

SECRET

NOTE of a Meeting held at
10 Downing Street on
FRIDAY 6 NOVEMBER 1981 at 11.30 am

PRESENT

The Rt Hon Mrs Margaret Thatcher MP
Prime Minister

Dr Garret Fitzgerald TD
An Taoiseach

The Rt Hon James Prior MP
Secretary of State for Northern
Ireland

Mr Michael O'Leary TD
An Tanaiste

Sir Robert Armstrong
Secretary of the Cabinet

Mr Dermot Nally
Secretary to the Government
Republic of Ireland

THE PRIME MINISTER thanked the Taoiseach for his visit to the soldier who had been injured in the recent IRA bomb outrage in Chelsea. She also expressed her appreciation of the determination and success of the Irish authorities in rooting out those people in the Republic of Ireland who were responsible for violence.

THE TAOISEACH said that the security authorities had enjoyed considerable success in recent weeks. He welcomed (as did the Prime Minister) the close co-operation between the security authorities on the two sides of the border in Ireland, and noted with approval the effective arrangements which now existed for the quick closure of the border. A new development in the fight against terrorism in the Republic was that PIRA terrorists were now shooting at numbers of the Gardai when they were cornered. This demonstrated the extent to which the PIRA had now gone in detaching themselves from their former links and loyalties in the community. The uniformed police in the Republic were still unarmed, following the tradition which had been established in the Civil War and had been inherited from the British, but all detectives were now carrying guns. The terrorists' targets had now changed: the banks had improved their security, and the terrorists were now tending to go for jewellers. Some raids had been made suspiciously shortly after the arrival of consignments of jewellery from Britain; this suggested that the IRA might have sources of intelligence in the trade in this country.

THE SECRETARY OF STATE FOR NORTHERN IRELAND said that the main target of terrorists in the North was Post Offices.

THE TAOISEACH said that his visit to the wounded soldier had, he hoped, helped to bring home to the public that the terrorists were the enemies of all the people, in the Republic as well as in the United Kingdom.

THE PRIME MINISTER asked whether it was the case that members of the terrorists organisations in the Republic were banned from broadcasting.

THE TAOISEACH confirmed that they were. In some cases it was not easy to justify: where, for instance the duly elected Chairman of a local authority was a member of a proscribed organisation, it was not easy to justify a ban which prevented him from broadcasting about purely local matters. But he agreed with the Prime Minister that the ban against those who resorted to terrorism had to be regarded as indivisible.

Referring to the Dunne case, the Taoiseach said that he had ruled that no money must be allowed to reach the kidnappers. It had not been an easy or pleasant decision to take, given that there might be a life at stake; but to have allowed the kidnappers to receive money would have been to encourage future kidnapping. THE PRIME MINISTER agreed that the Taoiseach's decision had been absolutely right.

THE SECRETARY OF STATE FOR NORTHERN IRELAND recalled that the Provisional Sinn Fein were now talking about political participation in local authority elections in Northern Ireland. It was going to be difficult to distinguish the "political" members of Sinn Fein from the "military" members of the IRA.

THE TANAISTE recalled that at the recent Provisional Sinn Fein Annual Conference speakers had referred to the need to go forward with a ballot box in one hand and an armalite rifle in the other. The only answer to the Provisional Sinn Fein's proposals to involve themselves in political activity was to make the SDLP effective as a political party.

THE TAOISEACH said that one of the encouraging things in Northern Ireland had been the emergence of a Nationalist Party which was fully engaged in the democratic political process. It was important that the SDLP should continue in being and healthy: if SDLP supporters swung to the Provisional Sinn Fein or to the PIRA, there would be a danger of polarisation on both sides of the political and community divide in Northern Ireland.

THE TANAISTE said that the Taoiseach's initiative on the Irish constitution was a development full of hope. It had the full support of the other Party in the Government Coalition. If it could be encouraged, there was a possibility of dramatic change in attitudes in the Republic of Ireland.

THE PRIME MINISTER invited the Taoiseach to explain the nature of his initiative. As she understood it, he was proposing that the constitution should be secularised.

THE TANAISTE said that it would be impolitic (in the Irish context) to describe what was proposed as "secularisation".

THE TAOISEACH said that his proposal was that the constitution should be amended, so that, while the aspiration to Irish unity remained, the Republic no longer claimed jurisdiction in Northern Ireland. His proposal also sought to remove the confessional aspects from the constitution, so that the constitution would reflect the views of all the Irish people. In other words, he was proposing that the constitution should be changed in such a way as to reflect the ethos of all the people of Ireland, and to remove anything that might be seen as reflecting confessional aspects.

