

NATIONAL ARCHIVES

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Meeting with Delegation from Alliance Party.

Introduction

1. The Taoiseach accompanied by the Ministers for the Environment, Defence and Education and the Minister designate for Foreign Affairs met a delegation from the Alliance Party in Government Buildings on Friday 16th October, 1981 at 5.00 p.m. The Alliance Party were represented by:

Mr. Oliver Napier, Party Leader, Mr. David Cooke, Deputy Leader, Mr. Seamus Close, Party Chairman, Mr. John Cushnahan, General Secretary and Mr. Alec Boyd.

Messrs. Nally, Lillis and Murray of the Department of the Taoiseach and Mr. M. Burke of the Department of Foreign Affairs were also present.

2. The Taoiseach welcomed the group and invited Mr. Napier to present the views of his delegation. Mr. Napier thanked the Taoiseach for inviting the group to Dublin and said they wished to give their views on three items - suggested amendments to the Constitution, the Anglo-Irish summit meeting and the security situation. He said his party had warmly responded to recent proposals advocating amendment of the Constitution. The Taoiseach had taken a courageous step and deserved congratulations on that account.

Northern Ireland Political Situation.

3. During the hunger strike at Long Kesh and as a result of that event there was now increased tension in Northern Ireland. Divisions between both sections of the community were greater than at any time since the commencement of the current troubles and there was in addition considerable bitterness on both sides. Despite the ending of the hunger strike this tension had not been reduced as yet. The Alliance Party would hope that with the ending of the hunger

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strike and the appointment of a new Secretary of State it would now be possible to make progress in the political sphere. During the summer the situation in Northern Ireland had been critical. Northern Ireland had been in effect sitting on a time bomb with ordinary people talking an irrational and sectarian way. The election of Messrs. Sands and Carron had heightened the problem. As perceived by the majority community in Northern Ireland 30,000 Catholics in Fermanagh/South Tyrone had voted in favour of the I.R.A. This had had a dramatic effect on thinking and attitudes.

The Alliance Party now hoped that tension would now be reduced. In this regard the Taoiseach's refusal to meet Owen Carron M.P. had the backing of the Alliance Party.

Constitutional Change

4. As regards Constitutional change here there was a great need for a better atmosphere of co-operation on the island. In saying this the Alliance Party recognised that their aspirations and those of the Government were different.

However, they acknowledged that there was a need for more goodwill between North and South. A new Constitution without Articles 2 and 3 would be a major step in this direction. In a sense this was a psychological point. Articles 2 and 3 were seen by the unionist community as a direct claim to the territory of Northern Ireland and were also regarded as inconsistent with the political doctrine of unity by consent. Apart from Articles 2 and 3, "internal changes" would also help to create more goodwill between North and South. As regards the changes now suggested, the Alliance Party did not know how successful these might prove to be or what time scale was involved. However, they fully supported the broad strategy outlined by the Taoiseach. In this connection the response from unionist politicians had, in their view, been almost churlish. They would urge the Taoiseach to continue to do what was right.

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5. Mr. Cushnahan acknowledged that the Taoiseach in launching his initiative had stuck his neck out. He said that the views articulated by DUP and unionist leaders were not typical of the ordinary members of the protestant community in Northern Ireland. The Taoiseach had struck a sympathetic cord in what he had said. He had spoken to Mr. Bill Craig in this regard who had told him that he had been inundated with calls and correspondence arising from the Taoiseach's statement, 85% of which expressed support for what the Taoiseach had said in favour of Constitutional changes. He asked whether the Taoiseach was thinking in terms of a new Constitution or of proposing piecemeal amendments to the present model.

6. The Taoiseach in response said that the Government had not addressed themselves to this aspect of the matter as yet. If amendments were taken individually the process could become time consuming and complex. Apart from Articles 2 and 3 a number of changes were needed for domestic reasons. The concept of several referenda on the Constitution could cause confusion and a better approach might be to put forward a new document. In saying this the Taoiseach acknowledged that there was much in the existing Constitution which was of great value in particular the section dealing with fundamental rights. For the present the Government were proceeding with a review of the Constitution in its entirety which would be carried out by the Attorney General. The Taoiseach said that he had launched the current debate to produce a reaction. As compared with previous surveys of public opinion there had been a perceptible shift in attitudes and in this connection he quoted figures which subsequently appeared in the Irish Independent on Saturday the 17th of October, particulars of which are annexed. These figures were essentially a first

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reaction to the early stages of the current debate, when consideration of what was involved had not been focused. The Irish Independent opinion poll had been carried out before the Taoiseach's speech in Seanad Eireann. In general the Taoiseach expressed himself as not unhappy with the reaction received at this stage.

