



An Chartlann Náisiúnta National Archives

Reference Code:	2016/52/98
Creation Dates:	12 November 1986
Extent and medium:	7 pages
Creator(s):	Department of the Taoiseach
Accession Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

Note

Secretary
Mr. Nally
A-I Section
A-I Secretariat
Box 2341

ANGLO-IRISH SECTION

Time 16.00 Date 19/11

Meeting between the Taoiseach and Ian Gow, M.P., in the Taoiseach's office, 12 November, 1986.

Gow presented his point of view in the terms with which we are familiar:

- no greater acceptance by loyalists of the Agreement now than 12 months ago;
- full acknowledgement of the British and Irish Governments' high motivation and good faith but the Agreement will prolong and not diminish Ulster's agony;
- he must accept our argument that more time is needed, but he genuinely believes that, no matter how much time is allowed, it will not produce the peace, stability and reconciliation it is intended to achieve.

The Taoiseach said it was a fair statement which, however, he would fault for its degree of negative certainty. It is of course difficult to be certain but he hoped, and believed, that Gow is wrong. He felt that there may be a greater rationality now in the Unionist response which may give way in the long run to an acceptance of where their interest lies. We want to destroy the IRA which threatens both our countries. UK Governments in the past did not take it seriously and even spoke with the IRA: Wilson came here to Dublin to see the IRA behind our backs - this was treachery. Willie Whitelaw did it too and perhaps only Irish politeness prevented us from making our feelings clear. We set out to end all that and to tackle the alienation which might, if it continued, have led to Sinn Fein gaining - irrationally - a mandate from the Unionist population which could encourage them toward civil war - they make no bones about their intentions vis-a-vis our democracy! So, we proceeded, although in doing so we may have attributed more rationality to the Unionists than in fact they have. There has been a total failure by them to appreciate the guarantee in the Agreement. All his political life

.../

has sought to gain recognition of the majority position: there was no hope until the Irish people recognised that and the need for consent by a majority for an end to partition. Traditional nationalist ideas had to be changed in order to get that into a binding (internationally) agreement and to thereby remove any perceived threat from here. The corollary of course is that consent must also work the other way. These essential things are obscured by the anti-Agreement campaign.

The Unionist reaction was, frankly, more sustained and more general than either Government expected. We expected it to be shorter, more violent and less general. But here we are; what now? We can't hand the whole thing back to the IRA. We have to try to get through to the Unionists. It may be important to recall that the idea, that the Conference's responsibility for devolvable areas now contained in it would end, was our idea. If the Unionists could only see that they can remove us from major areas, including - just possibly - aspects of security policy, now covered by the Agreement. Of course the British Army could not come under local command, but it is possible to envisage areas of devolution, including security, which would leave a limited rôle for us under the Agreement.

A criticism of the Agreement is that we represent the minority. He felt that this would make things worse for the Unionists, but the British Government wanted it.

In response to what Gow had said, he thought he was more of an optimist than Gow.

Gow queried the value as perceived by the Unionists of the guarantee on the basis that it is the Sunningdale formula and all sorts of such things pile up at the U.N. where they are lodged. It should mean something, perhaps, but it doesn't. In any event, which lawful political party in the Republic believed before 15 November, 1985 that an end to partition could come about other than by consent?

The Taoiseach responded that the Unionists have the delusion that the Republic threatens them and they are being murdered day by day. It was important to formally remove that perceived threat from the Republic.

.../

Gow fully accepted the alienation argument and the need to destroy support for Sinn Fein/IRA; and he understood the Taoiseach's and Mrs Thatcher's belief that the Agreement would lead to reaffection of the minority. The latter is of course good: it dries up the pool in which the terrorist fish swim; nationalist grievances are now abated somewhat and will presumably be abated further. But the majority is now disaffected and they see minority reaffection being purchased at the price of Ulster being governed differently.

The Taoiseach argued that nothing has changed as direct rule continues as previously. The British Government is, rather, more sensitive now than previously to the nationalists. However, this only happens as and when the British can be persuaded by us. This does not always happen, as we saw recently on the three-man courts issue where the opposition of Lords Hailsham and Lowry was over Cabinet colleagues who were for three-man courts.

On the Irish constitution, we are where we are. Northern nationalists see Articles 2 and 3 as a sheet anchor to help them stand up to the IRA.

Can the Unionists be got to sit down and discuss devolution of a kind and character which would remove much of the Agreement as far as Dublin is concerned?

Gow. There is no prospect at the present time of devolved government finding widespread support. He is dismayed at the present Unionist leadership and the boycott of Westminster. He has long advocated their return and participation. Some Unionist leaders are even flirting with violence. Because of the lack of political will and lack of guts, he has himself begun to think in terms of resigning his seat at Eastbourne next time round and going instead for a Northern Ireland constituency, if one could be found, where he would stand as a Unionist candidate. Powell may not stand again although he has made no decision.

