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ROINN AN TAOISIGH

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To: SECRET

From: NORTHERN IRELAND Subject to clearance.

Meeting with Cabinet Secretary, Sir Robert Armstrong,
16th July, 1984.

The meeting took place in the Council Chamber at 11.00 a.m. and finished at 1.00 p.m. It was attended by Sir Robert Armstrong, Mr. Alan Goodison, British Ambassador and Mr. David Goodall, Foreign and Commonwealth Office, London, on the British side, and, on the Irish side, by Mr. Sean Donlon, Secretary, Department of Foreign Affairs, Mr. Michael Lillis, Assistant Secretary, Department of Foreign Affairs, and the undersigned.

After some preliminary remarks, on budgetary matters within the EEC, Sir Robert Armstrong began by saying that what he was about to say had the full authority of the Prime Minister and the knowledge and authority of the Cabinet itself, who had considered the matter, but not in detail. He referred to the needs and opportunities of the present situation and to overall objectives of obtaining greater security and stability and to meeting the needs, in particular, of the minority in Northern Ireland. What he was about to say might be over-graded if they were described as proposals. What he had in mind was more in the nature of ideas for further consideration and discussion. They were reacting to the earlier ideas and were, in a sense, still feeling their way with us. What they wanted to do was achieve the right balance. There was great goodwill going into the present exercise. They really wanted to do the trick but, at the moment, they were working on a tight rope. What emerged would, if it were to be successful, have to be a very delicately balanced act. On the one hand they must look after the rights of the minority. On the other hand, they must not drive the Unionists over some edge. What they were doing now was responding to our message of 11th May and carrying it forward.

They were two basic elements in their consideration. The first was the Forum Report. The second was Articles 2 and 3. They appreciated that what the Taoiseach had offered here could only be in the context of progress of a very significant kind. They greatly appreciated his offer and they understood the significance of what was required to balance it.

On the Forum Report, he must again reiterate that, in so far as they were concerned, they must say no to a Unitary State as outlined in Chapter 6. They must also reject the concept of a Federal State as outlined in Chapter 7. Their approach to Chapter 8 was altogether more cautious. All present would have seen the comments made by the Secretary of State for Northern Ireland. They were

ROINN AN TAOISIGH

Uimhir.....

To:

2.

From:

particularly concerned with the end of Chapter 5 (a settlement recognising the legitimate rights of Nationalists and Unionists must transcend the context of Northern Ireland.....) and the beginning of Chapter 5 (the "realities").

There were a number of elements in their proposals. The first concerned the strengthening of security operations. They recognised the necessity for some element of jointness in what was done here. As they saw things now, the ideas for a Joint Security Commission were still on the table. Had we given any thought to the actual administration of these matters on the border? They recognised that their ideas of last March just were not practicable. What about Liaison Officers to start the process?

The second element, under the heading of security, related to a Joint Commission on Criminal Law harmonisation - to which, they were taking it, there was no insurmountable objection.

The third element was an all-Ireland Court - the details of which they had, admittedly, not worked on.

To balance all this, they recognised the need for some form of jointness at political level. They had been considering the question of Joint Authority in Northern Ireland, as an executive body in a framework comprising three forms of power, reserved, excepted and executive as indicated in our presentation of 11th May. There would be certain devolved powers to an elected Assembly.

At this point he must emphasise that there would be insuperable difficulty on any question of shared sovereignty. The Prime Minister had taken on board the Taoiseach's argument about Joint Authority being possible without derogation from sovereignty. Their view was that the Unionists would find it a slender distinction - or possibly non-existent if the Irish Government were seen to exercise a veto or power in Northern Ireland. What was needed was some form of arrangement to give the Irish Government a formal position which was not a derogation from sovereignty but which gave Nationalists an effective guardian. Both sides must think of a situation in which there would be devolved Government. There was another situation in which this might not be possible.

Arrangements would be different for matters devolved to any Government in Northern Ireland and matters within the authority of Westminster. This would be covered by an Anglo-Irish formal arrangement in which the interest of the Irish Government would be set down and the Irish Government

ROINN AN TAOISIGH

Uimhir.....

