

PO-CH/NL/0074
PART A

Part A.

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PO -CH /NL/0074



PART A

Chancellor's (Lawson) Papers

**BRIEFING FOR THE
CHANCELLORS APPEARANCE
ON QUESTION TIME**

PO -CH /NL/0074

PART A

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25/7/95



Northern Ireland Office

Press Notice

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L9/84

2 May 1984

The following statement is issued today
on behalf of HMG by the
Rt Hon James Prior MP, Secretary of State for Northern Ireland
in response to the publication of the
report of the
New Ireland Forum

"The problems faced by our fellow citizens in Northern Ireland are grave. That much at least is common ground. The continuing problems of the Province demand that we give attention to all responsible views. The Government will study the Forum Report carefully and also reactions to it, not least in Northern Ireland itself.

The authors of the Report (all the main parties in the Republic and one party from Northern Ireland) cannot expect the Government to accept the Nationalist interpretation of past events which the Report expresses, or the dismissal of the strenuous efforts which successive United Kingdom governments have made in the past 15 years to deal with the intractable problems of Northern Ireland. The Forum's account of the British position is one-sided and unacceptable.

Nevertheless, the Government welcomes important positive elements in the Report. First, there is a clear and unambiguous reaffirmation of the commitment of the Forum participants to the politics of peaceful persuasion, and unqualified opposition to violence and those who support violence. The Report also confirms the established position of successive Irish governments that unity is sought on a basis "freely negotiated and agreed to by the people of the North and by the people of the South."

In seeking such agreement, the Report includes a considered attempt by Nationalists to recognise and respect the distinctive identity of Northern Ireland Unionists, including their loyalty to the United Kingdom.

The Government stands by its undertaking that Northern Ireland shall not cease to be part of the United Kingdom without the consent of a majority of the people of Northern Ireland and remains willing to give effect to any majority wish which might be expressed in favour of unity. But Unionist opposition to Irish unity is to the principle rather than the form. As the Report acknowledges, consent has to be freely given. And there is no reason to expect such consent to a change in sovereignty in Northern Ireland in any of the three forms suggested in the Report.

It remains necessary to face the problems of division and violence in Northern Ireland, including the feelings of alienation among the Nationalist minority. The Government's continuing objective is to provide a basis on which all its inhabitants - Unionist and Nationalist - can live securely, peacefully and prosperously in the years immediately ahead, giving full expression to their identities and aspirations and playing their proper part in public affairs. The Government is ready to consider with all those who renounce violence ways in which this objective can be achieved.

The United Kingdom government welcomes the statement in the Report that the parties in the Forum remain fully open to discuss other views."

E.R.

PRIME MINISTER'S QUESTION TIME: 3 MAY 1984

THE REPORT OF THE NEW IRELAND FORUM

Notes for Supplementaries

1. Will the Prime Minister express a view on the Forum report?

The Government's position has already been set out by my rt hon Friend the Secretary of State for Northern Ireland. We shall want to study the report carefully, and also reactions to it, not least in Northern Ireland itself. I said in this House on 8 November last year about the Forum, "We would owe it to a new idea to give it a thorough intellectual examination to see whether it can contribute to the improvement of some of the problems of Northern Ireland."

2. Will the Government enter into discussions with the Irish Government about/on the basis of the Forum report?

I look forward to continued contact with Dr FitzGerald and his Government on matters of mutual concern. The Irish Government has a legitimate interest in the situation in NI and we try to keep them in touch with our thinking on Northern Ireland and to ensure that we know their views. Insofar as the Forum report provides the basis for the Irish Government's views it will no doubt feature in any

exchanges we have on that subject. I note the report says that the parties concerned are fully open to discuss other ideas.

3. Will the Government give a positive response in due course?

As my rt hon Friend has said, we will wish to consider the report carefully; it is clear on a first reading that there are parts which are unacceptable to us and parts which we can welcome. The task of all of us is to search for peace, stability and prosperity for the people of Northern Ireland.

4. Will the Government give serious consideration to any of the options in the report?

As the report itself acknowledges, none of the illustrative models or any other change in sovereignty in Northern Ireland could be achieved unless they were freely agreed to by the people of Northern Ireland. There is no reason to expect such agreement or consent in the foreseeable future. The task therefore is to pursue the search for widely-acceptable arrangements without changes in sovereignty for which the required consent is lacking.

