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Secretary of State (L+B)

cc Mr Butler (L+B)

Lord Mansfield (L+B)

Mr Scott (L+B)

PUS (L+B)

Mr Needham

Mr Bickham

1. cc PS/Sir E. Bell

Mr Brennan

Mr Angel

Mr Carvill

Mr Merifield

2. PUS.

BOSTON AND BEYOND

1. I visited the United States last week, principally to take part in the Second Boston Symposium on Northern Ireland organised by Professor Padraig O'Malley. Distance not only lends enchantment but also in my experience heightens political perceptions.

This may lead to what the Marxists would call a sense of false consciousness. Viewing Northern Ireland from Boston does not encourage dispassionate neutrality. Nevertheless, I have formed some strong jet-lagged prejudices about our policy which are set out below.

2. You will presumably receive through other channels a full report of the Symposium. It was more interesting than these things usually are, tolerably well-organised and involving some good contributors. Three impressions remain with me. The traditional, romantic Nationalist argument took a hammering. From an early contribution by John Bowman on the historical background (in which he more or less encapsulated the arguments of his book on De Valera) through an informed discussion on the economies of North and South and a session on religion (in which an especially lumpish dogmatic theologian from Maynooth confirmed every Unionist fear, raised American hackles and earned himself a devastating put-down from an Irish Minister: times change) to a gentle literary

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reflection on the dual Irish heritage from Seamus Heaney, the Nationalist - leprechaun view of Northern Ireland was shredded. The Unionist position took a more predictable hammering (except on security issues) though it was put more skillfully than I have previously heard it by Robert McCartney who was on cracking form. To the extent that the Nationalist and Unionist positions were subjected to so much implicit or explicitly hostile criticism, the United Kingdom's policy and approach were easier to defend reasonably convincingly. When those behind cry "forward!" and those before cry "back!" - and when both parties do so in a wholly unconvincing way - standing pat is seen to have much to recommend it. I fear, however, that we are rapidly approaching a point where more and more people in the USA and probably at home too will be urging us, "don't just stand there, do something". What they will want us to do is to make our contribution to something which is already called the New Ireland; whatever it may be, it has at the very least to recommend it the fact that it is not the Present or the Old Ireland.

3. The SDLP have taken out shares in this new entity. They have joined with responsible Irish-American political leaders in launching a Committee for the New Ireland. This is seen as the riposte to Noraid. John Hume has been speaking in its cause. He has also been attending a series of fund-raising dinners to collect money (successfully, according to him) for the SDLP. His party looks healthier in the USA than it sometimes appears in Northern Ireland. In private conversation, Hume strikes an optimistic note: he says that all he wants to emerge from the Forum is negotiations (with us and the Unionists) and argues that he has been desperately keen to avoid embarrassing us over the Forum which is why - pass the salt - its Report was not brought over to Washington by Garret FitzGerald for its inaugural outing. In public, Hume seems to be searching for some way of accommodating Unionist worries about Catholicism

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and the threat to the British dimension; he still seems, nonetheless, to define consent when discussing Unionism in a way which appears to preclude the withholding of it.

4. The Dublin Ministers present (Ruairi Quinn, Labour, and Peter Sutherland, Fine Gael) and the other Southern participants were mostly the very models of reasonable flexibility; their reasonableness, like that of John Hume, tends to get a little ragged at the edges the nearer the argument gets to the Unionist constitutional veto. In private, they appear less certain that they can deliver Fianna Fail and Charles Haughey on the side of a Forum Report which would stand any chance of leading to negotiation. Haughey is said to fear the loss of his irredentist Nationalist support to Sinn Fein if he gives any ground. The present mobilisation of moderate Irish-American opinion behind the FitzGerald-Hume position is presumably directed as much against Haughey today as against us tomorrow.

5. The Unionists are properly suspicious about all this openness to reason. It puts them on the spot. McCartney even found himself driven by intelligent argument to concede that if there was no threat to the Union he would be prepared to consider power-sharing, a bill of rights and who knows what else. Harold McCusker, a more fly and visceral politician with no obvious attachment to the cerebral things of life, avoided any such commitment; no surrender, not an inch, no matter what.

