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Meeting with Seamus Mallon

Newry, 13 May 1986

I met Seamus Mallon in Newry yesterday.

At our last meeting on 26 March, his mood was one of deep pessimism about the Agreement. On this occasion, I found him in a more equable and balanced frame of mind. While the state of Mallon's health at any given time is probably a major factor in determining his mood, my impression is that he has reached a calmer and more pragmatic view of things for other reasons as well. First, he has begun to find his feet at Westminster and has built up his self-confidence. Secondly, his offices in Newry and Armagh are running smoothly and he has acquired a full-time assistant who will ease his workload. Thirdly, he knows that no election is imminent. Fourthly, the fact that the Unionists continue to be the focus of attention has probably given him a breathing space in terms of responding to his constituents' expectations about the Agreement.

I regard it as unlikely that Mallon will go beyond the note of concern about the rate of implementation of the Agreement which he sounded in his recent London speech. In private conversation, of course (less so in his public statements), he has a penchant for blunt or colourful language. His trenchant style in debate leads him almost inevitably to sum up his views in provocative terms, which, in fact, frequently imply a more simplistic approach on his part than is actually the case. While making due allowance for the occasional vehemence of his language and changeability of his mood, my reading nevertheless is that, at this stage of the Agreement, Mallon is very firmly "aboard" and will remain so for the foreseeable future.

Mallon began by expressing his appreciation of the meeting he had with the Minister over lunch last week. He was glad to have had this opportunity to indicate his views on the Agreement, in particular the need for it to deliver "something" for nationalists very soon. Reflecting on some of the Minister's remarks afterwards, he felt he had detected the influence of Fr. Denis Faul's recent statement to the effect that the mere existence of the Agreement will suffice for the time being and concrete reform can wait until next year. I took issue firmly with this interpretation of the Minister's position, suggesting to Mallon that the Minister had amply proven his determination to seek the earliest possible results. He did not pursue this point.

I raised the major issues confronting us in the area of security policy. Mallon laconically repeated his standard prediction that "you'll get no changes in the RUC for the rest of this century". However, on this occasion, he was noticeably less truculent on the subject of the RUC than he was at our previous meetings. Furthermore, instead of the negative approach which he has previously displayed towards the work which is being undertaken in relation to the RUC in the Conference, he advised the Irish Government to "keep plugging away" at the various issues which have been raised, even though he regards the prospects of significant progress in the foreseeable future as slim.

More generally on the Agreement, Mallon made the comment that the Unionists will not succeed in breaking it. "Only the nationalists can do so". What he meant by this, it seemed to me, is that, as the Agreement is designed to end the alienation of nationalists, signs of disillusionment with it on the latter's part could seriously undermine its standing. He went on to argue that, this being the case, the emphasis should be on what can be done to satisfy nationalist concerns rather than on ways of placating the Unionists. With an Assembly election looming either later this year or early next year, the SDLP

will have to have concrete results "by the end of the summer" - particularly as Sinn Fein, recovering now from their electoral setback in January, are attempting in a number of ways to sow seeds of doubt in nationalist minds about the Agreement. I responded by telling Mallon that nationalist concerns are self-evidently at the top of the agenda for us and that particular persuasion to ensure this is quite unnecessary.

Going back to his view that nothing of significance would be forthcoming in the short term on the security front, I asked what the specific results were which he hoped to see from the Agreement before the end of the summer. He said that he meant by this progress in relation to identity questions, in particular the "I" voters and the Flags and Emblems Act. In Mallon's view, it should be possible for the British Government to deliver relatively quickly on these, more so than in the security or legal field. These issues are of considerable local importance. In the case of District Councils where the SDLP is under threat from Sinn Fein, action on the "I" voters could be of considerable benefit to the party. Even in the Newry-Armagh area, where competition from Sinn Fein is less of a problem, the issue is important because there is a large number of "I" voters in the constituency. A consequence of the "I" voter anomaly is that there are SDLP Councillors on the Area Boards who, as "I" voters, are not allowed to vote in local elections. Mallon would like to see early progress in the Conference on the "I" voters and Flags and Emblems Act. I pointed out that the "I" voters question is due to be discussed at the next meeting of the Conference.