The Taoiseach agreed that the present scenario is depressive. The weakness of the Unionist leadership is allowing forces to push toward UDI. The point must be reached when Unionists will have to decide whether they are for the Union or not - they must face the issue of

.../

Whether or not they want to end the Union. Surely coming to the inevitable decision that they want to keep the Union will throw up new leadership. Many Unionists would be horrified at the idea of an independent Ulster. Are the working-classes really Unionists at all? Robinson wants to be the Prime Minister of a 2½-county independent working-class Ulster. He wants to destroy the Union. Paisley's position is a bit more ambiguous. He has come close at times to a federal Ireland where he would be the Prime Minister of a Protestant State within a confederal Ireland. Robinson cannot get rid of Paisley because of the church element. Many people in Northern Ireland must surely be afraid of the direction Robinson would take them.

Gow. Yes, someone of quality may arise, and I hope very much for that. In the meantime, has tackling the IRA through the Agreement now created a situation where loyalist violence will flare and that abatement of one evil will create a greater one?

The Taoiseach did not think so. There is of course a danger there, but the British Government, the RUC and reasonable Unionists must assert themselves to prevent it. But if you reversed the Agreement you would create a problem of twice the size with the IRA and the minority. The path forward must be to hold firm; to alert Northern Ireland - people like yourself can help here - to the danger to Northern Ireland of what is happening; the right language must be used to pull back working-class loyalists with the middle classes inside the Union; and devolution must be sought: if you get it, including even security areas, we will not stand in the way even though the effects of that would be that the Conference rôle would become very limited.

The three-man courts issue was then raised by the Taoiseach who said that decisions in the Diplock courts have by and large been very fair but they don't look to be fair. Also, a judge can mis-direct himself repeatedly as he can make up his mind about a witness at an early stage. Single judge courts with no juries are a very bad option in any country. There have been many over-rulings in recent supergrass trials: these are going round in circles at present. Three judges are much more unlikely to produce prejudicial judgements than one judge. Lowry said three-man courts are not a tolerable proposition because the Northern Ireland judiciary is monolithic in its

opposition, but this is not true as our information indicates that four members are for and two are neutral. During the negotiations we found that London was sometimes mis-informed about realities in Northern Ireland in this area.

Gow argued that not only Hailsham had opposed three-man courts, that he had been supported by Havers and Mayhew to whom he had spoken only the day before. The Taoiseach gently put a question mark over Havers' motives but did not press the point too hard. Gow then said off the record that in the conversation with Mayhew, at which Bill Benyon was present, Mayhew was strongly against three-man courts, but that it was acknowledged that as and when Hailsham goes and Havers becomes - if he does - Lord Chancellor, then things could change.

The Taoiseach said that he wants to get the Convention on terrorism through the Dail without reservations but that this has been made very difficult. That said, he felt that the courts' performances over the past year have been much better than previously when we had improper comments from judges and so on.

Gow, who had been rather taken aback by some of what the Taoiseach had said about misrepresentations to London of realities within the judiciary, said he needed to look more deeply into the system of justice in Northern Ireland - in particular the disposition of the judiciary and Lowry's statements on this. He said also that he would make himself familiar with the question of finding a balance as between Catholic and Protestant judges.

The Taoiseach then stressed the background, in the 15.11.85 Communique, to the Convention.

Gow, looking to the future, wondered whether disappointment from time to time on Dublin's side, as with the three-man courts point, would not lead to public political rows between Dublin and London; to attacks on the Government in the Dail; to the Taoiseach and the Government coming under fire in the Commons and the Lords if the Convention doesn't get through the Dail ("as soon as possible" was not expected to mean over a year later), and all of this trouble had not made the nationalists' position in Northern Ireland much better over the past year.

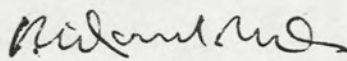
.../

The Taoiseach urged Gow to help in the job of bringing the Unionists back from the present dangerous situation which could otherwise become intolerable, and he reiterated his commitment to the task of making the Agreement work.

Footnote

Gow afterward professed himself to have found this meeting, as the meeting the previous evening with Minister Barry, and afterward with Minister of State Birmingham, to be extremely useful and valuable to him personally. He would, he said, bear in mind many of the things said to him, particularly regarding the system of justice in Northern Ireland. He was not converted from his basic views but he did not feel that such was the purpose of the visit. Rather, he found that, overall, he had consolidated the feeling that in many ways we share the same desires and hopes for Northern Ireland: we differ only in our approach.

We discussed afterward in London one other matter which arose out of his conversation with the Taoiseach and I have reported on this separately.


Richard Ryan
Counsellor

13 November 1986