

DC 2912/96

CONFIDENTIAL POLICY

cc PS/Sir David Fell

Mr Thomas

Mr Bell

Mr Gibson

Mr Gowdy

Mrs Brown

Mr Leach

Mr Maccabe

Mr Godfrey

cc: Mr D. Smith

23/8.

From: J A Canavan
CCRU

22 August 1996

To: D J Watkins
Central Secretariat

UNION FLAG ON GOVERNMENT BUILDINGS

1. Thank you for sight of your draft submission and the Secretary of State's reply to Mrs Bottomley's letter to the Home Secretary of 12 August.
2. For clarification, the following arrangements currently apply to the flying of the Union flag on Government buildings. DNH publishes rules, circulated by HM Command. These specify 15 core days when the flag is to be flown throughout the UK. The DNH circular also specifies a number of additional days when the flag is to be flown in specific regions - St David's Day (Wales), St George's Day (England), St Andrew's Day (Scotland) and the days of opening and prorogation of Parliament (London). This accounts for occasional references to 20 flying days in GB papers.
3. In Northern Ireland, in addition to the 15 core days, there are five specifically regional flying days (New Year's Day; St Patrick's Day; Easter Day; 12 July and Christmas Day). These days were added at the instigation of the old Stormont administration at various times during the 1920s and 1930s. Hence, the Union flag is flown more often on Government buildings in Northern Ireland than any other part of the UK.

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4. Your draft submission and reply also makes reference to the fair employment dimension. I think this may be over-stressed. Certainly, several companies have neutralised their shopfloors in terms of political emblems by flying the flag from the roof throughout the year. In those circumstances the Union flag has been used as a positive way of reducing the chill factor. I think Cabinet colleagues will take a lot of persuading to accept the idea that Civil Servants would find the Union flag offensive. A more convincing tack might be the attitude of Nationalist members of the general public, who are the public sector's customers, who often have to use our buildings and whose confidence the Government is trying to win.
5. A further dimension which the reply might bring out, and which Cabinet colleagues may not be fully seized of, is the fact that in Northern Ireland the Union flag is not simply the emblem of the State, but is also the party flag of Unionism. This duality gives a resonance to flag flying here which is found nowhere else in the UK.
6. Finally, I wonder whether we need to pick up on Mrs Bottomley's reference to alternative schemes enabling the current flying days to be distinguished if the Union flag was flown throughout the year. This might involve greater use of regional flags (eg St Andrew's Cross in Scotland). One of our problems in Northern Ireland is that there is no regional emblem generally accepted as politically neutral. Hence the recurrent difficulties over the design of coins. Under no circumstances, should the "Ulster Flag", associated since the 1970s with loyalist paramilitaries, be used for Governmental purposes.
7. I attach a redraft of your Secretary of State letter to reflect some of these points above.

[Signed: JAC]

J A CANAVAN

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DRAFT

Rt Hon Virginia Bottomley MP
Secretary of State for National Heritage
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FLAGS ON GOVERNMENT BUILDINGS

Thank you for copying to me your letter of 12 August to Michael Howard following your earlier correspondence.

You are entirely right to point out that this subject arouses passions in Northern Ireland. The Union flag is not perceived in the Province simply as the politically neutral emblem of State. Unionists have adopted the flag effectively as a party emblem. Nationalists see it as symbolic of a nationality which they reject. The flag therefore carries political resonances as in no other part of the UK.

Current arrangements for Northern Ireland specify the flying of the Union Flag on Government buildings on 15 days stipulated by your Department which are common throughout the UK, and also on a further 5 days, by virtue of practice initiated by the Stormont Government in the 1920s and 1930s. The RUC has slightly different arrangements. Nationalists dislike even the current incidence of flag flying and indeed the Irish Government has sought to persuade us to modify the present arrangements, citing its rights under the Anglo-Irish Agreement, which specifically refers to flags and emblems as a matter for consideration between the two Governments. Our judgement has been that elimination of the flying days specific to Northern Ireland would not sufficiently meet the Nationalist case to justify facing the certain Unionist (and backbench) reaction. But any proposal to increase the

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flying of the flag would certainly provoke strong nationalist opposition. If such a proposal were aimed at promoting the Union of the United Kingdom, as Michael Fabricant's original proposal claimed to do, my judgement is that it would generate greater internal divisions in Northern Ireland.

The Northern Ireland Civil Service has made great strides in the past twenty years to establish itself as an acceptable institution for all the people of the Province. Government buildings are located in all parts of Northern Ireland, in both predominately Unionist and Nationalist areas, and the public sector's customers span the political spectrum. I would be loath to raise the profile of the Union flag in such a way that served to alienate a substantial element of the population from the public service.

Against that background, although I am content for my officials to participate in any wider review you put in hand, I myself would be very concerned at any outcome which could have the effects I foresee in Northern Ireland.

I am copying this letter to the Prime Minister and Deputy Prime Minister, to Kenneth Clarke, Malcolm Rifkind, Michael Howard, John Gummer, George Young, Gillian Shephard, Michael Forsyth and William Hague, and to Sir Robin Butler.