

# NATIONAL ARCHIVES

## IRELAND



<b>Reference Code:</b>	2014/105/825
<b>Creation Date(s):</b>	17 December 1984
<b>Extent and medium:</b>	17 pages
<b>Creator(s):</b>	Department of the Taoiseach
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cc Personal + James  
Taoiseach  
Tánaiste  
Minister  
Secretary  
Mr. Nally  
Mr. Ward

Meeting in Armstrong/Nally framework at Cabinet Office,  
London, Monday, 17th December, 1984.

The meeting began at 10.30 a.m. and was followed by lunch hosted by Sir Robert Armstrong for the participants. Those present on the British side were Sir Robert Armstrong, Robert Andrew (PUS at NIO), Alan Goodison and David Goodall: on the Irish side Dermot Nally, Sean Donlon, Michael Lillis and the undersigned.

The following though not verbatim is a reconstruction in the form of direct speech from my notes.

Armstrong (after some introductory words of welcome) We have not come here today with fresh instructions on our side. It would not be feasible to have fresh instructions before Christmas. But both sides have thought it useful to touch base - as it were to pick ourselves up after the Summit and the following events. We want to see how we might proceed. The only fixed thing ahead is the commitment to have another Summit. There could be some flexibility about that. Certainly there is one thing that can be said - the next Summit had better be a good one.

It would be helpful for us to hear from you how things now stand politically. I hope the Dublin meeting en marge of the European Council will have cleared some of the air between the two Prime Ministers. Also the Press Conference given by Mrs Thatcher on 4th December may have stopped or at least eased the rocking of the boat and gives us both a better chance to see where we might be getting.

It seemed to us that both sides ended up at the Chequers Summit looking for ingredients in the security/political and legal fields. On the last named - that is the legal side - there was not much detailed discussion. Both sides seemed to be taking the papers as read. In contrast there was a good deal of discussion on the two first points (security and political). There was discussion of the nature of any contribution which might be made by the Irish Government to the affairs of the province; and the nature of any new devolved arrangements in Northern Ireland.

I feel that it was left to us to follow up on these three - or four - areas to see if there was material in that which we could put together. As you will have gathered from Chequers as soon as you begin to put things down in writing the magnitude of what is being contemplated comes home to Ministers. I saw at least two advantages to the Chequers discussion (a) it did help to bring Ministers to this point; and (b) the very outspokenness of the Prime Minister evoked a similar outspokenness on the part of the Taoiseach. This was very good. It was indeed a better education than any briefs done by officials like myself could be. It was of course uncomfortable but it was nevertheless a good thing. The Prime Minister really meant it

when she said she had had a real discussion. That suited her. Of course it did not take the course which the Taoiseach - or indeed I myself - had expected. But I think it was helpful in the educational sense that the Taoiseach was led to say some things which the Prime Minister will have heard before from officials but to which she would not have given the same weight (i.e. the fact that the Taoiseach said them to her in a direct exchange had much greater impact).

The question now is what map, what time-table we should write for future consultations on these issues?

Dermot Nally The first thing is that we must make sure that nothing like Chequers ever happens again.

Armstrong (interrupting) I agree. It is better not to have a Summit at all than that.

Nally What happened had grievous effects on the Taoiseach personally and politically. The Summit itself in substance was first class. But certainly we could not have a repeat of what happened in the aftermath. If it were to happen one would have to forget about everything. The next question is how to get to the stage that we want to get to. It comes back to the question which you were asking yourselves at the beginning of these exchanges - is it better to do something or to do nothing? We have both moved a great distance from the idea of doing nothing. The truth is that a mood has been growing North and South of the border which if allowed to persist could lead to a swing towards men of violence. This is not a threat on our part - it is just a statement of what could happen if there is not hope. Therefore the question - do we go ahead or not - does not really arise. The Taoiseach and the Prime Minister were very strongly committed to a continuation of the dialogue.