THE PRIME MINISTER recalled that she had been asked about the Taoiseach's initiative while she was in Australia; she had said that it was an encouraging development, which would help towards the reconciliation which was the aim of all concerned. She had hesitated to say much more by way of commendation, for fear that her doing so might not be helpful. She asked what kind of reception the Taoiseach's initiative had had in the Republic.

THE TAOISEACH said that the impact on the media had been considerable. He had introduced his initiative in an hour-long radio programme, which had launched a great debate. He had chosen a radio programme in which to introduce the initiative, because he thought that that would make more impact on the general public than a speech in the Dail or the Senate, and because talking directly to people on a radio programme seemed likely to be the best means of conveying to them his own strength of conviction in the matter. Following the radio programme he had made a more considered statement in the Senate; in that statement he had been able to draw upon statements made by past leaders of Fianna Fail. The Leader of the Opposition, Mr Haughey, had at first attacked his initiative strongly, but had then pulled back, because he had discovered that many members of his party agreed with it. He thought that he had reflected the feelings of a lot of people in the Republic, though not perhaps yet of a majority. He recalled that on 18 September 1969 he had committed his own party to the principle of "no reunification without consent". Later the Fianna Fail had come into line with this principle, and Mr Lynch had been fully committed to it at the Sunningdale Conference. This demonstrated how it was possible to lead public opinion. There had been a good reaction to his initiative in Northern Ireland; even such an entrenched unionist as Mr John Taylor had shown some degree of response to it.

THE PRIME MINISTER said that the support of those who, like herself and the Taoiseach, believed in democracy and consent, was strengthened by the activities of the terrorists. She noted that even in the United States the Friends of Ireland had made it clear that they agreed that change could come only by consent.

At this point the Secretary of State for Northern Ireland and the Tanaiste left the meeting.

Continuing the previous discussion, THE TAOISEACH said that the rationale of the inclusion in the 1937 Constitution of the confessional elements, the removal of which he was now proposing, was that without them Mr De Valera would not have had the support of the Roman Catholic Church, and would not

have been able to get the constitution through. The inclusion of the confessional elements in the constitution had been contrary to Mr De Valera's own views, and he had privately regretted having to include them. Both of his successors, Mr Sean Leamass and Mr Jack Lynch, had publicly taken the same view. The Leader of the Opposition in the Senate had gone on the radio the day after his own statement, saying that it was possible for Article 3 of the Constitution to be changed. The Taoiseach went on to say that this was his own passionate conviction. He recalled that his mother had been a Protestant in the North, and that he had many relatives who were Northern Protestants. The main reason he was in politics was to give effect to his convictions in this matter. He was in politics to provide a lead, and he would do so, even though he enjoyed only a small majority. It was a welcome and unexpected development that his initiative had actually strengthened his political position: two of the three independent members of the Dail were men who, though they did not share his other political views, shared his views on the need to remove the confessional aspects from the Constitution, as well as his opposition to the Provisional IRA; his political position had thus been strengthened.

THE PRIME MINISTER then suggested that they should discuss whether the reports on the joint studies should be published in full.

THE TAOISEACH said that he had been very disturbed at the way in which Dr Paisley had been able to make mischief by exploiting the confidentiality of the studies in order to arouse fears. People like Dr Paisley thrived on uncertainty. While he was still in opposition he had said publicly that he thought that the studies should be published, so that people should be able to see that the British and Irish Governments were not plotting behind the backs of the unionists.

THE PRIME MINISTER said that in politics she and the Taoiseach had to deal with the fears of people, and the danger that things that were said could be twisted. She was inclined to favour publication of the joint studies in full. But they had to take account of the fact that there were a number

of things in the joint studies which would come as a considerable surprise. She instanced the proposal that there should be an Anglo-Irish Parliamentary Body. For her to recommend that would not be the best way of commending it to the British Parliament. It was one of the ideas that should be opened up for public discussion. After her meeting with the Taoiseach's predecessor in December 1980 people had suggested, wrongly, that there were a lot of undisclosed things and secret agreements behind the communiqué. She had suffered political damage from this criticism, when in fact she had reached no such agreements, and there was nothing more than the communiqué. She had had to insist that there was no question of the studies considering constitutional matters, and that they would be concerned only with institutional issues. For these reasons she would now prefer to publish the joint studies in full, except for the one on security. The Taoiseach and she should not underestimate the way in which they would be used. She would say that they were studies, and that the Taoiseach and she had not decided what to do. That would protect both of them.

