

Manday Club

David
Storey



10 DOWNING STREET

THE PRIME MINISTER

30th January, 1984

David Storey

Thank you for your letter of 22nd December, in which you suggest legislation to delete from Section 1 of the Northern Ireland Constitution Act 1973 the phrase:

"without the consent of the majority of the people of Northern Ireland voting in a poll ..."

You believe that this provision offers an incentive to republican terrorists to continue with their campaign of violence.

While I appreciate and share the concern which underlies your letter, I cannot accept this suggestion. The Government's policy for the Province, as set out in our 1983 Manifesto, rests on the principle that there will be no change in Northern Ireland's constitutional position without the consent of the majority of its population. We thus support the principle of self-determination for the Province, and we have repeatedly made clear that the Province's position within the United Kingdom is secured by the wishes of the majority of its population. To give practical effect to this policy, there must be some mechanism to measure the consent of the people of Northern Ireland, and this is achieved by the provision for a poll - the so-called Border poll - in section 1 of the 1973 Act.

.... /

I want Northern Ireland to enjoy a prosperous and stable future within the United Kingdom. But I do not believe that removing the provision for a Border poll would contribute to this objective. The principle of consent underlying this provision has been supported by successive Governments since 1948. The difference in identity and aspirations between the two sides of the community in Northern Ireland cannot be ignored or wished away; it lies at the heart of the problem. Our policy, as expressed in the Northern Ireland Act 1982 and in the Manifesto, has focused on the establishment, in the Assembly, of a forum in which constitutional representatives from both sides could, through mutual accommodation, work towards agreement on the structures of developed government. It would not help that process, or enhance the stability of the Province, if the Government indicated that the views of the people of Northern Ireland, however they might develop, would never affect its policy on this fundamental question.

You suggest that amendment of the 1973 Act in the way proposed would demoralise republican terrorists and diminish their murderous activities. In my view, however, it is perhaps more likely that such an amendment would lead to an increase in support for violence, since many in the minority community might lose faith in legitimate political activity if it appeared that a change in the Province's constitutional position was permanently ruled out, irrespective of the wishes of the population.

It is, of course, true, as you note, that there is no provision for any other part of the United Kingdom on the lines of section 1 of the 1973 Act. But this reflects the fact that no other part of the United Kingdom is divided so deeply as Northern Ireland on fundamental principles.

..../

I was interested in your views on this important question. I hope you will understand why I cannot accept the course of action you propose.

David Storey

Raymond Storey

David E. Storey, Esq
Chairman of the Monday Club

John Astreene & Ferrard, DL

Chairman

David E. Storey

Deputy Chairman

Teddy Taylor, MP

Vice-Chairman

The Hon. Jonathan Guinness

Director & Hon. Treasurer:

Cedric Gurnery

Vice-Presidents

The Earl of Enniskillen, MBE

The Earl of Kimberley

The Lord Sudeley

Sir John Biggs-Davison, MP

Sir Horace Cutler, OBE., DL

Evelyn King

The Rt. Hon. James Molyneux, PC., JP., MP.

George Pök

Rear-Admiral Martin Wemyss, CB.

Paul Williams



122, North Street
London, E.C.4

TELEPHONE 01-403 1211
01-403 1212

The Rt Hon Mrs Margaret Thatcher, MP.,
10 Downing Street,
London SW1.

22nd December, 1983.

Dear Prime Minister,

The Nation will have greeted, with silent but warm approval, your visit to the injured victims of the bomb outrage at Harrods on 17th December. When butchery, of this kind, rains down on innocent heads, the resultant trauma is always lessened by the quality of leadership which you demonstrated.

The following day's meeting, between the Home Secretary and the Metropolitan Police Commissioner - called, as it was, with a most commendable sense of urgency - still does not get to the heart of the problem. It is a cause of bewilderment that we continue to allow citizens of the Irish Republic free access into that part of the United Kingdom which is termed 'Mainland Britain'. The case for treating such people in the same way as other foreigners is, I submit, overwhelming, and no pressure against such a measure, from the EEC, or from the 'Bundingsdale Lobby', should be allowed to prevail against it.

That measure, however, would still leave, intact, one of the central parts of the heart of the problem, for there would remain the certain prospect that, unless the appropriate measures were taken, the issue of Ulster would continue to give rise to terrorism - in both Ulster itself and the rest of the United Kingdom. This phase, of Irish Republican violence, has lasted almost 14 times as long as it took to defeat Nazi Germany, and, apart from the appalling loss of life and the destruction of property, our troops are tied down, instead of helping to reinforce the Central Front in Western Europe.

It is utterly beyond human computation to try to assess the grief which is brought to the families of even one such victim of the gunmen and the bombers.