Armstrong I think that approach is mirrored here. The only circumstances in which one would think of doing nothing is when that is better than anything that you can think of doing. Perhaps one could reach that point at some stage but we are not there yet. The considerations which led the Prime Minister to want to do something are still there. She doesn't yet see clearly what (could be done).

Nally We see very serious dangers in simply proceeding along the security path without the other two areas. If you are inviting us in to security only then that will be attacked savagely. We will be accused of aiding a system which is suspect and in relation to which we have no real power. The Irish Government would be attacked as upholding a system which the minority do not accept.

Armstrong At Chequers the Secretary of State for Northern Ireland (Hurd) seemed to be saying something like this. Are your remarks related to that? (Note: I thought Armstrong was here distancing himself from Hurd's ideas).

Nally More or less. For example if the Government in the South were seen to be associated in some way with a kind of "shoot to kill" policy. For example in the case of the Downes shooting in August. That would be disastrous - to have responsibility but no power. That would wreck any Government in the South.

We would therefore like the security only approach to be seen with the greatest suspicion. It would not work. You would have to have something on the legal and political side. And something on the security side going beyond consultation.

David Goodall But whatever the general situation this issue will arise. Are you saying that the political and legal involvement would make this tolerable? If the Irish Government comes in at all then this problem is inescapable (i.e. the problem of involvement in security issues which come under criticism). Is some kind of top-dressing going to be enough?

Nally The touch-stone is - will the minority be able to identify with the Government and with the security system? There are many ways in which one could answer that question. It is part of our business to get an answer. At present a substantial part of the population won't use the police and don't trust the judicial system. The question is can this be reversed?

Goodall My worry is that you simply cannot get at one stride to a situation where the minority identify completely with the structures of the State. Will the involvement or association of the Irish Government with a range of activities including security in a partial manner be enough? The nationalist community in such a situation would have to come to see that as an improvement though it might be less than they would like. (Note: I think his point here was that at best any involvement would probably be progressive and there would therefore be a difficult phase where one would have to live with some association with difficult security issues).

Armstrong That is the task of leadership.

Robert Andrew It is going to be difficult for you in any case to give full support on difficult security issues. At the same time you cannot pick and choose.

Nally Is there some significance in the choice of examples? After all we are envisaging judges sitting from either jurisdiction in the other.

Dorr In a sense what you are saying (on the British side) proves our point. There will have to be some difficult political issues faced. The only way it can be done is as part of a substantial package where one thing balances out another.

Andrew But if Dublin is involved you would have to accept that one day something good might happen another day there might be a bad incident.

Nally The Taoiseach asked me specifically to make the point that Articles 2 and 3 is still on the table if the package is good enough. You can of course try as you are doing to take each piece apart. The main thing is that the people in Northern Ireland can have someone to whom they can go and whom they can see as representing them. It could <sup>be</sup> minority politicians or it could be Dublin.

Sean Donlon Some person or institution.

Andrew Other than the nationalist politicians in Northern Ireland?

Donlon That is for discussion. Let me explain. We had policing problems in the South recently. But they don't get out of hand because it is possible to contain them within an accepted system. When similar incidents happen in Northern Ireland there are no available institutions to which the minority are ready to give their trust - even though in a technical sense in Northern Ireland you have better institutions in some respects than ours. For example you have a police authority and we do not.

Andrew Do you see reform of institutions such as the Police Complaints Board as political or as a security measure? We have talked about three elements. On the security side we are talking about policing in relation, for example, to cross-border cooperation. But we would also see security as something wider - something which would include measures to make the security forces more acceptable. This could be something of the nature of liaison, complaints procedure etc. On the legal side we have identified some areas also (i.e. the judicial area). There is also the question of criminal law harmonisation. The question is what is left which would come under the heading of political? (excluding of course such areas as defence and foreign affairs which you accept would be left to Westminster, and on the other hand devolved issues). It seems to me that there would not be much left in the middle as "political". This is why I am wondering if some of the things that I would see as "security" - such as for example measures to make the security forces more acceptable - would for you come under the definition of "political"?

