

Ref. A084/1536

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

For your meeting on Northern Ireland with the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland after Cabinet on 24 May, I shall be submitting two notes analysing the proposals put to me by Mr Dermot Nally on 11 May (my Secret and Personal minute to you of 14 May). I understand that there may also be a minute from the Secretary of State for Northern Ireland. Meanwhile, by way of preparatory background, I submit the analysis of the Forum Report promised in Mr Goodall's minute to you of 27 April.

2. I am sending copies of this minute and its attachment to the two Secretaries of State, Sir Antony Acland, Mr Robert Andrew, Sir Philip Woodfield and Mr Goodall.

RA

ROBERT ARMSTRONG

23 May 1984

The Report of the New Ireland Forum

General

Officials have now examined the Forum Report. As a cursory reading will show, its historical analysis and its positive proposals are both unsatisfactory. Its central weakness is that, although it acknowledges that Irish unity can only be achieved by consent (including the consent of the people of Northern Ireland), it fails to tackle the fact that such consent will not be forthcoming for the foreseeable future. It is being widely perceived here and overseas as reflecting a new and constructive nationalist approach to the problems of Northern Ireland; and both the Irish Government and the SDLP are heavily committed to it.

2. The Report, despite its length, is a patchwork and thin on practical proposals, partly no doubt because it represents the highest common factor of the agreement among the four political parties involved in the Forum. The transient nature of this agreement has already become apparent in the divergent public statements made by Mr Haughey and Dr FitzGerald. However, the Report's lack of homogeneity may be turned to advantage since it would justify us in picking and choosing those elements which we wish to take seriously and dismissing or ignoring the rest.

3. Although the views of Dr FitzGerald, his party and his coalition allies, are the most important, Mr Haughey's position can usefully be examined first. He has succeeded in ensuring that the goal of Irish unity is given prominence, but he has also made some concessions:-

- (i) the omission of the traditional Fianna Fail call for a British "declaration of intent to withdraw";

- (ii) the omission of an explicit call for the abrogation of the "guarantee" - though it is strongly criticised;
- (iii) the recognition of the equal rights of the Unionist community in a future settlement;
- (iv) the omission of a "timetable" for action by HMG.

These concessions reflect the first significant alteration in the terms of the traditional Nationalist analysis of the Northern Ireland problem since the Sunningdale Declaration in 1974 (when the Irish Government recognised that there could be no change in the status of Northern Ireland as part of the United Kingdom until a majority there desired it). However, while it is helpful that Mr Haughey has now put his name to such concessions, it would be naive to suppose that he will feel firmly bound by them.

4. On the other hand, Dr FitzGerald's agreement to the inclusion of the totally unrealistic call for Irish unity does not necessarily mean that he has shifted his ground in a Republican direction. It was probably the price which he had to pay for achieving consensus on the more positive elements listed below. He may also regard the compromises that he has made in the interests of producing an agreed Report as a way of preserving his position against nationalist critics (including those within his own party and its coalition partner, the Labour Party), the better to make progress in private discussions about the future with HMG. But in all that follows in this minute we need to reserve for future probing how much he can actually deliver.

5. It is clear from Dr FitzGerald's letter to the Prime Minister of 27 April and from Mr Lillis's comments to HM Ambassador and others that the Irish Government hope that we will regard the Report not as a blueprint but as a quarry from which a number of useful principles and ideas may be extracted.

Positive Elements

6. The principle positive elements in the Report in rough order of importance are:-

- (i) The recognition of the separate "British" and "Protestant" identity of the Unionists: 4.9: "unionists generally regard themselves as being British, the inheritors of a specific communal loyalty to the British Crown" and "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". This is a step in the right direction, although the fact that most unionists want nothing to do with a united Ireland is simply ignored.
- (ii) The rejection of violence and support for the "democratic process": 4.11: "the Forum rejects and condemns para-military organisations and all who resort to terror and murder to achieve their ends. It strongly urges people in Ireland of all traditions and all those who are concerned about Ireland elsewhere in the world to refuse any support or sympathy to these para-military bodies and associated organisation". Although this is no more than we might expect from the constitutional Irish nationalist parties, it will undoubtedly provide a useful point of reference, particularly in dealing with PRIA fund-raising organisations in the USA, since it also singles out "associated organisation" (eg Sinn Fein and NORAIID).
- (iii) The definition of agreement: 5.2(3): "agreement means that the political arrangements for 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". This is a key passage. Although it is not entirely free from ambiguity, the most natural interpretation (and the one which we have been assured by the Irish is that intended