7. Mr. Napier asked if political progress in Northern Ireland would have a beneficial effect on the outcome of the Taoiseach's crusade. The Taoiseach in response said yes. If the British Government were seen to do something this could have a peripheral effect here; if there were signs of movement in regard to Northern Ireland this would change the climate here. The Taoiseach also referred to the possibility of a shift in the stance adopted by the opposition party. The Leader of the Opposition in the Seanad had spoken, on radio, in different terms to the main theme of his speech in the Seanad after hearing the Taoiseach's speech in that House. Deputies Seamus Brennan and Martin O'Donoghue had also taken a different line vis-a-vis their party leader.

8. The Taoiseach said that he was impressed by the opinions of people who had welcomed his initiative both here and in Northern Ireland. There was a dedicated minority in Northern Ireland in favour of the changes he was now proposing. As regards unionist leaders he did not expect any different response from what he had received.

9. The Minister for Defence had referred to the recommendations from previous all-party committees which had favoured Constitutional changes. The Leader of the Opposition had not been directly involved in those committees but Deputy Colley had.

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Response to Taoiseach's initiative on the Nationalist-side.

10. Mr. Napier said that a lot of people in Northern Ireland saw the present debate as the most significant thing happening in the South at present. Mr. Cushnahan urged the Government not to underestimate the psychological point which arose in this context. He referred critically to statements made by the former Minister for Foreign Affairs in relation to the joint studies. The Taoiseach's recent statement taken in conjunction with the arrival of a new Secretary of State had helped to improve the political climate in Northern Ireland. The Taoiseach enquired as to the view of the Alliance Party on reaction to his recent statements on the nationalist side. He had seen where certain journalists had suggested that Articles 2 and 3 were a life-line to be hung onto. Mr. Napier in response said that reaction amongst the nationalist sector was probably not unlike the figures which the Taoiseach had already quoted. In the traditional republican areas the majority would be opposed to what the Taoiseach was proposing. Mr. Cushnahan pointed out that the I.I.P. had attacked the Taoiseach for what he had said. He also referred to the SDLP response. The response from the various personalities (on the nationalist side) who had spoken could be taken as representative of the catholic community in Northern Ireland.

Timing of Taoiseach's initiative.

11. The Minister designate for Foreign Affairs asked whether, from the Northern Ireland point of view, the Taoiseach's initiative had come at a bad time. Mr. Napier said that he did not think so. The hunger strike had raised emotions with the result that Northern Ireland had become polarised to an extent he had never witnessed before. However, there were now a number of factors creating new movement such as the appointment of a new Secretary of State, the ending of the hunger strike and the Taoiseach's initiative. All were very timely. He was in favour of leadership and of not waiting until "the mob catch up with you". The Atkins'

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conference had in his view been a joke. That process had gone on for two and a half years and in his view Northern Ireland did not have another two and a half years. The Secretary of State would have to get something off the ground very quickly. If he missed the opportunity which now presented itself the repercussions would be most serious. He hoped that Mr. Prior saw Northern Ireland as a step on the ladder to success.

Power-Sharing.

12. Mr. Cushnahan added that what people were prepared to accept was important. In their view there was majority support in both sections of the community for power-sharing. He referred to the New Society Opinion Poll (published on 24 September, 1981) which indicated that the only solution acceptable to most people in Northern Ireland was power-sharing. (67% in favour with 26% against). If the Secretary of State was prepared to move at present there would be a reciprocal move from politicians in the North. The U.K. Government had two and a half years to run at most and this was also a relevant factor. Within the protestant community there was a trend towards accepting power-sharing. Ultimately the Government might have to impose a solution if agreement could not be reached among the political parties in Northern Ireland.

Paisley Vote.