Donlon What is missing is a framework within which all of this would operate - a framework which would enable both sections of the community to give their allegiance to the political system. If it is possible to find a framework either through devolution or through involvement of Dublin or through a combination of both then I suspect one would have to do relatively little tinkering with the existing institutions in other respects - they could easily be made acceptable.

Andrew We talked of a Security Commission at Chequers. My Secretary of State (Hurd) touched on the idea of calling it a Security and Legal Commission-perhaps with a different name. Would you see possibilities in that? Or are we looking at a wholly new area? [Note: Andrew's point in these exchanges was to ask whether a broadened definition of the work of the Security Commission would meet us by extending a good way into the kind of thing which we have identified as political].

Nally There was a very strong vocal reaction to Chequers in the South. Some people simply said "take our soldiers away from the border". One might describe it as a nuclear fall-out.

Andrew Yet if you talk about alienation then you largely are referring to security? (Note: He was still trying to get at what we wanted in the political field extending beyond the area of security).

Goodall After all even Fr. Faul, if I may quote him, said recently that what the minority want is not the end of the border but justice. Is it possible that the kind of measures we are talking about could sufficiently change the perception of the security system?

Andrew Suppose we could devise changes to make the police, the army and the legal system acceptable and fair to the minority would you still be looking for something more?

Donlon Yes, we would. I am sorry if I'm too blunt in saying that. The reason, however, is that what we are looking for, seen from another viewpoint, would be a way of helping you to achieve a system which would be acceptable and fair to the minority.

Lillis May I recall one of the criteria we set at the outset - that whatever is done should be durable. This is why we are talking about doing something involving a considerable political risk. We want something which would last even if there were a change of Government - on either side. We want what one might call a certain "finality".

We are entitled I think to put the question to you about what you want to see. Mr Hurd seemed not to be so ambitious. We must look for new structures which would have the kind of "certification" from our people as something which would last for a generation or more. No doubt something piecemeal would be advantageous in itself but it would not be enough. It is necessary to have some sense of the recent history. The handling of the hunger strike, whatever you might think about it, crystallised "alienation" on the part of the minority. There are also other events which we can now see as turning points. In a similar way I have to say that it is quite probable that the aftermath of the Chequers Summit has now become a historical reality. It is in a sense a turning point and therefore it has changed the problem. We must of course find a way to address this.

What I mean is that there was a presentation by your side (after the Summit) which brought right into the centre of public debate the difference between "consultation" and some more decisive role. This is precisely the issue which before Chequers we knew we had to get through. It was always a difficult issue for us. Even Mrs Thatcher recognised this. Now the effect (of Hurd's Belfast Press Conference) is that in the discussions ahead we will have to focus particularly on this issue. Similarly the recent "shoot to kill" incident where two armed provisionals were shot dead in Derry - the kind of issue which would always be difficult for us - has suddenly become part of the political debate. It is linked with the issue which has now become public of what consultation would mean.

Armstrong I draw two reflections from our discussion so far. (a) It doesn't help you if we talk of wrapping up security and legal issues together. It would suit you better to have the two areas separable so as to increase the weight of anything that may be done. (b) This arises from something Noel Dorr said at an earlier stage in talking about a package - there has to be a "balance of risk and commitment." We could have balance at different levels. We have been talking about balance at a fairly profound level (i.e. before Chequers) the question is should we go on talking like this? You say with the authority of the Taoiseach that the "big throw" is still there. Whether there is anything that is balance at the shallower level is an interesting question. However, we may not want to go into that at the moment if we are to keep our eye on the ball.

Dorr [I spoke on this point but do not have a note of what I said].

/...

Nally The Taoiseach is very much engaged in the idea of the deeper level. He believes whatever is done has to be made durable and that requires a referendum.

Goodall Has it got deeper since Chequers? (i.e. Do you need more on your side).

Armstrong It could be more difficult. At Chequers the Taoiseach talked about the difference between "consultations" and "genuine consultation". That seemed to me to be important. It should be possible to devise formulae to cover that difference. Have we been talking about something which has more appearance than reality? (i.e. the difference between the two concepts).

