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21 Meitheamh, 1971

MEMORANDUM PREPARED FOR THE MINISTER FOR FOREIGN AFFAIRS

1. The following is a brief analysis of the present Northern Ireland situation. Some relevant factors are -

- (i) the Stormont Government relies for its internal as well as external security on the British Army. This brings London most intimately into the picture and quite unprecedented consequences must flow from that;
- (ii) the Government's posture has achieved a high acceptability -
 - (a) in British political and administrative opinion;
 - (b) in the serious British press particularly recently;
 - (c) internationally both in the press and possibly in Government circles in a number of influential countries;
 - (d) among public opinion generally in the Twenty-Six Counties;
 - (e) among moderate opinion on both sides of the divide in the Six Counties.
- (iii) this does not mean to say that, in all cases, the Government's views are fully shared or even fully understood; but at least it does mean that the status the Government have achieved in relation to the North is considerably in advance of what it was at any time in the past;

- (iv) the consequential question is how best to use this status? In this regard the short-term objective, that of forcing such institutional and other changes in the North as will break de facto and permanently the Unionist hegemony, needs to be examined in the light of its contribution to the long-term objective, that of achieving Irish unity; insofar as achievement of the short-term objective is deemed to be a necessary pre-condition to moving on to the achievement of the long-term objective it follows that it should be deemed to have a greater priority in policy until such time as its achievement is clearly irreversible;
- (v) it is suggested in this regard that achievement of the short-term objective could be either the fulfilment of the Downing Street Declaration or overt failure to implement it. Either may be brought about by constant and vigilant pressure for meaningful reform; the former, fulfilment, will change the Northern system profoundly; the latter will break it down but on terms favourable to the long-term objective provided the break-down is clearly attributable to majority intransigence;
- (vi) the use of violence to achieve Irish unity has been ruled out either because it is seen to be unnecessary as political means can be devised to split and reduce the present resistance to Irish unity of one million people to a minimum or because

3.

since Partition was imposed nothing has demonstrated that it is possible to obtain Irish unity by force of arms. Not everyone, of course, accepts one or other of these two theses but Dáil Éireann has unanimously decided against the use of force in this context;

(vii) one comes back then to the instruments for achieving the short-term objective, more or less exclusively of the long-term objective which, as said earlier, will not be ripe for action until success, in either sense, has been achieved on the short-term objective. In this respect a number of considerations must be examined and the first of these might well be the question of the use of violence to achieve reform;

(viii) this is a real problem. It is widely believed in the North, and the events of the past two years have hardly much shaken the belief, that nothing will be obtained from a Unionist Government unless the maximum pressure is exerted on it. Some people - one might dare to say the majority, but diminishing, of moderate intelligent opinion - hold that peaceful but aggressive pressures from London, Dublin and within the North, working more or less in triple harness, should be successful over a period of time. Others - one might equally dare to say an increasing majority of the minority - are sceptical of this. The difficulty is to dis-entangle the use of peaceful pressures from the use of limited violence to achieve

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reform on the one hand; and to distinguish between the use of limited violence to achieve reform from the use of non-limited violence to achieve destruction of the regime on the other;

(ix) the 'priests revolt' on the census is an interesting example of aggressive but peaceful pressure and is highly significant evidence of the distrust even of intelligent moderates of the intentions of the Unionist Establishment; certain types of demonstration amount to limited violence. Both have their uses, it must be recognised, in the situation of begrudged change in the North. The former type of pressure is fully in line with policy here; the latter is not but where conflict occurs, as in New Lodge Road on 20th May, it seems right to distinguish the immanent causes of conflict from the immediate circumstances;

(x) at this point in time it would seem that opinion in the Catholic ghettos in Belfast in particular is swinging in the direction of all out physical attack on the regime. It is believed by moderate leadership in Belfast that even some elements of the Stormont Government, not to mention the Unionist right-wing, are willing to risk this in the hope of profiting from it, that the British Government are incapable of estimating the depths of this feeling and that the Irish Government have a duty to understand it and, if possible, head it off by taking some initiative: in this regard it is assumed that is not in the interests of the people of the ghettos or

of Dublin's long-term objective to allow a possible general conflict to be induced on the wrong issue;

- (xi) the attempt, so far reasonably rewarding, to shift London away from the traditional Unionist/Whitchhall alliance on to a more perceptive view of the future of Anglo-Irish relations continues. It is conceived that the next important public move to be made on this could be a speech by the Taoiseach on the occasion of the Truce celebrations in which he might describe the Truce as an epochal development in Anglo-Irish relations and go on to suggest that the British Government should now, fifty years later, make their second and final major decision in relation to Ireland i.e. should decide that it is in the British interest to encourage the unity of Ireland in independence and in a free, harmonious relationship between the two islands;
- (xii) in the short-term, however, it appears obvious that the British Government are determined to maintain Mr. Brian Faulkner as Prime Minister. If this supposition is true it tends to demonstrate that the British fear that if direct rule becomes the state of being the whole question of the status of the North becomes open;
- (xiii) there remains the apparent incapacity of the Unionist Establishment to contemplate the unity solution or, at a much lower level, even to bring itself to sharing power with the minority or, putting it another way,

