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SECRETAnglo-Irish RelationsMeeting of Officials in London on 10th June, 1988

The meeting took place in the Cabinet Office (Butler and the undersigned) where it started at approximately 5.45 p.m. It continued, briefly, in the Northern Ireland Office where Butler left us, and afterwards over dinner in a London club. The dinner finished shortly after 11 p.m. On the Irish side were Ambassador O'Rourke, Messrs Dorr, Mathews, Gallagher, O hUiginn, and the undersigned.

On the British side, apart from Cabinet Secretary Butler, were Mr John Blelloch (Secretary, Northern Ireland Office), John Weston (Cabinet Office), Ian Burns (NIO), John Chilcott (Home Office), John Boyd (Foreign Office) and Oliver Miles (Joint Secretary of Anglo-Irish Intergovernmental Conference).

The meeting was intended as an exchange of views, without formal record or without commitment on either side. This note is intended as a summary of the main items discussed and the more important conclusions. It does not give the Irish case in detail - since this is well known and was made and pressed as necessary.

Cabinet Office Meeting

Butler said that when the Taoiseach was elected in March 1986, his election was greeted by the Prime Minister with apprehension. This turned to relief and then to elation as the measures being taken by the Taoiseach in the security area became more and more apparent. However, things began to sour towards the end of 1987 when the extradition issue came to the fore in a big way. This was now one of the Prime Minister's fixations. The outcome of the McVeigh case would be of extraordinary importance. (McVeigh was re-captured trying to escape from Portlaoise recently. His re-arrest is being challenged in the District Court. Whatever the outcome, the case is likely to go to the High Court and perhaps even the Supreme Court since this is the first case in which the procedures under the new extradition legislation are being used.)

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I said that I did not know if the British fully appreciated the Taoiseach's position. He had come into office faced with the problem of legislation on extradition coming into force which the preceding Government had brought through Parliament, but with the unprecedented clause that the legislation would only become operative a year after it was enacted. During that year the political scene had changed out of recognition and in many areas become a great deal more tense. The Taoiseach had been faced with a serious groundswell of opinion both because the year's delay enabled this to be organised and because certain events in the year created genuine doubts and misgivings about the legislation. The amending legislation he had got through had been the minimum necessary for this purpose. It still left Britain in the "most favoured nation" category.

On McVeigh, this matter was now in the hands of the courts here. In other words, it was out of the hands of the Government. However, the Prime Minister could be assured that the Government would do everything in their power to ensure that the law was upheld. This would mean, depending on circumstances, that the case was likely to finish in the Supreme Court. Butler reiterated the Prime Minister's interest.

He enquired as to whether the Taoiseach intended to reply to the Prime Minister's letter of last April and subsequent message. I said that the Taoiseach was considering the matters but had, as yet, reached no conclusion. We agreed that one possibility might be a short reply saying that the matters were of such importance and sensitivity that they might best be addressed at Hanover where time could be set aside, in the margins of the Council, to deal with them. I reiterated the Taoiseach's commitment to the Agreement, as he has stated it many times, in public, and his detestation of violence, for political or other ends. These two elements, at least, appeared to be common ground even now between him and the Prime Minister.

The third of the significant points raised by Butler was the amount of materiel apparently still at large as a result of arms shipments in recent years. It was extremely difficult to locate these weapons and explosives, and to prevent them getting around; and the quantities involved, were a matter of considerable concern. I mentioned Operation Mallard, which was the largest single arms search, ever mounted in this country, and its aftermath, which was still continuing. I have no doubt that this item will figure largely if the Hanover meeting takes place.

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I mentioned that Irish events seemed to be crossing the Prime Minister's desk in considerable detail; and that she seemed to be getting one side of each problem, without necessarily being briefed on the other. Butler said that this was not so; she took a considerable interest in Irish affairs, but did not go in detail into particular problems. Her mood at the moment we all knew.

In conclusion, we both agreed that the Hanover meeting would be of considerable importance for the future of Anglo-Irish relations. If the meeting is to go ahead, arrangements will be made in the usual way.

(The draft of a brief letter to the Prime Minister which might suit, if this course is to be followed, is attached to this note.)