Dorr There is a general point. It seems to me that on your side you have said you cannot accept joint authority but you have, in a sense, "got away with it" by arguing that to give Dublin a role going beyond consultation on any issue is tantamount to joint authority.

\* Armstrong (Thinking aloud). I suppose we would want to say that the British Government cannot be made to do something which it doesn't want to do. Could we envisage beyond this a situation where Dublin could stop us doing something that we do want to do?

Lillis For example in the nomination of judges to the Courts North and South under the arrangements we envisaged.

Dorr This almost by definition would have to be done by agreement of the two Governments. [Since the southern judge or judges would be nominated to sit on a Northern Court and vice versa].

Andrew If one looks to retain the "pure milk" of the doctrine of sovereignty I would have to say that any kind of veto is out.

Armstrong (disagreeing somewhat) But are we talking about the "pure milk"? A sovereign Government can bind itself to do certain things only by agreement of another Government. This is where you come down to specifics. Could one perhaps devise a procedure whereby sovereignty as such is unimpaired but there was involvement of another Government in the process of getting decisions (which would be taken by the sovereign authority).

Dorr Are you talking for example about the possibility that each of the two Governments would be able to nominate a certain number of members of a police authority which would then be appointed by the Secretary of State?

/...

Andrew (Misunderstanding slightly). Certainly if there were 20 cases where the Irish Government objected to particular appointments to the Police Authority it would be inconceivable that the Secretary of State would override in each one of these cases.

Dorr It seems to me that in earlier discussions you first ruled out "joint sovereignty". You then extended this to "joint authority" which you said is tantamount to joint sovereignty. You then extended this in turn to allowing the South a decisive voice on any point saying always that this amounted to "joint authority". Now you seem to be going even further and saying that there can be no dilution of sovereignty although in fact in many respects (treaties, EEC, etc) pure sovereignty is frequently diluted.

Armstrong (Considering) Yes, because of the Unionists...

Dorr But remember we are talking about reassuring them through change in Articles 2 and 3.

Lillis We were talking in our discussions before Chequers of including (in whatever might be agreed between the Governments) a commitment to make it work and to reach agreement. This has now been damaged. The focus would now be very much on the question of consultation and what exactly it means. Would it simply mean being told five minutes beforehand that something like Operation Motorman was underway? Of course, to be fair this was always likely to be a problem but it is made more difficult now.

Andrew I can see the difficulty. It's even more true in the case of so-called "shoot to kill" situations. In such cases the Secretary of State cannot exercise control himself. There has to be a process of enquiry after the event. That would create great difficulty for you if you were in any way associated with it. [Andrew here and elsewhere was stressing how difficult politically it would be for the South to be involved and to take flak on such issues].

Dorr In a sense you are making the argument for us. It is precisely for this kind of reason that we must ensure that there is a substantial overall package. What we must do is ensure that the situation into which such an incident falls is such that it does not increase alienation further. The political situation must be one in which the minority recognise themselves and with which they identify.

Andrew But are there areas other than security?

Nally There is, for example, the whole question of agriculture in the EEC.

Lillis There are issues of identity in the broad sense. This is indeed a very broad question. (He went on to refer to <sup>education, language, postal services,</sup> broadcasting and other identity-type issues).

Dorr (to Andrew) I think you are overlooking something. You seemed to be puzzled about what areas other than security in the broadest sense the South might be involved in. You have said, as we do, that defence and foreign affairs are out. But there is the whole area which in the best case would fall to a devolved administration in Northern Ireland. You seem to be assuming that devolution has occurred on a satisfactory basis and then naturally there seems to be little left in the middle.

Andrew Yes, well of course I am envisaging devolution. If there were not devolution we feel that any arrangements for consultation would be overwhelmed by the mass of detail.