6. So where does all this leave our policy? At the moment it might be summarized thus -

"Successive UK governments have grounded their policy for Northern Ireland in consent. The people of the Province remain citizens of the Kingdom because a majority of them wishes to do so. Yet we do not define consent in wholly majoritarian terms. In the rest of the UK, it may look as though we do; in fact, because the majority and minority defined in terms of

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political allegiance are not split the one from the other by the sort of deep cleavages that exist in Northern Ireland, and because the majority does not (usually) unfairly exploit its dominance, we can exist without a written constitution. By and large, there is cross community support for the process of government, if not always for the outcome of government. So the minority also consents to government. In Northern Ireland, this consent has to be defined more clearly, because the minority does not naturally consent to the process or the outcome of majoritarian government. Consent in the Province has, therefore, two meanings. It means the consent of the majority to the nature of the State, and the consent of the minority to the way the State is governed and to the existence of some place, role and sense of security for the minority within it. The Assembly is the latest effort we have made (the Power-Sharing Executive, the Convention etc) to turn this principle of dual consent into policy. We do not yet think this effort has failed. Should it do so, we shall have to try doing something remarkably similar in the future, because given the terms of the argument there is no alternative. In the meantime, we will manage things as best we may, sustaining Northern Ireland's social and economic programmes at "super parity" levels of expenditure and attempting with the minimum of naked force and the maximum of sophistication to prevent civil war. ("Well trained squads clean up the carnage.") We hope that the Assembly will work, or that something like it will work, and that such a political development will help to reduce and contain terrorism. At any rate, we hope and do our duty."

7. Three things may make this policy more difficult to maintain:

first, the Forum Report; second, Sinn Fein; and third, the passage of time.

8. In reverse order, the third of these factors is the one whose consequences are least easy to calculate. It would be surprising if sooner or later the passing of hopeless (or not very hopeful) years did not lead to political change, did not erode the political acceptability and the integrity of our position. We may not have come close to running out of time, or we may.

9. The two other factors are related. If the Forum does not produce an agreed Report, or if it produces a Report which does not lead to changes in the status quo, either because of what it actually says, or because of our reaction to what it says, Sinn Fein's chances of overtaking the SDLP will be increased.

Our position both at home and abroad would be incalculably more difficult if Sinn Fein were able to lay legitimate claim to speaking for the minority community.

10. We are led to expect a Report from the Forum which (Mr Haughey permitting) will begin to change the nature of the argument about Northern Ireland by conceding both through the principles it enunciates and through the options it canvasses that "a united Ireland" is not the only aim of the government in the South, nor the only way in which that government thinks the problem can be peacefully solved. In particular, the section in the Report on principles may accept the argument about majority consent (the Unionist veto) and the options may include something called joint sovereignty. A Report like this would appear, certainly to foreign and quite possibly to some domestic opinion, to be a historic enterprise. The further it moved from the traditional Nationalist position, the more responsible it would appear, and the greater the pressures on us to make an equally brave and generous response. The Dublin government believe they have been behaving extremely well in their relations with us, for example

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in the handling of their case abroad. The US administration and American politicians also think they have played straight with us over Northern Ireland; they cite the USAF order for Short's, the discouragement of support for Noraid and so on. They believe they have taken some political risks to help us to isolate extremist Irish-American opinion. Should these efforts, on the part of Dublin and Washington, be followed by no sign of equal courage and political flexibility from us, the attitude of Irish and American politicians will certainly change considerably for the worse. They expect a cut of the deal and will be angry if we do not give them one. In addition, opinion in both the USA and the South of Ireland will turn against us, leading perhaps in North America to an increase in funds for Noraid.