Subsequent Meeting

The points discussed here included:

- (1) arrangements for the joint chairmanship of the Intergovernmental Conference;
- (2) the current situation;
- (3) devolution;
- (4) security;
- (5) McGimpsey; and
- (6) the Birmingham Six and Guildford Four.

Conference: Chairmanship

The British side said that it would greatly convenience the Secretary of State if he had a natural interlocutor with whom he could communicate instantly, in the event of crisis, or telephone, informally, as co-chairman of the Conference - who would, of course, have the same facilities, so far as the Secretary of State himself was concerned, in the event of a crisis arising on our side. We said that we heard what the British were saying but pointed to the problems in this particular area. They are anxious that something be done, if at all possible.

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Current Situation

There was, again, some discussion of the extent to which the Taoiseach and Prime Minister had common ground. This would be important in the context of the Hanover meeting, the attitude of the two to terrorism, as a political weapon and the commitment of the two to the working of the Agreement were mentioned. On these the following points were made. The Prime Minister had become increasingly disturbed from last Autumn, when the extradition difficulties here caused her considerable frustration. The whole situation had been brought to a head by the New York and Boston speeches. They seemed to be questioning in a way which had not surfaced recently, the constitutional position of Northern Ireland and ruling out the principle of consent mentioned in Article 1 of the Agreement. On this, we argued that the Taoiseach "failed entity" references were, in practice, supported by British actions. They had, first of all, entered into the Anglo-Irish Agreement, which recognised that the present position was not stable, or indeed a solution to anything. They had followed up this action by trying to find an alternative to what they were doing at present. They wanted anything but direct rule. Again, this argued that even they did not accept the current situation in Northern Ireland.

The British also mentioned the desirability of clarity as to what the Taoiseach meant when he talked about action outside the Agreement. We said that the Taoiseach's own references made this clear enough. There could not be progress if the Unionists did not somehow join in the process. They would not do so under the Agreement. There seemed to be nothing in the Agreement or outside it which said that the Taoiseach could not act in a way outside the Agreement - as long as he continued to operate the Agreement, which he fully intended to do, as he had said many times. Even the British "talks about talks" were going on outside the framework of the Agreement, even though, admittedly, these were within a different framework from that in which the Taoiseach could operate. Anyway, both this question of whether the Agreement was the sole determinant of the way in which Anglo-Irish relations could be conducted, as well as the constitutional position, by reference to Article 1 of the Agreement would be two of the most important elements of the McGimpsey case which would be coming up very soon in the Irish courts. There was very little point in talking, particularly in public, about two central points of arguments which the courts might be expected to settle, one way or the other, soon.

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The British side said that the Prime Minister was obsessional on violence, for reasons of principle and reasons of person. She would never yield to it from any quarter, whether it was Libyan violence, Iranian violence or the violence of the IRA. This was why she took such a hard line on the absence of references in the Taoiseach's American speeches. The subject affected her deeply and emotionally. A number of the Irish speakers said that such condemnations, before the sort of audience as the Taoiseach was addressing, were counterproductive. Academics, doctors and lawyers do not need to be told that they should not support murder. The Taoiseach had achieved his purpose in America of isolating Noraid and supporters of violence.

The British commented that the reasons given were understood by some on their side but their feeling, generally, was that the speeches lacked some "grace notes" - like for example comment on their efforts on Fair Employment - which could have made the criticisms easier to swallow. The point on Fair Employment was taken up: but the British continued by saying that the whole thing would have been made a lot easier if some message had been sent beforehand to the effect that because of the constituency the Taoiseach was addressing, he would be saying things which they might find it hard to take, but that he had good reasons for doing so. Even a gesture like this, without, in any way, going into the substance of the speeches, would have removed a lot of the harm. As it was, the speeches had obliterated a great deal of the good that had gone before; and left a lot of leeway to be made up if Anglo-Irish relations, at the top, were to be got on even keel. This would, no doubt, figure in Hanover.

