nothing unacceptable, nothing 'wrong', in that aspiration: provided only that it is advocated and worked for by constitutional, democratic means.

Once people accept that, I think most will tend to turn away from PIRA, and probably with a good deal of relief. So it is necessary to persuade them. The trouble is that in trying to do so you open a flank to those Unionists on the look out for corroboration of their inbred but misconceived conviction that the Government wants to sell them out: as I discovered.

Principle of Consent

Let me try to set it out before you.

Northern Ireland is a part of the United Kingdom in domestic and international law. It remains so because that is the clear wish of a majority of the people of Northern Ireland. Northern Ireland's status as part of the United Kingdom would not change and will not change unless and until a majority of the people living there want it to do so. For the foreseeable future that seems unlikely, not least because those who, as matters stand at present, want to stay within the Union are by no means only Protestants.

That is one side of the Government's commitment. The other is this. If a majority of the people of Northern Ireland should in the future come to desire, and clearly consent to, the establishment of a united Ireland, then it would not be for the Government to gainsay them. On the contrary, the Government has long since said it would bring forward legislation to give effect to that wish.

This position of the Government's is sometimes described, with disappointment or even anger, as one of indifference, as though we do not care what happens to Northern Ireland, either now or in the future. That is a profound mistake. We do care, and passionately, for what happens in Northern Ireland.

If it were otherwise would we have asked the service men and women of the United Kingdom to risk their lives and limbs, year in and year out, in support of the RUC? Would we have continued to secure parity of services with the rest of the United Kingdom through an annual subvention now running at £3 billion? We do care, and we shall continue to care, and manifest it as before.

Those, however, who demand that we show a different partisanship face an inescapable inference. That inference is that, in their book, if at some time in the future a majority of Northern Ireland's people were clearly to show they wanted to be part of a united Ireland, the Government ought to act to keep Northern Ireland in the Union against its will. We could not accept that (the days of colonialism are over), and I do not think the idea really bears examination.

The reality is that if Northern Ireland's position as part of the United Kingdom is ever going to change it will only be by the will of a majority of its people. It is not going to be pushed. Beyond any doubt it will never be brought about by violence. But if such consent did come to be clearly given, then for all the real regrets there would surely be at their decision to depart from the family, it would be their decision: and there would, and should, be no attempt to frustrate their wish. It is important that all this should be clearly understood.

(iii) Political Talks

?last (or Freudian?!)

Now I want to come to the lost subdivision of political policies, the currently topical thrust of the Government's approach to the creation of a better society. I refer, of course, to what has come to be known as the Talks process. The measures I have mentioned are calculated to help, certainly, the people of Northern Ireland to find for themselves a less antagonistic, a more tranquil and settled way of managing a community that is divided not so much by opinion as by identity.

Three Relationships

But I believe that Northern Ireland's history is such that this will not be achieved unless a new beginning can be made, by broad consent, in all its principal political relationships: that is to say, those comprising arrangements for the government of Northern Ireland within the United Kingdom; those comprising arrangements between the two parts of the island of Ireland; and those which only the two Governments can make to regulate their relationships between one another.

We seek what you may call a comprehensive political accommodation - and it is a tall order indeed. But it is what the main constitutional parties in Northern Ireland, together with the two Governments, set their hand to in March 1991, following agreement patiently achieved by my predecessor Peter Brooke.

Last Year's Talks

Two sets of roundtable talks followed that agreement - in 1991 and 1992. The last round closed on 9 November 1992 because, for complex reasons, time had run out. It is widely held that they had failed, but they had not "failed". Back in March 1991, with the announcement of agreement on the basis on which talks could proceed, Dr Paisley said that the door to the field had been

opened, but there was now much hard ploughing before all of us. By 9 November last year, part of the field indeed remained unploughed. But part had been well and truly ploughed, and where no plough had gone before.

It was undoubtedly a disappointment to many that we could not finish the job then. But the challenge to us all is to get onto the land again and finish the job. Now the question arises whether success is even a possibility, let alone a probability.

Prospects for Future Talks

My answer is yes. I hear that I am given to whistling in the dark. So don't take my word. Sir Ninian Stephen, in his statement at the closing of last year's round table discussions, said that the objectives of the process, in his view, remained valid, and continued to be achievable. Nothing in the months that have followed has made invalid any factor upon which he can have founded that opinion.

