

IAN GOW, T.D., M.P.



HOUSE OF COMMONS
WESTMINSTER SW1A 0AA

11th April, 1986

Dear Secretary of State,

Anglo-Irish Agreement

Mr. Ian Gow has just left for his Constituency.

Before he did so, he asked me to send to you the enclosed copy of an Article which he has written, and which, hopefully, will be published on 15th April.

Yours sincerely
Margaret Finley

MISS MARGARET FINLEY
Private Secretary

The Right Honourable Tom King, M.P.
Secretary of State for Northern Ireland,
Northern Ireland Office,
Whitehall, London SW1

③ sofs to see

① Mr Sonnenberg
② cc PS/sofs(8) T
 8/Ministers(Lv8)
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1 PS/Mr Bloomfield
 Mr Brennan
 Mr Elliott T
 Mr Stephens T
 Mr Gilliland T
 Mr Chesterton
 Mr Bell
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 Mr McConnell T
 Mr Murray

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WHERE NEXT IN ULSTER?

by

IAN GOW

Five months ago today, the Anglo-Irish Agreement was signed at Hillsborough.

No one should doubt the sincerity of purpose of the United Kingdom Government which sought and seeks to achieve "Peace, Stability and Reconciliation" in Northern Ireland.

On 17th December, the Belfast Telegraph published an interview with the Prime Minister during which she said: "The reaction has been much worse than I expected. One is trying to find out why?".

It is important to answer the Prime Minister's Question. Only a correct diagnosis as to why the Anglo-Irish Agreement is unacceptable to the majority in Ulster will enable the Governments of the United Kingdom and of the Republic to follow a wiser course.

In the House of Commons on 29th July 1982, the Prime Minister said: "No commitment exists for Her Majesty's Government to consult the Irish Government on matters affecting Northern Ireland. That has always been our position. We reiterate and emphasise it, so that everyone is clear about it".

On 17th May 1984, the Prime Minister told the House of Commons: "We try to work with the Republic of Ireland because we believe that it is in the interests of the people of Northern Ireland to do so. The constitutional future of Northern Ireland is a matter for Northern Ireland and this Parliament, and for no one else".

The Scotland Act 1978 and the Wales Act 1978 provided for Scotland and Wales to be governed differently from the remainder of the United Kingdom. But there was a provision, in both Acts, for referenda to be held. If fewer than 40% of the electorate in the country affected should vote "Yes", then it was required that each Act should be repealed. The wise precedent set in the Scotland and Wales Acts has not been followed in Northern Ireland.

The Anglo-Irish Agreement would not have been signed unless it was believed that it was acceptable to the minority. It was acceptable to the minority. But it was not, and is not, acceptable to the majority. It is without precedent, in recent constitutional history, to make a change in the way in which one part of the Kingdom is governed, without the consent of the majority there.

Article 1 of the Anglo-Irish Agreement affirms "that any change in the status of Northern Ireland would only come about with the consent of a majority of the people of Northern Ireland". But the "status" of Northern Ireland has been changed by the Agreement, and without the consent of that majority.

Article 2 provides "that the Irish Government will put forward views and proposals on matters relating to Northern Ireland" and that "determined efforts shall be made through the Conference to resolve any differences".

Thus, after 15th November 1985, the Province is to be governed differently, and in a way different from the rest of the United Kingdom. There is no doubt that if the Scottish and Welsh precedent of a referendum was to be held in Northern Ireland

asking whether the people wished to be governed in this way, the answer would be an overwhelming "No".

The people of Northern Ireland have been told that there are two major advantages in the Agreement.

First, that the Government of the Republic has acknowledged, formally, and for the first time, that there would be no change in the status of Northern Ireland, except with the consent of a majority. That is not the case. In the Communique issued after the Anglo-Irish Conference at Sunningdale on 9th December 1973, "the Irish Government fully accepted and solemnly declared that there could be no change in the status of Northern Ireland until a majority of the people of Northern Ireland desired a change in that status". The Communique continued: "The Conference agreed that a formal agreement incorporating the declarations of the British and Irish Governments would be signed at the formal stage of the Conference and registered at the United Nations".

Following the Hillsborough Agreement, there has been no change to Article 2 of the Constitution of the Republic, which still lays claim to the territory of the whole of the island of Ireland.

The second advantage claimed for the Agreement is that it will lead to more effective cross-border co-operation in the defeat of terrorism. That is nothing new. Since May 1979, every meeting between the Prime Ministers of the United Kingdom and of the Republic has been followed by a Communique giving a commitment to closer co-operation in defeating terrorism.

It is not possible to govern one part of the United Kingdom in a way different ^{FROM} ~~to~~ the rest of the Kingdom save with the consent of a majority in that part. This truth is acknowledged in the Anglo-Irish Agreement itself. The Agreement asserts that there could only be devolved government in the Province "on a basis which would secure widespread acceptance throughout the community".

To have given to the Government of the Republic, the only foreign country which lays claim to Northern Ireland, from which murderous assaults have been made on the people of the Province and to which, too often, those guilty have returned and found safe haven, the responsibility for representing the minority in Northern Ireland is intensely divisive.

These are the answers to the Prime Minister's Question as to why the reaction "has been much worse than I expected".

All men of goodwill share the Government's hope that there shall be "peace, stability and reconciliation" in the Province. But was there ever any prospect that the Anglo-Irish Agreement would achieve that laudable purpose?

What next?

The Agreement provides for "regular and frequent Ministerial meetings". Mercifully, there is no definition of "frequent"; and even if there was such a definition, all agreements can be varied with the consent of the parties.

Since the reaction to this Agreement has been "much worse" than the two Governments expected, would it not be sensible to agree that there would be no further meetings of the Intergovernmental Conference at Ministerial level for four months? Such an announcement could pave the way for formal discussions between the

present Unionist leaders, the Prime Minister and the Secretary of State. Such formal discussions should be preceded by informal discussions, which could identify areas of agreement and of disagreement.

The prospects for success are not good. But the attempt must be made.

I believe that those constitutional Nationalists who aspire to a United Ireland should be acknowledged and respected, as constitutional Nationalists in Scotland and in Wales are acknowledged and respected; that Nationalists in Northern Ireland should be entitled to express their opinions and their identities under a rule of law which safeguards their rights. I believe, too, that we should strive for the best possible relationship with the Republic and that, if a majority of the people of Northern Ireland should decide that they no longer wish to remain part of the United Kingdom, then that wish should be accepted.

There is no "solution" to the problems of Northern Ireland. We can only follow that course which offers the least danger and the best prospect of achieving "peace, stability and reconciliation". I believe that this course is to govern Northern Ireland as closely as possible to the way in which we govern the rest of the Kingdom. This is described, sometimes, as integration or, as I prefer it, as administrative devolution, with a County Council for the Province akin to a Regional Council in Scotland or to a County Council in England, with modest additional powers granted to the 26 District Councils, and with a Secretary of State carrying out duties similar to those

performed by Ministers in the Scottish and Welsh Offices,
and with legislation at Westminster, not by Order in Council,
but by the conventional Bill procedure.

Northern Ireland is in danger. Sometimes, the supreme
duty of statesmanship requires a change of policy. Ulster,
in April 1986, requires such a change.
