

CONFIDENTIAL

TO: Secretary of State (L&B)-B
FROM: B Mawhinney
DATE: 14 September 1989



cc PS/Minister of State (L&B)-B
PS/PUS (L&B)-B
① PS/Sir K Bloomfield - B
Mr Burns B
Mr J McConnell

② Mr. Spence

POLITICAL PROGRESS

When we discussed the political situation before you went on leave you asked me to give you my reflections on the confidential political talks which I have been having and my thoughts on how we might make political progress.

I enclose such a paper which, with others, might form the basis of the political review which you indicated we should have, with officials, on my return from leave.

(signed)

B MAWHINNEY

RN/3941

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P O L I T I C A L P R O G R E S S

BACKGROUND

1. On 14 February 1989, the Secretary of State told the East Belfast Rotary Club "... The question now is whether the constitutional political parties and those who support them wish to make further progress. If they do, then I want to ensure that the Government is ready to play its part in whatever way is appropriate and helpful. To do that, we must be sure we understand their positions. I shall therefore be seeking to explore with all those parties and groups what possibilities there may be for progress. I am asking Dr Brian Mawhinney to help me in this task so that between us we can have the chance to have the widest possible coverage of views in Northern Ireland"

2. At most meetings I have been accompanied either by Ian Burns or John McConnell. Since that time I have carried forward the assignment. The process, which continues, has involved confidential discussions with UUP, DUP and SDLP MPs and Councillors. It was agreed at the outset that the Secretary of State should seek to develop discussions with the two Unionist leaders. I have had meetings with the leaders of the SDLP and the Alliance Party; also with the Workers Party, NI "Model" Conservatives, the Charter and other groups and influential businessmen. I have met with members of both the Unionist and Nationalist traditions including church leaders and non-elected party officers who are known to be involved in the decision-making processes of their parties. For example a meeting with the Chairman of the UUP is currently being arranged. The meetings with Church leaders are particularly important given their "political" influence. Most meetings have been with one or two people at a time. More recently groups of Unionists have been willing to meet me in each others' company and in the presence of others. This is an encouraging development bearing in mind that not all of them favour devolution or Ministers. These meetings were clearly related to political progress.

ASSESSMENT

3. We continue to build on the success of the process. On the Unionist side, we know that the discussions influenced the UUP's election manifestos earlier this year, in that reference to a boycott of Ministers, which featured in earlier manifestos, was deleted. While that has provided an opportunity for some to revert to normal behaviour, it is a matter of regret that others still continue the boycott. The discussions have also promoted and helped develop a much greater debate within the parties about the way ahead.

4. Nationalists, having accepted the AIA, with its commitment to change by consent (which all acknowledge is a very distant prospect) and to devolution, are having to come to terms with how the Province should be governed for the foreseeable future. This involves them rethinking some of their most fundamental political and emotional aspirations. We have sought to aid that process.

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5. It is worth remembering that my commission by the Secretary of State was not to produce "a solution" or to try to "sell" a particular political formula. It was to question and probe the views of those with whom I spoke. This process has forced them to consider the consequences of their own actions and to determine what would be the likely political consequences for them and the Province if they continue on their present courses of action. This last has been the most sobering for those from both traditions with whom I have met.

LESSONS

6. I believe we have learned a number of lessons. They have been widely reflected in the discussions.

1. A significant number of elected representatives and others from both sides of the community continue to wish to see a devolved administration in Northern Ireland.

7. These people believe that the longer some form of local devolved administration is delayed, the more marginalised and fragmented will become the political parties and the political "scene". In this context, Unionists are concerned that a decision by the Conservative Party to organise in NI would politically marginalise them even more, in some parts of the Province.

8. There remain those Unionists (mainly in the UUP) - who want to see what they call "integration" - seldom defined. For the most part they reflect a hard line Unionist view which is unconcerned about, or has given little thought to, the consequences of such a policy on the minority community, inter-community relations or the fight against terrorism. Nor have they thought through the consequences of this policy for their own party.

2. There remains within the parties widespread disaffection with all three party leaders for different reasons. I have heard much more virulent criticism of the three main party leaders by members of their own parties than I have ever heard directed at them within our circles.

9. Mr Molyneaux is seen as using all his political skill to do nothing. His supporters are frustrated by his unwillingness to keep them informed and by his continually leading them to believe that significant events are happening or are about to happen which he cannot share with them. The political effect of this latter ploy was and is to paralyse his supporters lest they be accused of "rocking the boat". As we know there never were significant events taking place. His leadership position is not in doubt but I would judge that he is under increasing pressure to take a more constructive attitude towards the future governance of the Province.

10. Mr Molyneaux is believed by Unionists to be a "responsible" Unionist leader; as being anxious to remain on good terms with Mr Paisley and, recently, as having manipulated the Unionist inter-party agreement to his electoral advantage. This has

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sharpened his message that there are votes to be taken in continuing the political status quo - ie by doing nothing. However, this is not a unanimously held view. In particular there are influential Party members who realise that it does not address the problem of the future.