Dorr But would that necessarily happen? At present a number of issues are handled in a routine way and only the politically sensitive ones - which could of course be something as simple as dust-bins - come to Ministerial level for decision. One could imagine consultation with the South at that stage so that it might not be necessary on our side to mirror your bureaucratic structures in detail.

Lillis The Taoiseach however does envisage something such as this (i.e. there would be some more substantial bureaucratic involvement by the South).

To some extent we have been frequently embarrassed on our side to go back too much into history. However, one must realise that the nationalists in Northern Ireland feel themselves the same people as us. They feel that they have been corralled within Northern Ireland. At Chequers Mrs Thatcher seemed to have a very encouraging concern for their security but no sense of this point.

Andrew It seems to me that if the South were to be involved two issues would arise. The first is what would be the scope of the involvement? There seem to be three main areas under this heading (i) security in the widest sense (ii) legal issues in the widest sense (iii) identity issues in the widest sense. Are these the areas?

Lillis We have said that we acknowledge the Britishness of the unionists. Part of the reality is the aspiration of the nationalists.

Andrew (continuing) The second issue would be the depth of the involvement.

Dorr But what about devolution?

Andrew I was leaving it aside for the moment.

Dorr But can you? I mean the degree and scope of Dublin's involvement would have to be taken in conjunction with the extent to which devolution and power-sharing had been achieved.

Andrew In a sense that comes under the question of "identity"?

Dorr Of course it depends on how you define identity - whether it is the very broad question of identification with the system or what I might call "identity-type" issues such as flags and emblems etc.

Donlon Some areas of course in the matter of identity are not a problem. For example, passports. It is quite common for nationalists in Northern Ireland to travel on Irish passports and for some reason you seem to raise no problem about this. Thus, the whole passport issue is not a problem.

Lillis The question you (Andrew) are asking is what is the minimum gap between issues which would be devolved on the one hand and issues which would remain with the British Government (defence and foreign affairs) on the other. You are talking about security, human rights issues and identity. If there is not devolved Government of course....

Andrew If there is not devolved Government then there is a greater need for the Irish dimension. In regard to the question of the depth of involvement which I raised a moment ago - we have said we could not accept joint authority but at most "consultation". Were you (Lillis) saying that this issue has changed completely since the Chequers Summit?

Nally I would like to offer this idea just tentatively and personally. Suppose you selected certain broad areas where an Irish Minister and a British Minister would jointly make recommendations to the Secretary of State in regard to appointments etc but it would be the Secretary of State who performed the act of appointing. Would that kind of approach work?

Dorr There is probably a more basic question. Could you conceive of identifying a certain number of issues on which the agreement of both Governments would be required and spelling those out separately from the general provisions on a consultative role for Dublin? To take just one example for the moment - nominations to the mixed courts.

Goodall Of course where there true reciprocity there would be no difficulty in providing that certain matters would have to be decided by agreement between the Governments (and thus allowing a veto to either). The difficulty arises where there is not reciprocity.

Dorr But is that correct? There is a distinction between matters which are done in cooperation by both Governments and issues where there is reciprocity. In the latter case you mirror on one side what is being done on the other. If you are saying that it would be possible to give Dublin a decisive voice where there is reciprocity then you have already moved away from the problem of "dilution of sovereignty". What you are now talking about is a political "deal" or bargain which does involve dilution of sovereignty but where this is accepted because there is agreement to do something on the other side.

Nally Within the EEC there have been so many infringements of sovereignty. This is all for a particular purpose (i.e. the aims of the EEC). We are here talking about doing something for another purpose...

*(some what facetiously):*

Lillis I might mention that at a personal level the Taoiseach's own preferred solution would probably be a Federal/Confederal arrangement in Ireland: *you could conceivably construct a set of reciprocal institutions next South to incorporate this.*

Andrew I don't think we should build too much on the concept of the mixed court. (Note: I understood him to be saying that there might be some difficulties about this).

Donlon Since the purpose of our present talks is to clear the ground between us could I come back to the practical level. Where are you now with your talks with the political parties in Northern Ireland?

