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Following PDG mtg on  
3/3/83 changes to  
paras 16, 23, 29 and  
Point C (NICS Nat. Qualific)

RELATIONS WITH THE SDLPA. Introduction

1. Before the formation of the SDLP, there was no single political party which could be said to speak for the bulk of the nationalist community: in fact four groupings coalesced to form the party in 1970. Since that time, the SDLP have remained intact as a single party (albeit with important defections), fought elections at all levels and, until now, played a full part in constitutional politics. The party's current refusal to take part in the Assembly, which is unlikely to be reversed in the foreseeable future, marks a step back to the abstention which characterised nationalist politics for much of Northern Ireland's first 50 years. Given the SDLP's stand on the Assembly, coupled with its Council for a New Ireland initiative, it is worth stating why it is desirable that the SDLP should not go under, and why HMG should do all it properly can to prevent that development.

2. First, the SDLP is committed to constitutional politics and the rejection of violence. Secondly, it now has the experience and capacity to play a constructive part in political life: its leading members could take Ministerial portfolios and discharge responsibilities at that level with authority, integrity and competence as they did in 1974. Thirdly, the SDLP's demise would not herald the emergence of another constitutional nationalist party with which HMG could do business, poor as relations with the SDLP may be just now. Fourthly, Sinn Fein might well become the only credible party representing the minority's interests. Although bringing Sinn Fein into constitutional politics on our terms would be welcome, there is no prospect of their changing their fundamental positions on violence and Irish unity and therefore no way in which the Government could effectively do business with them without abandoning its fundamental policies.

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3. For these reasons alone, there are powerful arguments for sustaining the SDLP, although the Government's ability to do so is perhaps more limited than the SDLP themselves, and certainly Dublin, appreciate. This paper is predicated on the assumption that the SDLP should be helped as much as possible. It is in HMG's interests that the SDLP's support in the community, which has held up well in successive elections, should not diminish now: it is the best SDLP we have got.

B. The Position of the SDLP

4. Any action by Government to help the SDLP, if it is to be effective, must be consonant with the SDLP's position. It is therefore worth examining briefly what this is.

5. The SDLP's twin aims remain powersharing (the proportional sharing of top executive posts in a devolved system of government) and a strong Irish dimension. (Their long-term goal is of course Irish unity, but not even the greenest of them believe unity to be a practical possibility in the foreseeable future.) They want the British Government to enforce powersharing on the unionists; to accept that the ultimate solution of the Irish problem lies in some form of Irish unity; and to acknowledge in the meantime the right of the minority in the North to exercise its nationalist political and cultural beliefs both in the context of Northern Ireland and in some relationship with the South.

6. All members of the SDLP share these twin aims, but in different degrees. The leadership would tend to put powersharing first, other things being equal, partly because as working politicians they see the attractions and political benefits of exercising power, partly because they know the Republic and are wary of some of what they see there. The rank and file, especially in Armagh and West of the Bann, tend to put more emphasis on the Irish dimension. Some senior members of the party (eg Seamus Mallon or Paddy Duffy), while they want powersharing, believe strongly that the root problems of the British/Irish identity clash can be sorted out only in the conceptual framework of Irish unity. Others - eg Austin Currie and Joe Hendron - would probably be content to forget Irish unity, except as a remote ideal, provided



powersharing was in force. John Hume lies somewhere in between; and as party leader, his main concerns in recent months have been tactical. But what they all share is a belief that nationalists should advance their aims in a constitutional context.

7. The hunger strike, the establishment of an Assembly without prescribed powersharing, the electoral success of Sinn Fein and last year's coldness in Anglo-Irish relations have made it hard to convince Catholics that such a policy can work. The SDLP have therefore been driven to emphasising their differences with Government (eg over the Assembly) and their nationalist beliefs, in an attempt to hold their support within their community and fend off Sinn Fein.

8. The purpose of Government assistance for the SDLP, therefore, should be to restore the party's credibility and the credibility of constitutionalist politics as a whole within the Catholic community. Government needs to show that the SDLP can achieve practical results on every-day matters for its constituents and that the community's concerns can be pursued through the constitutional process. At the same time, Government needs to restore Catholic confidence in its policies and intentions, both through its dealings with the minority in Northern Ireland and through its relations with the Government in Dublin.