5. Will the Government publish a White Paper in response?

The Forum report is not an Irish Government document: it is produced by the four nationalist political parties. A response in the form of a White Paper

would not be appropriate.

6. Will the Government provide time for a debate?

My rt hon Friend the Leader of the House will take account of the views of Hon Members.

7. Will the Government refute the biased historical section in the Forum report?

The Forum report's historical analysis is one-sided and unacceptable and so are some of the other statements about HMG's policies. But I see no point in raking over the past; the important point is to deal with the very real problems of division, violence and alienation which exist in Northern Ireland today.

8. Did the Government see an advance copy of the report?

There was no authoritative text of the report until it was finalised earlier this week. The Taoiseach did me the courtesy of informing me of the content of the report immediately thereafter.

9. Will the Government welcome the report as an advance in nationalist thinking?

There is much in the report which can be welcomed - as my rt hon Friend's statement made clear - as well as other things with which we cannot agree.

10. Does the Government accept the Forum's view that the time has come to look at the problem in an all-Ireland context?

The task of all responsible people is to address the serious problems of division, violence and alienation in

Northern Ireland, and to seek to secure for everybody in the Province a peaceful and prosperous future. We must look at things as we find them in practical and realistic terms. The parties in the Forum must recognise that the agreement which they acknowledged is required is not going to be forthcoming for the foreseeable future in relation to the three models they have put forward.

11. Will the Government ignore Unionist objections and implement the Forum's recommendations?

The report acknowledges that the agreement of the people of Northern Ireland is required to any change in the Province's position within the United Kingdom. This has been the position of successive UK Governments. We believe that peace, stability and economic recovery will best be achieved under a form of government in the Province which is widely acceptable throughout the community.

12. Will the Government confirm that the future of Northern Ireland is no business of the Dublin Government?

The Forum has been produced by four parties, including one from Northern Ireland. We have always acknowledged the legitimate interest of the Irish Government in the situation in Northern Ireland. But the fact remains that the constitutional future of

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Northern Ireland is for the people of the Province and for this Parliament - the report acknowledges there could be change to the position of Northern Ireland in the United Kingdom only with the agreement of the people of the North.

The Northern Ireland Assembly

Does the PM not now accept that the Assembly has totally failed?

In Northern Ireland it is easier to destroy and dismiss than to build. The Assembly offers a way to develop better arrangements for government in Northern Ireland in the interests of all its people - Nationalist and Unionist - if only the parties are prepared to use it.

UUP proposal for administrative devolution

The UUP proposal offers a more sensible way forward.

The UUP proposals, like any others, must be widely acceptable throughout the community if they are to encourage peace, stability and economic recovery. The Government will carefully consider any proposals against that criteria. The tone of the UUP discussion paper is notable for its concern to recognise and respect the distinctive identity of the minority.

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RESPONSE TO FORUM: KEY POINTS

A. Background: the keys to UK policy

1. UK policy is based on an appreciation of the realities and on normal democratic principles, not dogma. It has five main elements.

- (i) the principle of consent, that NI will not cease to be part of the UK without the consent of the majority ie self-determination.
- (ii) a belief that the special circumstances of Northern Ireland must be reflected in institutions which command widespread support across the whole community. This was reflected in the emphasis given to the two traditions in the White Paper: they need both to be accommodated. The UK Government has not given either side a right of veto over internal arrangements - though in practice refusal to co-operate by either side frustrates any arrangement which is dependent on co-operation.
- (iii) recognition that although security measures alone cannot defeat terrorism an effective security policy based on the enforcement of the law is of central importance.

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(iv) acceptance that the strengthening^{of} the Northern Ireland economy will continue to require substantial resources.

(v) promotion of Anglo-Irish relations in the interests of both countries ie no unionist veto but equally no clandestine deals.

2. It is notⁱⁿ the gift of the UK Government to produce any particular internal solution or a united Ireland. Internal structures commanding support can work only if there is co-operation. For the foreseeable future consent to Irish unity is not likely to be forthcoming. The task in these circumstances is to develop attitudes and mechanism which allow Northern Ireland to be secure and prosperous in the coming years. Belief that a fundamental change is imminent - be it a united Ireland or return to pre-1972 - is unsettling and engenders fear and suspicion. The necessary accommodations, tolerance and respect between the traditions will not come easily. A key to their development is a recognition on all sides of the realities of the situation.

