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SECRET

While in London yesterday I had four separate meetings with the British side: firstly, I finalised with Brian Cartledge of the Cabinet Office the report of the Coordinating Committee to the Steering Committee which deals with educational, cultural, broadcasting and other essentially non-political issues. Otherwise I had three separate meetings with Goodall: the first on our own to discuss the Irish Speaking Note (attached), the second to have a further discussion on the Speaking Note with Brennan of the NIO on the British side and Ambassador Dorr on our side. I was invited to have supper at their home by Goodall and his wife last night; this was essentially a social occasion. The purpose of the present note is to report on the exchanges which took place on foot of our Speaking Note.

I began by saying that Ministers on the Irish side had been considerably agitated to be told about possible shifts on the British side which had emerged at the meeting of 2/3 November viz. the positing of a possible conditional link between the establishment of devolved government and the implementation of the set of measures which we were discussing and, second, the emergence of a new harder attitude to the form of devolved government possibly envisaging majority rule. I said that our Ministers were alarmed, resentful and extremely anxious as a result of being told of this development and that it had given rise to major suspicions about possible British intentions, not alone in relation to these two issues, but in fact in relation to the whole package. I said that this was the background to my instructions which were intended to clarify and fill out the Irish position for the information of the Prime Minister before the Summit so that she would have a much clearer understanding of our position than would be available to her simply on the British position paper, the language of which was not precise and, in the view of our Ministers, at certain points unsatisfactory. I said that general language was not acceptable to us and that a more precise representation of our requirements was essential.

I also complained strongly about the interview given by Mr Hurd published in the Sunday Telegraph the previous day and in particular its purported representation of the position of the Irish Government in relation to conditions for progress i.e. namely that the Irish Government accepted that ultimate authority would continue to lie with the British Government. I said this was a glaring breach of the understanding between us and was, moreover, not in accordance with the facts: neither side spoke in a way which committed his Government in the slightest way.

Goodall said he understood our reaction in one way but he felt that the tone and some of the content of our Speaking Note would make things "more difficult". He said that Mrs Thatcher had cleared the amended version of the British statement of position as the basis for her approach to the Summit with two small textual emendations. He said that, whether Irish Ministers were prepared to say this or not, it represented astonishing progress on the British side. He said, moreover, that the issues which we were now raising on the basis that there had been "retreats" on the British side, were issues that should be raised between the Taoiseach and the Prime Minister. He himself felt that the Irish side had very reasonable grounds for complaint and he was confident that our concerns would be put right. I said that it was all very fine for him to say that to me or even for me to be inclined to believe it: that was no good for Irish Ministers whose goodwill had been severely shaken and who were also beginning to have some doubts about the Irish team.

Goodall said that he fully understood what was happening: it had been his experience with the British Prime Minister throughout most of the process thus far. As a friend and as someone committed to the process, he hoped that our side would not begin a round of recriminations or lose the opportunity which he believed the Summit genuinely still offered. He said it was important that both sides hold their nerve during the coming days when there would be intense pressure on London and, he presumed, Dublin to go into retreat.

Goodall read the paper a number of times and commented repeatedly that the tone was not helpful and that there would be particular difficulties in relation to the UDR if its complete disbandment was an absolute condition for the consideration of any new arrangements by the Irish side. I pointed out to him that the Speaking Note called for discussions by experts on the establishment of a more acceptable system, if such were necessary. He also raised the question as to whether we were now reverting to a degree of Joint Authority (Para. 10).

I said that we understood that the British position was that they could not contemplate full Joint Authority but that they understood that mere consultation was not enough for us. I went on to say that so nervous had Irish Ministers become as a result of their retreat on two important points that those sorts of verbal assurances were simply not adequate. It was essential that we set out our position as in para. 10.

We then discussed over some time the feasibility/desirability of seeking to amend the British statement of position to take account of the new British Speaking Note. We agreed - and Goodall showed me his minute of this point - that the Prime Minister would use as the basis of her approach in the Summit both the British statement of position (which the British now formally acknowledges is in the possession of Irish officials) and our Speaking Note as handed over yesterday (copy attached). I should add that during this phase of the discussion, Goodall raised with me the story on the front page of the Irish Press yesterday and wondered how it would affect the capacity of the Irish Government to contemplating making constitutional change. I said I was sure that the Taoiseach would regard it as being, on the one hand, the result of a deplorable indiscretion and, on the other, entirely inaccurate. I said that the problems of constitutional change were very great indeed the more one thought about them and went on to describe the difficulties which would arise not only from the issue itself but from the nature and length of the campaign as required under the Irish Constitution and law.