Devolution

The British said that their interpretation of the Agreement was that it said, so far as we were concerned, "good luck" to the idea of devolution. We agreed with this interpretation and said that the Agreement did not place any obligation on the Taoiseach to come forward with devolution proposals. Anyway, such move by him would probably condemn the idea out of hand. The British said that they did not expect the Taoiseach to push for devolution. The essential criticism, in the Prime Minister's eyes, was that the Taoiseach by talking about talks with Unionists and by other references was "marginalising" devolution. We said that the Secretary of State had, in fact, welcomed

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the idea of talks between the Taoiseach and Unionists, saying they were helpful. The British, in turn, replied by asking the extent to which we read the Unionist position. They wanted the talks because they saw them as a way of wrecking the Agreement. They simply want the British to ditch it. They did not see the talks as, in any way, leading to a united Ireland. They simply wanted the Taoiseach to say or do something to scuttle the Agreement. That was their sole purpose in the present dalliance.

On the SDLP/Sinn Féin dialogue, the British attitude was that this was of greater advantage to Sinn Féin, because it was giving them respectability. Our reply was that to the extent that men of violence engaged in dialogue at all, they were going away from their traditional policies and methods and, in this way, the talks could be of use. Any way, we argued that the SDLP were by no means new to the ground in Northern Ireland. They had been through this many times in the last twenty years and were in the best position to judge to whose advantage the talks would be, taking into account the local environment in Northern Ireland.

This part of the discussion also touched on the reasons why the British wanted devolution. They said that of all the options open to them this seemed to be the one which offered any hope. Obviously, the "local government" option was out. Similarly, integration, for which many in Northern Ireland were pressing, was out. Direct rule itself was undesirable because the local population were not involved. On these arguments, the only remaining possibility was devolution. This would involve the local population and could, also, perhaps, lead to unity because it must also, obviously, involve both Belfast and Dublin. The fact that the discussions could marginalise the paramilitaries would also be helpful.

However, the Secretary of State, though he was impatient to make progress on the path to devolution, saw considerable value in the mere attempt to get there. He was trying to find out the level of agreement as between the parties in Northern Ireland.

Security

On this, the British said that two aspects were involved. The first was the protocol of things. This seemed to be in order, with police chiefs now meeting as required. On this, there was some comment that the recent meeting had been satisfactory, with no discernable complaints on either side.

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The second aspect of the discussion was concerned largely with the flow of information. There was much emphasis by the British on the acquisition of expertise for covert surveillance and a proper intelligence operation. They said that the flow of information from "intelligence" from South to North was exiguous. The Irish experience was in direct contradiction to this. An Irish member of the party, who said he had toured the border stations with the Minister for Justice in recent months, had found that, on the ground, the Gardai in border areas were saying that the flow of information from South to North was, at least, 15-20 times the flow from North to South. The fact that every operation could not be stopped was not a criticism of the south alone. Things happened in the north which, with all the "perfection" of the Northern intelligence system, the Northern authorities had not been able to anticipate.

The fact was that the two police forces worked on completely different systems. The Gardai were acceptable to the population at large and could move freely among them. They could use this facility in a way in which the RUC could never do, in the trouble spots in Northern Ireland. This had led to a basic and fundamental difference of approach. This was not to say that the Gardai did not possess the ability to mount covert surveillance operations when necessary.

(In all this area, there is a direct contradiction in the evidence. The truth cannot lie with both sides. As long as the difference remains, it will create continuing difficulties and bad blood at certain levels.)

McGimpsey

British and Irish concerns with discovery of papers were discussed, as well as the basic grounds on which the McGimpseys are questioning the Agreement. Essentially, these are the compatibility of Article 1 with the Constitution and the power of the Government to enter international agreements (on the lines of the SEA case).

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Birmingham Six and Guildford Four

The case for sympathetic consideration was advanced on the lines of the speaking note and aide memoire recently prepared for the Minister. Sympathetic consideration was urged on humanitarian and other grounds.

Hanover

There was general agreement that these discussion, if they took place, could be difficult. There was a very high level of exasperation on both sides. The future of the Anglo-Irish relationship could be based on the common perception of the views of the Taoiseach and Prime Minister. It seemed to be accepted that a good approach would be for each of them to talk of the political necessity of the management of particular constituency.



Dermot Nally

13 June 1988.