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IRISH EMBASSY, LONDON.

17 Grosvenor Place
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15 February 1988

C. A. H. / Cox

Dear Assistant Secretary,

Lunch with Rev. Martin Smyth, M.P.

1. I felt it necessary to stress to Smyth the seriousness of the present inter-Governmental difficulties: he would surely have relayed any dismissal or dilution on my part of the gravity of the situation or of possible implications for the Agreement itself if the British do not respond adequately to us. He said his own judgement was, however, that while Dublin would not get what it wanted on prosecutions/publication, London is very anxious to mend fences and to maintain the Agreement. Thus, unless Dublin wanted to break down the Agreement - and he did not believe this - his conclusion was that London would produce just enough to enable compromise.
2. His own view which is shared, he said, by many on his side, is that prosecutions could have usefully gone ahead. He believes that the morale of the RUC has been badly damaged by the wide attention given the Mayhew statement and by the thrust of media attention. He agreed that the IRA have been the main beneficiaries of the decision.
3. He agreed in a frank and specific way that there has clearly been enhanced security co-operation across the border, and he would regret - as would Ken Maginnis (despite his public posture) - the negative implications for this if Dublin-London relations - and security co-operation - break down. I made it very clear to him that cross-border security co-operation is not for us a bargaining counter in any sense; that the stability of our State is threatened and our response to the threat must continue regardless of the state of the Anglo-Irish relationship.

4. He said that he has considerable interest in the review of the Agreement and probed as to what it entailed. I did not give him much in reply but mentioned that I personally would not put much money on the process including textual changes. He said his own instincts tell him that this is right. He wants, he said, a re-negotiation of the Agreement, with the Unionists involved, to produce an alternative "British-Irish Agreement". For him the most offensive section, which he would like to have removed, is Article 6. He understands, he said, that we are not in fact getting very far under this Article with our "views and proposals" for the bodies concerned and he wondered whether we could not let it go. I did not offer any help on this, saying that my work is very London-focussed. He did not raise the Secretariat and I did not do so either.
5. He said that he personally felt that contact with "people from the South" is a good thing but that some of his colleagues have difficulties with this. He stressed that none of the Unionist politicians, no matter how secure in his seat, is above condemnation for anything seen as softness toward the Agreement and Dublin. I wondered whether he felt any of his colleagues would like to have informal, off-the-record contact, and mentioned Molyneaux as a possibility. He said, slightly enquiringly, that he thought Molyneaux has a line to Dublin if he wants it. I looked blank, and he said he would mention the idea to Molyneaux.
6. He is not really sure, he said, how serious Harold McCusker's cancer is or whether it will compel him to leave public life before the next election. (He hopes it will not, he said.) He is well aware of David Burnside's ambitions and intentions. He was not critical of Burnside, and commented that his "burning zeal" is clearly very genuine. He felt, however, that the Unionists in Northern Ireland can be suspicious of anyone who lives outside, and that Burnside still has to establish himself credibly on the ground inside Northern Ireland.
7. I briefed him very carefully on forthcoming developments in the Anglo-Irish Parliamentary relationship. He and his friends would have great difficulty with it because it is covered in a specific Article of the Agreement. On that basis they could not, "at this stage at least",

contemplate taking part or approving it. I sought to get him to see its positive side, while situating it firmly in its proper context - the joint studies commissioned by the Taoiseach and Mrs Thatcher 5 years before the Anglo-Irish Agreement. He said that even he, with his credentials vis-a-vis his people, would be in serious trouble if he were to try to respond positively, as I was suggesting. I then sought "benign neutrality" from him, in the short term at least, while the body is being established. He is, after all, a member of the Executive of the British IPU, and he saw, he said, at a personal level, good reason not to make it the subject of squabbles in the Commons. He was also comforted by the fact that good friends of the Union at Westminster will be involved in it. He said he would do what he could vis-a-vis his friends, but that we should not be too surprised if they had to make some necessary public noises about it. I said I supposed that some such noises might be understood as being necessary for home consumption, but that, as with the boycott of Westminster, their interests could hardly be best served by opposing something which has a wide base of Parliamentary support. This part of the conversation was concluded by his saying "leave it with me."

8. Smyth said that he, and the Unionist people as a whole, want good relations with the Republic, and he felt that this could extend to a possible relationship within a framework to be worked out. I asked him whether he was referring to his British-Irish Agreement idea, and invited him to elaborate. He is not exactly an intellectual gymnast, and he crossed and re-crossed his ground quite a bit, but the following points came through:

- Unionists in general feel that they have to play their role in future developments, and recognise - albeit reluctantly and with distaste - that Dublin will be involved in any major future developments.
- Unionists would prefer to represent and gain their requirements in direct discussions with the British to the exclusion of input from Dublin, but they think that it is not easily possible because they the Unionists cannot get round the fact of the Agreement: he

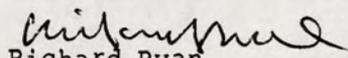
confirmed that the "talks about talks" with the NIO are really not making any serious progress and he left me with the fairly clear impression that he does not expect them to lead to serious progress. Thus, they are faced with the need to play a role, but faced too with the implications of their own rhetoric which make movement by them vis-a-vis London, Dublin or both impossible in the context of an Agreement which will not go away.

- Smyth believes that Hume's public posture on devolution is empty rhetoric and that other powerful elements in the SDLP would prevent any serious movement toward devolution. He protested several times that "we" (he and his colleagues) are "in the arena". He believes that even if Hume were for devolution (which he does not believe), he could not deliver the SDLP on it. In this context, the Unionists cannot do all the giving.

 - He would like the Republic to repeal Articles 2 and 3 of the Constitution, and enter into discussions nearer the end of this year toward replacing the Anglo-Irish Agreement with a British-Irish Agreement. The only textual change he mentioned specifically (above) as a Unionist requirement is the deletion of Article 6. [I believe, however, that he had not thought all this out very fully, but I did not want to be seen encouraging him to speculate more thoroughly on re-drafting possibilities.]

 - He felt that movement, on Dublin's and London's part, along the above lines, would open the way to a more trustful relationship between the Unionists and the Republic.
9. Overall, Smyth was relaxed and quite friendly. He was agreeable to meeting again. In the interim, if Molyneaux proved open to a meeting he would, he said, get in touch (although he was not hopeful of this). We went back to the Commons together and ran into Harold McCusker in the Central Lobby. McCusker cut us both.

Yours sincerely


Richard Ryan
Counsellor