

From Sir Nicholas Fairbairn QC, MP



HOUSE OF COMMONS
LONDON SW1A 0AA

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2nd July, 1990.

hurdon hampet,

Over the years I have written to you many urgent letters, but none begins to compare with the fundamental importance of this one. I do not understand how the Government can have been misled as to the resentment and hostility which the so-called Law Reform Bill for Scotland has generated and would be resented in and out of Parliament.

At every Meeting with Ministers and Whips and on every occasion in public and private over 15 months at least I have warned again and again that the central changes were deeply resented in Scotland, not by the lawyers, but by the gut feeling of the Scottish people in the street, about which I think I know a little, having spent my legal life addressing Juries of ordinary Scots folk. In addition I am able to address my family in Scotland back for more than 1500 years.

Section XIX of the Act of Union, which is the guarantor of a Greaty and is therefore inviolable, enshrined the law of Scotland and the construction of its services. The Law of Scotland since 1707 has been the tree of life of Scottish personality, unlike the Church which is also protected under the Treaty, but which has been schismatic and fragmented.

Alas, although this is called a Miscellaneous Reform Bill, it is in fact a major constitutional Bill, seen as such by those who have read it and hunched as such by those who haven't. Indeed we have to reach Part 4 before the words Miscellaneous Reform even appear.

The Press allege, in different forms, and no doubt with wicked and destructive intent, that this is a war between personalities. It is nothing of the kind. My admiration for Malcolm and Michael are total and my loyalty to them is as obvious and constant as my loyalty to you.

If 1, 2 and 3 of this Bill which precede the Miscellaneous Reforms was to be guillotined on the votes of English Members of Parliament who are entirely ignorant of the law of Scotland and this Bill, a constitutional crisis would, I believe, be inevitably resultant and not only would we be likely to lose the bulk of our seats in Scotland, but the very fundament of the soul and Scotland would be seen by the voting public as having

...been stolen

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been stolen and squinted by English Members.

Please do not misunderstand me. Nobody is a more fervent Unionist than I am. Nobody is a more committed Tory and nobody is a more faithful and earnest supporter of yourself, but I must, as a patriotic Scot, that to obtain this Bill by guillotine will, I believe, destroy the United Kingdom. It is my love of Scotland, the Union and our Party which compels me to write to you in this forceful, entirely sincere, terms.

*Honest regards
John Dew.*

The Rt. Hon. Margaret Thatcher, M.P.,
Prime Minister,
10, Downing Street,
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