

NATIONAL ARCHIVES

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Memorandum for the (information of the) Government

TITLE

Dept. of Foreign Affs Background
note on h.g. letter (as below) [5]

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24. Recent Developments in Anglo-Irish Relations

25. Fundamental Requirements of the Healthier Market

26. Present State of Unemployment - Opinion

27. Provisional Five Year Strategy

27. Recent Developments in the AEC

Signed

Date

Jhr.
30/8/84

SecretFundamental requirements of the Northern Nationalists

1. Officials of the Department of Foreign Affairs have met with a wide variety of moderate nationalists in Northern Ireland in recent weeks with a view to ascertaining their fundamental requirements in any resolution of the Northern Ireland problem. Among those met with on an individual basis were

Messrs Hume, Mallon, Currie, Farren, Feeley and McGrady (SDLP)

Dr. Cahal Daly, Bishop of Down and Connor

Dr. Edward Daly, Bishop of Derry

Mr. Michael Canavan, onetime SDLP spokesman on security

Mr. Jim Canning, Independent Councillor Coalisland with interest in human rights

Mr. P.J. McGrory, prominent Belfast solicitor

Fr. Denis Faul, human rights campaigner

Fr. John Murphy, Chaplain, Maze Prison

Fr. Raymond Murray, Chaplain, Armagh Prison

Mr. Martin O'Brien, editor Irish News, Belfast

2. Excluding Mallon the degree of similarity in their views was notable as was their concentration on specific topics to the exclusion of others.

3. They consider it important that they can retain the hope that their aspiration to a united Ireland can be fulfilled. Most of them want Dublin, in any talks which might arise with the British following the Forum Report, to concentrate on the nationalist aspiration for a unitary state. Nevertheless they realise that is not an option the British will seriously consider. But it is important for them that Northern nationalists can look to Dublin as the unionists look to London and have equal status with unionists in Northern Ireland. Political movement is seen as fundamental and the suggested changes which follow would not be sufficient to deal with alienation without significant political movement.

4. The key issues are security and to a lesser degree prisoners. Without movement in these areas alienation cannot be halted. Other aspects such as education, culture, the flag, the use of the Irish language etc. are seen as somewhat peripheral. That is not to say they are unimportant. Changes can and should be made.

Security

5. The security forces are seen as belonging to the unionist tradition and their role is to defend that tradition from the nationalists. The alienation of the minority from the security forces is increasing as the numbers of Catholics in the RUC decrease, and as the RUC becomes more of a paramilitary force in place of the British army. Mr Hume has told Mr. Prior that as long as the RUC remain in the Bogside and in other nationalist ghettos there can be no solution.

6. Many warnings were received, not least from the Bishops, that any attempt to deploy Irish security forces in support of the RUC and British Army, whether within Northern Ireland or as has been suggested in newspaper reports by way of a joint security commission with responsibility for a limited area North and South of the border, would be a disaster unless it was accompanied by major political changes. Without the necessary political changes any such security cooperation would be seen as a betrayal and as treachery within the minority community and would lead to Provisional and INLA attacks on Irish forces.

U.D.R.

7. These are localised sectarian forces which are judged impossible of reform. All said they should be disbanded. In the event of a stable and durable solution there would be no need for them.

RUC

8. Hume believes it is necessary to have a new nationalist based police force, unarmed, to operate in nationalist areas, combined with a disarmed RUC to operate in unionist areas and a third armed force drawn from the first two to operate across Northern Ireland. Bishop Cahal Daly, Canavan and McGrory believe the RUC are beyond reform and should be disbanded. Others think the minimum requirement is that changes in command be made which would ensure that the police exercise restraint, that the more extreme loyalist elements within the police be dismissed or controlled and that new recruits be attracted to it from more moderate Protestants and from Catholics. Aside from Hume's suggestion the following were examples of other views on police reform.

- A. McGrory thinks that a new police force should be established with new insignia, different colour uniform, etc. This would operate across Northern Ireland. The nucleus for the new force would be the old RUC shorn of its more extreme members. Bishop Edward Daly considers that those persons from Northern Ireland serving in the Gardai and in the British police forces could be encouraged to transfer to a new force. This force could be unarmed and its purpose would be to deal with ordinary non terrorist crime. A second small force could be formed to deal with, e.g. anti-terrorist measures.

- B. Establish some form of community policing for ordinary crime (with or without the disbandment of the RUC) and a small unit for anti-terrorist crime. Bishop Cahal Daly in particular favours some form of community policing. He said that in the last six months, groups did emerge in West Belfast, from which the Provisionals were excluded, and which could in time have formed the nucleus of a force to deal with vandalism and petty crime. The events of 12 August have pushed back if not destroyed these developments.