To:

From:

3.

would have a formal position. In dealing with these matters the British Government would have to say that they were not sharing sovereignty. At the same time the arrangements would have to provide for a high degree of political authority in Northern Ireland which the Irish community in Northern Ireland could see as meeting their needs and requirements. At present, the British Government were open-minded as to the form these arrangements might take. Three suggestions had been made.

The first was that the arrangements should be within the format of the AIIC, with a new and strengthened North/South aspect.

The second form would be provision for regular and formal meetings between Belfast and Dublin. (At a later stage in the meeting Sir Robert described this particular arrangement as a form of Council of Ireland).

The third form might be a provision for an Irish presence in Belfast as a focus for all matters of Irish concern there. That presence would become a national channel for Irish Government interests and concerns.

In all this, problems would have to be solved dealing with the relationships, on devolved subjects, with the devolved administration. On subjects not devolved, there would have to be special arrangements dealing with relationships with the British Government.

In return for all this, there was need for some assurance that what was happening was not the thin edge of the territorial claim. They also appreciated the need for thinking of arrangements which were not confined to security.

Sir Robert then went on to enquire as to what form our thinking on Articles 2 and 3 was taking. They would also like to have our views on the arrangements generally and on the suggestion for liaison officers on the ground, possibly merging into joint squads, later, as things developed, under the proposed Joint Security Commission.

Mr. Nally said that as these proposals were now been presented, in this form, for the first time, we could not give a formal Government reaction. What we could do was to discuss them, without commitment, giving personal reactions and trying to help in the development of the ideas and especially in getting clarification on particular aspects.

The first point we would make was that any proposals must be judged on their possibilities for ending alienation in Northern Ireland. We fully appreciated that this was a two-way process. We did not want to see an exercise which ended up

ROINN AN TAOISIGH

Uimhir.....

To: 4.

From:

finishing one type of alienation by creating another type of alienation. For this reason, we appreciated all that Sir Robert Armstrong had said about the necessity for balance in whatever set of ideas or proposals finally emerged. This too was our view.

On whether the proposals which had been made this morning were, in themselves, sufficient to end alienation, we must defer judgement, essentially because we had not time to consider them in their fulness, but even more crucially because these judgements were political in their nature.

However, we must take the opportunity of saying again that any proposals which were presented or given publicity must be adequate to deal with the situation. What the Government here were considering doing in relation to Article 2 and 3 was quite a fundamental step in the context of Irish society and politics. The measures intended to provide a balance for these steps must be adequate, in so far as the Irish Government were concerned, or the whole package would fall to the ground and everybody would be worse off than if nothing had happened.

On the part of the proposals dealing with security, we saw some very real practical difficulties in what had been suggested. If liaison officers were put into place on either side of the border, there is little doubt that, under present conditions, both would meet with violence; and there was a strong possibility that under this type of pressure the other parts of the arrangement would come under very severe pressure.

On Articles 2 and 3, on which Sir Robert had asked what exactly the Government had in mind, Mr. Nally said that no exact formula or wording had been worked on, as yet. What appeared to be in mind - and this was totally without commitment - was the substitution of a form of aspiration for what many seemed to regard as the territorial claim now embodied in these Articles.

Mr. Goodall then came back to say that any movement on joint security must be seen within the wider structure, of which they had been talking, perhaps, or probably, at Ministerial level. Within that context, it was possible to see security cooperation developing quite rapidly. He could not see this type of cooperation emerging, immediately on the setting up of any new arrangements, completely formed like Minerva from Jupiter's head. Sir Robert said that it was conceivable that certain types of criminal activity could be specifically set aside to be dealt with by a third type of police force. He mentioned development like the Bundesgrenzschutz in Germany, under a Joint Security Commission. Insofar as the military were

ROINN AN TAOISIGH

Uimhir.....

To:
5.
From:

concerned, this would be a very difficult problem and would require a great deal of further thought.

Mr. Goodall then went on to say that if an overall Joint Authority were in force what would be happening would be that, firstly, there would be a formalised position for the Government in Northern Ireland. There would be, formally, a spokespersonship for the minority there. At the same time, British sovereignty would be unimpaired. This would not prevent the Unionists from feeling that the reality had already been conceded. What was involved was a very difficult balancing act. Sir Robert said that the position which had been put forward implied very great power and significance.