B. Key points about Forum Report

3. Can be welcomed/recognised/are helpful.

(i) unequivocal opposition to violence and all who advocate it.

(ii) the participants are fully committed to democratic and peaceful processes.

(iii) the reference to the discussion of other

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views than those contained in the report.

(iv) in so far as they go (see below) the references to distinctive unionist views.

(v) clear reference to the need for consent to unity to be freely given by the people of both the North and the South and that, were there to be a united Ireland, it could be on the basis only of full expression of both identities.

4. The following points are unhelpful/reflect weaknesses in the report:

- (i) ^{is} it/set out as a challenge to the UK government, based on a view of recent history which lays the blame for problems at the government's door. There are unrealisable assumptions about what the Government can deliver, especially in the form of changed unionist views.
- (ii) though the need for consent is clearly set out in the concluding principles it does not underpin the analysis in the way such an important matter should, and its implications, together with the likelihood of its being achieved, are not explored.
- (iii) the Report does not live up to expectations of a substantial development of Nationalist thinking to accommodate Unionists. There is little understanding of the unionist position, and of the

nature of their opposition to the principle of unity. Despite references to its "Britishness" and its historic roots unionism is not recognised as a belief of equal validity and stature, and is sometimes patronised. It has long been the Nationalist position that a united Ireland would need a Constitution with special arrangements to meet the Unionists. Dr FitzGerald's Constitutional crusade broke new ground in suggesting that changes should be made in the South in advance of agreement from Unionists to a united Ireland in the hope that with time consent might more readily be obtained. The concessions to Unionist views in the Report are all on condition of a united Ireland or joint sovereignty over Northern Ireland.

- (iv) the Report is thin for a year's work and the practicalities of unity are not squarely addressed: eg the changes required of the Republic to foster a more favourable view from unionists on which consent could be forthcoming; the economic and other consequences of actually incorporating Northern Ireland; the possibility of stability after unity, including from extreme nationalists; the manner in which joint authority might be made to work.

- (v) the historical analysis is onesided in its failure to recognise the serious attempts by successive British Governments to find structures which would meet the situation in Northern Ireland, and the wide range of measures introduced to secure human rights in Northern Ireland.

5. Emerging from the above are two main points:

- (i) the Report is seen by its authors as a development in nationalist thinking (eg because it explicitly refers to strong non-Irish views by unionist; because it touches on aspects of society in the South which have a particularly confessional character; because it trails possibilities for unity other than a single unitary state).
- (ii) the points in (i) do not, by our perceptions, go at all far or break much new ground. For example, the acceptance of the need for consent is not new, but has been declared part of Irish Government policy for 10 years. There is nothing in the Report about what should be done if consent to a united Ireland or to joint sovereignty is not forthcoming. The participants must realise that the Unionist will not change their views about the fundamental issue on reading this Report, yet they refuse to consider that "reality". Because of this enormous gap, the

Report fails to address the problems faced by people living in Northern Ireland - Nationalist and Unionist alike. Moreover, the failure to consider the possibility of consent being withheld is liable to arouse suspicions about the genuineness of the participants' commitment to the principle of consent in Northern Ireland itself; Britain is invited to take the next step, but what in practical terms can it do that it has not already, and if it cannot, what is the way ahead? The Report muddles the need for consent to change in NI's status as part of the UK (on which all agree) with the position as internal structures. This misleadingly confuses a formal text of consent over the border - which is central to HMG's policy and has been accepted by successive Irish Governments - with the practical fact that internal political arrangements can work only ^{if} they are acceptable to all concerned - eg power can be shared only by willing parties. The attitude adopted towards unionists is not designed to encourage reconciliation and there is little self-criticism. The air of challenge to the UK is not a helpful basis for the authors to promote the dialogue they seek. On the other hand the principle in Chapter 5, taken in isolation, are broadly acceptable, and are arguably of themselves consistent with internal arrangements in Northern Ireland of the kind HMG would like to promote. The indication are that Dr FitzGerald wishes us to concentrate on this section rather than on other far greener passages.

