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ROINN AN TAOISIGH

Uimhir.....

To: Mr. Nally
From: M. Mansergh

M. Kirwan
11/10

S. Vial:
6/10/68.
In hand - not
sent
4.
11/10

I attach a copy of a document, which formed the basis of secret discussions with the leader and deputy leader of the SDLP, and from which their proposal for a Council for a New Ireland have emerged.

While it is not an option to which we are absolutely committed, it is an idea that the Taoiseach will formally discuss with the SDLP (and others) after the elections.

In anticipation of such discussions I would be glad of your views and the views of Mr. Kirwan and Mr. Murray on:

- a) The implications of the proposal in general
- b) Elaboration of the forms and functions such a body might have, bearing in mind the views of the SDLP.

For your information it is the Taoiseach's view, with which I wholly concur, that it would be essential to devise a means of involving at least Northern Protestant New Irelanders in the work of

ROINN AN TAOISIGH

Misc.
F. 2.

Uimhir.....

To:

From:

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the Council.

I would be glad, if possible to have a response
by Friday, 15 October.

Martin Mansergh

8 October 1982

Background

This paper attempts to flesh out possible institutional initiatives that could be taken by the Irish Government to provide an alternative to the Prior Assembly on an all-Ireland basis. There are two broad possibilities:

- 1) Cross-border commissions/ⁱⁿ functional areas as recommended in a 1979 SDLP policy document.
- 2) A North-South Council to advise and recommend on North-South cooperation and to elaborate in more detail the shape of a new Ireland.

There is total dissatisfaction not merely in the SDLP but throughout the Nationalist Community at the cavalier treatment they are receiving from Prior and the corner into which he is trying to drive them. There is some pressure therefore on the Irish Government to provide, unilaterally if necessary, its own Irish dimension, and to wrest the initiative from the British.

A very significant point regarding the mood among the Unionist politicians and in particular in the business community is their anxiety, even if they are not at present willing to make significant concessions to obtain it, for Nationalist participation in and acceptance of the

Northern Ireland framework. I believe they would be very concerned indeed about the emergence of secessionist tendencies (viz. reaction to Mallon's appointment in the Senate), or of signs that the Nationalist people were if necessary prepared to go their own way without waiting for the Unionists.

I Option A: the 1979 SDLP proposal for
cross-border commissions

The proposal

In 1979 the SDLP in a policy document proposed the setting up of six cross-border commissions, the membership to be appointed by the British and Irish Governments, consisting partly of elected persons and partly of persons eminent in their field to operate in areas, where joint operation would be beneficial. The areas proposed were:

- 1) Agriculture and Fisheries
- 2) Industry and Commerce, Tourism, Industrial promotion (there are difficulties for us here), Export marketing, Energy and Transport
- 3) Health & Social Services (harmonization of benefits, hospitals covering both sides of the border)
- 4) Security
- 5) EEC regional and social funds
- 6) Education, Arts & Sport

All of these areas are strictly functional, but the SDLP do not regard the list as exhaustive. It would in theory be possible to add a political commission, which would concentrate on working out proposals for a new Ireland.

Problems and Methods of Approach

1. Acceptability

Obviously the proposal would be acceptable to the SDLP, since it is their own proposal. It would not be acceptable to the British, who would have other ideas, or to the Unionists. Therefore the British would not assist in setting up the Commission. They view North-South cooperation as a matter for the Assembly.

2. As an SDLP Policy Position in the Elections and in the Assembly

The SDLP, given public indications of support for the proposals from the Irish Government, could fight the election on that basis, and go into the Assembly, and demand cooperation with one or more of the commissions as a sine qua non of their further cooperation.

3. As a unilateral Irish Government initiative

It is being suggested that the Irish Government might announce that it will be setting up these bodies if necessary on its own. It could ask the political parties in the North to supply representatives, and invite also distinguished individuals to take part. It would probably be difficult to get very many from the Northern Protestant Community to participate. There would also of course be Southern representation.

4. Role of the Commissions

The main activity of the Commissions would be to promote both cross-border cooperation and integration between the two parts of Ireland. Assuming no support from the British Government, they would essentially be advising the Irish Government on matters it would take up with the British Government and on initiatives it could take on its own. Its role would therefore be essentially advisory.

5. Compatibility with the Assembly

The Unionists would probably move to make partnership of such a body incompatible with membership of the Assembly. In theory, of course, the Assembly could supply members to the Commissions.

