

## NATIONAL ARCHIVES

### IRELAND



<b>Reference Code:</b>	2009/135/704
<b>Creation Date(s):</b>	29 November 1979
<b>Extent and medium:</b>	8 pages
<b>Creator(s):</b>	Department of the Taoiseach
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29 November 1979

THE SECRETARY OF STATE FOR NORTHERN IRELAND, RT HON HUMPHREY ATKINS MP TO-DAY  
MADE THE FOLLOWING STATEMENT IN THE HOUSE OF COMMONS

"Just over a month ago I announced to the House the Government's proposals for a Conference of representatives of the four principal Northern Ireland political parties. This Working Paper is designed to provide the basis and the agenda for that Conference.

I shall devote a substantial part of my remarks today to the Working Paper itself. But I feel sure that the House will expect me also to say something about the Government's broader objectives, in particular to refer to the reactions of the Northern Ireland political parties to the Working Paper and to the proposed Conference.

Let me begin by saying why we are making this move at all. There are three reasons. Since the suspension of the Stormont Parliament in 1972, Northern Ireland has been governed, except for a short period in 1974, by what has come to be known as "direct rule" from Westminster.

Successive Governments, successive Secretaries of State and the Civil Servants in the Departments responsible have done their best to give Northern Ireland an efficient and impartial administration and to make it sensitive to the special needs of the Province. I believe this has been done with some success and that direct rule has a fair degree of acceptability.

But because District Councils in Northern Ireland have a very limited range of functions (far less than their counterparts in Great Britain) it means that Northern Ireland Ministers and therefore Parliament are burdened with too great a range of what are essentially local matters. No one will complain about the burden on Ministers (I do not myself) but this House, with all its other pre-occupations, is not able effectively to scrutinise, question and control Ministers in the discharge of so great a range of responsibilities.



In the second place, the present system gives too little opportunity for the normal healthy wish of politically aware citizens to involve themselves in the administration of their affairs. This wish is as strong in Northern Ireland as elsewhere - perhaps stronger. It is only right to seek to provide a proper democratic channel for its exercise.

In the third place, all the parties are on record as wanting a transfer of power to elected representatives in Northern Ireland: they said so in their manifestos.

So the Government's view is that it will be right to propose arrangements for renewed political life in the Province, and before doing so to seek the highest level of agreement among the political parties, who will be operating those arrangements, as to what they should be. We need to search for something which, while perhaps no-one would regard it as the millenium, would be regarded by enough people in all parts of the community as a step forward, something that they could live with and work for the time being.

That is the approach in the Working Paper which we are debating today. The House will see that the early part of the Paper (Paras 3-8) defines the scene of the Conference and Paragraphs 4 and 5 particularly indicate the limits which the Government believe it is sensible to set on the discussions. If we are to make progress away from direct rule it is simply no good putting up for discussion ideas on which everybody knows there is no prospect of reaching early agreement. It is because it would manifestly be unfruitful to discuss some topics that the Working Paper says (para 4) that the Conference "will not be asked to discuss" or "invited to consider" certain issues.

#### "Irish Dimension"

The first of these relates to "Irish unity". The words in the Paper are these - "The Conference..... will not be asked to discuss issues such as Irish unity, or confederation or independence".

This is because it is so obviously the present clear wish of a substantial majority of the people in Northern Ireland to remain part of the UK, that a discussion of these matters at the Conference would be unproductive. Worse than that, it would hinder - perhaps to the point of rendering impossible - discussion of more limited but practicable measures to substitute for direct rule something both better and generally acceptable.

This does not mean that, in some sinister Orwellian way, the Conference would proceed as if the idea of Irish unity had never been mooted. Nor do I visualise anything



approaching a ban, during the proceedings of the Conference on references to aspects of the topics under discussion which may lie beyond its strict terms of reference - I hope, Mr Speaker, that I have learnt enough from you and your predecessors about the elasticity of rules of order to avoid falling into that trap: But I should feel obliged, simply in the interests of reaching a measure of agreement on the more limited aims of the Conference, to discourage the participants from embarking on a full-scale discussion of this topic, just as I would if the Conference sought to embark on a full-scale discussion of law and order - a subject which the Government will reserve to Westminster. In any case, there are more kinds of Irish dimension to the Northern Ireland problem than are encompassed by the words Irish Unity.

The existence of an Irish dimension to the problems of Northern Ireland is a straight matter of geography. Put in its simplest terms, it is a question of how two communities living on the same island can help each other, communities which share the same natural resources and which are both part of the wider European economic community. People, goods and services move freely between the North and South. Explicit co-operation takes many forms. Transport matters, animal health, sport and energy are four of the most obvious.

I attach particular importance to the energy question - supplying more of the South's need from Northern sources. I regard reconnecting the two electricity systems as an urgent economic need which would be in the manifest interests of the Republic as well as those in Northern Ireland. We also look forward to the joint development of tourist facilities, financed in part by EEC funds.