THE TAOISEACH said that he had a strong sensitivity to unionist opinion, and a lot of contact among unionists. He recalled that a group of unionist businessmen and lawyers had recently come down to Dublin and stated the unionists' point of view unambiguously and vigorously; afterwards the leader of the delegation had written a letter, in which he had said that he did not know whether Dr Fitzgerald's policy would lead to Irish unity, but he was sure that Mr Haughey's would certainly not do so. The weakness of the Unionists was not helping the situation. He noted that Mr Taylor and Mr Bradford were now seeking to merge with Dr Paisley; if this merger came off, it would be very dangerous, because there would be no middle ground. If the British and Irish Governments were open and honest with the Unionists, there should be greater readiness of the moderate unionists to stand up to Dr Paisley.

THE PRIME MINISTER agreed upon the need to proceed by persuasion. The joint studies would arouse a great deal of debate and discussion. Before decisions were taken, people had to get used to the ideas. In Britain there would certainly be a demand for a debate in Parliament on the joint studies. Public discussion and debate should help to dissipate fears. She and the Taoiseach

would have to be ready to say that there was no secret agreement, and that these matters were being set out for discussion. She thought that the joint studies were very interesting.

THE TAOISEACH agreed; he thought that a lot had gone into them. They were not just fine words; they went into considerable detail.

THE PRIME MINISTER agreed. Things of this kind lived in their practical detail. Her idea was to proceed by practical co-operation, and the studies were evidence of that.

THE TAOISEACH asked about the timing of publication of the joint studies.

THE PRIME MINISTER and the Taoiseach noted that both of them would be making statements in Parliament on Tuesday 10 November at 3.30 pm. They agreed that it would be preferable to publish the joint studies after they had made their statements. It might be better to publish them the day after the statements, rather than later the same day. It was accordingly agreed to publish the joint studies on Wednesday 11 November, at a time to be agreed between Sir Robert Armstrong and Mr Nally. After discussion, they agreed that it would be helpful to publish the joint report as an annex to the communiqué; it helped to fill out the communiqué, and to provide a basis for discussion at press conferences and in the media through the weekend, until they made their statements and published the joint studies.

THE PRIME MINISTER and THE TAOISEACH then considered three outstanding points of difference on the draft communiqué -

- i. the Prime Minister said that she would not wish in the communiqué to commit herself to recommending the establishment of an Anglo-Irish Parliamentary Body. For her to do so would be likely to ensure Parliamentary opposition to it. It must be left as an idea for Parliaments themselves to consider. The Taoiseach said that he agreed that that was more in accordance with the dignity of Parliament, and that he was content with the latest British draft of that point.

ii. It was pointed out that the latest British redraft of the communiqué omitted any reference to the possibility that the British and Irish Attorneys General might consider the possibility of establishing an All Ireland Court. The Prime Minister said that the inclusion of such a reference could make difficulties for her, although she was content that the idea should be further studied. The Taoiseach said that the redraft as it stood could now make problems for him, because it might be taken to refer to extradition. After discussion, a revised redraft of the relevant sentence was agreed.

iii. It was pointed out that the latest British draft omitted a sentence proposed by the Irish Government which had appeared in a previous draft, which would have committed the British Government to being ready to join in working towards arrangements which might be agreed between the peoples of the two parts of Ireland for co-operation between them. The Prime Minister said that this sentence created great difficulties for her, and she would be unable to say what were the arrangements to which reference was made. The Taoiseach said that there were all-Irish institutions in a number of fields: for example the Irish Council of Trade Unions, all the Churches, the Irish Rugby Union, the Irish Banks Standing Committee, the Royal Dublin Society, and a number of cultural institutions including the Royal Irish Academy. There were also the arrangements envisaged in paragraphs 8 and 10 of the draft communiqué. Without some sentence on the lines suggested he could find himself in difficulties in the Dáil. After discussion, the Prime Minister and the Taoiseach approved a sentence which read: "The Prime Minister and the Taoiseach agreed that both Governments would be ready to join in promoting arrangements that might help to reduce tensions between and to reconcile the peoples of the two parts of Ireland".

SECRET

THE PRIME MINISTER and THE TAOISEACH instructed Sir Robert Armstrong and Mr Nally to revise the draft communiqué in the light of the discussion, and to take account of any other points that needed to be cleared up, and to prepare a revised draft for circulation to the Plenary Session in the afternoon.

The meeting ended at 1.10 pm.

10 November 1981