It is, in my view, beyond any doubt that at least a very substantial part of the reason why these terrorists persist is that they perceive hope in the wording of part of Section 1 of the Northern Ireland Constitution Act 1973, viz:

"It is hereby declared that Northern Ireland remains part of Her Majesty's dominions and of the United Kingdom, and it is hereby affirmed that in no event will Northern Ireland or any part of it cease to be part of Her Majesty's dominions and of the United Kingdom without the consent of the majority of the people of Northern Ireland voting in a poll".

I fail to see any worthwhile point in the existence of such a guarantee because (a) given that there is no intention to sever the Union, such a guarantee is superfluous, and (b) no such guarantee has been given to any other part of the United Kingdom.

The phrase, which I have underlined in the above quotation from the 1973 Act, is the one which affords the hope and, if that phrase were deleted, by an amending Act, that hope would be removed likewise. As a consequence, of such a move, I believe that demoralisation would spread amongst the Republican terrorist organisations, for they would realise that all their exertions, the loss of life and the unpopularity which this has generated, would not only have failed to achieve their ultimate objectives, but the realisation of those objectives would have been rendered so remote as to make persistence in terrorism (at least, on anything like the present levels) far less likely to be profitable. This process in the direction of a change of policy could then be consummated by the treatment of Ulster in precisely the same way as any other part of the United Kingdom.

In urging these two changes of direction, I express the hope that you will accept them in the spirit in which they are submitted, and that the Government will feel that they have become not only right and necessary, but urgent of implementation. The present levels of unspeakable carnage and destruction must be reduced drastically.

I wish you and the Government, on behalf of the Monday Club, a successful and prosperous 1984.

David E. Storey
David E. Storey,
Chairman.

From: THE PRIVATE SECRETARY

pc page

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12/1*



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

Stephen Sherbourne Esq
Political Secretary
10 Downing Street

13 January 1984

Dear Stephen

*Amended
This goes
with the draft?
Can document
and John Cas*

NORTHERN IRELAND CONSTITUTION ACT 1973

Thank you for your letter of 5 January enclosing one dated 22 December from Mr David Storey, the Chairman of the Monday Club, to the Prime Minister. You asked for advice on Mr Storey's suggestion that the phrase "without the consent of the majority of the people of Northern Ireland voting in a poll" should be deleted from section 1 of the Northern Ireland Constitution Act 1973.

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26/1*

The effect of this amendment (and one or two other consequential changes) would be to transform section 1 into a declaration that Northern Ireland would for all time remain part of the United Kingdom and to remove the mechanism by which the views of the people of the Province on this fundamental question could be tested from time to time.

This contrasts with the Government's present policy (as set out in the 1983 Conservative Manifesto) that

"there will be no change in Northern Ireland's constitutional position in the United Kingdom without the consent of the majority of people there."

This principle that the position of Northern Ireland within the United Kingdom cannot be changed without the consent of the people of the Province (but could be changed with their consent) has been supported by successive British Governments since the "Attlee declaration" of 1948, save that until 1973 the statutory provision (in section 1(2) of the Ireland Act 1949) required the consent of the Parliament, rather than the people, of Northern Ireland. With the abolition of that Parliament by the Northern Ireland Constitution Act 1973 it became necessary to substitute the people as the

/...



appropriate means of measuring consent. The 1973 Act provides that referenda on the status of Northern Ireland (usually referred to as "Border polls") may be held at the discretion of the Secretary of State for Northern Ireland at intervals of not less than ten years. Only one such poll has been held, in March 1973. This was largely boycotted by nationalist voters but a clear majority of the Province's electorate voted in favour of Northern Ireland remaining part of the United Kingdom.

Mr Prior believes that amendment to the 1973 Act on the lines suggested by Mr Storey is deeply undesirable and would have the most serious consequences. Such a major departure from the policy of successive administrations would indicate that the Government had permanently turned its face against any accommodation with the aspirations of the minority community. This would be a severe blow to the Social Democratic and Labour Party (the constitutional minority party) and Sinn Fein could in consequence be expected to make further electoral gains. Moreover, many in the minority community might lose faith in legitimate political activity if it appeared that a change in the Province's position was permanently ruled out irrespective of the views of the population. There would be a crisis in relations with the Irish Republic which would almost certainly have an adverse impact on cross-border security co-operation. Far from diminishing republican terrorism as Mr Storey suggests, the proposed amendment would therefore probably give it a significant boost, while on the wider front the repudiation of our commitment to self-determination for the Province (a principle on which we have relied in the presentation of our policies abroad) would cause considerable difficulties.

Mr Storey's view that the deletion of the Border poll provision would demoralize republican terrorists is often expressed by members of the Ulster Unionist Party, notably Mr Enoch Powell MP. But for the reasons given above, it is likely that the opposite would in fact be the case. The Sinn Fein leadership are quite capable of taking a long view and might well comfort themselves with the belief that if the "consent" provision is once deleted, some future Government might well contemplate further amendment of section 1 with the aim of removing Northern Ireland from the United Kingdom against the wishes of its population.

... It would not of course be appropriate to make all these points in reply to Mr Storey. I attach a draft letter to him for the Prime Minister's consideration.