by the Taoiseach) is that unity can only come about with the separate consent of the people of Northern Ireland and the people of the Republic. This follows Sunningdale and recent summit commitments by Irish Governments rather than the traditional Republican view that the only majority that counts is a majority in the whole of Ireland (which is already supposed to favour unity). However, 5.3 introduces a qualification of this definition of agreement: "It is clear that the building of a new Ireland will require the participation and co-operation of all the people of Ireland. In particular, it is evident that the people of the South must wholeheartedly commit themselves and the necessary resources to this objective. The parties in the Forum are ready to face up to this challenge and to accommodate the realities and meet the requirements identified in the Forum. However, Britain must help to create the conditions which will allow this process to begin. The British Government have a duty to join in developing the necessary process that will recognise these realities and give effect to these requirements and thus promote reconciliation between the two major traditions in Ireland, and to make the required investment of political will and resources. The British and Irish Governments should enter into discussions to create the framework and atmosphere necessary for this purpose."

(Underlining added.) This reflects the traditional Irish view that it is for HMG to put pressure on the unionists in order to persuade them to enter into a dialogue with the nationalist community about the future of Northern Ireland.

- (iv) The statement that the parties in the Forum remain open to discuss "other views which may contribute to political development" (5.10). This is of importance since as they stand none of the three models set out in the Report provides a basis for serious discussion about the future. Dr FitzGerald has drawn attention to this passage in his

letter to the Prime Minister, while Mr Haughey has already implicitly repudiated it by indicating that, in his view, the only thing left to discuss is how Irish unity is to be brought about.

- (v) The acceptance that "a new Ireland will require a new constitution which will ensure that the needs of all traditions are fully met" (4.14). This is presumably meant to be a recognition by the Forum that the present Irish constitution contains elements based on Roman Catholic doctrine which are repugnant to the Unionist/Protestant community (eg the ban on civil divorce). There is, however, no indication of a willingness to change the Constitution in advance.
- (vi) The recognition that "the democratic rights of every citizen on this island must be accepted" and that both nationalist and unionist identities must have equally satisfactory, secure and durable, political, administrative and symbolic expression and protection 5.2(4). Although this is an admirable expression of general principle and some practical measures are suggested for giving it effect, it has no attraction for the Unionists.
- (vii) The recognition that "a fundamental criterion of any new structures and processes must be that they will provide lasting peace and stability" (5.2(1)). (But the Report ignores the probability that Irish unity in present circumstances would not provide lasting peace and stability.)

7. Dr FitzGerald, in his letter to the Prime Minister, has laid particular stress on sections 5.1 and 5.2 of the Report and has asked HMG to concentrate its attention on them. 5.2 is composed for the most part of unexceptionable generalities, though the language used is in some cases tendentious. The principles set out would in practice be reasonable criteria for judging the acceptability of any proposals for a settlement of the Northern Ireland problem, including purely internal ones that took

no account of the "Irish dimension". It is also noteworthy that this section refers only to "a new Ireland" and not a united Ireland.

Dr FitzGerald is undoubtedly aware of these points and it is presumably for this reason that he has highlighted this section.

8. On the other hand, 5.1 takes the form of a prolonged exhortation drawing out the main elements in the one-sided account of the history of the Northern Ireland problem contained in Chapters 2 and 3. It refrains from calling for the lifting of the so-called "guarantee" contained in the Northern Ireland Constitution Act, 1973 (a guarantee which in substance dates from 1949), but it criticises it for having "had the effect of inhibiting the dialogue necessary for political progress" and having "had the additional effect of removing the incentive which would otherwise exist on all sides to seek a political solution". There is an inherent contradiction here because the "guarantee" is in effect the same as the "consent" to which all parties to the Forum commit themselves.

9. However, Dr FitzGerald emphasised in his letter that a unitary state is only what nationalists "would wish to see" and he underlined the statement that the parties were open to discuss "other views". In discussing the Report with us, Irish officials have stressed that Dr FitzGerald's own interpretation of it is that the one-sided historical analysis was the price he had to pay for getting the other parties to agree to a realistic statement of principles; that the declared preference in the Report for a unitary state is neutralised by its commitment to the proposition that the political arrangements for a new and sovereign Ireland would have to be freely agreed to by the people of the North as well as the South, since everyone knows (although the Report does not say so) that such agreement is not forthcoming for a unitary state; and that the declared readiness of the partners to discuss "other views" is to be read as indicating that the three models proposed are illustrative rather than exhaustive.

Conclusion

10. This minute has concentrated on those parts of the Forum Report on which in discussions with the Irish it might be possible to build something which HMG could endorse and which Unionists might be brought to accept. The crucial difficulty is how far Dr FitzGerald is not only willing but able to disregard the Nationalist rhetoric in the Report and engage in realistic discussions which could improve the situation in Northern Ireland as part of the United Kingdom.