12. There is more realism in Dublin and Washington about what we can achieve in Northern Ireland than was once the case. No one sensible believes that we can deliver the Unionist majority for a settlement against its wishes. This is not, however, the end of the matter. First, the other side of the admiration (especially in the US) for the Prime Minister's leadership is the feeling that she is capable of achieving more than her predecessors. This view is strengthened by the perceived strength of our position in Commons and country. While the Prime Minister is thought to be capable of great (Irish) things, there is equally a prevalent opinion that either she is not interested in Northern Ireland or else that she is unflinchingly and uncritically Unionist. It is difficult to convince people that none of this is true. A second matter is sometimes more fairly raised. The dual nature of the consent on which UK policy rests is accepted, but it is argued that in practice we only concern ourselves with majoritarian consent. The Unionists are allowed a veto on the way in which the UK is governed as well as on the position of Northern Ireland within it. By all means, the argument runs, let the majority determine whether Northern Ireland should remain part of the UK, but do not also allow the political leaders of the majority community to prevent any

changes which would earn the consent of the minority for the nature of the society in which it has to live, because of a history in which both major displays of Unionist intransigence (1912 and 1974) have led to success. The NUM has only defied the will of Parliament successfully once. The Unionists have a longer record of unconstitutional politics, sometimes with support from parts of the Conservative Party.

13. I have a good deal of sympathy for this view of our selective application of dual consent. We should be firm for the Union while the majority wants it. We should be just as firm that how the Union is governed is a matter for the Parliament of the Union. Failure to be firm on the latter will in turn weaken the ability of government to be firm on the former.

14. It is easier to state the principles than to say where they lead in terms of the development of our policy. We might begin by ruling out two options. It would be unthinkable to move in the integrationist direction argued in ways strange and various by Unionists. Our message to the minority and to critical opinion at home and abroad would be unmistakeable. "Whereas my father laid upon you a heavy yoke, I will add to your yoke. Whereas my father chastised you with whips, I shall chastise you with scorpions." We would have about as much success with such a policy as Rehoboam enjoyed in dealing with the tribes of Israel. It would be better to do nothing at all, direct rule (post-Assembly) with as human a face as we can manage; yet I doubt whether this is really an option any more. The caravan has moved on. The Forum Report will move it on further. A policy of crisis management and whistling in the dark, in which we find ourselves constantly reacting to events made by others, offers little save to those who actually make the events, presumably with their interests not our own in mind.

15. "And so?" as Lord Carrington used to remark. We need a policy made at Number 10 and in the Cabinet which is seen as an

adequate response to the Forum, and its adequacy will be largely determined by whether it shows as much willingness to move away from the dual Unionist veto as traditional Nationalists are willing to depart from their own dog-eared and stereo-typed attitudes. The Unionists must accept that the conditions on which Northern Ireland remains "for the foreseeable future" a part of the United Kingdom are made by Parliament not Glengall Street.

16. Louis 14's concept of the State - "One law, one God, one King" - is more or less the beginning and end of the argument for Unionists. This does not adequately encompass every model of the state and self-evidently it does not encompass a satisfactory or sustainable Northern Ireland model. I doubt whether joint sovereignty offers a way forward: it would breach our commitment on the constitutional position of Northern Ireland and could exacerbate relations between the two communities. But as Professor Boyle and Dr Hadden argued in their outstanding paper to the Forum, "the goal should be to examine the need for constitutional, legal and other changes through the concept of interdependence of the peoples and states on these islands, rather than through the traditional assumptions of independence and the symbols or rhetoric of sovereignty." Hadden and Boyle get out a range of proposals based on this concept encompassing changes affecting citizenship and identity, the creation of a representative parliamentary tier, the joint promotion of security and human rights and weighted majority voting for devolved administration in the North. Their proposals represent an advance from the ground which we hold at present, and to this extent they would be bitterly resisted by many or most Unionists and by some Conservatives. They do not infringe the constitutional veto. There are equal or greater risks if we decline to make any move in the wake of the Forum Report.

17. Arguably, we should be attempting to develop our policy regardless of whether the Forum Report proves a successful initiative or a failure, since failure would help to scupper the SDLP and worsen relations between the communities in the North.

18. We cannot go on as we are. There is more at risk if we do nothing than if we do something to shift the terms of the argument. I know of no better proposals than those put forward by Hadden and Boyle. We should study them. The counter-balance to the development of policy along these lines would be a higher security profile for some time.

Chris

CHRIS PATTEN