

Ref A02428

PRIME MINISTER

The Government of Northern Ireland: Proposals for
Further Discussion

(C(80) 31)

BACKGROUND

This draft document for publication attached to a memorandum by the Secretary of State for Northern Ireland has been extensively revised following OD's discussion on 10 June and my submission of it to you on 17 June. At OD there was considerable support for the paper's general approach to the problem of further political progress in Northern Ireland. Nobody was particularly optimistic, but there was no absence of alternative proposals, and there was a general feeling that the Government had committed itself publicly to this course of action and could not be seen to abandon it unless and until it had obviously failed. The basic problem of substance remains the gap between the Social Democratic and Labour Party (SDLP), who want power sharing in some form, and the majority community, who want majority rule. The basic problem of presentation in the draft proposals is to say enough to encourage both the majority and the minority communities in Northern Ireland to believe it is worth their while to go on negotiating, without at the same time either raising false hopes or fears, either at home or abroad. This is obviously a difficult tightrope along which to walk.

2. The heart of the "Proposals for further Discussion" is the proposed Assembly, elected by proportional representation and hence reflecting the views of the majority community, whose powers might be checked by a Council of the Assembly which would be equally divided between the majority and the minority. During the OD discussion you were particularly concerned that the paper should be amended in order to remove its negative features and avoid the impression that the Government's longer term policy was to give Northern Ireland away. You were also concerned about the possible effects of the



proposals in the paper on the situation in Scotland. You raised the question of reconsidering the level of Northern Ireland representation at Westminster if the proposals were agreed. The view was also expressed that the acceptance of proportional representation in the draft proposals could make it more difficult to resist this concept in relation to Westminster. Finally the question whether the draft proposals should be published before or after the Renewal Debate which must take place before 16 July appeared to present a difficult choice. The Secretary of State for Northern Ireland now expresses a clear preference for the early publication date of 1 July.

HANDLING

3. You will wish to ask the Secretary of State for Northern Ireland to introduce the paper and to explain the basis of the thinking underlying the proposals. The points to establish in subsequent discussion are -

a. Is there general agreement with the broad thrust of the draft proposals? The Paymaster General wrote to the Home Secretary on 9 June copying his letter to other OD members, to suggest that any proposal involving power sharing in some form will never be acceptable to the Unionist majority in Northern Ireland and will break down sooner rather than later. You may wish to ask him to amplify his views. Since he expressed them, he has visited Northern Ireland. Are his opinions widely shared in the Cabinet? To what conclusion do they lead in regard to further political progress?

b. Do the proposals present a potential difficulty in relation to the situation in Scotland? The draft has been revised in consultation with the Secretary of State for Scotland since the OD discussion and even at that stage he considered that the risk was a minor one provided reference to economic considerations was avoided. Does he remain of the same view? Does the Secretary of State for Wales hold the same view (he was not at the OD)?

c. What are the implications of the proposals for Westminster both in regard to proportional representation and the number of MPs from Northern Ireland (paragraph 3.39 of the draft proposals)? On proportional representation can it be successfully argued that Northern Ireland is different? On the number of Northern Irish MPs at Westminster, is it felt that to propose a reduction at this stage might be well received by the SDLP and the Republic of Ireland but so badly received by the Opposition in Westminster and the Official Unionists that it would kill any chance of constructive further discussions on these proposals? It is perhaps relevant that, even when Northern Ireland has 17 MPs, its constituencies will still be larger on average than those in Scotland or Wales, and that the increase was strongly supported in 1978 by the then Opposition (extracts from Hansard attached). The question for decision is whether paragraph 3.39 should be deleted from the published document.

d. Is the reference to the 'principle of consent' (paragraph 2.11 of the paper) the best way to allay Unionist fears without shattering SDLP hopes? Is the Foreign and Commonwealth Secretary content with this approach? His officials suggested that the document should emphasise that the existing guarantee applies to the whole community in Northern Ireland, not just the Protestants, but it seems unlikely that such emphasis will do anything for the minority community or the Irish Government.

e. Is the general tone of the whole paper now sufficiently positive? As you know it has been extensively revised with this aim in view.

f. How will these proposals be regarded by the Government's supporters in the House? Will it be understood why the Government is now proposing a different line to the "one or more elected regional councils with a wide range of powers over local services" which was proposed in the 1979 Manifesto?



g. What is the best time to publish the proposals? At the OD meeting on 10 June because of the recent interest in the whole issue in the media, the Home Secretary considered that the balance of advantage had swung towards an earlier, rather than a later publication date. At an earlier stage MISC 24 favoured the later date. The Secretary of State for Northern Ireland now proposes Tuesday 1 July. Does the Chancellor of the Duchy of Lancaster have any views from the point of view of the Parliamentary timetable?

CONCLUSION

4. Subject to the discussion, the Cabinet might be guided -
 - i. to approve the proposals circulated by the Secretary of State for Northern Ireland
 - ii. to agree to their early publication - if possible on Tuesday 1 July, subject to the deletion of paragraph 3.39.

ROBERT ARMSTRONG

24 June 1980

ANNEX - HANSARD EXTRACTS

The then leader of the Opposition, speaking on 19 April 1978 in response to the Prime Minister's announcement of the results of the Speaker's Conference:-

"We welcome the decision of Mr Speaker's Conference to increase the number of seats for Northern Ireland to 17 As this Bill (giving effect to the Conference recommendations) is a very short one - I believe two clauses - as it was an overwhelming decision of Mr Speaker's Conference and as we Conservatives will do our best to ensure that the Bill has a speedy passage, may we assume that the phrase "as parliamentary circumstances permit" includes the probability that the Bill will be introduced and passed through all its stages before the House rises for the summer recess?" - col 448.

The following quotes come from speeches made during the second reading of the House of Commons (Redistribution of Seats) Bill on 28 November 1978, after the Secretary of State (Mr Mason) has made it clear that the provisions of the Bill would apply, whether or not there was devolution in Northern Ireland:-

Mr Airey Neave - "As my right hon Friend the leader of the Opposition made clear in April, we shall give our fullest support to the second reading of this Bill. We have for some time past acknowledged the inadequate representation of Northern Ireland in this House This position (ie Northern Ireland's electoral quota, compared with GB) led to a sense of unfairness in the Province, and there was even talk of second class citizenship.

CONFIDENTIAL

It also created some huge constituencies in a relatively small geographical area. I believe that the hon Member for Antrim South has a huge constituency of over 120,000." - cols 252-253.

Mr St John Stevas - "The Bill is opposed by a minority* in the House, but that is a small minority. It is supported by all shades of opinion in the House and all shades of opinion within the Unionist Party. Given the premise of the argument, the retention of the unity of the United Kingdom and our electoral system, it is difficult to understand how the Bill can rationally be opposed We have heard various points; first there was the devolution issue. It was said that this issue justified under-representation. That certainly was the argument used at one time, that because Northern Ireland had a devolved legislature it was not entitled to full representation at Westminster. That was rejected by the Kilbrandon Commission. The idea does not of course stand up in logic or in practice It is out of concord with the situation which may well be created by the emergence of local assemblies in Scotland and Wales ... The fact that one devolves responsibilities on certain issues does not entail, in consequence, that there should be under-representation in an Assembly which is discussing differing issues. The two events are not connected in logic. There is no contradiction between devolution and centralisation, nor is there any justification for under-representation in the main legislature because one has a devolved legislature at the same time" - cols 343-344.

*a score or so of Labour MPs