13. The Minister for Fisheries and Forestry agreed that things had deteriorated since the Sands election. He asked the Alliance representatives to comment on the vote received by Dr. Paisley in the European election. As regards the Fermanagh/South Tyrone by-election the catholic population there in effect had no real choice. Mr. Napier agreed that the Paisley vote was indeed distressing. Dr. Paisley had taken a firm anti-European line and this was popular in Northern Ireland. In addition there was considerable

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working-class abstension in city areas. Mr. Cushnahan saw the European election as a contest for "Super Prod" and "Super Mick". As regards the local election, the Carson trail did not have any great support but the election of Bobby Sands had had a dramatic effect. This was something of a water-shed in Northern Ireland politics. Protestants had been frightened at the election of Sands and counteracted by supporting Paisley candidates. They sought to elect people who would best represent their case and defend their interests.

Support for Hard Liners.

14. Mr. Napier said that Paisley and Carron were now representatives of the people. While the SDLP could not deliver they would be in difficulty with their electorate. In his view it had appeared in the past that the SDLP had delivered or could deliver. In the current climate more and more SDLP support would be eroded in favour of hardliners. Mr. Cushnahan felt that the initial fault lay with unionist intransigence but that the SDLP leadership also bore some responsibility.

15. Meeting with British Prime Minister

Mr. Napier said that the Alliance Party were strongly in support of North/South and UK/Ireland economic co-operation. The total silence of Mrs. Thatcher as to what was going on in the Joint Studies process had not been helpful. In addition certain politicians in the Republic had made outlandish claims as to the outcome of last December's summit meeting. All of this had fed the Paisley line which was that a United Ireland was being negotiated behind closed doors. This had caused the Alliance Party concern. They were glad to see that the Taoiseach was not going to hide things in this regard. In response the Taoiseach said that what had happened in the Joint Studies process contained nothing sinister. He was hoping for a positive outcome and

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would like to see the studies published in due course. One matter which he proposed to raise with the British Prime Minister at his forthcoming meeting was the question of introducing PR for Westminster elections in Northern Ireland. The Minister designate for Foreign Affairs intervened to say that he had pressed Lord Carrington on this matter but received a negative response. The Taoiseach said that nevertheless he would seek to put this matter on the agenda. He mentioned that PR had operated in the University constituencies in the U.K. before 1945. Mr. Napier thought that it might be helpful to raise the matter with the new Secretary of State. If the political climate in Northern Ireland at the next Westminster elections was the same as existed at present the only people who would be elected would be unionists and members of the DUP. With a split vote 16 out of 17 N.I. seats would go to the unionists/DUP candidates. Mr. Cooke said that the Alliance Party favoured the use of PR throughout all elections in Northern Ireland. Mr. Cushman thought that perhaps the only hope for its introduction in U.K. elections would be if the Liberals and the SDP achieved a break through at the next general election. The Taoiseach while accepting the difficulties involved in impressing ahead with this matter said that he would not rule out getting PR introduced in Northern Ireland solely.

16. Energy Co-Operation.

Mr. Napier stressed the importance of energy co-operation as a bridge builder between North and South. This applied in particular in relation to natural gas. The unionists would support such a link.

17. Mr. Cushman referring again to the joint studies said that secrecy and politicking here had damaged the process. He acknowledged that it had an important role to play and

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and that there was a positive role for the Irish dimension without necessarily frightening the unionists. The Taoiseach said in reply that he was conscious of these matters. The parliamentary dimension to the process had not perhaps been spelled out. This would provide an opportunity for Northern Ireland representatives to participate in the Anglo-Irish process. However, there was difficulty in finding a formula of selection which would provide for adequate SDLP and Alliance representation.

17. Security

Mr. Napier said that his party appreciated that co-operation in the security sphere had come on in leaps and bounds in recent years. The Chief Constable of the R.U.C. had told a Party delegation that he receives the fullest co-operation from the Gardai. While this was very helpful the question of extradition which had a psychological effect in the unionist community remained. The number of people who might be extradited, if there were arrangements in force, "could be put in the back of a taxi". The security co-operation which was now an ongoing feature did not show itself above the ground. Extradition on the other hand was seen as an earnest of co-operation. If extradition was applicable, even though the numbers involved would be few, this would have an effect on the morale of the P.I.R.A. Any feelings of safety which were there at present because of the absence of extradition would be undermined. Mr. Napier urged the Government to give consideration to this area. He thought the problem was not one of exchanging information but of evidence. The Taoiseach said that in cases where there was evidence we would prosecute and there had been 3/4 such cases. The problem however was one of evidence.

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It would not be easy to put through an amendment to the Constitution, the effect of which would be to have people questioned in Castlereagh barracks.