Goodall sent copies of the Speaking Note to Armstrong and Brennan of the NIO during the lunch period.

The meeting resumed at about 4.30 p.m. with Brennan and Ambassador Dorr present.

Much of the same ground was covered in the afternoon as had been dealt with in the morning. It emerged, however, that the "retreat" by the British side had almost certainly emanated from the involvement of the Northern Ireland Office in the talks: this became evident when we asked Brennan about current efforts by Hurd to have talks with the Northern Ireland parties and, more precisely, what he expected to achieve by this exercise. He replied that their expectations were not high. We said that would accord with our own judgement. He explained almost naively that what he and his colleagues in the NIO had in mind was that it would take a long time to implement whatever might be agreed eventually between the two Governments - on our side the referendum campaign and on theirs a considerable body of legislation. Although they had not clarified their requirements on the subject, they felt that following an agreement they would try to establish a devolved government with widespread acceptance for Northern Ireland. They assumed that if, as seemed to them likely, that would not be acceptable, then the question of the extent to which the joint "arrangements" would cover the devolved functions would have to be reviewed as between the two Governments. He further acknowledged that the question of majority rule was not one on which they had taken a hard position but that it might at some stage have to be looked on as a viable possibility. We said that the Irish Government could not even begin to think of a referendum unless all of the proposals had been formally and publicly accepted by the British without any further conditions attached or any provision for renewed consultation in the arrangements. We explained again at length and in detail the enormous difficulties and dangers of a constitutional referendum and said that we were convinced that these were not fully understood on the other side. Evidence of this lack of

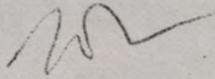
full understanding was the fact that they could think that it might be possible somehow to revise arrangements following certain experiments and that provision for such revision would be acceptable to us. It was because our Ministers were alarmed at this sort of thinking that it was absolutely essential to make our approach fully clear.

Towards the end of the discussion Goodall raised the question of a possible less ambitious initiative in the event that either Government decided that the constitutional referendum would be too difficult and too dangerous a task for us to undertake. We replied in a purely personal capacity and reminded him that it had been pointed out that the legal advice following Sunningdale had been that it would be consistent with our Constitutional obligations to have the Sunningdale Declaration ratified in an international agreement. We also pointed out that there had been important developments such as extradition which had seemed to make very little difference in terms of securing an acknowledgement of any changed situation from the Unionists. Goodall said that there were even some doubts that a change in the Constitution would create such an ostensible sense of reassurance. We pointed out that the very referendum campaign which would be strongly contested by both sides would give unmistakable evidence of the attitude of the people in the Republic to the people of Northern Ireland. Goodall wondered what sort of "package" short of what was now being contemplated we might think of as constituting some progress if we could not provide the Constitutional reassurance. We did not take this point further. Goodall said that he felt the moment was right for an historic move on both sides and that he could not see any alternative to the constitutional move if that was to be contemplated.

Very little emerged in the exchanges over dinner which were in a social setting with Goodall's wife and daughter present for most of the time. The one interesting point was that Goodall had changed his assessment of Hurd downwards and now (like some on the Irish side) rather regretted the departure of Prior. He saw Hurd as the main source of both inertia and opposition on

the British side at a time when the Secretary of State for Northern Ireland should be strengthening the Prime Minister's resolve to move forward. He said that Howe would try to fill that role as far as possible.

Another point to emerge was that the higher level of violence on the mining pickets, particularly in Yorkshire earlier that day, was a matter of some alarm to Mrs Thatcher and could create regrettable distraction. Next Monday is, it seems, a critical day for the rate of returning workers as it is the last day when they can return and still claim pre-Christmas bonus premiums. At the end of the evening as I was leaving, he admitted that his own position was not an easy one as he and Armstrong sought to pull the Prime Minister in one direction with help from Howe against the opposition of Hurd and the NIO.



M.J. Lillis

12 November 1984

c.c. Taoiseach
Tánaiste
Minister
Secretary
Mr Nally
Mr Ward
Mr Quigley
Ambassador, London