

NATIONAL ARCHIVES

IRELAND



Reference Code: 2003/13/16

Title: Department of Foreign Affairs document entitled 'Towards a general settlement?' The document considers the fall of the Stormont government, the history of Unionist government and political thought, the policy of Edward Heath's British government towards Northern Ireland following the introduction of direct rule, and possible future policies and constitutional arrangements for Northern Ireland. This was part of the preparatory material for a meeting of the Minister for Foreign Affairs, Patrick Hillery, with the Secretary of State for Foreign and Commonwealth Affairs, Sir Alec Douglas-Home, and the Secretary of State for Northern Ireland, William Whitelaw, in London on 27 April, 1972.

Creation Date(s): 21 April, 1972

Level of description: Item

Extent and medium: 9 pages

Creator(s): Department of Foreign Affairs

Access Conditions: Open

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Towards a general settlement?

SECRET

Decline and Fall

Mr. Brian Faulkner has remarked that Northern Ireland is in a constitutional limbo. Possibly he was thinking of this as a complaint; but the remark reveals, whether Faulkner fully appreciates it or not, what a remarkable change has taken place with ~~The~~ decline and final fall of Unionist Government.

It is difficult to believe that the Stormont Cabinet had any advance inkling of what Mr. Heath intended. The sustaining belief of people like Faulkner, Taylor, West, Brooke etc. was an absolute conviction that no British Government, and especially not a Tory Government, would tamper seriously with the constitutional position of Northern Ireland as expressed in the Government of Ireland Act 1920 and in subsequent enactments. Unionist apologists had even come to believe that these enactments virtually amounted to a treaty status on a par at least with the 1922 Treaty and could not be swept away unilaterally by any British Government. Admittedly Stormont has only been prorogued for a year. But no one really believes that a Stormont Parliament and Government is likely to be re-created at the end of 12 months - if ever. In a sense the Heath initiative is a brilliant example of the political will cutting through the entire panoply of constitutional debate in response to realities which had come to transcend a constitutional house of cards. Only traditional, which means narrow-minded, Unionists still believed in their house of cards when the roof finally fell in.

In retrospect it can be seen that the constitutional debacle for Unionism began with the Beveridge Plan. Mr. Atlee's post-war Government, although its Ireland Act, 1949, endorsed the Unionist case for separatism from the rest of Ireland, had also earlier removed the foundation to any realistic claim to Unionist self-determination. It did this simply by insisting that Stormont adopt a step-by-step policy with Britain on social benefits which the North by itself could not afford. Having, however, attracted the fervent loyalty of the Protestant proletariat to Unionism by parading the British connection incessantly no Unionist Government, even though some then saw the danger and tried to resist, could refuse a step-by-step policy. This assured a continuing and increasing dependence on the British Treasury in all matters affecting economic standards in the North. The notions of constitutional self-determination that had been built up from the 1920 Act and re-affirmed by the 1949 Act were nullified de facto by serious and increasing financial dependence on Westminster and Whitehall. With the exception of Bill Craig, whose ideas about an independent British Ulster standing on its own feet are regarded as imbecilic (although entirely logical if one takes the existence of an Ulster Nation seriously), no Unionist politician has the will or the capacity to assert Unionist self-determination in the face of the North's reliance on the British subsidy. Whatever incidents Vanguard might create and however much trouble * Vanguard might try to cause it is as certain as anything in politics that the crowds will not follow Mr. Craig when they realise the price that will have to be paid i.e. a drastic decrease in standards of living allied to the impossibility of creating a viable British Ulster against the will of the minority sided by the rest of the country which would wreck it in a matter of days.

If Unionism had produced some exceptionally enlightened and humane statesmen believers it might possibly have made the British connection work; but no such figures emerged, with the single semi-exception of Terence O'Neill, and fittingly Unionist Government ended with a man whose most remarkable qualities are negative ones - lack of vision and obviously lack of insight. In the end result a political vacuum exists in the North. It must be filled. The following paragraphs are an attempt to estimate how Mr. Heath and his colleagues now look at the matter of Northern Ireland.

Britain's dilemma

In place of Unionist Government a team of British Ministers headed by a Secretary of State who is regarded as one of the most able men in the Tory hierarchy has been established. Whatever about the handling of day to day crises, suspicions or manoeuvres, the question Mr. Heath must pose to himself is whether the Government of Ireland Act 1920 can be administered in Northern Ireland by a London team for any length of time. This is more than a question of whether Mr. Heath should wish to do that - that decision is not necessarily his at all as it breaks on the question of whether the North can successfully be administered through the present procedures.