9. Against this background, what practical measures might Government take?

C. Direct Government Action within Northern Ireland

(a) Legal Disabilities

10. There are certain actions Government could take to remove perceived injustices - for example over the franchise for local elections, the Flags and Emblems (Display) Act 1954 and the Northern Ireland Civil Service nationality qualifications. These matters (see Annex) have been examined before. Though most Catholics would regard reform as the belated righting of minor grievances rather than as major concessions, reform would help reassure the minority about Government's underlying attitude. Reform would also of course arouse considerable unionist opposition.

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11. Amendment of the Northern Ireland Assembly Disqualification Act 1975 to remove 'Mallon-type disqualification' is much more important. This issue is being considered separately but it should be noted that there is no prospect of remedial legislation before the next UK General Election.

(b) Consultation with the SDLP

12. One major way to bolster the SDLP's credibility is simply to be seen to consult them, as Ministers have done over the last few months, and to take heed of what they say. The problem here is that many of the SDLP's schemes (for example, the politicisation of the NIEC, or their proposals early last year for joint Anglo-Irish control of security) are ill-considered and cannot be taken up. But even in such circumstances, open disagreements between the Government and the SDLP may help the SDLP show that they are representing their constituency interests vigorously - though the Government's room for manoeuvre is limited. Too close a relationship with the SDLP would be in the interests of neither the party nor of Government.

13. It is of course likely that the more care the Government takes to consult the SDLP outside the context of the Assembly, the less pressure there will be on the SDLP to enter the Assembly. However, in present circumstances there is no prospect of the SDLP taking their seats, whatever the pressures upon them. The greater need is to reassure and assist them and their community.

14. There may be future scope to give the SDLP credit for Government decisions, whether taken as a result of SDLP representations or not. Given the constraints of finance, it is unrealistic to suggest (as did Mr Barry to the Secretary of State) that Government can direct money to schemes which favour SDLP areas: that is not how Government works in the UK. Moreover, in many public services - for example housing and health - decisions at the grass-roots level are taken not by the Government but by quangos. However, if the DOE is to repair pavements in West Belfast it makes more sense to let Joe Hendron tell his constituents what is to happen than to allow Gerry Adams to claim the credit. And if prisoners are to be released to attend funerals, for example, we should try to ensure that credit goes to the local SDLP representative rather than Sinn Fein. Though Departments already act on these principles, there may be scope for tightening up the system.



(c) Sensitivity to Catholic Concerns

15. The SDLP believe that many of their difficulties vis a vis Sinn Fein stem from a conviction among Catholics that the Government does not care about them or their problems. This applies especially to security. The more Government can reduce the scope for Catholic protest - by being seen to care about bad social and economic conditions, unemployment and the consequences for the minority of the security situation - the less will be the feeling of alienation of which Sinn Fein can take advantage and the easier the SDLP will find it to persuade their constituents of the validity of constitutional politics. The arrival of Bishop Daly in Belfast has already made this process easier to pursue. Government Departments are to participate shortly in a seminar arranged by the Bishop on the problems of West Belfast. This will provide an excellent opportunity to demonstrate and explain Government policies. We need to look out for further chances - particularly opportunities to encourage Catholic to participate in public affairs, eg appointments to public boards and quangos. Prisons policy will remain a sensitive and important area of Government activity.

(d) The Assembly

16. Though there is no prospect of the SDLP entering the Assembly in the foreseeable future, and little interest in the Assembly among the minority, the institution is still regarded as a focus for unionist influence and a possible stepping-stone back to majority rule. The minority need constant reassurance that the conditions for devolution laid down in the 1982 Act mean what they say. For Government to put out this message would entail obvious problems with the unionist camp. It may prove necessary at some point to run this risk; but in the immediate future it seems likely that Alliance and the DUP (for different reasons) will make the point for us. ~~It is for consideration whether, as a means of persuading the SDLP to join the Assembly, the Secretary of State should ask the Assembly to produce proposals for devolution (partial or full) based on the principle of power sharing. But such an approach, which would be deeply resented by unionists, could lead to the break up of the Assembly.~~

17. It would further help to reassure the Catholic community if Ministers were to make it clear, as opportunities arise, that they were prepared openly to criticise Assembly motions passed on a sectarian basis - for example the recent motion on the FEA. Ministers could also take an early opportunity, once the Assembly Security Committee is



set up, to demonstrate that their relationship with it will be different from their relationship with the six Departmental Committees.