11. Mr Paisley is in charge of his party and without leadership threat. However, he is viewed as one whose whole career has been built on opposition and many doubt if he is capable of changing his attitude and philosophy at this stage of his career. He is believed still to be in favour of devolution but is thought to be so hooked on his AIA pre-conditions that he does not know how to achieve devolution. There is a strong view among leading figures in the party that the party cannot survive without devolution. These leaders believe that Dr Paisley shares their view. I am in no doubt that pressure from his close political lieutenants will continue to keep devolution fresh in his mind. The same is not as true of Mr Molyneaux.

12. The SDLP has emerged in my discussions almost as a federation of three small parties. The main criticisms of John Hume are his repeated absence from the Province, his concern with his self-image as a "world" statesman and his lack of interest in the detailed aspects of leadership. He and indeed others in his Party are in no hurry to help Unionists out of their self-induced political problems. Many of his supporters want to be involved in the governance of the Province and are frustrated that he continues to talk in terms which appear to suggest that he wishes to pursue some form of all-Ireland approach. Despite repeated private assurances that he sees the need for devolved government in Northern Ireland he has so far refused to make similar statements in public and I continue to apply pressure on him to do so. There is also a widely held view that the party should make more strenuous efforts to win the West Belfast seat from Gerry Adams but because of the nature of the leadership this has not happened.

13. I believe the discussions have helped to focus more clearly the minds of elected and non-elected Party representatives on the important issues in Northern Ireland's future which need to be addressed. The continuation of that process seems to me a priority.

3. The AIA is still strongly disliked by Unionists though they now see it in less apocalyptic terms than previously. Those to whom I have spoken understand that devolution would ameliorate the worst effects of the AIA (as they see it) but cannot see how politicians are to get off their "hooks". There is a widespread recognition that talking about political structures and governance is more difficult than talking about the day-to-day issues which affect peoples' lives. As a way of achieving the former I have encouraged them to pursue the latter. The success of our approach can be seen in the increased contacts which MPs and Councillors are having with Ministers on a wide variety of issues. The continuation of that process also remains a priority.

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14. On reflection, on lesson has emerged which is I believe fundamentally important. Others have understood its significance more clearly than we have. Government can make things happen, possibly including political progress if it restricts itself to doing those things which is already has the power to do and which are veto-proof by others, as a consequence.

15. The AIA remains in place because no body other than Government can affect its existence or its implementation. Good Government continues and is increasingly seen to be responsive to the needs of the people and unaffected by the boycott of politicians. It is also understood that to affect Government, people have got to consult with Ministers otherwise change will take place without their involvement because Government has the power to bring it about.

16. There are some in Northern Ireland who would like nothing better than for Government to take a political initiative which depended on the agreement of others for its success. That agreement would then be withheld and government's standing and momentum would be damaged. I believe it is very important that the Secretary of State only takes decisions in the area of political progress which Government already has the power to carry through should the political parties refuse to co-operate. We should eschew any initiative or action which would undermine the standing of the Government in the community or which would allow others the power and opportunity to de-rail or even deflect our policies. Such an intention is not at variance with our ongoing desire to flush out the political parties' own long term goals and aspirations.

17. MPs are widely seen as content and comfortable with their present lot and unwilling to allow that to be changed or upset in order that they should assume leading roles in political progress. Many almost accused them of having an "I'm alright Jack" attitude which was divisive and certainly a deterrent to political change. We were frequently asked why MPs should worry about making political progress if it might mean them being tied to Belfast and the dreary minutiae of Government. They enjoy life in London on a "higher" plane. This feeling is widespread in all the parties.

18. For me, at least, it powerfully reinforced an historical fact which all of us have under-estimated. Prior to Direct Rule, NI had two levels of elected representation. There was the NI Government at Stormont which, for the most part, comprised local, influential politicians who decided the day-to-day issues that affected the lives of the people. Secondly, there were the MPs, frequently perceived as the "secondary level" who did little at Westminster and less in the Province.

19. Contrast this with the position today. Implicit in our policy has been the need to get MPs mobilised to help govern NI. This flies in the face of history. Even the party leaders were at Stormont, during the 50-year rule, rather than at Westminster. I believe that if political progress is to be made we must learn this lesson anew and seek to develop it in our new context.

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20. I would summarise what we have learned as follows: a significant majority in the Province want a greater say in the decisions that govern their lives.

21. Pressure on the three leaders to move in this direction, while increasing, is not strong enough to force their hands politically. In addition Unionist leaders have made commitments with respect to the AIA from which they are unable to move. John Hume for his part is of no mind to support concessions to allow them to move.

22. Political progress may be possible if it remains within the effective ambit of government power and if it aims to help establish a corps of local politicians who in time might become the basis of a devolved administration.