It is suggested that, even if the will were there, the trouble-making potential of Northern Ireland is much too great to be contained indefinitely by Mr. Whitelaw. Prime factors in this are:

- (i) the Provisional IRA which, after the first shock, has again shown a sizeable capacity for physical destruction. So long as the ghettos are left alone the people in them have no sufficiently strong objection to bombing outside the ghettos to do anything much about it; if, in order to stop this, the British Army should again begin to harass the ghettos there seems to be a greater likelihood that the population will support the Provisional IRA than turn against it. The Widgery Report almost guarantees this;
- (ii) Mr. Faulkner has now taken over what was the extreme right-wing ploy when he was Prime Minister and before that - i.e. persistent demands on the authorities to "take out" the ghettos with special emphasis on the Creggan Estate; this ploy had a lot to do with driving unionism in the wrong direction in recent years and if Mr. Whitelaw should succumb to it the same reaction is likely to recur i.e. total alienation of the minority.

There are other considerations, such as the strength of Vanguard and the Tartan gangs and what they might do, but the ones above are sufficient to show that Mr. Whitelaw's dilemma is not very different from what was Mr. Faulkner's dilemma. The shooting of Joe McCann on 15 April may signal that the honeymoon period is already over.

Given the thesis that Unionist Government will not be restored and that Whitelaw Government cannot last for very long in its present form what other alternatives are open? A list of some of them might run as follows:

- (i) UDI - this would be a hopeless confession of British failure. Furthermore UDI would break down into civil war from the word go. It seems realistic to assume that Britain cannot afford such a lapse from statemanship:
- (ii) the restoration of a Stormont Parliament and Government, without police powers, and with built in participation in Government for the minority. It is difficult to see the Unionist Party, which remains the largest party in the North, accepting this. The Faulkner Government resigned because of the threatened loss of power in regard to the police and the courts. A new Stormont Parliament and Government which they would not control at all is even less than what they refused in March;
- (iii) the same remarks apply to any attempt to create some form of elected regional council for the North. Once again this would be so much less than what Faulkner refused that it seems reasonable to suppose that the Unionist party would decline to have anything to do with it: minority representatives would have their own reason for being wary of it; 6f (iv) following:
- (iv) a fourth possibility is to get on with the job of creating an Advisory Commission. Following some gyrations Mr. Faulkner has said that the elected M.P.s should form the Advisory Commission and that he would participate in that kind of Commission but in no other. Possibly Mr. Whitelaw could eventually agree to this and, if it should be a reasonably useful experiment, he and successors might soldier on for some years. However, another set of difficulties arises immediately - it seems quite unlikely that the minority M.P.s would agree to an Advisory Commission composed of the 50 existing Stormont M.P.s (Boal and McQuade have resigned their seats). Apart from a natural distaste for a "Parliament" reduced to an advisory role (this argument will apply of course all round) the minority M.P.s feel no compulsion to become part of a system of Government designed to maintain the existence of the North which, at one and the same time, gave them no real authority and subjected them to attack from extremists on their own side:
- (v) a fifth possibility is an Advisory Commission composed of some but not all of the Stormont M.P.s. Again the minority M.P.s would be extremely wary about this both for the reasons mentioned above and for the additional reason that they would end up in a minority position if regard is had to the present party structure among the Stormont M.P.s;
- (vi) Mr. Whitelaw may try for an Advisory Commission composed of people outside politics. He would have a much greater chance of getting this eventually despite the present objections of Faulkner, Craig, Taylor etc. However such a Commission does no more than take the bare look off Government and legislation by decree which is what Mr. Whitelaw's present powers amount to. It is not so much a solution as a piece of window-dressing and everyone would know this.

This listing of possibilities gives an idea of how intractable the problem of indirectly governing the North from London is going to be. The buffer of a local parliament and government is gone; it cannot be successfully re-constituted; it seems reasonable to suppose, therefore that the British can be nudged towards

considering a more general settlement. There seem# to be two direction in which Britain can go - integratng the North fully with Britain or helping to bring about Irish unity. For convenience the first alternative will be referred to as "the integration policy" and the second as the "disengagement policy".

