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CONFIDENTIAL

Discussion Paper for Policy Sub-Committee of Shadow Cabinet
Monday 19th July 1976 at 1 p.m.

At present we are pursuing the following general policy lines:

1. Constitutional

- a. Devolved government: our position is as outlined in the Debate on the Convention Report on 12th January 1976. We support the establishment of devolved institutions with powers similar to those of the Report of the Constitutional Convention but with an Executive formed on the basis of sufficiently widespread consent to provide stable government.
- b. Direct Rule: we have regarded direct rule as a necessary interim form of government which should be ended as soon as possible.
- c. Legislative Procedures: we have urged improvement of procedures for dealing with Northern Ireland legislation to ensure more adequate scrutiny and make direct rule more sensitive. But we have opposed complete integration of Northern Ireland legislation with that for Great Britain.
- d. Representation: we have recognised that Northern Ireland is at present under-represented at Westminster, but in view of the planned Speakers' Conference, the forthcoming decisions on representation for Scotland and Wales, and the present attitudes of UUUC MPs, it has been decided, after consultations with the Leader, that we should not commit ourselves to any specific increase.

2. Security

We have said that politics and security go together and that no political advance can be expected until people have confidence in the intentions of the Government. We have been increasingly critical of government security policy since the change of direction in 1975, particularly on the following points:

- a. General lack of leadership and inspiration.
- b. Abandonment of detention at a time of increasing violence without providing any alternative means of protecting witnesses or dealing with organisers of terrorism.
- c. Persistence in the fiction of a 'ceasefire', and a low army profile long after it was sensible to do so.
- d. Holding talks with IRA representatives which undermine public morale and raise terrorist hopes, and providing only the most irrational and confused explanations for doing so (e.g. Hansard 14.6.76. Col. 57).

We have urged firmer direction of the campaign, amendment of the criminal law to create an offence of terrorism covering incitement and organisation, specific improvements in organisation of the security forces, and more cross-border co-operation.

OTHER FACTORS

1. There is a danger that public exasperation with the apparent aimlessness of government policy may lead to private initiatives such as vigilantes.
2. Under Direct Rule Northern Ireland is in a constitutional limbo. We have urged that direct rule should be made more democratic without appearing at the same time to be abandoning hopes of devolution.
3. It seems probable that if the current talks between SDLP and Official Unionists (which we are privately encouraging) fail to produce a workable settlement there will be no foreseeable prospect of an agreed form of devolution.
4. The real issue in Northern Ireland is one of where the Province belongs, and until this is settled on a basis which has the appearance of some permanence, political instability and violence will continue. IRA terrorism is motivated by continuing hopes of detaching Northern Ireland from the UK and will not end until there has been some decisive repudiation of these hopes.
5. The economic crisis is hitting Northern Ireland hard. Unemployment is over 10 per cent and rising, and there are fears of the closure of major firms, including Harland and Wolff. This exacerbates political and security problems.

OPTIONS

There are several alternative approaches to Northern Ireland policy which can be adopted.

1. Integration: This is sometimes urged as a means of dealing with the problem outlined at (4) above. It would underline the position of Northern Ireland as part of the UK and provide a form of government for the Province which opinion polls have suggested both sections of the community would accept, but only as a second best: for Catholics preferable to Protestant rule and for Protestants preferable to power-sharing.

But it would go against the devolutionary trend, increase the already heavy legislative burdens at Westminster, antagonise the Irish Government and would not be enthusiastically supported by either Protestants or Catholics in Northern Ireland all of whom prefer devolution.

2. Majority-Rule Devolution: Unionist opinion in favour of this option argues that a system whereby the Executive is formed by a majority leader is the only form of devolution acceptable in Northern Ireland. They argue that minority safe-guards can only go as far providing a powerful committee system, anti-discrimination provisions, and guarantees of fundamental rights.

We have always said that experience of Stormont and of the Assembly showed that devolved institutions should not operate effectively if regarded as unjust by a substantial minority and on this basis we supported rejection of the majority Report from the Convention.

3. Continue Present Policy: Direct Rule can be considered as an interim form of government, coupled with encouragement of gradual progress towards an agreed form of devolution, but laying stress on the security aspect and the need for more government leadership. This appears the most practical alternative while keeping the route open to devolved government as 1(a).

Whatever policy is adopted it will have to be underpinned by a firm ANGLO/IRISH agreement clearly establishing the principles of British and Irish citizenship. The Constitution of the Republic still embodies a claim to the territory of Northern Ireland, which is incompatible with common membership of the E.E.C. and feeds insecurity and violence in Northern Ireland. There should be a treaty involving agreement on the principle of self-determination for Northern Ireland, on the mechanism whereby that principle can be implemented, on frontier controls, immigration and voting rights, and the issue of passports only to our own citizens. The main difficulty here is that without SDLP support the Dublin Government might not agree, or if it did it could lose the referendum necessary to remove the constitutional claim.

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JFH/SO'B
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