C. Questions

6. Some questions which can be asked are:

- (i) the "historical integrity of Ireland" and assumption that unity is founded in history and geography: does this fit all the facts (including unionist ones)? and is not the real question to deal with situation as it is now, not as some might wish it to have been?
- (ii) what evidence is there that the UK Government can change unionist views on the central question of unity?
- (iii) are unionists ready to contemplate unity in any form, or for the foreseeable future?
- (iv) if agreement to unity is needed, how in practice is it to be won?
- (v) would changes in the Republic significantly affect unionist views on unity? Has the report faced up to the nature of the changes which might be needed?
- (vi) does the report face up to the practical consequences of unity (eg security and economic)?
- (vii) what does the report offer of a practical nature the immediate future, given that (on any analysis) Irish unity in any form is a long way off?

- (viii) is it really correct that the UK Government has not addressed the problems of Northern Ireland urgently, given its repeated attempts to find internal structure reflecting both traditions and the absence of the consent to unity which London and Dublin have both publicly recognised as essential since 1974?
- (ix) in the joint sovereignty model what would happen (the report does not say) if the two Governments equally sharing authority should disagree?
- (x) does the report, by its analysis and presentation, enhance the process of understanding and reconciliation of traditions?

● E.R.

THE NEW IRELAND FORUM REPORT

1. The following paragraphs offer a summary of the Forum report and a commentary on some of its main points. It does not seek to analyse the significance of the report for the formulation of future policy or for the situation in Northern Ireland .
2. The report comes across as a firmly nationalist document in its historical analysis, its emphasis on Irish unity, its rather one-sided view of the two traditions, its challenging attitude to HMG and much of its phraseology, but crucial sections and passages (notably Chapter 5 of the report on 'Present Realities and Future Requirements') are helpful and leave the door open for constitutional nationalists to support proposals other than straightforward Irish unity.
3. The report is in eight sections. The Preface describes the genesis and work of the Forum and is innocuous. The Introduction conveys the Forum participants' sense of the urgency and importance of their task. It describes the situation in Northern Ireland in emotive terms as a "continuing crisis" which has reached "critical proportions, involving intense human suffering and misery for many thousands of people". As "Britain" (the term which is consistently used to describe the people and government of the United Kingdom, thus implying that the people of Northern Ireland are not connected with Britain) exercises "direct responsibility" this situation is "a serious reflection on successive British Governments" (paragraph 2.1 There is no acknowledgement that the problems are of very long standing, with roots predating the timescale which the report addresses.
4. It refers to "the discrimination, repression and violence" which has flowed from "the arbitrary division of Ireland" in the 1920s (2.2) and sets out a gloomy picture of what will happen if "the present political paralysis and violence" continue (2.3). This gloomy picture includes the "progressive erosion of basis values" within the Northern Ireland community; the reason is said

to be that "there are at present no political institutions to which a majority of people of the nationalist and unionist tradition can give their common allegiance or even their acquiescence". The challenge, therefore, to "political leaders in Britain and Ireland" is to arrest the cancer and "to create the conditions for a new Ireland and a new society acceptable to all its people" (2.4). This leap from analysis to the unargued assertion that the two Governments both have a role to play is repeated elsewhere in the report.

5. Another general theme which emerges in the Introduction is that "Britain" must conduct "a major reassessment" of its attitude and policies and "give urgent and sustained priority to the initiation of a political process leading to a durable solution" (2.5). No reference is made here to the need for reassessment on the Irish side; the task is apparently Britain's alone. Neither is there any recognition, here or elsewhere, of the strenuous efforts made by successive British Governments to encourage widely acceptable political development in Northern Ireland. The Introduction concludes with the sensible observation that "any proposals for political progress should remove nationalist alienation and assure the identity and security of unionists" but repeats that the British and Irish Governments should "accordingly ... together initiate ..." (2.6).

6. Chapter 3 of the report describes "the origins of the problem" in firmly nationalist terms. "the 1920 constitutional arrangements by Britain ... resulted in the arbitrary division of the country" which was "contrary to the desire of the great majority of Irish people ... as expressed in the last all Ireland election of 1918" (3.1). There is no reference to the dilemma which faced the British politicians of the time as they strove - over 75 years - to accommodate the (often violently) conflicting aspirations of 'Home Rulers', Unionists and nationalists. The British Government of the 1920s are attributed with "the intention ... to establish a political unit containing the largest land area that was consistent with maintaining a permanent majority of unionists" (3.2). The Report of the Boundary Commission (suppressed

at the request of the Irish) belies this assertion (and the Forum report's further reference to the Boundary Commission is disingenuous).