9. None of the three models above are mutually exclusive. Suitable elements might be taken from each.

RUC Reserve

10. It could be disbanded (because of its sectarian nature) but could also be absorbed into the structures mentioned above. If the control structure and discipline in the RUC are improved it should prove possible to avoid RUC Reserve excesses.

11. It is probable that an army presence would be required, at least for some time, to provide back up services to the police. That back up should be under joint control and/or consist of forces supplied by both the Irish and British Governments.

Prisoners

12. There would be considerable political advantage in releasing as many prisoners as possible subject to security considerations. The present prison population is about two thirds republican and about one third loyalist. The demands from the relatives of republican prisoners are not significantly different from those of loyalists. The DUP in particular have supported loyalist prisoners and it should be possible, by balancing loyalist and republican releases, to avoid adverse criticism of a sectarian nature should prisoners be released.

13. Fr. Faul and Jim Canning stress the positive effect the release of prisoners would have on the families, while Fr. Murphy would stress that if the prisoners can have hope it would help lead them away from violence. There are two specific categories of prisoners whose sentences could be reviewed immediately:

- A. Those who lost remission because of the various protests in the prisons. Both republicans and loyalists are

affected. When many of these prisoners were sentenced the judges expected they would serve only half their sentences because of the practice of 50% remission. In effect they have now served periods in excess of those intended by the judges because of lost remission. If, as a gesture of good will, the lost remission could be restored a considerable number of prisoners could be released immediately, without in Fr. Murphy's view, negative consequences for security.

- B. Those whose sentences are indeterminate should be given dates when they might expect to be released. This would particularly affect those held at the Secretary of State's Pleasure (SOSP) who were minors when convicted.

14. Surprisingly nobody to whom Departmental officials spoke favoured an amnesty. They were more in favour of a trickle of releases which would follow if a policy on the above lines were implemented. Fr. Murphy thought that it might be beneficial if as part of a settlement it were made clear that the cases of all prisoners would be reviewed regularly, say perhaps every six months instead of every five years as at present, and that it should be clear that the attitude of the authorities would depend both on the prisoner's behaviour, etc. within the prison and on the conditions outside into which they would be released (thereby creating pressure on those outside to desist from violence).

15. Fr. Murphy would wish to clear the gaols as early as possible, and would take an enlightened attitude on an amnesty, but he would not advocate the release of prisoners whose sentences have not been completed and who remain committed to violence into a society in which their former colleagues remain active in violence.

16. Canavan would be very cautious. He believes there are many innocent people in the prisons and that most of them were young people who got caught up in a political situation not of

their making. He would not favour any public commitment to assisting the prisoners before the implementation of a settlement and would strongly advise that the public position should only say that any release of prisoners would be a matter for consideration.

17. Movement of a positive kind in the above areas would have an important effect on the matters which are dealt with below, where the problems could frequently be solved by more sympathetic handling by the police.

Courts

18. The problem is not that those judges who hear cases in the Diplock Courts are predominantly unionists but that there are so few Catholics on the Bench. There are Catholic barristers who would accept judgeships if the financial rewards were greater and if the security situation improved. McGrory said the attitudes of judges can change. Those who are triumphalist now (Gibson) were more accommodating in 1973/74 in the Sunningdale era and would be so again in the event of change. He sees no need to restructure the judiciary, of which he is very critical, believing they will change if the circumstances change.

Irish Language

19. Introduce legislation to make Irish an official language and provide translators and Irish forms for those who wish to conduct their official, including judicial, business through Irish. The use of the Irish forms of personal names, placé names, street names etc should be permitted. Support Irish schools (Belfast and Derry) where demand exists.

Education

20. The Bishops have no complaints. The Catholic schools are being treated fairly. One important area of third level

education which requires support from the South is Magee, and the Derry Regional Technical College. No need for legislation.

Flags and Emblems

21. The Flags and Emblems (Display) Act 1954 permits the flying of emblems unless a police officer considers that its display may occasion a breach of the peace. In effect if a loyalist decides he is being provoked by the Tricolour, the RUC will endeavour to remove it. In addition any person who threatens or prevents the display of the Union Jack by another person on/in lands occupied by that person offends against the Act. The Act should be repealed. A sensitive approach by a new security force would deal with any other problems in this area.

Marches

22. Decisions on the routes followed by marches are usually taken by the local RUC commander. In addition many of the traditional routes followed by the Orange marches are intended as a triumphalist manifestation of unionist supremacy. A new police force should deal with the former aspect and should also ensure that nationalist marches are handled more sympathetically than at present. It might also be advisable to issue instructions to the police which would prohibit unionist marches in predominantly nationalist streets and vice versa.

Department of Foreign Affairs

August 1984