The integration policy

This must be at least superficially attractive. It accords with the instincts of what is still formally "the Conservative and Unionist Party". The strength of their "Unionist" feeling should not be lightly dismissed. It has its roots very far back in history. The principal triumph is the successful union of Scotland with England and Wales obtained partly through the amalgamation of the English and Scottish Crowns and partly by the acquisition of the loyalty of the Scottish Lairds. Their descendants are part of the backbone of the "Conservative and Unionist Party" - Sir Alec Douglas Home being their most important representative in politics at present; Mr. William Whitelaw belongs to the same general school - Mr. Richard Crossman could be right in describing him as "a convinced Unionist". Nor should it be overlooked that the success of the union with Scotland owes a great deal to the Calvinist Reformation in the Scottish lowlands in the 16th century which divided the Scottish people on grounds of religion as well as interest and finally snuffed out the Stuart pretensions in the middle of the 18th century.

Attention is drawn to these things because of the analogy Northern Ireland presents today. There is a historic validity in Paisley's conditional loyalty to the British Crown - conditional, that is, on the Protestant succession. There is a present validity in the Unionist determination to maintain the union as it combines religious satisfaction with economic interest.

The integration policy, therefore, has a real attraction among Unionist opinion. Both Paisley and Faulkner are presently trying to capitalise on this. It satisfies the instincts of the mass of their followers. It is assured of the support, in principle, of both the traditional aims of the "Conservative and Unionist Party" and of the new logicians such as Mr. Snoch Powell.

On the face of it all this might seem a powerful combination.

Unfortunately for the integration policy, it comes up against a number of hard facts. Some of these might be enumerated as follows:

- (i) the North is not a monolithic Unionist fief. Unionism does not have demographic control, except in patches, outside a 30-mile radius from Belfast;
- (ii) an integration policy, which would be rejected by the minority, presents a challenge to the rest of Ireland which could not be ignored. In such a case the dispute would become unequivocally an Anglo-Irish one ~~to~~ which Britain ~~sh~~ould certainly wish to avoid;
- (iii) subsuming the integration policy would be a re-definition of the Irish question as a simply colonial one i.e. if the Northern majority turn# their backs altogether on Irishness in order to preserve Britishness then the problem would simplify into the question of how long, not whether, their colony would survive;

- (iv) Unionist opinion is itself divided on the issue. If integration were easy and had a chance of bringing permanent peace to the North, Unionist opinion, by and large, would probably acquiesce wholly in it. As integration would not be easy and would certainly not bring permanent peace it may be reasonably assumed that much Unionist opinion can be weaned away from it. In addition there is certainly some minority of Protestant, as distinct from Unionist, opinion which remains unwilling to lose an Irish identity;
- (v) British public opinion, by and large, is not interested in the future of Northern Ireland as part of the United Kingdom. This is reflected in the British Labour Party in which there is probably a majority in favour of Irish unity and can also be seen from various polls;
- (vi) political, economic and military considerations should eventually tend to favour the departure of Britain from Ireland altogether on agreed conditions.

The listing of the above arguments against the integration policy may seem sufficient to show it to be a highly unlikely eventuality. However, the British may attempt to "muddle" along with a policy of that sort unless the Government make it clear that they will resist in every way open to them. The best manner of resistance might be to promote instead "the disengagement policy".

The disengagement policy

The first requirement of a successful beginning of the disengagement of Britain from Ireland is that Britain should decide, in her own interest, that she should encourage Irish unity. The Government have taken a firm stand on this. While it is comforting, indeed comfortable, to think in terms of attracting the Northern majority towards Irish unity by behaving impeccably in relation to them and in relation to the kind of unity that is sought, nothing in the history of Unionism suggests that this would have any great effect on it. From a traditional Unionist point of view, if the minority could only agree to be quiet, the Unionist position is a satisfactory one. Until recently they had local autonomy; plus, of course, military protection and considerable economic benefit from Britain. Even though their Parliament and Government have now been prorogued they still have a guaranteed constitutional status as well as a virtually unlimited flow of cash benefits. In the circumstances Mr. Faulkner's present policy of pushing Mr. Whitelaw towards a military victory over the minority is entirely logical as their intransigence upsets a Unionist position which otherwise is quite tolerable.

Given the benefits of the British connection Unionism has no need to change its mind on where the future of the North should lie except for three potent reasons:

- (i) the refusal of the minority to behave themselves;
- (ii) a potential demographic change at some time in the future; and
- (iii) the possibility that Britain will get fed up carrying the Northern state on its back.