6. Frequency of Meetings/Salary

Meetings might take place once a month in alternative North-South venues. Given that there would be outside experts it is difficult to envisage the payment of anything except an attendance allowance to members of the Commissions.

A salary for Chairman, Vice-Chairman, and Secretary could be contemplated.

Conclusions

It is not certain that these Commissions, which would operate in functional areas, would provide an effective counterweight to the Prior Assembly. They could form however part of the SDLP platform in the Assembly.

II Option B: A Council for a New Ireland

The other proposal would be to set up an alternative North-South Assembly, in which those elected as a result of Prior's initiative (on the Nationalist side) would take their seats. It would be open to all Northern members of course.

Role and Functions

A Council for a New Ireland would not explicitly be a constitutional body. It would be set up by the Irish Government and act in an advisory capacity. It would essentially be the beginnings of a Constitutional Convention, and it would have two functions of:

- 1) Working out the shape of a New Ireland, and what it would be likely to involve.
- 2) Advising on North-South cooperation projects for present consideration.

Membership and conduct of proceedings

Membership would be open to Northern elected representatives, and to a similar number of Bireachtas members (nominated by the parties). Assuming non-participation by the Unionist parties, that could give an initial membership of around 40. The northern representatives, not belonging to any other body, would be eligible for a salary (equivalent to a Senator's salary).

In addition, the Irish Government would have the power to nominate say 10 additional members (who would come as far as possible from Northern Ireland).

The Council would produce reports on various aspects of a new Ireland as well as on immediate problems, and would operate (like the NESC) as far as possible on a basis of consensus, but not excluding majority/minority reports as required. It would be free to set up sectional committees if and as required.

Possible Problems

1. Northern and British reaction

The setting up by the Irish Government of an all-Ireland body, in which Northern elected representatives would take their seats, would be a fairly fundamental step which would be seen as a direct challenge both to the Unionists and to the British Government. It might lead to a significant stepping up of Loyalist agitation and possibly violence. It would also underline the rift in Anglo-Irish relations. However, if the British are not prepared to accept a more cooperative approach, there may be no other alternative.

On the other hand, if presented in the right way, as a constructive effort to work out the option of a new Ireland, in which all Northern representatives would be invited to participate, and if emphasis were placed on the consultative nature of the body, then reaction among some Protestants might be less hostile.

However, a real Irish Government initiative might help drain further support away from the IRA.

2. Southern Reaction

It would be important to secure SDLP support in advance for such an initiative, so as to forestall as far as possible the effect that any serious hostility from the Opposition here would have.

Conclusion

The basic choice that the Irish Government and indeed the Nationalist community in the North has to face is whether to acquiesce in the current British initiative in the expectation that it will fail, or whether something should be done to counter or forestall it.

My own feeling is that there is considerable weariness in the North, and that there may be acquiescence, unless the Irish Government provides some alternative. The Anglo-Irish approach has unfortunately lost most of its credibility, for the moment at least. I also feel however that something is needed, which will bring movement into the situation. There is considerably more doubt and uncertainty with regard to the future among Northern Unionists than comes to the surface, and a breaking of moulds might begin to have a catalytic effect.

The situation that now exists, unlike the past, makes it very difficult for Northern Ireland to prosper or survive

without Nationalist participation and consent. The Unionists have refused to contemplate any remodelling of Northern Ireland to make it more acceptable to Nationalists or to allow any form of association with the Republic. However, they would, I believe, be very disturbed by unilateral moves, if necessary without them, and it might make them more willing to contemplate real concessions.

An initiative of this kind would provide an additional focus for support from abroad, and may be the only way of putting real pressure on the Unionists and the British. The second and more radical option, the Council for a New Ireland, is I believe the one to be preferred.

Extract from confidential report to the Taoiseach
on the Ditchley Conference 25-27 June 1982

I discussed with John Hume the options I recently put to the Taoiseach. He said he had never been very keen on the party's cross-border commission proposals. He reacted very favourably however to the idea of a Council for a new Ireland, which I explained to him, and which he said he would think over during the next couple of weeks. He thought another meeting might be desirable quite soon.

Extract from confidential report to the Taoiseach
on meeting with John Hume, 19 July 1982

The question of a North-South forum or a Council for a new Ireland was discussed (John Hume called it 'the best idea for a long time'), but it is obviously dependent on the decision whether or not to contest the elections. John Hume thought it could make their election programme seem considerably more attractive.