6.

there remains their determination to delay and obstruct change. The modifications recently suggested of the Unionist Party structure do not even go so far, as some people had hoped or expected, as to break the organic link with the Orange Order. It is contended that this is of greater significance in relation to the real opinion or strength of the Unionist Establishment than the decision to ban the Orange parade through Dungiven on 13th June and to reroute the parade in Belfast on 19th June. The latter activity is seen as a minimum response to Orange obtuseness rather than as an indication of a fundamental change in Unionist attitudes;

- (xiv) responsible minority leadership in the North has been in close touch with the Department of Foreign Affairs in recent weeks and there appears to be a growing belief among them that there is little if any intention on the part of the Unionist Establishment to create conditions which will enable the minority to participate fairly in the affairs of the North. They consider that such reforms as have been introduced and any others pending are designed to correct appearances and the most glaring abuses only. They fear that Mr. Faulkner may, if he has a relatively quiet summer, go on to do a scissors and paste job on the North which would ultimately leave the minority more or less where they are but satisfy Britain that the Downing Street Declaration has been adequately

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implemented. They feel - this is a virtually unanimous opinion among responsible minority leaders - that it is necessary to make such political moves this summer as will demonstrate again to Britain the real cause of the 'Irish problem' i.e. the intransigence of the Orange Order and similar majority phenomena. If a confrontation between Mr. Faulkner and such bodies should result in the downfall of Stormont the minority leadership would welcome this.

2. Implementation of the Government's general policy has for some time been proceeding at various levels. The general strategy has been to persuade London that there is no future for Unionism except at a price which no one nowadays should wish to pay. Therefore, it has been put to London that it is in their interest to change the North radically and quickly before extremist forces on either side make Governments react to them. Beneath this general strategy there is the tactic used on the North itself. This is a mixture of encouraging the Northern Establishment to look southwards, via trans-Border economic cooperation ideas and the like, while at the same time the Northern Parliamentary Opposition and other minority leaders maintain intense pressure in Stormont and elsewhere on the reform programme and on the defects of the current situation. Simultaneously there is the question of preparing public opinion here for such legislative and constitutional changes as will be necessary to the achievement of the long-term objective; this could have the additional benefit of depriving Orange extremists of useful arguments against Irish unity.

3. However, the deterioration of the situation in the North raises the questions of whether there is sufficient

8.

time for such necessarily slowly-acting policies; or whether new initiatives are necessary to force the pace of events towards the short-term objective and, if so, what initiatives are available; or whether there is anything to be said for bringing the long-term objective nearer to the top of the agenda.

4. Taking the last point first the earlier part of this Memorandum suggests that time is required to achieve the short-term objective, in either sense, before moving overtly to the long-term objective.

5. The arguments against moving now are that--

- (i) the British Government are not yet prepared to contemplate such a solution;
- (ii) the stubbornness and resilience of the Unionist Establishment still exist; they would in fact find it easier to resist the short-term objective if the long-term objective is also being pressed;
- (iii) the potential disruption of the North with all the consequences that could flow from that implies no guarantee of benefit now or in the near future in terms of unity;
- (iv) there is the potential disruption of achievement of the short-term objective, for a time at least, without clear benefit to the long-term objective;
- (v) there are the potential and possibly long-lasting effects on the total Irish economy with no obvious gain;
- (vi) there is the potential threat to the applications by Britain and Ireland for membership of the European Communities if the situation in the North should break down completely.

The arguments for some change of emphasis and direction in policy are that -

- (i) while the British Government are not yet prepared to contemplate the unity solution there is reason to believe that they are increasingly concerned about their commitments in the North, military, financial and political. There is, therefore, a case for suggesting publicly to the British and especially to British public and press opinion that a fundamental reappraisal of their "Irish policy" is warranted;
- (ii) it is apparent that the current British policy of attempting to implement the Downing Street Declaration through the Unionist Establishment is in danger of breaking down. To the extent that this may influence the British in the direction of easing the pressure on Unionism it seems advisable to consider publicly escalating pressure in the other direction from here;
- (iii) the demands of public opinion here and among the minority in the North seem to require a restatement of the real nature and direction of the Government's general policy.

6. The question arises as to the consequences which may flow from current conditions in the North and a hardening of public attitude here. In relation to the North three matters of significance are drawn to attention:

- (i) it is widely believed that Mr. Faulkner hopes to be able to obtain their traditional parade, or something close to it, for the

10.