18. Mr. Napier said that the information available to his Party in that regard was that the abuses at Castlereagh which had been the subject of controversy in recent years did not happen now or if there was any such case the person or persons responsible were brought to book. He acknowledged that prior to 1979 this was not the case and that there had been instances of brutality.

19. Referring to extradition Mr. Cooke said that this was a most serious matter in North/South relations. In his view it was one on which co-operation in other fields could founder if it was not possible to find a way forward. The Taoiseach said that he was fully aware of the problem. He referred to the idea of an All-Ireland Court which had been considered briefly by the Law Enforcement Commission in 1974. He proposed to look into this aspect again.

20. Mr. Napier continuing said that because of the nature of crimes of violence, over 80% of the convictions obtained were secured on the basis of statements made by the persons accused. Mr. Cushnahan said that what was important in this respect was what people perceive the situation to be. People in Northern Ireland have seen cases where persons have said in court that they were members of the I.R.A. The outcome of the cases in question was that the persons accused went out of the court free because they could claim that the crimes of which they had been accused had been committed for political motives.

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If there were defects in the law they should be remedied. Debate between North and South could then take place on a rational basis. The Taoiseach suggested that it might well be that the courts here would find it permissible under the constitution to allow extradition in certain instances if the this matter was tested in the Superior Courts. This aspect would have to be examined.

21. Mr. Black referred to the problem of intimidation of witnesses and the difficulty of obtaining evidence in cases of crimes including politically motivated violence. If the Government here wish to impress the Unionists, the area of extradition was crucial. The Minister for Defence referred to the considerable sums of money expended by the State in the Garda and Defence budgets to ensure that the I.R.A. threat was counteracted. He asked how it could be claimed that the Government here were not doing enough when we were spending so much money on security. Mr. Napier said that it might be unfair that this should be so but it was the perception which people had that counted.

22. Plastic Bullets

The Minister designate for Foreign Affairs asked Mr. Napier for his views on the use of plastic bullets by the security forces in Northern Ireland. Mr. Napier said that plastic bullets had been used outside riot situations. The British Army had come under notice in this regard but there were a number of police cases also. If the police did not have something such as the plastic bullet device they would be overrun in certain riot situations. At the same time if the regulations had been adhered to strictly, the number of injuries caused would have been minimal. In some

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cases there was clear evidence that the regulations had not been followed. Mr. Cushnahan said that it was important to remember that in Northern Ireland riots were deliberately orchestrated with a view to "getting at" the security forces. The Taoiseach drew attention to the fact that there had been no prosecutions in respect of breaches of the law in this regard.

23.. Mr. Napier said that in a handful of cases, mainly involving the army, plastic bullets had been used in the wrong circumstances or against the wrong targets. The people responsible for this should be identified and charged. As to use of the plastic bullet in general he could not suggest an alternative method of riot control.. Mr. Black said that twenty thousand baton rounds had been fired to date. In his view this was an endeavour to stop inter-community violence. Cases of abuses were under investigation by the Chief Constable. In this connection Mr. Napier said that they had more confidence in the present Chief Constable than in any his predecessors and the same situation applied in so far as the Northern Ireland GOC was concluded. There was a problem in relation to use of Army personnel for policing purposes. The Army were unsuited to a Policing role and the Alliance Party would wish to see the Army phased out of this aspect of security. The police force would have to deal more firmly with those members who might step out of line. He acknowledged that in the case of official enquiries into the conduct of members of the R.U.C there was a tendency to conspiracies of silence. Mr. Cooke added that a constructive attitude in this regard on the part of the SDLP would be helpful.

24. The Taoiseach in concluding the meeting thanked the SDLP delegation for coming to Dublin. He was glad to have had this discussion with the Party delegation. Mr. Napier

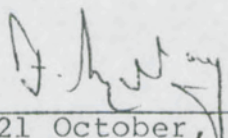
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mentioned in this regard that communication between the former Government and Northern Ireland political parties had stopped dead about two years ago.

25. The meeting concluded at approximately 6.30 p.m.


21 October, 1981.

Copies circulated to:

1. Secretary to the Government. ✓
2. Mr. W. Kirwan. (On return).
3. Mr. M. Lillis.
4. Private Secretary to the Taoiseach.
5. Mr. D. Neligan, Department of Foreign Affairs.
6. Mr. M. Burke, Department of Foreign Affairs.