Point No. (iii) would seem to be the one on which the Government's general policy should pivot. It can, of course, be heavily influenced by point No. (i). A situation now exists where the economic loss inflicted by the rebellion of the minority is subsidised by Britain; the farce is completed by the fact that any misbehaviour by the majority, leading to economic loss, is also financed by Britain - in a word both minority and majority in the North escape from the burden of paying for their various anarchias. Both communities are, strictly speaking, irresponsible

This is an intolerable situation. Westminster can, of course, justify financial transfers to the North as long as they are seen to be merely transfers of wealth from the centre to the regions designed to equalise prosperity in the United Kingdom as a whole. It is submitted that Westminster cannot justify to the British voter, over any lengthy period of time, the idea of draining off his wealth to subsidise endemic anarchy in part of Ireland. The opinion polls already reflect this albeit indirectly. At some stage therefore the British Government must either end the troubles in the North, by whatever means available, or work their way out of a situation where both communities are free to bash each other about at no economic price to themselves.

The earlier part of this paper suggested that local administration for Northern Ireland has little, if any chance, of being re-created and that an integration policy can be made to fail. Even if, as is also suggested earlier, Britain might try to "muddle" along for a while on one or other of these policies, eventually the only real choice will have to be faced - that of organising Irish unity. In a sense the matter moves beyond politics to take on the mantle of statesmanship.

Before considering the elements of a policy that might help to push matters in that direction there are some things which require fresh examination. They include:

- (i) the myth of the Northern majority. The Taoiseach has said that the unionist population in Northern Ireland do not form a majority in UK terms or in Irish terms. Nevertheless Faulkner, Craig and others are spokesmen for the idea that Unionists, because they are a majority in Northern Ireland, are entitled to a determinant voice on British policy in regard to Northern Ireland. This, they say, is a normal right of a majority in democratic terms. Mr. Heath made short work of the "democratic" argument at Westminster on the 18th April when he said to Mr. McMaster who asked about the restoration of democracy in Northern Ireland "I do not understand his point about democracy. Northern Ireland is represented in this Parliament by the hon. Gentleman, among others.....". Some light perhaps dawned. It is suggested however that on each appropriate occasion - perhaps even occasions should be sought - the myth of the Northern majority should be attenuated and that it should be repeatedly stated that a minority in the United Kingdom should have no automatic veto over British policy in relation to them and that, as a corollary, a minority in Ireland have no right in principle to veto Irish unity. It should be explained, as often as may be necessary, that the "democratic" region is either the United Kingdom or Ireland - but certainly is not a part of either of them;
- (ii) the objective of Government policy is Irish unity - not unity eventually nor unity ultimately. The words "eventually" and "ultimately" merely represent potential time-scales. They do not qualify the objective, govern it, reduce it or do anything else to it. If unity were to become available immediately the Government would be bound to take it with whatever stresses might result. When people talk about "eventual Irish unity" the phrase has to do with what has become a customary mode of thinking - not necessarily with a reality. Misunderstanding on this point could lead to mistaken policies. For example, those who say in present circumstances that unity should not be mentioned in case of unfavourable reactions among the Northern majority may be giving a value to the words "eventual" or "ultimate" at the expense of the actual or potential possibilities of achieving unity; they may, furthermore, retard movement

towards unity by appearing to prefer to put it off until conditions are ideal; they may also underestimate both the size and strength of the demand among the minority, especially in the ghettos, for Irish unity and the proportion of the majority population who would readily enough acquiesce in it if it seemed to offer permanent peace without significant economic loss or deprivation of customary rights, freedoms and liberties; they may miss a moment in time when Irish nationalism may be prepared and able to accept the challenge of unity if only because Northern majority opinion is in disarray, and, finally, they may leave the running to extremist forces with serious political consequences;

- (iii) the manner of the approach to the unionist population on the subject of Irish unity: It is taken for granted that some slice of the unionist population must be made favourable to Irish unity in order to make it possible to obtain a majority for Irish unity in the North i.e. as a matter of tactics - indeed good common sense - it is hoped to win over a sufficient number of unionists by persuasion. Generally speaking the matter ends there and the idea of persuasion virtually becomes a sole policy. But there are many kinds of persuasion, besides intellectual argument, without running close to "persuasion" by bomb and bullet. (It is unfortunate that Cardinal Conway used the expression that a million Protestants could not be bombed into a united Ireland - in itself a new myth as it assumes that all Protestants in Northern Ireland are against the idea of a united Ireland). Other persuasions - between the intellectual and the physical - could include political, economic, social etc. pressures from London. There is no reason why an attempt should not be made to obtain such pressures in the interests both of Britain and Ireland. For example Britain might hint at an end to the position of privilege that all unionists who would like to maintain, if they were simply left free to do so, a potentially powerful, yet quite legitimate "persuasion";