7. The effect of partition, to lock both parts of the community in NI into "a system based on sectarian solidarity" is described emotively but accurately enough; but the blame is laid squarely on the British "failure ... to accept the democratically expressed wishes of the Irish people" and their "denial of the right of nationalists in the North to political expression of their Irish identity (3.3). The introduction of direct rule in 1972 is seen as an "acknowledgement" of the failure of partition (3.4).

8. The consequences of partition in the period before 1968 are described in paragraphs 3.5 to 3.11. Partition allegedly taught Unionists "that a threat by them to use violence would succeed" and forced nationalists to conclude that "the democratic constitutional process was not to be allowed to be effective" (3.5); and the failure to proceed with the Council of Ireland (which was stillborn because the Irish did not nominate any representatives) demonstrated that the British "were in practice willing to allow a system of untrammelled one party rule in NI" (3.6). Partition and its effects have diverted potentially constructive political energies, given rise to endemic violence, led to "tensions and misunderstandings in the British-Irish relationship in place of the close and harmonious relationship that should normally exist between neighbouring countries that have so much in common" (3.7) and caused economic dislocation (3.8).

9. Since partition "the identity of the minority community in the North has been effectively disregarded"; for over 50 years they have "lived under a system of exclusively unionist power and privilege and suffered systematic discrimination" (3.9). Unionists, forced to accept Home Rule, continued to feel threatened; insecurity led to supremacist policies (3.10) and thus "both sections of the community lived under the shadow of sectarian politics". Much of this analysis is acceptable but the tone is not calculated to promote reconciliation.

10. As for the south, partition resulted in the Republic developing "without the benefit of unionist influence" (3.11). There is no

examination of the nature of the Southern state and virtually no self-criticism. The only implicit criticism of Southern governments in this section is that they showed "insufficient concern for the interests of the people of NI" (3.11). It is said that Southern Protestants were catered for "with considerable if not total success" (3.2). This assertion would be challenged by many of the Protestants who still live in the Republic.

11. The more intense consequences of the crisis since 1969 are described in paragraphs 3.12 to 3.20 in terms which deny HMG any credit for political initiatives and assert that the Government's only response has been to introduce draconian security measures which have made matters worse. There is reference to a number of expected themes such as the B-Specials, Bloody Sunday and the Bennett Report. There is no examination of the possible advantages of and possibilities for securing an acceptable settlement within Northern Ireland, even though that was the main plank of SDLP policy until at least the late 70s.

12. The crisis since 1969 is said to have begun when the non-violent campaigns "for basic civil rights and ... an end to systematic discrimination" were met with "violence and repression". The "partial attitude of the local institutions of law and order, especially the B-Special Constabulary" provided no protection against sectarian attacks creating the conditions for the revival of the IRA (3.14). The introduction of the Army and "the insensitive implementation of security measures in nationalist areas" made the period 1969-72 a turning point in minority attitudes to security (3.15).

13. Direct rule, the NI Constitution Act 1978 and Sunningdale (which is implicitly credited with introducing power-sharing, thus advancing the Irish claim to a role in NI) gave "some hope" but the "failure" of the British Government to sustain "the Sunningdale arrangements" reinforced the message of 1912: "that agreements negotiated in a constitutional framework would not be upheld by British Governments in the face of force or threats of force by unionists" (3.16). There is

no acknowledgement of the fact that the British Government of the day had no means of sustaining Unionist support for the Executive.

14. Despite "attempts to remedy some of the worst aspects of discrimination" (a rather grudging acknowledgement of the progress made in the protection of civil rights in NI since the late 60s, which has been much more extensive than in the Republic) nationalists in NI are still "discriminated against in social, economic, cultural and political terms". It is alleged that there is, in practice, "no official recognition of their identity nor acceptance of the legitimacy of their aspirations". This ignores the thrust of Government policy since 1972 and the explicit statements in the 1982 White Paper. The minority's experience reinforces "their conviction that justice and effective exercise of their rights can only come from a solution which transcends the context of NI (a phrase repeated elsewhere in this report) and provides institutions with which they can identify (3.17).