(e) Personation

18. The SDLP decision to fight all 17 Westminster seats at the next General Election is one of the few positive elements in the party's current platform. They want and need to do well in such an election, when they are likely to face a considerable challenge from Sinn Fein. Personation could play a decisive role in the West Belfast and Foyle constituencies. The SDLP are aware of this and (despite their attitude last year) now look to Government to take effective measures to step personation. The question is being examined separately. The only really effective way of reducing personation would be to require visitors to produce one of a number of specified identity documents and even that would not be foolproof; but the prospects of getting the necessary Bill through Westminster before the General Election are remote. In the context of this paper, it is worth noting that to introduce such measures would give considerable assistance to the SDLP in an election, would help encourage them to take a constructive attitude now, and would boost their morale. Conversely, there is a risk that if effective measures are not introduced, the omission will become another element in the litany of SDLP complaints against the Government - especially if either of the two urban nationalist seats are won by Sinn Fein.

D. Action on the Anglo-Irish Front

(a) Anglo Irish Relationships

19. As noted above, the coldness in Anglo Irish relations last year was in itself a considerable factor in determining the SDLP's attitude. It coloured the attitude of the Catholic community too. An improvement in Anglo Irish relations, even the simple step of a return to a normal pattern of contacts between the British and Irish Governments, will help reassure Catholics and the SDLP that the Government respects and cares about the minority and the Irish in general. While this is unlikely to bring about a difference in SDLP policy, it will make the SDLP's position less difficult by giving them political cover for the pursuit of constitutional politics: if the Dublin Government is on speaking terms with London, it is more acceptable for the SDLP to be seen to speak to us.

20. That said, it is difficult to see what additional scope exists



for practical measures of economic or political co-operation. Indeed, the most important proposal in this field - Kinsale Gas - now seems unlikely to come off. Nor do other examples of economic co-operation - eg by local councils - seem likely to lead to early concrete results.

21. On the political front, the pursuit of more specific aims within the Anglo-Irish relationship, eg the Encounter organisation or a Parliamentary Body - could be expected to improve the standing of the SDLP among the Catholic community and its self-confidence, at least in the short term. However, the Irish Government seem unenthusiastic about an Encounter organisation, which seems unlikely to have a high profile. And it must be very unlikely that any progress can be made on the proposed Parliamentary Body until after a General Election. Even then, the type of Parliamentary Body which would be acceptable from a UK viewpoint would fall short of the expectations of the SDLP in several respects.

#### E. Action against Sinn Fein

22. It would be possible to bring Sinn Fein's "legitimate" political activities to an immediate halt by reproscribing it. However, Sinn Fein might well be able to turn such a development to its advantage. In deproscribing Sinn Fein in 1974, the Government of the day threw down the gauntlet to demonstrate just how much support the movement really did have in the community. Sinn Fein responded to the challenge and, much assisted by the hunger strike, has shown that it does enjoy a fair amount of support. Government can hardly change the rules now by reproscribing - and even if it did, Sinn Fein would probably re-emerge quickly under another guise. If Sinn Fein is not to be re-proscribed, the Government can scarcely do other than give its elected representatives reasonable access on genuine constituency cases. That said, Sinn Fein should be given the minimum assistance consistent with this principle; and the Government should lose no opportunity of emphasising the distinction which it draws between the SDLP (albeit currently abstentionist) and Sinn Fein.

23. Short of proscription, Ministers could attempt to damage Sinn Fein in the eyes of the Catholic community for example by condemning Sinn Fein in public speeches and drawing attention to their aims and methods. However such methods would give Sinn Fein credibility as an opponent to be taken seriously, rather than damage them in the eyes of their



community. This is certainly Mr Hume's view. High-profile criticism of Sinn Fein directed at a Catholic audience <sup>in the Province</sup> is probably best left to the Catholic Church and other minority groups such as the SDLP itself.