The North and the South may not see eye to eye on all economic matters. But in the longer run the identity of interest between the two areas on practical matters is self-evident and indisputable.

Joint activity on matters of common interest, rather than emphasis on political and constitutional problems, is the most practical evidence of the Irish dimension. The Government seeks an acceptable form of devolved government in which the minority community can have confidence as the first step. An elected representative body in Northern Ireland would have ample opportunity to work out for itself the precise nature of its relationship with the Republic of Ireland on all those matters for which it enjoyed transferred responsibility.

Let me also remind the House that it is not only advocates of Irish unity who are being asked to accept some measure of constraint as regards the subject matter of the Conference. The Working Paper makes clear the Government's view that there is no



profit in discussion at the Conference of a straightforward return to the arrangements under which Northern Ireland was governed between 1921 and 1972. We know that that approach will not be acceptable to one side of the community. And it is fundamental to the Government's approach that any new arrangements agreed on must include reasonable and appropriate provision to take account of the interests of the minority. Some people have commented on the absence of the phrase "power-sharing". This is because to many people the phrase implies the system which obtained in the first five months of 1974. Here too, it would be profitless to discuss returning precisely to that system, because it was not acceptable then and I am sure it would not be acceptable now. But no-one who reads the Working Paper can fail to find in it a number of different proposals put forward for consideration that would give minority representatives a positive part in the administration of devolved government.

### The Working Paper

Let us now consider the Working Paper in more detail. I must say at the start that I have been gratified by much of the reception given to it by the media and others on both sides of the Irish Sea. On the whole the object and character of the Working Paper have been rightly understood. It does not seek to set out a blueprint for the future Government of Northern Ireland. Rather, it is a working kit to help the discussion about what form of devolved government would suit Northern Ireland in the present circumstances, so as to assist the Government in taking the necessary decisions and introducing the necessary legislation.

I have called the Working Paper a 'kit'. It is a kit with many pieces - interchangeable pieces. The illustrative models at the end of the Working Paper show some - but not all - of the ways in which the different component parts can be used to construct systems of government that might meet the needs of Northern Ireland. Those models extend through a wide spectrum. At one end are models of Assemblies with one chamber or two enjoying a wide range of legislative as well as executive powers. Next there are models with devolved executive powers but no power to legislate. Then there are models closer to the pattern of local government as we know it in Great Britain.

While other Hon Members in their speeches may wish to comment in detail on, and express preferences among, these models, I for my part intend to withhold comment at this stage, for 3 reasons. First, I wish to say nothing that would imply that the Government has any secret preference among the models - it has no such preference. Secondly, I do not wish to seem to pre-empt discussion by Northern Ireland political leaders themselves. Thirdly, I do not wish to focus discussion too much on the actual models. They are no more than illustrations of how the necessary constitutional elements can be put together. It is likely that whatever solution emerges will be different from any of the illustrative models, though it will certainly contain elements that appear in more than one of them.



### Three Dimensions

What I think is more important at this stage is to focus on the three dimensions along which any solution needs to be considered.

These are:-

1. the kind of institutions that might be created;
2. the subjects and powers that might be transferred to an elected body or bodies in Northern Ireland;
3. the arrangements needed to look after minority interests.

### Institutions

As regards institutions, the Working Paper offers a wide range of choice. There is the Westminster pattern - a legislature, with an executive or cabinet. Another approach more familiar in the local government context, is a series of committees made up of elected members, charged with the exercise of government in particular areas. There is also another sort of committee: the investigative or scrutinising committee, of the kind this House is now setting up to oversee the work of Government Departments.

### Powers

Secondly, subjects, powers or functions. What range of subject matter should come within the competence of whatever new institution is set up?

There is a wide range of transferable subjects as is shown by the list of present functions of Northern Ireland Government Departments. All these subjects could be transferred to a new elected body for Northern Ireland or the transfer could be more limited, perhaps to the range of subjects for which local authorities in Great Britain have responsibility

Next, what extent of power should be devolved? It could be full legislative and executive power, subject only to the ultimate overriding authority of the United Kingdom Parliament and Government. Or executive power only could be conferred on a Northern Ireland elected body. In that case it could be transferred either to a single regional body or to a number of bodies charged with the administration of services for particular geographical areas within Northern Ireland.

### Minority Interests

The third and crucial dimension is provision to take account of the interests of the minority community. I call that a crucial dimension because, as the Working Paper reiterates time and again, it is fundamental to the Government's approach that a transfer of powers must be made in a way which will take account of the interests of



both parts of the community. I know I need not spell out to this House why the Government attaches so much importance to that. I simply want to say that the Government regards it as vital.