23. In the past ten years we have made virtually no progress towards achieving the government's central political policy - the establishment of devolved structures. I see little likelihood of early progress to that end if we continue with our present thinking. I go further. I believe there is danger of a lethargy creeping into our thinking which might result in a less effective service to the people of NI.

24. I think we can build on the lessons outlined above and the advent of a new Secretary of State.

THE FUTURE

25. I recommend the Secretary of State invite officials to give detailed consideration to a package of three proposals, which together might provide a means of making political progress alongside other proposals which they may bring forward for discussion.

26. First we should reconsider NI's statutory procedures at Westminster. There is widespread concern and unhappiness throughout the Province at governance largely by unamendable Order in Council. Few in the Province understand or care about "transferred matters" or the difficulties of government's business managers in the House of Commons. Some movement in this area, to bring it more into line with GB practice, would reassure both sides of the community that Government did listen carefully to complaints about the statutory processes which apply uniquely to this part of the UK. By so doing Government would create a better climate into which to introduce the other two elements of the package.

27. Secondly, in my view, it would be beneficial politically and administratively to give local authorities some very limited additional powers. What these should be would be agreed within Government following advice from officials.

28. I understand the political sensitivity of such a suggestion but I believe it could help us in a variety of ways.

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29. Provincial Unionist Councillors have told me they understand how difficult it would be for Government to move in this direction in the face of the behaviour of the Belfast City Council. On the other hand nine Councils, most for the first time, now share leadership across the Unionist/Nationalist divide. Such increased powers could be presented in a way which would strengthen the hand of moderate Unionist Councillors (which we want). It would also speed the restoration of good relations with Ministers, both on local issues and politically (which we want). Perhaps officials could also explore whether it is possible that Councils which are behaving constructively could be allowed some delegated powers from DOE.

30. Finally, for historical reasons, such a move would upset the SDLP - though some of its Councillors would welcome it. However this element of the package would clearly signal to the SDLP that they too have no veto over Government taking what steps it believes necessary to effect good government. Such a message would help to make them focus more constructively on discussions about the larger issue of the future governance of the Province.

31. I stress that I envisage a limited increase in powers coupled with a strong declaration that Government will not countenance discrimination. Our use of Commissioners in recent years would make that commitment believable.

32. Thirdly, I would suggest exploring ways of incorporating local politicians or others into the governing process, perhaps by way of consultative committees, set up to advise and monitor departmental decisions, or by appointing individuals initially as a form of Deputy Minister or assistants to a Minister.

33. Committees, similar to those above, existed both pre and during the Assembly. Their influence was limited.

34. Deputy Ministers (for want of better title at the moment) would be appointed by the Secretary of State to assist departmental Ministers discharge their functions. As such they would influence decisions and would become a conduit of influence and representation between Ministers and the public. Their role would need to be carefully defined. They would be answerable to their departmental Minister who would, in turn, answer for their actions to the Secretary of State.

35. I would envisage political parties being invited to nominate people for these posts on a the clear understanding that, in the event they refused, people would be approached and appointed by Government directly.

36. Such a move would be controversial. Those concerned would face real difficulties and would need to work at establishing their position in the public mind. Their only legitimacy - and their pragmatic ability to affect and effect decisions - would flow from the Minister as initially they would not be elected.

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37. The medium term aim would be that such people should be elected and would become the non-MP basis of a future devolved administration. I have little doubt that if such a system was established it would speed the re-election of the Assembly and devolution. Who such people might be, their terms of appointment and conditions of service, would all need detailed consideration by officials.

38. The political parties, in particular the Unionists, would resent and resist such a move for they would see it for what it is - an attempt to circumvent fossilised political ideas and leadership in order to make progress. The message to them and the public would be clear - when government said it wanted to give local people more influence over local decisions it meant it. Despite the controversy, I believe many would welcome the initiative. It is in keeping with the lessons outlined above, in that it lies within Government's power to determine the process and timing.

39. Officials might be asked to consider if there are other, more effective ways of meeting this objective of local involvement.

40. I have not sought in this paper to develop the ideas in any great detail. Others are better able to do that. Others may wish to propose different ideas. Any which are compatible with the lessons learned in the past seven months of discussion should be considered. For my part I think our political policy goal remains sound but that if we are to start making real progress towards achieving it we need to re-examine our presuppositions, and build on the information we have been given.

41. Politicians, predisposed to be negative, must not be allowed to set the political agenda for there are many who look to Government to help ensure that, politically, the next twenty years are less sterile than the last are widely believed to have been. An opportunity presently exists to move forward. In my view if we do not act soon the opportunity will be lost. No change in the status quo by next summer means no change this side of a general election.

42. I have not referred to the Irish in this document at Mr Haughey has made clear his view that devolution, and progress towards it, is for HMG to determine. I believe his reasoning is sound.

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