On devolution, Mallon commented rather lightheartedly that Hume was "talking through his hat" when he indicated in a recent interview that there might be an agreement between the parties by the end of the summer. It is possible, Mallon continued, that Hume has been negotiating privately with the Unionists and "knows something I don't". He added, with a chuckle, that "they certainly would not be negotiating with me". Mallon

believes that the British Government should wind up the Assembly in the near future and let the Unionists "cool their heels" for six months or even a year. In recent weeks, four Unionist Assemblymen have indicated to him that agreement on a new Assembly and on devolved government would be attractive to them for one particular reason: the promise of a steady income. Mallon's calculation is that a spell "out in the cold" would help to focus Unionist minds on the need to reach an accommodation with the SDLP. The removal not just of personal financial security but also of the secretarial and other facilities available to Assemblymen would be an incentive to "get back into an Assembly quickly". This would apply particularly to a number of DUP Assemblymen (e.g. Jim Wells) who are entirely dependent on their present Assembly salary.

The SDLP, Mallon continued, has privately made clear to the Unionists its position that it will accept nothing less than power-sharing. Mallon hopes that the "spell in the cold" could be exploited by the Official Unionists in order to prise themselves loose from the DUP and thus to create prospects for an agreement involving power-sharing.

Mallon expects that, whether or not the Assembly is wound up beforehand, negotiations with the Unionists will not begin in earnest until the "late autumn". Unionist leaders, in his view, are not interested in talking at the present time. Their withdrawal from "talks about talks", furthermore, came as no surprise to him - "they are not interested in talking to anyone at present". While he does not accept the argument that the marching season (which, after all, lasts for up to seven months) should necessarily involve the suspension of all political activity, he recognises nevertheless that Unionists will not be willing to talk during that period.

Mallon has put down a Private Member's Bill for 3 June on the subject of supergrasses. Entitled the Accomplice Evidence (N.I.) Bill, it will provide, with certain exceptions, for a

mandatory requirement that an accused person shall not be convicted on the uncorroborated evidence of an accomplice. Mallon asked for our assistance in the preparation of a speech for this occasion (parts of which he will use in media briefing in order to generate some advance publicity). His Bill (a copy of which he gave me) reproduces a proposal for a Bill which was sent to him recently by a Northern barrister, Eugene Grant. (Note: we have known from independent sources of Grant's proposal; we are aware also that he has been anxious to avoid being linked publicly with nationalist representatives for fear of offending his largely Unionist clientele.) Mallon is aware that some Labour peers in the House of Lords have also been preparing proposals on supergrasses but he was not prepared to hold off on this issue until "Labour get their act together". My impression is that he sees his Bill essentially as a publicity exercise. He does not appear to be planning an intensive canvass to win support for it. He has no expectation that it will be voted through to a second reading. The focus of his interest seems to be the publicity which he hopes to get both in the run-up to 3 June and on the day itself (particularly as he is due to present it just after Prime Minister's Question Time). We had a useful discussion of the whole question and I will be keeping in touch with him on it.

Mallon has arranged to have a question tabled today (which, he understands, will be answered on 12 June) on the recent media reports that "Budgie" Allen is to be released shortly.

On the subject of Loyalist sectarian violence, Mallon expects "serious trouble" this summer in places like Rathfriland, Kilkeel and Portadown. It is "in the air" even in his own town (Markethill), where, incidentally, much of the recent "World in Action" programme on the Ulster Clubs was filmed.

On the Stalker Report, Mallon told me that one of the four men most closely involved in the Armagh events is a member of the RUC team engaged in talks with the Garda Siochana on security

co-operation. His comment was that it would be extremely embarrassing if this were to emerge at any stage and that "something should be done about this" (though he did not know what to suggest).

Mallon is still sore at the treatment accorded to the SDLP at the Fianna Fail Ard-Fheis. He made it clear at the time that he would not allow himself to be "insulted" like that again. Noting reports that Paschal O'Hare and others might launch a new party in the North which would reflect Fianna Fail thinking, Mallon said he did not believe that such a party would get off the ground but that if it did, it would have very adverse effects on the SDLP's relations with Fianna Fail. He was also critical of "Alliance-type thinking" which, he understands, was voiced by delegates at the recent Young Fine Gael conference. Further criticism was levelled at the Progressive Democrats, who have invited him to their forthcoming conference despite the fact that during Mallon's eleven months in the Senate, "Dessie O'Malley never came near me".

In conclusion, it is worth repeating that Mallon's overall frame of mind at present is positive and pragmatic. The emphasis which he placed on this occasion on identity questions, which may seem a little odd in the light of his usual attachment to security issues, reflects in fact a purely pragmatic desire to see one or two concrete changes introduced under the Agreement which he could claim as successes and which, most importantly, are capable of being 'delivered' in the short term. On a scale of priorities, however, there is no

doubt that he would attach the highest value to the achievement of the Agreement's objectives in the security and legal fields.

David Donoghue.
David Donoghue

14 May 1986

c.c. Taoiseach
Minister
Minister for Justice
Secretary
Mr. Nally
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Mr. Lillis
Anglo-Irish Section
Ambassador London