15. The British response to the crisis is characterised as "crisis management", "the effort to contain violence through emergency measure by the military forces" (3.18). Just as the traumas of the Republic's history, such as the civil war, received no considered mention, so here it is not recognised that the UK reaction to the security problems (eg Diplock Courts) has been largely mirrored by similar measures taken in the South. Such measures have deepened "the sense of alienation of the minority population" and been exploited by the paramilitaries (3.18). The paramilitaries are condemned in unambiguous terms (3.19) but even then there is a snide reference to them "feeding on one another and on the insensitivity of British policy". The negative (ie counterproductive) effects of IRA violence on Unionist and British opinion are described but this is immediately "balanced" by a reference to the negative effects of Loyalist terrorism and "the involvement of individual members of the security forces in a number of violent crimes" on nationalist opinion (3.20). This is an example of remarks which may prove offensive to unionist opinion. The human, psychological, social and economic costs of the crisis are also set out (3.21 and 3.22).

16. Chapter 4 examines the present problem. It starts with an analysis of British policy. The claim (4.1) that the

'guarantee' in the Constitution Act has in practice been "extended ... into an effective unionist veto on any political change affecting the exercise of nationalist rights and on the form of government for Northern Ireland" can be rejected. The failure of post-Sunningdale initiatives is attributed to the fact that they were limited to Northern Ireland and thus failed to address the fundamental issue. The report asserts that "only a fundamental change of context can ensure the effective exercise on an equal basis of the rights of both nationalists and unionists" (4.2). The "immobility and short-term focus of British policy" is allegedly leading to frustration, uncertainty, growing mutual mistrust and alienation (4.3). The fault is again laid on Britain; no account is taken of the political realities which have dictated the basic approach of successive British Governments since 1972. British security policy (allegedly the only policy) is criticised for "harassment of the civilian population", "abnormally wide powers of arrest and detention, exercised ... for the purpose of gathering information", internment, brutality, plastic baton rounds, "paid informers" and "killings by some members of the security forces in doubtful circumstances" (4.4). One result is that the police will not be accepted by the minority "until there is a change in the political context in which they have to operate" (4.5).

17. On behalf of the nationalists the Forum parties "reaffirm that their shared aim of a united Ireland will be pursued only by democratic and political means and on the basis of agreement"(4.6). This exposes some of the report's weaknesses. Although there is a subsequent single reference to the fact that Irish unity would have to be "freely negotiated and agreed to by the people of the North and by the people of the South" the crucially important implications of this definition of "agreement" are not brought out at other relevant points in the report, thus leaving unclear what the various references to "agreement" actually mean; the idea of agreement is hard to reconcile with the implicit call on the British Government in conjunction with the Irish to press the Unionists into giving that agreement. The paragraph concludes by saying that the nationalist objective in seeking Irish unity "is to develop and promote an Irishness that demonstrates convincingly to unionists that the concerns of the unionist and Protestant heritage can be accommodated in a credible way and that institutions can be created which would protect such

concerns and provide fully for their legitimate self expression". The report does not address the problem of what happens if the Unionists are not so convinced.

18. The section on Unionist attitudes (4.8 to 4.10) is disappointingly perhaps surprisingly, patronising and incomplete. Their objectives are summarised as the preservation of their Britishness, Protestantism and the economic advantages of the link with Britain. The report says that Unionists "generally regard themselves as British, the inheritors of a specific communal loyalty to the British Crown" (4.9.1), but goes on to maintain that they "generally also regard themselves as Irish". The depth and sincerity of the Unionist attachment to Britain is not even palely reflected in this section of the report. The Protestant tradition which Unionism "seeks" to embody is "seen as representing a particular set of moral and cultural values epitomised by the concept of liberty of individual conscience".

The report refers to the "widespread perception" (which they imply is unfounded) that the Catholic Church exerts undue influence in the Republic on matters which Protestants consider should be for the individual conscience. The unionists' concern about the economic implications of the British link "is shared by nationalists". To maintain NI living standards in the context of Irish unity would require substantial external transfers. (This is the only reference in the body of the report to the economic costs of Irish unity; there is a vague reference to the possibility of the money coming "from Britain, the EC and the United States or from Ireland as a whole"). Other sources of Unionist "fears" are alluded too, but contrasted with the "experiences of discrimination, repression and violence" suffered by the minority.

19. The conclusion of the chapter is that a new approach accommodating both identities is required. Terrorist groups and "associated organisations" (ie Sinn Fein) are condemned and a further call is made^{fo} "political progress through the democratic progress" (4.11).

