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FALKLANDS/NORTHERN IRELAND

1. The following note provides background information of relevance to consideration of the implications of the Falklands crisis for Northern Ireland affairs. It is divided into two parts. Part 1 consists of an analysis and summary of the statements which the British Prime Minister made during the crisis on the rights of local communities to self-determination. This is with a view to ascertaining whether the Prime Minister at any time publicly indicated a readiness to negotiate sovereignty with Argentina over the heads of the Falkland Islanders. If she did, this would clearly provide useful support for the Government's policies on Northern Ireland. Part 11 of the note summarises references by the Prime Minister and other Ministers to Ireland's stance on the Falklands. The purpose in this case is to help establish what the current state of Anglo-Irish relations is.

PART 1: RIGHTS OF LOCAL COMMUNITIES TO SELF-DETERMINATION

2. Prime Minister's interpretation of self-determination

The journalist, Geoffrey Smith, suggested in The Times of 1st May that there are two types of self-determination. One is positive self-determination and encompasses the right to choose which nation state to belong to and the right to form an independent nation state. The other, negative self-determination involves 'the right not to have one's constitutional status changed against one's will, not to be thrown out of the State to which one belongs or to be forced to join another.'

3. The Prime Minister has clearly stated her readiness to interpret the right to self-determination in all of these senses in the case of the Falkland Islanders. Her acceptance of the idea of negative self-determination is obviously

implicit in the following statement, made in the Commons on 6th April: 'Our mission is to give the people what they want - the right to live under British rule and to owe allegiance to the British Crown.' The Prime Minister's willingness to contemplate the idea of positive self-determination, in both its senses, is as easily illustrated. In the course of an interview with Jimmy Young on B.B.C. Radio 2 on 19th May, Mrs. Thatcher referred to the U.N. Secretary-General's role in overseeing the elections in Rhodesia prior to independence, and continued: 'so he knows how we bring colonies to independence..... He knows that we believe in self-determination... Self-determination by its very definition means that you are willing to hand over sovereignty to the people of the territory.....' The Prime Minister's acceptance of the idea of positive self-determination in the sense of the right to choose which nation state to belong to can be illustrated by the following extract from the same interview: 'If the Falkland Islanders said: "Look, we want an arrangement with Argentina" that also we would have to consider....'

4. Prime Minister's insistence on paramountcy of wishes of Falkland Islanders.

The factor which explains Mrs. Thatcher's readiness to interpret self-determination in a variety of ways is her insistence that "the solution to the crisis must safeguard the principle that the wishes of the islanders should remain paramount." [House of Commons, 14th April.]

5. In all her references to attempts to secure a negotiated settlement of the crisis, the Prime Minister has said nothing which could be taken to suggest in any way a readiness to deviate from this line. Indeed, quite the opposite is the case, as is evident from the following references to:

a Haig's mediation efforts: "We made clear to Mr. Haig that when it comes to future negotiations, what matters most is what the Falklanders wish". [House of Commons, 15 April.]

b proposals conveyed by Haig to London on 19th April:
'Among the many problems was that the proposals failed to provide that the Falkland Islanders should be able to determine their own destiny and the House has always said that the wishes of the islanders were paramount'.
/[House of Commons, 20th April.]

c negotiations with Argentina in 1980: 'One said to the people: "Look, would it be alright, or would you like it, if one proposed to the Argentines, say, a lease... to give, many generations under British administration, but with a final reversion. The islanders said "No, not what we want at all." So that was never, never, never put to the Argentines in pursuit of our fundamental principle - the islanders didn't want it." / [Jimmy Young Show, B.B.C. Radio 2 19th April.]

d future negotiations: 'I do not intend to negotiate on the sovereignty of the islands in any way except with the people who live there... The only change in the territorial status of the Falkland islands that one would consider is one arranged in conjunction and discussion with the people of the Falkland Islands. / [House of Commons, 15th June.]

6. Right to self-determination an absolute principle..

It needs hardly be said that the Prime Minister's insistence that the wishes of the islanders must be paramount in any settlement is very different from the type of commitment given by the Labour administration in the course of negotiations with Argentina in 1968 i.e. that a 'strong regard' would be had for the 'interests' of the islanders. Effectively, Mrs. Thatcher has made it clear that she regards the right to self-determination as an absolute principle. Jimmy Young voiced the concern felt by many that 'by giving the islanders the right of absolute determination they are being given a right of veto.' He received the following, characteristic, response: 'But how absurd. I

am only here in the capacity for which I am here because our people have the right of self-determination. That is what democracy is all about...' [Jimmy Young Show, 19th May]

7. Quite apart from theory, it might have been thought just possible that consideration of the practical consequences of her stand would cause the Prime Minister to hesitate. This is for the reason that were the Falklanders to insist on excluding Argentina from any role in the islands, Britain could be forced to develop a whole new foreign policy for the South Atlantic and/or divert substantial resources from her N.A.T.O. effort in order to ensure the islanders' security against possible future Argentine aggression. However, if Mrs. Thatcher had any doubts about the wisdom of her stand, she did not reveal them in public. Speaking in the Commons on 16th of June, for example, -she stated: 'We shall uphold our commitment to the security of the Islands. If necessary, we shall do this alone...'