Andrew The Secretary of State (Hurd) already has held preliminary talks and is now holding more substantive talks with the party leaders. He has emphasised the importance of coming up with ideas for devolved Government which could be agreed across the community. All sides have agreed to the talks though where and with what result remains to be seen.

There is of course the second dimension - the Report Committee of the Assembly. The Committee has already prepared a preliminary report on how to strengthen the powers of the Assembly. It is now going on to consider the main issue of devolved Government. However, as the SDLP are not taking part in the Assembly I would not be very sanguine about their report. The SDLP for their part are inclined to say that they do not know what they can accept in regard to devolved Government until they know what the Irish Government involvement within Northern Ireland would be. Before Chequers they said they had to wait for the Summit to show this. Now they say they have to wait for another Summit. At some point Mr Hurd has to judge the bottom lines and put forward perhaps some propositions of his own. What will they be - I don't know yet. They will become meshed in whatever happens at the next Summit.

Goodall Is the thrust of what you (on the Irish side) are saying here that in the aftermath of Chequers the political price has gone up?

Donlon Although we have stressed it do not on the other hand over-estimate the impact of Chequers. To some extent it has been over-taken by what Mrs Thatcher said en marge of the Dublin Summit. Before Chequers we were talking about a "deeper package" but we had not reached the point of being satisfied with the balance.

Lillis Speaking personally I would say that the answer to your (Goodall's) question is yes. Of course there has not yet been full political deliberation on our side. We came here essentially to hear what you had to say as you came to hear what we had to say. Before Chequers we had some chance to construct a kind of process on the consultation issues and find some compromise formula. Now this is more difficult.

Armstrong Yes, before Chequers we talked largely generalities on the question of consultation. In preparing a paper for Chequers we came down to "the hard stuff" we must now get back to that. It will be very difficult. The Taoiseach did say however that for him the difference between "consultation" and "genuine consultation" was the kernel.

Donlon/Lillis [Both demurred. The Taoiseach had not really talked of this.]

Armstrong [Joked a little about the subtle difference between the two concepts.]

Dorr (Joking) It is like the double yellow line in Dublin which means no parking "at all at all".

Goodall Of course this is very difficult. We are looking at the question in the immediate aftermath of Chequers and you have made the point that it has created difficulties that an executive role in decision-making was ruled out publicly (by Hurd). But it was quite inevitable in any case that that would be a controversial issue whenever it became public.

Dorr But it would be a wholly different matter if it were presented as part of a balanced package and sold as such at a later date.

Goodall Well Yes, but.... The question is now are we going down the road of a solution based on "genuine consultation" but no more"? Is this a profitable road? or not? We should know this now in order to save months more of discussion in regard to "joint authority." I can't

see a real prospect of wide involvement in decision-making. It would be a recipe for disaster to have another Summit if this kind of issue is not clarified in advance. There could be a small spectrum of things which would have to be decided by agreement between the two Governments but I must emphasise that it would be a small spectrum. For the rest it would be a matter of "genuine consultation".

Lillis It is interesting to reflect on the unionist reaction to the Chequers Summit. It was triumphalist. But they did not seem to raise any objection to the idea of a consultative role for Dublin. There was a perception that Mrs Thatcher had routed the Taoiseach. But there was no negative reaction to what emerged - indeed there was a kind of crowing by Harold McCusker for example. He said that he had expected a parliamentary tier to emerge and could have lived with that. This shows that we may be over-estimating the unwillingness of the unionist to contemplate certain changes.

Andrew Of course the triumphalist character of their reaction relates to the negative aspects of the Summit as they saw them.

Nally (answering Goodall's point) My personal feeling is that the presentation of things could be damaged if you were to select certain areas where there would be a decisive role and leave others as a matter of genuine consultation.

Armstrong You would rather think of keeping the whole lot together on the same basis?

Nally Yes - of course that is a personal reaction.