Paragraph (4.12) argues the case for Britain to do something, arguing that "constitutional politics are on trial" and that further deterioration would have dangerous consequences for the

people of NI and for stability in Britain and the Republic. Much of the analysis of the present situation is acceptable though the conclusion drawn is not. Paragraph 4.13 appears

to set the parameters of what the Forum seeks to achieve. It promises a society based on cultural and religious diversity in which "the criteria which relate to public legislation may not necessarily be the same as those which inform private morality". Unionists might argue that

the Catholic Bishops' presentation to the Forum, the history of Church/State relations in the Republic and last year's abortion referendum do not give any grounds for confidence. The passage continues that "no-one living in Ireland should feel less at home than another or less protected by law than his or her fellow citizen". Unionists might also find less than adequate the statement that "the civil and religious liberties that [Northern Protestants] uphold and enjoy will be fully protected and guaranteed and their sense of Britishness accommodated".

20. Paragraph 4.15 underlines the importance of guaranteeing unionist and nationalists "effective political, symbolic and administrative expression of their identity" and, in a passage with which HMG could wholeheartedly agree, asserts that "so long as the legitimate rights of both unionists and nationalists are not accommodated together in new political structures acceptable to both, [the] situation will continue to give rise to conflict and instability". The report expresses confidence that "dialogue which fully respects both traditions can overcome the fears and divisions of the past and create an atmosphere in which peace and stability can be achieved."

21. The chapter ends with a repetition of the view that a settlement which recognises the rights of both sides "must transcend the context of Northern Ireland" and that the British and Irish Governments must show a "common will" and a "common determination" and "in co-operation with representatives of democratic nationalist and unionist opinion in NI, ... recognise and discharge their responsibilities" (4.16). It in effect says that the UK and Irish Governments have equal rights and responsibilities in connection with NI, and that the Forum's prescription is the only correct one.

22. Chapter 5 on Present Realities and Future Requirements is the most crucial in a number of respects and potentially the most helpful from HMG's point of view.

The present realities in paragraph 5.1 are expressed with a high level of generality and summarise and reflect much of what has gone before: existing structures in NI have failed; the present narrow context has prevented constructive interaction between the two traditions and fostered misunderstanding and suspicion; the British guarantee has inhibited dialogue and removed the incentive to seek political solutions; the situation is bad and could get much worse and has put Anglo-Irish relations under strain; Britain must reassess its position. The key passages describe the nationalist identity in terms of the "democratically founded wish to have that identity institutionalised in a sovereign Ireland united by consent" whereas the Unionist identity is again very much downplayed and not treated with anything like the same sympathy.

23. The section on future requirements is potentially the most helpful to HMG. Taken in isolation each of the ten requirements quoted are broadly acceptable. They include the requirement that any new structures must provide lasting peace and stability (an ideal though it should not constrain 'interim' political developments); reject violence and be achieved through "agreement" (nature unspecified) and have a democratic basis; accept the validity of both political traditions and give them "equally satisfactory, secure and durable political, administrative and symbolic expression and protection"; provide equal rights and opportunities, prevent domination and guarantee the individual human and communal cultural rights of both traditions; prevent discrimination; provide security structures with which both traditions can identify; maintain economic and social standards; foster cultural and linguistic diversity; and be pursued as a matter of urgency. Of crucial significance is the statement that "the political arrangements in a new and sovereign Ireland would have to be freely negotiated and agreed to by the people of the North and by the people of the South".

24. One very significant and helpful point is that the criteria does not imply any particular constitutional settlement, though they will of course be read in the context of a report which calls for Irish unity. In fact the criteria here could be used to justify supporting any scheme from integration with GB, through independence to - more credibly - continued direct rule or a widely acceptable form of devolved government for NI within the UK, perhaps with some institutional recognition of the minority's Irish identity.

25. The Forum parties commit themselves to provide resources for the "new structures" they claim are necessary but call on Britain to help "create the conditions which will allow this process to begin" (5.3). This harks back to the earlier view that Unionists should be led to participate in negotiations about Irish unity.

26. Paragraphs 5.4 and 5.5 discuss Irish unity, describing it as "the best and most durable basis for peace and stability".

