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Prior Initiative

Brief for David Keble
Meeting with David
by [unclear] 31/5/82 (Prel)

1. The following note sets out briefly some of the reasons why the Prior initiative can be considered unacceptable.

2. The fundamental weakness of the initiative lies in its mistaken focus on Northern Ireland to the exclusion of the broader dimensions of the problem. The Government's view is that only policies designed to promote peace, stability and reconciliation between the two major traditions on this island and to develop the totality of relations within the islands of Ireland and Britain, can contribute to a lasting solution to the problem of Northern Ireland.

3. Prior's failure to approach the problem of Northern Ireland in this way would appear to be intentional. In introducing his proposals for devolved Government for Northern Ireland in the Commons on 5th April, the Secretary of State said that he believed that they were the "most likely way to tie Northern Ireland into the United Kingdom". Prior also affirmed on this occasion that devolved institutions could serve to strengthen the Union:

"I believe passionately that this is the case. Otherwise there will be continued erosion in Northern Ireland of Northern Ireland's position within the United Kingdom. With a little wisdom, we could put that behind us forever".

The misconceived purpose of the initiative, clearly evidenced by these statements, is confirmed by the fact that no real attempt was made by the British Government to consult with the Irish Government through the A.I.I.C. in developing the initiative, still less to launch a joint initiative.

4. It is true that the White Paper outlining Prior's proposals recognises that the difference in identity and aspirations between the two sections of the community there lies at the heart of the problem of Northern Ireland. It is also accepted that the application of simple majority rule in the North would leave those maintaining an Irish identity in perpetual and ineffectual opposition. However, recognition of these facts is verbal only. There is little or nothing in the way of concrete proposals to institutionalise the Irish identity, thereby legitimising it and affording those who claim such identity

an opportunity of self-expression and of working towards the achievement of their aspirations.

5. Prior's scheme falls short even of power-sharing. It envisages that the establishment of devolved Government would be conditional on cross-community support. However, at the very least there is room for doubt as to whether this would necessarily involve the support of the largest voice of the minority, the S.D.L.P., or whether devolved Government could be established without their participation. Not only this, but still more seriously, it is clear that under the scheme, once devolved Government was established, all votes in it could be taken on a simple majority-rule basis.

6. The Prior initiative fails to move towards the provision of an all-Ireland forum - i.e. the Parliamentary Council - in which those maintaining an Irish identity could work towards the achievement of their aspirations. The White Paper merely provides that should a Parliamentary body be established, individual Assembly members would be free, if they so wished, to participate in it. No positive move is made towards the establishment of such a body, however: on this question, the White Paper simply maintains the British Government's delaying tactic of insisting that this is a decision for the Parliaments involved to make. What is more, the White Paper downgrades the concept of a Parliamentary Council, as an institutional forum with potential for contributing to a resolution of the Northern Ireland problem. It does this by providing that any Assembly established in the North would be free to develop its own - non-institutional - links with the South. That this downgrading is deliberate is clear from Prior's remarks, in an interview with the Guardian on the 20th April, that the best way of "improving relations" between North and South would be by direct contact rather than as a result of negotiations between North and South; and that the development by the Northern Assembly of its own links with the South would be "more important than a Parliamentary tier".

7. Paragraph 13 of the White Paper on devolved Government states the British Government's view that "in any administration in Northern Ireland there must be reasonable and appropriate arrangements to take account of the minority, which are acceptable to both sides of the community". Effectively, this means that whatever arrangements are made for the minority must have Unionist consent. Clearly, there

is some considerable justification for John Hume's view that "not only does Mr. Prior give the Unionist community a veto over constitutional change in Northern Ireland, but he has extended that veto to cover the form of Government within the United Kingdom."

8. Prior's scheme for establishing a devolved administration in Northern Ireland is obviously unacceptable to the Government and the interests of the minority: it has also been rejected by the main Unionist parties, who are insisting instead on an immediate return to majority rule, with perhaps some safeguards for the minority. The virtually unanimous rejection of the Prior initiative by the political parties in Northern Ireland, with the exception of Alliance, in itself constitutes a separate reason for declaring it to be unworkable.

9. Prior has welcomed the recent M.R.B./I.T. poll on political attitudes in the North, claiming that the fact that such a large proportion of those interviewed were in favour of devolved Government was "very encouraging indeed". In this connection, it is sufficient to make two points. Firstly, respondents were not asked by the pollsters whether they were in favour of the specific proposals for devolution made by Prior. Secondly, such indications as there are in the poll of support for devolved Government on a power-sharing basis cannot be equated with support for the Prior initiative, since the latter does not incorporate power-sharing.

10. Even on its own terms, Prior's initiative can be considered unworkable. To begin with, it allows for a situation in which some Departments might be devolved and others not, leading to administrative confusion. The rest of the argument has been clearly put by John Hume in the statement which he issued on behalf of the S.D.L.P. on 26th April:

"...let us suppose that an administration does function for the life of the first Assembly. What happens then? Is power returned to Westminster again while an election takes place and while the parties go through another lengthy process of haggling to achieve a 70% majority? if they fail, are we back to direct rule? does Mr. Prior accept that his proposals are open to a situation where there is perpetual oscillation between direct rule and devolution? is such a system in the eyes of any objective observer really

a basis for stability? is it not instead a recipe for political and administrative mayhem".

The point may further be made that there is a danger in all this of the gradual erosion of such provision as there is for cross-community support, as a means of avoiding such difficulties.

11. The predictable rejection of Prior's plans for devolution by virtually all parties in the North - albeit for different reasons - lends support to John Hume's view that "Prior's unworkable 'power-sharing' proposals are included only to give a gloss of respectability and fair-mindedness to what is the only concrete proposal in the White Paper - an election to a powerless Assembly with powerless committees and with well-paid Chairmen and Vice-Chairmen." This refers to the plan for the Assembly to have consultative and deliberative functions pending devolution. The lack of powers envisaged for the Assembly in this form is objectionable in itself. For example, the Assembly and its scrutinizing Committees would not be able to require people to produce papers or give evidence; and while the Secretary of State could refer matters to the Assembly for consultation, he would not be obliged to do so. Clearly, with such limited powers, the Assembly could be little more than a talking shop and the essentially colonial relationship between Northern Ireland and London would be maintained undiminished.

12. A further criticism of Prior's plan for a consultative and deliberative Assembly is that it makes insufficient provision for minority participation: even the appointment of the Chairmen of the Committees would be in the hands of an Assembly President elected by simple majority. Finally, perhaps the most important criticism of the proposal is that such a forum, once established, could be seriously abused by individual parties for their own end. It is possible, for example, that Unionist parties might be tempted to highjack the consultative Assembly in order to establish a majority rule on a quasi-legal basis.

13. In concluding, reference may be made to the Taoiseach's overall criticism of the Prior proposals, made in the course of an interview on R.T.E. Radio on 23rd May about the Falklands, that 'they have seriously injured Anglo-Irish relations, rather than Anglo-Irish process, because insofar as they side-step and downgrade the Anglo-Irish process and the

Parliamentary Council and so on, they have set back the process of Anglo-Irish relations as I would like to see them developing.'

14. A final point worth adding is that made by Don Concannon in the Commons on 28th April, that the Prior initiative would have little impact on the disastrous economic situation in Northern Ireland: Whitehall would continue to hold the purse strings, and elected representatives would have to work within the framework of Tory economic policies.

S.H.

Roinn and Taoisigh.
28 Bealtaine, 1982.