Andrew It seems to me that the scope of Dublin's involvement is something that could probably be managed. It is something on which we could possibly reach some kind of broad agreement. The nature of that involvement however is a different matter. Our Ministers are not in the business of anything going beyond consultation as we have described it. If that is seen on the Irish side as not enough then we are in major difficulties. In that case we would probably not want to have another Summit.

Armstrong Certainly the next Summit will have to be more "pre-cooked" than Chequers. I would go so far myself as to hope that there would not be a Summit unless we could be sure of the outcome.

We were looking at Chequers for a demonstration of the political will to go on. This has since become overladen with other things. However the will to go on does seem to be there. We were dealing with generalities for so long. However it is when you look at details that the reservations

\* begin to appear. The question is - does she know what consultation means? (??)

\* Andrew She may not. It is a dilution of pure sovereignty(??)

Armstrong We certainly need some hard thinking on our side. We have to see if there is something which satisfies the "pure milk" of sovereignty so that the Prime Minister can turn to her constituencies and say "there you are—there is no substantial change" and at the same time allow the Taoiseach to say to his constituencies what has been achieved.

Dorr One does need some sense of the historical dimension and depth of the issues if one is really to address it. The Government and the Taoiseach on our side do have a sense of trying to find a way together to address this problem which we both inherit. One must ask whether she has some sense of this kind? To say that she wants to be able to say to her constituencies that after all nothing has changed raises a question about this.

Armstrong She does feel that what the unionists did in Northern Ireland was inexcusable. What she could accept would be some way of saying to the unionists that nothing has changed - what has been done is entirely done for the nationalists. [Note: Armstrong was here referring to the idea that the unionists could be told that nothing would change for them and that they should not therefore object if something was being done to make the nationalists feel more at home].

Lillis Yes, I can see the point but from our viewpoint the Taoiseach's own approach has always involved reaching out to the unionists. The approach you are talking about would involve "adding on" something (leaving the unionists unchanged). Of course in a sense a referendum would mean reaching out to them.

Armstrong I don't really know what specifically my approach would be. I am groping for something. I am looking for something which would not threaten the unionists as such (while doing something for the nationalists).

Lillis I would want to add an adverb here - something such as "unreasonably". That is to say something which would not threaten the unionists unreasonably.

[This led into some discussion of Sunningdale and why it had failed in which the undersigned participated. I do not however have notes on this point].

Lillis I can say off-the-record that there would be nothing but grief for the South in involving itself in a role in Government in Northern Ireland. It is only because our Government feels it is necessary to address

\* [This is what I have in my notes but it seems to me a little odd that  
\* Armstrong and Andrew spoke in this way at this point]. /...

the problem that they would be ready to take this risk. There has been a big change in the feeling of the nationalist population since 1974.

Andrew The key issue is whether the scheme we were talking about before Chequers would cut enough ice with the minority to bring radical change in their attitude? The other point is would it produce a reaction from the unionists?

Armstrong (demurring somewhat from Andrew's formulation) You are talking about something static. A great deal would depend on the reactions of the SDLP and of the Irish Government to it. This in turn would change the situation. We are talking about creating a situation where perceptions and substance would be related. It would not be a static situation.

Nally One point which should be clear is that the SDLP and the Irish Government would both have to give support to it. The situation to be created must be such as to allow both to face up to the consequences.

Dorr (to Andrew) You asked just now if the scheme we were talking about before Chequers would cut enough ice with the minority to bring radical change. A first point here is the "we". Do you mean what you were talking about or what we were talking about before Chequers? I assume you mean what you were talking about on your side? If indeed you question whether it would "cut enough ice with the minority to bring radical change" then what are the consequences of that? Does it not suggest that you need something deeper to deal with the situation?

Andrew This was only a question on my part. There is of course the point/<sup>that</sup> a campaign in a referendum and the things said and done would affect the issue.

Lillis The Taoiseach gives very high priority to not making difficulties for you in such a campaign. Therefore what would be done should be self-evidently sufficient.

Armstrong I might try to summarise what is emerging from our discussion this morning. It appears that we face some hard choices between doing something inadequate, doing nothing, doing something substantial etc.