*Yours ever
Derek Hill*



10 DOWNING STREET

Mr. Sherborne

My own view is that we should
not tailor government policy
quite as much as you suggest
to suit the Navy Club.
I favour deleting those passages
which I have highlighted in
yellow.

A.J.C. $\frac{26}{1}$.



10 DOWNING STREET

Mr Cates.

Attached is a draft letter
(prepared by the N.I. Office)
for the PM to sign in
reply to Chairman of the
Monday Club.

2. I have made a few
amendments of style.

3. But I have indicated
by square red brackets []
parts of the draft I
would prefer to exclude.

4. Because of the sensitivity
of this, I would welcome
your views on this

Slaves 25/1

DRAFT LETTER

FILE NUMBER.....

ADDRESSEE'S REFERENCE.....

To

Enclosures

Copies to be sent to

David E Storey Esq
Chairman
The Monday Club
122 Newgate Street
London EC1

(Full Postal Address)

Nigel Walker

(Full Address, if Necessary)

LETTER DRAFTED FOR SIGNATURE BY THE PRIME MINISTER
(Name of Signatory)

Thank you
~~Many thanks~~ for your letter of 22 December, in which you suggest ~~that we should promote~~ legislation to delete from section 1 of the Northern Ireland Constitution Act 1973 the phrase:

"without the consent of the majority of the people of Northern Ireland voting in a poll...."

You believe that this provision offers an incentive to republican terrorists to continue with their campaign of violence.

While I appreciate and share the concern which underlies your letter, I cannot accept this suggestion. The Government's policy for the Province, as set out in our 1983 Manifesto, rests on the principle that there will be no change in Northern Ireland's constitutional position without the consent of the majority of its population.

We thus support the principle of self-determination for the Province, and we have repeatedly made clear that the Province's position within the United Kingdom is secured by the wishes of the majority of its population, who see themselves as British and whose loyalty lies to the Crown. Y

To give practical effect to this policy, ~~it is necessary~~ ^{there must be} to have some mechanism to measure the consent of the people of Northern Ireland, and this is achieved by the provision for a poll - the so-called Border poll - in section 1 of the 1973 Act.

[// I want
~~It is the Government's hope that Northern Ireland~~ K
~~will~~ enjoy a prosperous and stable future within the United Kingdom. But I do not believe that ~~it~~ ^{it} would contribute to this objective, to remove the provision for a Border poll. The principle of consent underlying this provision has been supported by successive Governments since 1948. [To repudiate it now would carry the message that we have permanently set at naught the aspirations of the substantial minority within Northern Ireland who think of themselves as Irish and tend to support political parties which would like to see a united Ireland in some form.] X
 The difference in identity and aspirations between the two sides of the community in Northern Ireland cannot be ignored or wished away; it lies at the heart of the problem, ~~and~~ ^{our} policy, as expressed in the Northern Ireland Act 1982 and in the Manifesto, has focused on the establishment, in the Assembly, of a forum in which constitutional representatives from both sides could, through mutual

accommodation, work towards agreement on the structures of devolved government. It would not help that process, or enhance the stability of the Province, if the Government indicated that the views of the people of Northern Ireland, however they might develop, would never affect its policy on this fundamental question.]

You suggest that amendment of the 1973 Act in the way proposed would demoralise republican terrorists and diminish their murderous activities. In my view, however, it is perhaps more likely that such an amendment would lead to an increase in support for violence, since many in the minority community might lose faith in legitimate political activity if it appeared that a change in the Province's constitutional position was permanently ruled out, irrespective of the wishes of the population.

It is of course true, as you note, that there is no provision for any other part of the United Kingdom on the lines of section 1 of the 1973 Act. But this reflects the fact that no other part of the United Kingdom ~~has been~~ is divided, so deeply ~~or for so long~~ on fundamental principles, as ~~has~~ Northern Ireland is. Our policy has to take account of these realities.

was interested in your views
I much appreciate that you have written to me with the views of the Monday Club on this important question, but I hope you will understand why I do not ~~feel able~~ ^{cannot} to accept the course of action you propose.



10 DOWNING STREET

5th January, 1984

Dear Mr Lyon

I enclose a letter which the Prime Minister has received from the Chairman of the Monday Club. I must draft a letter for the Prime Minister to sign in reply.

The substantive point raised in the letter is his proposal that the Northern Ireland Constitution Act 1973 be amended by deleting from Section 1 the phrase "...without the consent of the majority of the people of Northern Ireland voting in a poll" (see the top of page 2 of Mr. Storey's letter).

I would be most grateful for your advice as to how I should frame a reply in response to this particular point.

I would like the Prime Minister to be able to reply as soon as possible.

Yours sincerely
Stephen Sherbourne
Stephen Sherbourne
Political Secretary

J.M. Lyon, Esq.,
Private Secretary to the Secretary of State
for Northern Ireland