Apprentice Boys in Derry on the 12th August next on the ground that "a major concession" is due to the Right wing: Rev. Dickinson of the Apprentice Boys is also Chairman of the West Ulster Unionist Council. It is also understood from a variety of sources that such a parade could have grave consequences;

(ii) consideration by Britain of establishing a fulltime battalion of the Ulster Defence Regiment is regarded as an indication both of their difficulties in supplying troops for the North and of their reluctance to make radical political decisions in relation to the North. It also appears to have been an attempt to recruit Catholics for the UDR. Their number is rapidly declining due partly to intimidation by the Provisional IRA;

(iii) it is considered by some responsible people that Mr. Faulkner may contemplate a general election on the "law and order" issue. If he should win it, which is by no means certain, either he or another potential victor like the Rev. Ian Paisley M.P., would claim the victory as a democratic mandate for the return of authority to Stormont in the matter of internal security.

7. Direct interference by the Government in this situation, through an appropriate speech on a suitable occasion, could lead to a serious political confrontation. It is argued that it is necessary to contemplate such an intervention on the main ground that not to do so risks enfeebling the Government's general policy in the circumstances that now exist and the potential situations that may occur during the next few months.

8. The results of such a political confrontation could appear to run from the abolition of Stormont on the one hand to a weakening of the British resolve to implement the Downing Street Declaration on the other. As there is already some evidence of such a weakening - as well as a weakening of British belief in the capacity of Unionism to reform itself - it is considered that the latter risk is one of diminishing consequence and that it should not loom unduly large in relation to the possibility of making an effective contribution in the other direction.

9. The choices available to Britain, if Mr. Faulkner should fail, include the following:

- (i) his replacement by another Prime Minister;
- (ii) the suspension of the Stormont Parliament under existing powers contained in the Government of Ireland Act, 1920. In that case the Governor could give a mandate to the present Ministry to carry on the administration of the affairs of the State;
- (iii) in addition to the suspension of Parliament the present Government could also be dismissed and replaced by
 - (a) a Council nominated by the Governor in which Unionists would be a majority,
 - or
 - (b) a Commission which would have equal representation from the two communities in the North and be chaired by some such third party as the Governor - this has a precedent in the Council of Ireland concept which was originally part of the Government of Ireland Act, 1920;
- (iv) in addition to (iii) above, or otherwise, the British could decide to discuss a new constitutional arrangement with Dublin.

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12.

10. There is evidence that the United Kingdom representative in Belfast, Mr. Howard Smith, is gathering opinions in the North on (iii)(a) and (b) above.

11. It should be noted that the various choices above, except 9(i), represent a defeat of the tactic used by the British Government in the North i.e. that of attempting to reform the North through its present institutions. While it is reasonable to suppose that the British are examining the other choices it could be euphoric to think that they have yet made up their minds that the present tactic is in course of failure. Similarly the thesis which has informed general policy here, that reform invited reconciliation and would result in reunification, would require reexamination if reform via existing institutions should fail. This is not to say that the Government's general policy has been wrong either in principle or in practice; on the contrary the attitude taken by the Government would have demonstrated that the unviability of the Northern State is due solely to the inherent failure of Unionism as a principle of Government. This factor alone increases the influence which Dublin can expect to have in finding a new solution, whether interim or final.

12. In preparation for such an increased role in the matter it is suggested that continued restraint in terms of the long-term objective remains the attitude best calculated to achieve results. This is consistent in particular with the theories advanced by the former Taoiseach, the late Seán Lemass, and by the successor Government. These theories envisage a step by step solution presumably because a premature drive to the final goal is considered not to be endorsable by Britain or acceptable to Northern majority opinion.

13. If this view is agreed then it would seem that what the Government should seek as an alternative to the present Stormont Government is choice No.9(iii)(b). This choice has a number of merits. These include -

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- (i) it removes from the situation the built-in benefits now available in the system to those who preach sectarianism and extremism and thereby maintain the gulf in the community which up to now has been to the benefit of the Unionist thesis;
- (ii) it involves the minority and the majority in the North in an equal management of the area. The psychological benefit of this would seem to be essential both to the self-respect of the minority and to changing the attitude of the majority in relation to their fellow-Irishmen within the North in the first place, then in relation to the country as a whole;
- (iii) these two changes by themselves open the door to reconsideration by the Northern majority of their position in an Irish society.

14. One point emerges for consideration whatever might be the new situation now unfolding. If there were to be negotiations Britain might wish them to be tripartite. It is doubtful that this would be useful as the role of Unionists in such a conference would be to obstruct it. It is recommended, therefore, that, if any such suggestion should be mooted, a reserved attitude should initially be taken; this could take the form, for presentational purposes, of suggesting that the discussion should be quadripartite i.e. that the Northern minority should also be represented. This would almost certainly be unacceptable to Britain but would serve to point out the absurdity of equating Unionism with Northern Ireland on the one hand or with the two sovereignties involved, Ireland and Britain, on the other.

15. Consideration is being given to the form which the eventual unification of Ireland will take. The guiding principle is that Irish independence shall not be attained by any special relationship of amity between Ireland and Britain that might emerge.