8. Apparent exception to Prime Minister's insistence on absolute right to self-determination.

It may have been remarked at paragraph 3 above that in referring to the possibility that the Falklanders might wish to come to an arrangement with Argentina, the Prime Minister said that the Government would have to 'consider' that. This should not be taken to indicate a readiness on her part to elevate the Government's perception of the islander's interests over their expressed wishes, with all that it would imply. All the evidence already referred to militates against this interpretation. The point should also be made that the statement was made in the course of an interview, so that it would be unwise to attach any particular significance to its phrasing. However, if an explanation of the statement's phrasing is felt necessary, a far more plausible one is available than outlined above. It is that Mrs. Thatcher was reluctant to state in unequivocal terms her readiness to contemplate an arrangement between Argentina and Falklands, at a time when British armed forces were being asked to risk their lives in defence of the Falklands against Argentine aggression.

9. Role of House of Commons.

It should of course be said that the Prime Minister's insistence on an absolute right to self-determination for the Falklanders is without prejudice to the doctrine of accountability to Parliament. Mrs. Thatcher clearly acknowledged this doctrine in stating in the Commons on 30th April that one of her Government's objectives was 'to secure a long-term solution.....acceptable to the House and the inhabitants of the Falklands.' Obviously, it would have been surprising in the extreme if Mrs. Thatcher had refused to recognise the doctrine of accountability. Quite apart from any other considerations, as Head of Government she can be confident that Parliament will support the principle of absolute self-determination for the Falklanders. Mrs. Thatcher said as much in the Commons on the 30th April: 'The right of self-determination for the inhabitants of any territory is fundamental to the U.N. Charter. That is ~~was~~^{what} the House will insist upon'. The point is perhaps hardly worth developing in the first place: the essential fact is that the Prime Minister has nowhere suggested that the interests represented by the House of Commons should in any circumstances be allowed to override the wishes of the Falkland Islanders.

10. Relevance of Prime Minister's views on self-determination to Northern Ireland.

Throughout the crisis, the Prime Minister has insisted that her Government's concern is not only to uphold the principle of self-determination for the Falklanders, but for all people:

- 'The eyes of the world are focussed upon the Falkland Islands. Others are watching anxiously to see whether brute force or the rule of law will triumph.' [House of Commons, 14th April.]

- 'The right of self-determination is enshrined in the U.N. Charter. If that right is weakened small countries throughout the world will be at risk. Nor must aggression be seen to triumph. For aggression grows by example...' [annual conference of Scottish Conservative and Unionist Party, 14th May.]

1. Statements such as these, referring to a universal right to freedom from aggression by other states, can be interpreted by Unionists in very general terms as of relevance to Northern Ireland. Of more particular relevance to their case, however, are Mrs. Thatcher's references to the right to positive self-determination. The following examples may be given:

- 'We have a long and proud history of recognising the right of others to determine their own destiny' [House of Commons, 14th April.]
- 'The right of self-determination for the inhabitants of any territory is fundamental to the U.N. Charter.' [House of Commons, 29th April.]

in view of the fact that the D.U.P. leader, Ian Paisley, was quick to see the relevance of Mrs. Thatcher's stance to Northern Ireland affairs and made sure that it was acknowledged by her in the Commons. on 29th April and 15th June (Annex 1). His intervention in this regard on 29th April is worth reproducing in full.

12. It is true that the Prime Minister omitted to define the particular groups of people which she considered to be entitled to exercise the right to self-determination. It is also the case that she nowhere specifically referred to the right to self-determination of the people of Northern Ireland in the course of her policy statements on the Falklands. However, the D.U.P. leader, Ian Paisley, was quick to see the relevance of Mrs. Thatcher's stance to Northern Ireland affairs and made sure that it was acknowledged by her in the Commons. on 29th April and 15th June (Annex 1). His intervention in this regard on 29th April is worth reproducing in full.

