

CONFIDENTIAL

Ref. A02295

PRIME MINISTER

---

The Government of Northern Ireland: Proposals for Further  
Discussion  
(OD(80) 44)

BACKGROUND

This paper by the Home Secretary is written in his capacity as Chairman of the Ministerial Group (MISC 24) which was set up following the OD discussion on Northern Ireland on 17th October last year. The other members of the Group are the Lord Chancellor, Secretary of State for Defence, Lord Privy Seal and Secretary of State for Northern Ireland. The Conference with the Northern Irish political parties, which the Ulster Unionist Party refused to attend, adjourned on 24th March after 34 sessions over a period of 2½ months. The basic problem 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 proposals for further discussion attempt to provide a solution in the form of an 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 (paragraph 3.38 of the Annex) which would be equally divided between the majority and the minority. This is really the heart of the "proposals for further discussion".

2. What is now suggested can be faulted on a number of grounds, both on timetable and on substance:

- (a) We are still talking only about "proposals for further discussion" in the Secretary of State's conference. That further discussion could hardly begin in any serious sense before the autumn. Thus even if the parties to the conference agreed - itself very uncertain - we are still a long time away from definite proposals and legislation.

CONFIDENTIAL

(b) The proposals themselves would represent only a gingerly development in the political evolution of Northern Ireland: they are not dramatic, and they are suspiciously complex - perhaps it is unfair to say that they are more like a theoretical blueprint than a practical construction of a workable system.

3. The difficulty is to think of any alternative proposals which might steer clear of these objections and have any chance of success. We are committed to discussions with the political parties in the Secretary of State's conference. Admittedly one of the reasons why that has got as far as it has is because there has been a belief that Westminster was ready to come forward with a definite proposal of its own, if the conference broke down. The conference is going very slowly, but it has not broken down. To produce now a definitive proposal which bore little or no relationship to the discussion would bring the discussions to a full stop - at any rate for the time being - and alienate some or all of the participants. If it is accepted that we are still at a stage when we should work within the framework of the constitutional discussions upon which we embarked last autumn, it is difficult to see an alternative proposal, or choice of proposals, which would be preferable to what is on offer in these papers.

4. The Secretary of State for Scotland has been invited to the meeting because of the implications for Scotland of these devolutionary proposals. The Chancellor of the Duchy of Lancaster will be present because of the Parliamentary timetable implications of the problem over the date of possible publication. The Chief Whip has been invited to advise on the views of the Government supporters on the new proposals.

HANDLING

5. ~~\_\_\_\_\_~~ You will wish to ask the Home Secretary to introduce his paper. He will probably wish the Secretary of State for Northern Ireland to explain the basis for the thinking underlying the proposals for further discussion. In the ensuing discussion you will wish to cover the points in paragraph 4a - e. These are:

CONFIDENTIAL

- (a) Transfer of powers? The Conference clearly indicated that the Northern Ireland political parties (excluding the Ulster Unionist Party who were not there) will not be satisfied by the transfer of powers only at local government level. There is also a good deal of evidence of discrimination against the minority community even now, over such matters like refuse collection and the provision of recreational facilities. Will Government supporters be satisfied by proposals which go beyond the Manifesto commitment to establish "one or more elected regional councils with a wide range of powers over local services"?
- (b) Power to legislate? Without such power it will be difficult to give the proposed Council of Assembly any means of checking the executive. What are the implications of the proposal for Scotland?
- (c) The publication date? Paragraph 4e of the Home Secretary's note sets out the problem. Is there a risk that even if the Proposals are not published before the renewal debate they will still form the main subject for discussion during it and that Northern Ireland MPs may be tempted to take up a more extreme attitude because they do not know exactly what will be proposed? Is there a risk that, as the Conference adjourned on 24th March, such a delay will have ensued before publication at the end of July that by then something very much more definite and clear cut than the existing proposals will be expected? Is there a risk that a substantial delay in publication after your meeting with Mr. Haughey on 21st May may be interpreted as meaning his visit has had a substantial impact on the nature of the further proposals? What are the implications for the Parliamentary timetable of an early or late publication date?
- (d) Are the length, tone and substance of the proposals right? MISC 24 were generally content with them. How are they likely to strike the Government's supporters? The Opposition? The country generally? The Americans and the Irish?

CONFIDENTIAL

- (e) The next action after publication? Presumably this will take the form of further private negotiations and a resumption of the Conference which at this stage needs to bring in the Ulster Unionist Party. How will this be achieved? How will they regard the new proposals particularly in view of Mr. Enoch Powell's preference for integration rather than devolution?
- (f) The need for a fall-back position? These proposals may fail to gain acceptance. They represent a more ambitious course of action than the Secretary of State for Northern Ireland's original suggestion last year for a merely consultative assembly. Does that still remain the best fall-back position? Is it proposed that the passage in square brackets in paragraph 4.3 on the last page of the annex should be included or excluded?

CONCLUSION

6. Subject to the points made in discussion, if the Committee is content with the proposals, you will wish to sum up to the effect that the Committee approves the draft paper for publication, subject to final reference to the Cabinet, and decides on an earlier, rather than later, date of publication. If the Committee concludes that the draft requires substantial amendment, you may decide that OD should have another look at it: this will mean a later publication date.

RJA

(Robert Armstrong)

9th June, 1980