We will all want to reflect on the talks this morning. What I take away from them is something as follows.

The Taoiseach is still in business for action at a deeper level without minimising the difficulties of that. This is said without excluding the possibility that we might want to come back to the shallower level at some point. But you do not see that this would at present have much

attraction for the Irish Government. Action at the shallower level (presumably the kind of thing the British side has been outlining) would have the objection that it would be said that the Irish Government were Mr Hurd's - The British Government's - poodle in doing security in Northern Ireland.

We have not had much discussion of the legal area except that we know that certain practical problems would arise and there would be questions in regard to the number of judges [i.e. the issue raised some time ago by the NIO about the inadequate pool from which to draw judges in Northern Ireland] and perhaps the attitudes of some of the judiciary. These things might or might not change if a package were in question.

We have talked in regard to the political side of the issue. It is very difficult to sum this up. We could say however that the eye of the needle has got smaller. How much smaller we can only see when we try to thread the bit of cotton through it. (Note: i.e. the aftermath of Chequers has made things a bit more difficult). I think that things now are best not worked out through generalisations but through specifics. The question is how to preserve whatever is meant in people's minds by "sovereignty", which I suppose is an attitudinal question, while ensuring that the nationalist community have someone they trust to speak for them. Some kind of process would be involved.

We have to go away and come back with some hard thoughts on these issues. We have no sense yet of what Ministers will and will not accept. I don't think we want to talk again (in the Armstrong/Nally framework) until we have a piece of paper which we can be reasonably confident that our Ministers (he actually said some Ministers) will accept. Obviously we are thinking about it and we will continue to do so. I do not know whether there is anything there that would meet what your Ministers and what our Ministers want but the only way forward seems to me to be to look at the specifics.

We shall of course have no Prime Minister today after 4 p.m. (Mrs Thatcher is leaving for Peking). We will want to get down to it however as soon as possible after Christmas. The Foreign Secretary Sir Geoffrey Howe is taking a very close and to my mind a very constructive interest in the whole thing. I feel we should get together around the third week in January. I hope that we could do so with something on the security side and something on this side (i.e. the political area).

Goodall Sir Geoffrey Howe will not be back until the week of 14th January. That week would be the earliest we could have a Ministerial meeting on our side.

Nally We have a budget on the 30th January.

After some brief discussion of possibilities it was agreed to block off tentatively Monday, 21st January for another possible Armstrong/Nally meeting. This is however only /...

a tentative date at this stage and is subject to the points just made by Armstrong about the need to clarify positions in advance.

Nally I agree totally with what you have said Robert (Armstrong) in regard to the parameters. Sovereignty must be respected; and at the same time there must be something to meet the position of the nationalists.

I think we should look at options. We could try to consider the hypothesis (a) that there would be devolved Government and (b) that there would not be devolved Government. We need to describe a process and get away from generalisations.

At this point (approximately 1.15 p.m.) the meeting ended and the participants adjourned for lunch at Brooks's Club. There was little additional discussion of substance at lunch. However, the final comments of Robert Armstrong and Dermot Nally at the meeting were confirmed in the sense that there is now a general understanding that both sides will go away, think things out, and possibly put down their ideas in writing for Ministers on their own side to consider. There would be a preference for specifics rather than generalities; and ideas might be organised on the basis of (a) a deeper option (involving constitutional change) and (b) a shallower option (not involving constitutional change). Both options would be considered in the light of each of the two hypotheses mentioned above i.e. on the hypothesis of devolved Government and on the hypothesis that there would be no devolved Government.

The approach however is entirely a matter for each side to consider internally on its own side - it is simply that this kind of framework and the idea of trying to put specifics down on paper for consideration and possibly clearance by Ministers as a separate process on both sides seem to commend itself to both sides. The hope is that this process by each side would lead to a common wish to have another Armstrong/Nally meeting about 21st January to assess where things stood.



N.D.  
17th December 1984