When I made my statement on 25 October there was some questioning of who is the minority in Northern Ireland. When we speak of the minority community, as the Working Paper does, I do not think that any of us is in any doubt about whom we mean - the Catholic one third (or thereabouts) of the population. But it is a fair point that when we come to consider political institutions the term minority takes on a different meaning, having reference to votes cast and seats held rather than to religious or other affiliations. The Working Paper I hope makes this distinction clear - and it is a fundamental one that we shall need to keep clear in our minds as we take these discussions forward.

Subject to that caveat there are various ways in which the position of the minority community could be protected in new arrangements for the government of Northern Ireland. There is the direct or positive approach - giving minority representatives the opportunity of direct participation in the decision-taking processes of government. There is the indirect or negative approach - giving minority representatives powers, beyond what their numbers would justify, to block or delay certain decisions of the majority, as a means by which they will come to exert influence over the way in which those decisions are taken. The Working Paper illustrates various ways in which either approach could be applied to the circumstances of Northern Ireland. The Working Paper also raises the possibility of safeguards, taking the form of appeal to an external authority, for example the Secretary of State, Parliament at Westminster, or the Judicial Committee of the Privy Council. To us in Westminster some of this may sound strange language: but all experience shows that without some such safeguards progress will not be made in devising institutions that are acceptable to both communities in Northern Ireland.

#### Safeguards against discrimination

And there could be other ways of protecting minority interests. The Working Paper declares the Government's intention that under any new arrangements, existing safeguards and remedies against discrimination on religious or political grounds should be at least maintained and, if possible, improved. In recent years a considerable range of safeguards against discrimination has been developed in Northern Ireland. There is the Fair Employment Agency, the Equal Opportunities Commission, the Northern Ireland Parliamentary Commissioner for Administration, and the Commissioner for Complaints, and there is the Standing



Advisory Commission on Human Rights. Additionally, there are statutory provisions against discrimination which are enforceable in the ordinary civil courts. All this is a considerable achievement. But I do not believe it is by any means the last word on the subject. Indeed, it may well be that improvements can be made. This would be a natural subject for consideration by the conference and I look forward to hearing what participants have to say about it.

### The Conference

So much for the Working Paper. What of the Conference for which it has been prepared? As the House will know, the Alliance and Democratic Unionist Parties have accepted the invitation to take part: the Official Unionist Party has declined the invitation. The position of the Social Democratic and Labour Party has yet to be decided.

Because of this situation the Conference, which I had hoped would open next week, must stand postponed: but I would emphasise that it is only postponed, and not cancelled.

I take this opportunity of confirming that it remains the Government's view that the best way of proceeding is to hold a Conference of the main political parties. I find it hard to believe that, given such an opportunity for political advance, albeit of a limited kind, and with such a wide range of possibilities available for discussion, the leaders of any of the main Northern Ireland political parties would reject it simply because it offers less than all that they want. There is real advantage to be gained, for the people of Northern Ireland and for her political leaders, in participation in the Conference: it is difficult to see what is to be gained by staying away.

As I have said, the Government has invited the four main political parties. It is obvious that if a Conference is to make progress there must be some limit on its size and those invited between them obtained some 80% of the votes cast at the last General Election.

We recognise, of course, that there will be a wide range of opinion outside those parties which it would be sensible and proper to take into account, including the opinions of members of this House as well as smaller political parties, trade unions and employers' organisations and many others. I propose to invite all who wish to make their views about the Working Paper known to the Government to let me have their opinions, in writing, so that I, in turn, may put them before the Conference. Indeed it might well be helpful if such papers were also put forward by the participants themselves. It will of course be a matter for the Conference itself to decide how best to take account of individual submissions received in this way.



If, as a supplement to this facility, it seems desirable for me to keep in touch, during the progress of the Conference, with the Northern Ireland members of Parliament, I should be very willing to consider the possibility of doing so. This is a point upon which honourable members may like to comment in the course of today's debate.

### Conclusion

I return, in conclusion, to the Working Paper itself and the Conference for which it has been prepared. It remains my firm belief that a Conference of the kind proposed by the Government not only is the best way forward, but will take place and prove fruitful. The object, let me remind the House, is not to reach complete agreement on a full-blown Constitution. It is to find the highest level of agreement for a transfer of powers of government to Northern Ireland, so that proposals based on that level of agreement can be put by the Government here to Parliament. It is Parliament who in the end will have the responsibility of deciding what shall be done. I believe that there is a widespread desire in Northern Ireland to move away from direct rule, and well-wishers of Northern Ireland, this side of the Irish Sea and elsewhere, want to see progress made towards a devolved administration which both sides of the community can support, and on which they can agree. As an aid to reaching agreement, the Government has put before the parties in the Working Paper a wide range of possibilities; we now look to the political leaders of Northern Ireland to respond. I commend the Working Paper to the House.