F. Indirect Action by Government

24. It is also worth examining whether Government might encourage others - the Irish Government, the unionist parties in Northern Ireland - to take steps which would strengthen the SDLP's position or make them more constructive. Two possibilities come to mind.

(a) Council for a New Ireland

25. The SDLP attach great importance to their proposal for a Council for a New Ireland. In their eyes it could enable them to play a political role on a major stage while other political activity is denied them; and it might, with luck, force the main parties in the Republic either to concur in a nationalist platform of demands to put to HMG, or to demonstrate their inability/unwillingness to define their position.

26. The future of the proposed Council lies with the parties in the Republic, whose response to the SDLP proposal is unlikely to be affected by anything the British Government might say about it. However, it would help the SDLP if, after the proposal were adopted, the British Government could say something mildly encouraging about the Council: for example, that the Government was neutral to the Council, that the aspiration to peaceful Irish unification was a valid one, and that there could be some merit in the SDLP and the parties in the South discussing their aims in an open and democratic manner. This would raise some unionist hackles, but not too much.

(b) Movement towards Devolution under the 1982 Act

27. The SDLP's problems arise from the fact that, for the reasons set out above, it has refused to take part in the Assembly. The best and most satisfactory way both of strengthening the SDLP and making their position more constructive would be to bring about conditions in which they could participate in the Assembly. This could come about only if powersharing, or something tantamount to powersharing, were to be on offer. However, the UUP and DUP remain firmly committed to devolved rule by an executive formed from a majority coalition in the Assembly



on the lines of either Stormont or the Convention Report; and both reject the possibility of including 'republicans' - ie nationalists - in any such majority.

28. Powersharing would be theoretically possible if the UUP were to split and a sizeable proportion of them were to join Alliance; 10 Alliance, 13 SDLP and 14 of the 26 UUP members would form a majority in the Assembly. But a split of such proportions, if not impossible, is most unlikely, certainly before a general election in 1983 or 1984. The DUP of course remain utterly opposed to powersharing.

29. Another conceivable way to bring in the SDLP would be if some mutually satisfactory arrangement could be found to enable the SDLP and the DUP, or the UUP, to share in devolving two or three of the six Northern Ireland Departments <sup>under the 1982 Act</sup> in a manner which evaded the problem of powersharing. <sup>(the Arnold proposal)</sup> Dr Paisley would undoubtedly like to achieve some degree of devolution, and to see the SDLP take their seats in the Assembly. But while the SDLP define their conditions for devolution in terms of powersharing, and the unionist parties insist on conditions which specifically exclude powersharing, it is not easy to see how the issue can be fudged.

30. Even if no way forward can be plotted, however, there might be merit in encouraging the DUP and elements from the UUP to talk to the SDLP. UUP/SDLP contacts take place already, but on a personal and random basis. It may be that, even if such talks could be brought about, they would get nowhere. And the Government would have to be very careful not to appear to be stagemanaging some plot of its own. Nor is it clear that the present is the right time to try to promote talks - but then the right time will probably never come.

#### G. Conclusion

31. There is no easy way to strengthen the SDLP and make its position more constructive. In the immediate future, the one important measure open to the Government is to do everything possible to reduce persecution at the next General Election, but even that will present difficulties. The other ways are less direct and will take time, in that they involve building up confidence in the Catholic community in Government's intentions and attitudes towards them. It will be especially important for the security forces to pursue



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a sensitive approach to the problems of policing in minority areas. So will the construction of a solid and close relationship with the Government of the Republic.

32. As to the SDLP itself, we should continue to look for ways to involve them in the decision-making process. We should remain on the alert for opportunities to give them credit for Government decisions that please the Catholic community, particularly in those areas, eg prisons, where Government is the decision-maker and Sinn Fein try to make an impact. We should try to build up the perception of the SDLP as a respectable party which does business with Governments and whose voice is influential. But there is no means available to entice or bribe them into being more forthcoming: we can only create the conditions for them and look to them to take their opportunity.

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