- Paisley 'Two considerations must be kept in mind. First, the defence of sovereign British territory, and second, the wishes of the Falkland Islanders. These must have top priority in any decision made.' (Laughter and cheers).
- Mrs. Thatcher 'I think I see the special point in his question. (Laughter) Of course, both these things are supremely important and are very much in the forefront of my mind at present. [House of Commons, 29th April].

Summary

13. In her policy statements on the Falklands, the Prime Minister has rigidly adhered to the view that local communities have an absolute right to determine their own destiny. Her pronouncements in this regard clearly apply to Northern Ireland and Mrs. Thatcher has publicly

acknowledged this fact. She nowhere indicated a readiness to accept the idea that questions of sovereignty can be negotiated over the heads of the persons directly concerned, or that Governments might have a duty to do so in their interests.

PART 11: REFERENCES BY THE BRITISH PRIME MINISTER AND OTHER
MINISTERS TO IRELAND'S STANCE ON THE FALKLANDS

14. Most such references were made in the course of replies to P.Qs. in the House of Commons. Copies of the relevant extracts from Hansard are annexed.

15. Extent of concern at Irish attitude to Falklands issue.

References in this regard have been relatively restrained in most cases. Mr. Douglas Hurd, Minister of State at the Foreign and Commonwealth Office, stated in the Commons on 5th May that the Government believed that the Irish Government had made a "mistake" in breaking ranks on sanctions against Argentina and that "the line they took could be a hindrance to the peaceful settlement that we and they want." At Question Time in the Commons on 24th May, the Prime Minister expressed her "disappointment" at the Government's attitude to E.C. sanctions; and on 8th June, stated that she had been "very concerned" about some of the proposals put forward by the Irish Government in the course of the crisis. [House of Commons, 8th June.] Interestingly enough, Mrs. Thatcher added on this occasion that Ireland was "the only neutral member of the European Economic Community". Finally, during Question Time in the Commons on 11th June, Mr. Hurd reiterated the British Government's "disappointment" at Ireland's attitude to E.C. sanctions, and "at some lack of consultation over Ireland's action in the Security Council".

16. Stronger feelings were made evident on three occasions. Questioned by an Irish journalist as to whether the British Government might not be asking too much from the Argentines in insisting on a withdrawal from the Falklands, the Foreign Secretary, Mr. Fym, replied

"in an uncharacteristic display of anger": 'You may be on the Argentine side but..... we are certainly not asking anything too much of the Argentines.....'. The Defence Secretary, Mr. Nott, similarly allowed himself to give vent to feelings of anger at Ireland's attitude on the Falklands in "welcoming" Mr. Gerry Fitt's statement in the Commons on 26th May that 'the bellicose and belligerent statements emanating from the extremely anti-British Government in Dublin are not representative of the Irish people, who do not see Britain as the aggressor.' Finally, the Northern Ireland Secretary of State, Mr. Prior, stated in an interview on BBC Radio Ulster on 18th June that the Irish Government's attitude towards the Falklands issue had had a 'very, very serious' effect on the attitude of people in the U.K. to the Republic. In addition, Prior distinguished on this occasion between the majority of the Irish people, who he believed supported the British Government's stance on the Falklands and the politicians, "who have taken an extreme view."

17. Future relations with Ireland.

The Prime Minister made clear in the Commons on 24th May, that, whatever her feelings about Ireland's attitude to the Falklands issue, she did not feel that it would be in her Government's interests to discontinue talks on issues of interest to the U.K. Mr. Hurd repeated the line that Ireland's stance on the Falklands would not affect Britain's relations with Ireland in the Commons on 11th June, when he stated: "Looking forward, we believe that closer relations and co-operation between this country and the Republic remain very much in the interest of both."

18. It is true that the Northern Ireland Secretary of State, Mr. Prior, stated in the course of the interview already referred to that Ireland's withdrawal of support for sanctions against Argentina made Anglo-Irish co-operation on security and other matters more difficult 'at least for the immediate future.' Prior qualified this, however, by saying that Britain and Ireland understood each other well and always spoke plainly to each other; and that he hoped that Anglo-Irish relations would return to an even keel, 'pretty quickly.'

19. It might also be pointed out that in the course of the Trooping

the Colour ceremony of 12th June, the Prime Minister said to Ambassador Kennedy, with a degree of emphasis which he thought significant, that he would always be welcome in England. As with Prior's remarks above, however, this should be taken as representative more of the spirit in which future talks with the Government may be approached than of an unwillingness to enter such talks.

20. Summary

The British Government have clearly expressed disappointment at the Irish Government's attitude to the Falklands crisis. They have also hinted that they are angrier with the Government than they would wish to express publicly. At the same time, the British Government have taken care to make clear their willingness to continue to talk to the Government.

S. Hare 28.6.82