But the process calls for a joint and several act of will from the participants. Does that will to try exist? Let me tell you what the two Governments had to say when they met in an Intergovernmental Conference 12 days ago.

The Attitude of the Two Governments

In trenchant language they reaffirmed their aim of a comprehensive political settlement which would address all three main political relationships. They agreed to continue to co-operate closely and actively to promote political progress by every possible means. They underlined the urgency and importance of the search for political agreement. Both sides, they said, remain convinced that the objectives of the talks process, as set out in the statement of 26 March 1991, are valid and achievable.

The British Government is wholeheartedly and fervently committed to the task, and we will not lift our hand from the plough now. This month's Intergovernmental Conference demonstrated there is no daylight between us and the Irish Government here.

The Attitude of the Parties

What, however, of the parties? I, of course, can relay only my impression. But it is my clear impression that the will is there in sufficient measure among them too.

Let me assure you this is not because I have been listening to a tune I have whistled encouragingly in the dark. It is true that during the Spring and the Summer there have been no roundtable Talks. But the process itself has remained very much alive. Both Michael Ancram and I have continued our political discussions with the constitutional parties in Northern Ireland, just as we of course continue to meet with the Irish Government.

The Way Forward

From all that we have heard in those discussions, I find three important things.

First, a unanimous consensus that the status quo is not a viable option. Everyone wants to find a settlement.

Second, a general recognition of significant areas of agreement in the 1992 round table Talks, even if much of it was only on a contingent basis. There is much interest in seeing how much could be bankable, and what obstacles there may be to achieving more.

Third, even among those who consider that now is not the time to convene further round table Talks, much consequential support for

discrete bilateral discussions, primarily with the British Government, for those purposes.

In this insight I do not think we are ahead of the field. As both Governments agreed when they met, we must "...continue to seek common areas of agreement and to explore scope for further flexibility with all the parties concerned."

That is what Michael Ancram will be exploring as he meets different parties in Northern Ireland. It is what both Governments will need to explore together, and urgently, over the next weeks.

Our object is to draw up an overall board for the negotiation stage, so as to permit, when it does become appropriate, the reconvening of full round table Talks with a strong chance of swift and positive success. For my part, I fully acknowledge the duty of Government to give focus and direction to the process when that stage is reached, and a clear account of our best judgement of what should command general acceptance.

Rational Hope

I wish I could report to you that all the previous participants are of the same mind in this connection. But you know that I cannot. The DUP find themselves at present unable to explore these matters with us. I wish they would: we must see how events unfold. Nevertheless, I can report to you not only my belief that the objectives of the Talks process remain valid, and that their achievement remains a possibility; I can report in addition that there is rational, and not self deluding, ground for hope that that possibility will be fulfilled in an agreed settlement.

This, however, is not founded alone upon the indications so far given to Michael Ancram. It is founded additionally on what I perceive as a new insistent demand by everyday people that the

politicians don't give up talking. I find this right across the community. Everywhere - and I include working class Protestant areas - I hear words like "There has got to be compromise". It is my belief that the intensity of this demand is quite new in character: it has not been seen before. I do not think the people will be content for it to be ignored.

Questions

I hope you will share my view that in the light of all this there is everything to play for. It is a game that tests and probes us in every quarter of the body politic.

Can the politicians deploy imagination as well as realism?

Can they be flexible without abandoning basic principles? (For if they do that, they will surely be fatally disowned.)

Can they lead so that others will follow?

Can we direct resources in such a way as to reduce alienation without inducing a dependency culture?

Can officials so reach into the hearts of people and their fears and hopes, as to discern the best way to help them and to persuade Ministers of the need to do so?

Can we sustain, as a people, the sense of duty which will maintain the immense effort which the security of Northern Ireland and its claim to parity with the rest of the UK soaks up each year?

Can we maintain a criminal justice system in the face of a ruthless and lawless enemy that continues to comply with international norms and demonstrates a society under the rule of law?

pretty good, as an NICS mission statement!

Can we continue to deploy police officers and soldiers and other service people in support of them, to face endemic dangers in support of policies for which no success can be guaranteed?

Conclusion

These are among the tests to which we are all exposed, and some are very irksome. But the prize is of such a character that it both lightens the burdens and provides answers for the questions. To each question I for my part am entirely confident the answer is yes - and for your part (here I am addressing the British components of my audience), and your respective services' parts in making that likely to be so, I am profoundly grateful.