unless unionists should think again about their position in Ireland -

- (iv) it has also become part of general thinking that an interim period might be available during which passions in the North could be cooled while significant sections of the unionist population are won over to acquiescence in Irish unity. It seems doubtful that time is available. The gun has been out for several years in the North and the genie of Irish nationalism is also out of the bottle. Neither can readily be suppressed. It is not in the long-term interest to be seen to temporise here about Irish unity - particularly if it is already too late to do so. Too careful rationalisation about the fears of the unionist population cannot be allowed safely to separate the South from the Northern minority. Essentially the Northern minority - not the majority - hold the key to Irish unity; it could be much more dangerous in the long run to underestimate the importance of this than to underestimate the difficulties on the unionist side.

On matters of present and future policy, leading to the seeking of negotiations for a general settlement, it is suggested as follows:

- (i) while receptive and cooperative in relation to common North/South concerns e.g. an Economic and Social Council of Ireland, Carlingford Lough Commissioners etc. it is suggested that these should be regarded as peripheral matters of no great consequence. There are much bigger fish to fry;

- (ii) in the absence of British moves - real moves even if tacit for the moment - in the direction of Irish unity care should be exercised not to be drawn into something in the nature of a common law enforcement area - a recent Faulkner idea. Whereas Mr. Heath and his colleagues have repeatedly asserted the right of the North to remain separate from the rest of ~~the North~~ it is the Irish assertion that this right has not been granted by the Irish people as a whole and has no validity. It follows from this that military repression of the minority, whether conducted by Mr. Faulkner during his primacy or by Mr. Whitelaw now, can be seen as the use of force to prevent a solution to the Irish problem in accordance with Irish views of the matter;
- (iii) ideally it would be best if all parties in the North were to accept Mr. Heath's initiatives and operate them more or less agreeably for some years. The analysis above indicates that this is unlikely. If the analysis is correct it could be a mistake to strive to have the minority work the initiatives;
- (iv) in the period now opening up, from an objective point of view, the strength of minority disaffection allied to the extreme unlikelihood that any side in the North will allow Mr. Whitelaw much scope for manoeuvre, are both arguments to be used in favour of a general settlement. Further strengthening the Government in this matter are the fruits already obtained from the policies followed in recent years; the relative strength internationally of the Irish position as compared with the general contempt held internationally for unionism; the inability of the world outside to understand why Britain should want to remain in Ireland etc. A weakness is the danger of the effects of strife in the North on Southern institutions and on the economy. While these latter matters are of vital importance the dangers and discomforts may be exaggerated in comparison with the opportunities now arising out of existing conditions in the North;
- (v) it was stated earlier that the British Government "must.....end the troubles in the North, by whatever means available". There is substantial pressure on Mr. Whitelaw from the unionist side to use military means against the Creggan. At Prescot on the 14th April and again in a BBC interview on 21st April Mr. Whitelaw clearly resisted these invitations. They will of course persist. On 20th April Mr. Heath said in Commons "the 'low key' approach cannot go to the stage where it allows the IRA or Provisionals to establish control of an area so that it is no longer policed by either RUC or the Army but only controlled by gunmen". It is submitted that a military incursion into the Creggan estate could require a number of days and inflict serious civilian casualties. In such a circumstance it seems inevitable that much opinion would arise here which would see this as an attempt to suppress Irish nationalism. It seems urgently important therefore that Britain should be advised of the effect here of recourse to arms in that situation.

The thrust of the above assessment is that an early opportunity should be taken to ask the British Government to negotiate the conditions of Irish unity in independence. The reason why they should do so is that therein lies Britain's real interest. Britain should be prepared to negotiate seriously about a financial settlement; while Dublin should accept, as the Taoiseach has already done on behalf of the Government, that an Irish constitution will need to be created suitable to the country as a whole. Institutional changes are also likely to be necessary. Perhaps consideration would have to be given to an Anglo-Irish Convention which might cover matters such as dual citizenship, cultural association etc. - care being taken not to attain Irish independence. Britain should prepare to put pressure on unionism to accede to an Irish Parliament and Government.

Mr. Faulkner cannot remain in his constitutional limbo. But, if it is agreed that no solution can be found within Northern Ireland terms or within United Kingdom terms, Irish policy should rightly assert that the way out of the constitutional limbo is to change the constitutional status of Northern Ireland altogether. That is not conquest, not assimilation, not victory. It is a constitutional reform which history imposes on the country as a whole.

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