Mr. Goodall then came to the question of a devolved administration in Northern Ireland. He said that the greater the powers that can be devolved the less contentious the arguments will be because the issue of the Constitutional problem of the right to speak would have been enveloped in the devolved administration. A devolved administration, for this reason, was very important. They would have to answer the question - by what right is the Irish Government involved in the affairs of Northern Ireland? Ideally, to deal with this, they would require a devolved administration involving the SDLP and the Unionists.

Mr. Donlon asked the meeting to envisage what would have happened if the joint security arrangements had been in operation in relation to the funeral at the weekend of a certain Provo, where there had been violence. This was discussed, in a practical way for some time. Mr. Donlon went on to emphasise the risks here, in so far as security was concerned, if the whole issue became linked with violence in Northern Ireland. He emphasised that we need significant steps in other areas if we are to support moves on security. Mr. Goodall said that the Joint Security Commission was the best they could come up with at the present time. He enquired whether the incidents at the funeral might have happened or might have been worse if the Gardai had been present. Sir Robert asked how it would work? Would the Gardai have been in uniform? After some discussion, it was suggested that, as time went on, a form of third force, might emerge, comprising elements of both the Northern and Southern police forces; but the whole development would have to start with both forces reporting to a Joint Security Commission. Time would be needed for the development of this type of third force.

In reply to a question from Mr. Lillis as to the legal basis for whatever action, if any, might be decided on, Sir Robert Armstrong raised first the question of a Treaty and

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ROINN AN TAOISIGH

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To:

6.

From:

after some discussion, mentioned an agreement, with an Act of Parliament. In reply, again, to a question from Mr. Lillis, he said that what was involved in their proposals on areas other than security, was, in practice, a type of formal consultation. Sovereignty would remain as it was but there would be a formal and statutory power for the Irish Government to be consulted. They would have the right to reject proposals and denounce, in public, any arrangements on which they were consulted. This was a power equivalent, in some sense, to that of a nuclear bomb. He asked that we should not underrate the reality of what was on offer. Mr. Goodall went on to say that the question was what form should this formalised consultation take. In what areas were we seeking the consultation. We were being offered $\frac{9}{100}$ ths of what we were seeking.

Mr. Lillis said that we would both have to take into account the effect in Northern Ireland of claims here that what we were getting was $\frac{100}{100}$ ths of what we wanted, and the effects here of other people saying that what had been offered was only 9% - or a very much smaller proportion - of what we wanted. He went on to emphasise the dangers of an evolutionary approach, particularly in relation to security. If people saw liaison officers at each side of the border, it would immediately raise doubts. They would not know where the process was going to stop. We would be back again where we had started - with all the old fears aroused.

Sir Robert Armstrong then said that perhaps a Joint Security Commission could be considered, with powers specifically given to it to do or not to do whatever it considered wise in the particular circumstances. The Joint Commission could be or involve the Garda Commissioner and the Chief Constable in what they were to do or what not to do. Mr. Goodall mentioned that the Commission should be tasked to look at the things which were causing difficulties to the present meeting. It could be provide a framework for the development of the things we were talking about. The real difficulty at present was that neither side could consult with the experts in the fields they were talking about. For this reason, all proposals and ideas now had to be tentative.

At this point, the meeting broke. Over further conversation at lunch, the place of the Party talks in Northern Ireland was considered. It was pointed out that it would not be a good thing if these talks went on and, as seems likely, ended in failure. That was not the best type of atmosphere for the two Governments to come together to talk about what was under discussion in the present format.

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ROINN AN TAOISIGH

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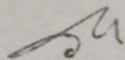
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From:

A second point which emerged there was the necessity for more urgent action so that, if necessary, experts could be involved before the Taoiseach and Prime Minister met in the Autumn.

In reply to questions, Sir Robert Armstrong said that he did not think a meeting, formal or informal, before the end of the month, would be desirable, essentially because the Prime Minister was extremely busy with current events in the UK and the Parliamentary Session would not end until towards the end of July. She would not be in a position to concentrate on Northern Ireland in the way in which the problem required. He thought that it would be far better if the proposals could be worked out further in the present context and suggested a further meeting, to that end, when we had time to think of what they had said.



16th July, 1984

cc. Mr. Sean Donlon, Secretary, Department of Foreign Affairs
Mr. Michael Lillis, Assistant Secretary, Department of Foreign Affairs.