The Forum parties again commit themselves to work "by peaceful means to achieve Irish unity in agreement" (5.6) but again fail to define the concept. They say that the particular structure they "would wish to see established" is "a unitary state, achieved by agreement and consent" (5.7). A helpful gloss on the concept is in paragraph 5.8 which says "it is essential to have unionist agreement and participation in devising such structures [of Irish unity] and in formulating the guarantees they required".

27. The chapter concludes with a reference to the range of suggestions made to the Forum about how the identities and interests of the two traditions might be accommodated and explains that "in addition to the unitary state" (thus given clear prominence) two other models - federal/confederal and "joint authority" were considered in some detail (5.9). A helpful final sentence records that the Forum parties "remain fully open to discuss other views which may contribute to political development" (5.10).

28. The "illustrative models" in chapters 6, 7 and 8 are brief, and generalised. The description of the 'unitary state' model (Chapter 6) speaks of guaranteeing Unionists a minimum

number of seats in the Senate and giving it blocking powers and of requiring weighted majority votes on certain issues but its primary feature would be that the whole island would be governed "as a single unit under one government and one parliament elected by all the people of the island". A "redefined relationship" with Britain would "take account of the Unionist sense of Britishness". The federal/confederal model (Chapter 7) is similarly vague, giving no idea of how the exercise of powers would be controlled at either state or federal level, other than by requiring weighted majority votes on certain issues and by setting up a Supreme Court to interpret the Constitution. The "joint sovereignty" model (Chapter 8) is described as "an unprecedented approach to the unique realities that have evolved". It would involve "shared rule" in which the British and Irish Governments would have "equal responsibility"; again there is provision for devolution to NI on unspecified terms. It is said that under such a model "there would be no diminution of the Britishness of the Unionist population".

29. The inadequacy of the illustrative models may make it easier to focus attention on the 'principles and realities' section of Chapter 5. One point which could be made is that two of the three models include the possibility of devolution for NI within the particular framework they discuss, and yet the report as a whole ignores the possibility of devolution for NI within the current constitutional framework.

General Comments

30. The report is as interesting for what it omits as for what it includes. This may derive from its dismissive and inadequate analysis of Unionism which leads it to minimise the obstacles to Irish unity. Either way there is almost no self criticism and no hint of the need for a 'constitutional crusade' to make southern society acceptable to those of the Unionist tradition.

31. The report is thin on logical support for the models it proposes. It sets its own parameters, and then proceeds to draw (inevitable) conclusions within them. As noted before the fundamental concept of "consent" is not taken through to the conclusion. Vague

references to unity by "agreement" are countered by the insistence that Britain must do something and "create the conditions" for negotiations on Irish unity. This sits uneasily with consent. Some parts of the analysis of the problem and of the 'principles' are acceptable but the case for Irish unity is never argued; it is asserted.

32. The report keeps to a high level of generality throughout and makes no clear proposals. The illustrative models are presented and Britain is told to do something - urgently. There is no clue as to the timescale which is envisaged for establishing one or other of the models. No understanding is shown of how far away unity is bound to be. There is only the barest attempt made to deal with the political, social and economic consequences of Irish unity, the issues which moderate nationalists are most concerned about.

33. The tone of the report is in parts offensive towards Unionists who are treated with condescension. For a document allegedly intended to lead to reconciliation this is unlikely to be productive.

34. The basic thesis of the report is that Britain could, if it wanted to, make the Unionists want to join a united Ireland.

SIL DIVISION

May 1984

From: THE PRIVATE SECRETARY

PLP



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

Miss Margaret O'Mara
Chancellor of the Exchequer's
Office
Treasury Chambers
Whitehall
LONDON SW1

3 May 1984

Dear Margaret

QUESTION TIME: BRIEFING ON THE NEW IRELAND FORUM

As requested I enclose some material which the Chancellor may find helpful. The key documents are:

- (i) the statement issued by Mr Prior yesterday afternoon; and
- (ii) the notes for supplementaries prepared for the Prime Minister's use in the House this afternoon.

The thinking behind this material is indicated in the "Key Points" on the Forum Report (copy enclosed at (iii)) which also sketch in the basic elements of the Government's Northern Ireland policy, and which the Chancellor may wish to glance through. If he has time he may also care to look at the enclosed summary (iv) of the Forum Report which includes comments on the implications of its main points.

Yours ever

Dave

D A HILL

Enc

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