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THE POLITICAL SITUATION
Memorandum by the Prime Minister

1. I have received from the Irish Council of Churches a letter calling upon us "to institute a judicial and public inquiry into all the events and decisions which surround the present controversy". Signed as it is by the heads of the Church of Ireland and of the Presbyterian and Methodist Churches, and by representatives of an extremely wide range of other Protestant opinion, this appeal comes to us with a moral authority which cannot be denied. In this letter I am asked to bring the matter before the Cabinet, which I accordingly do. For reasons which I outline later, I do not think the particular form of inquiry proposed is feasible; but I do consider it essential for the ultimate good of the country that some initiative along these broad lines should be taken.

2. At our recent meetings we have tended to be pre-occupied by the purely law-and-order aspects of the present situation. Our decision to reinforce the police was inevitable, but I do not think we should delude ourselves that so-called "firm government" through the exercise of police power will provide any satisfactory answer to our problem. The nature of the current agitation has stretched the resources of the R.U.C. to the limit; while the Minister of Home Affairs has full authorisation to use the B. Specials in whatever strength may be required, their use must be controlled by the regular police; and if we were to be forced to consider the ultimate remedy of seeking Army support for the civil power, I have been left in no doubt by the Home Secretary that Mr. Wilson's Government would refuse to give such help unconditionally.

3. I therefore consider it essential that we continue to search for political as well as law-and-order solutions. Clearly no concession will satisfy those elements which are bent upon disruption as an end in itself. But we would take an enormous amount of steam out of the Civil Rights movement if we demobilised all its moderate support.

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4. It is in this context that I welcome the suggestion of an inquiry of some kind. I would remind my colleagues that such a step was amongst the proposals which the Minister of Agriculture put before us in November. Even at that stage several of my colleagues saw some merit in it. Developments since that time convince me that it is now essential.

5. What have we to lose by such an inquiry? As things stand it is all too widely accepted throughout the United Kingdom that a sectarian Government, directing a partisan police force, is confronting a movement of idealists. The complexities of the situation, and not least the involvement in Civil Rights of some extremely sinister elements, have not been successfully brought out. An inquiry might criticise some of our actions or some of the actions of the police. But such criticism is being made in any event, and in the case of the police has already led to a domestic inquiry whose results should be available before long. A wider inquiry could hardly fail to bring out in an objective way the real difficulties of the situation and the real aims of some of those involved.

6. Now of course an inquiry into, amongst other issues, the aims of the Civil Rights movement, might well conclude that on the question of the local government franchise the arguments for a change were well-founded. In setting up an inquiry we would have to face up to this possibility and to the implications of telling our Party that such a change must come. Accordingly I wish to place before my colleagues a few points relating to the franchise issue.

7. We are committed to a review of the franchise once the pattern of our new local government structure has been established. Does any one of us seriously imagine - bearing in mind the realities of our situation - that we could conduct such a review and announce

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that we had decided to retain the present system? I do not believe this to be feasible at all, and so as I see it stubborn political resistance to a change which is in any case inevitable is causing Northern Ireland immense damage.

8. I know full well that if and when we make this change, control in certain areas will be lost. But our loss of prestige, authority and standing since 5th October has already been catastrophic, and in my view the most cold-blooded appraisal of the situation shows that in resisting this molehill of reform we are allowing a mountain to fall upon us.

9. I would remind my colleagues to-day of the views which I expressed consistently at our numerous Cabinet Meetings in October and November. On 20th November, for instance, the Conclusions record my expressed fear

"that they might have a major fight to 'sell' to their Party a 'package' without the franchise, only to find that this omission made it unacceptable either to the Civil Rights campaign or Mr. Wilson ..."

and on 21st November, after we had agreed to the five-point 'package', I am on record as having

"wondered whether the package, positive and concrete as it was, would be sufficient in the absence of a commitment to alter the local government franchise, to satisfy the United Kingdom Government or to restrain the Civil Rights marchers".

10. It is now evident that we have achieved neither of these objectives. I want my colleagues to understand very clearly that I am not opposed to the adoption of universal adult suffrage at local government elections; indeed, I believe it to be right in principle.

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11. I want it to be understood, therefore, that in endorsing the proposal for an inquiry I am asking all my colleagues to accept that a change of franchise may well be recommended, and that it will be our duty to convince our Party that this change must be made.

12. We must, I believe, make this further attempt to restore confidence and to cope with the situation by political means. Any effort to impose a purely law-and-order solution is doomed to failure, and the implications could be disastrous. I asked my colleagues immediately after the Londonderry disturbances to authorise some step to take the heat out of the situation; all that I was authorised to do was to hold a Housing Conference. I then urged most strongly that we should take some positive proposals to Downing Street, but the decision was that we should go naked into the conference chamber. At last we agreed on proposals which most of us knew in our hearts would not really meet the situation. Now, in this concept of an inquiry, I see a very late, if not last chance to deal with events before they dispose of us. But I am not prepared to preside indefinitely over a Government of which it will be said "Too little, and too late".

13. The Council of Churches' proposal is for a public, judicial inquiry. I am advised that this is not a practical proposition. Arising out of the various disturbances are a considerable number of cases in which persons have been, or will be, brought to Court. It will be recalled that a whole series of such cases has been adjourned until May. A public judicial inquiry could not discharge its responsibilities without examining under oath a number of these people whose cases have yet to be heard; and this process could be ultimately preducicial to their trial. An alternative would be to withdraw all prosecutions altogether; but I do not think public opinion would support an action which allowed all these people to go scot free.

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14. However, I am convinced that the same benefits can be obtained in another way. My proposal is that we should establish the local equivalent of a Royal Commission; that is a Commission appointed by the Governor. As with a Royal Commission it would consider evidence in private, although it would ultimately be free to publish with its Report the evidence received. To command confidence both in Northern Ireland and elsewhere, the Chairman would have to be a person of national or even international reputation - perhaps a legal figure of the first eminence. The Commission's terms of reference would be:-

"To inquire into and report upon the course of events leading to, and ^{immediate nature of} ~~the~~ causes underlying the violence and civil disturbance in Northern Ireland on and since 5th October, 1968; to assess the conduct and aims of those involved in the current agitation and in any incidents arising out of it; ~~and to consider and report upon any factors appearing to be relevant thereto.~~"

TERENCE O'NEILL

14th January, 1969.

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