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cc: P.C.

10 DOWNING STREET

From the Private Secretary

SIR ROBERT ARMSTRONG

ANGLO/IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister has considered your minute of 11 July setting out the line which you propose to take at your meeting with Mr. Nally on 16 July. The Prime Minister agrees that you should speak as proposed.

I am sending a copy of this minute to Len Appleyard (Foreign and Commonwealth Office) and to Graham Sandiford (Northern Ireland Office).

(C.D. Powell)

12 July, 1984



SEMA 1

Ref. A084/1984

PRIME MINISTER

Prime Minister
Agree that Sir R.
Amstrong should speak as
proposed at further meeting with
Mr. Nally?

Anglo-Irish Relations: Northern Ireland

Following your discussion of Northern Ireland with the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland on 21 June and your meeting with the Taoiseach at Fontainebleau on 26 June, it was agreed in Cabinet on 28 June that the Irish Government's position should be further explored and that I should be authorised for that purpose to continue confidential discussions with the Secretary to the Irish Government, Mr Dermot Nally. I have accordingly arranged to visit Mr Nally in Dublin on 16 July, accompanied as before by Mr David Goodall and on this occasion by the British Ambassador in Dublin (Mr Goodison), whose counterpart came to my last meeting with Mr Nally in London.

CDD
11/7

in 1/16

2. The formal purpose of my meeting with Mr Nally will be to convey the Government's response to the proposals which he put to us on the Taoiseach's behalf on 11 May (my minute to you of 14 May), as subsequently amplified. (The most important amplification has of course been the Taoiseach's offer, as part of a wider and mutually acceptable package of proposals, to seek to amend the territorial provisions of the Irish Constitution.) My aim will be to get the Irish to recognise that "joint authority" as envisaged in the Nally proposals is not available; and to bring them to consider how far their own requirements - ie for a political package substantial enough to enable them to carry a referendum - might be met by more formalised consultation between the two Governments on matters relating to the North plus a greater measure of devolved government there.

in 1/16

3. In addition to making it clear that "joint Authority" on the Nally model would be inconsistent with the maintenance of British sovereignty over Northern Ireland and therefore unacceptable at Westminster as well as in the North, I would propose to stress



its unworkability in practice (as indeed I began to do at our meeting in May): in any system of government there must be a final arbiter to decide between conflicting courses of action and in Northern Ireland this can only be the British Government. Sharing the power of decision on an equal basis, quite apart from the constitutional objections, would only produce the kind of uncertainty and controversy which would make the situation on the ground worse. This is precisely what both Governments want to avoid.

4. It is encouraging that both the Irish and ourselves agree on the desirability of establishing a stable, devolved administration in Northern Ireland which both communities would be prepared to go along with, and I shall welcome this. But I shall go over the unsatisfactory aspects of the Irish proposals for joint appointment of an Executive or joint exercise of authority in the absence of such an Executive; and I shall try to make sure that the Irish understand that we cannot guarantee active Unionist participation in arrangements so framed as to be acceptable to the SDLP.

5. Against this background I would aim to explore with the Irish, on a tentative basis and without commitment, the areas in which it might be possible to formalise consultation between the two Governments on Northern Irish affairs and the areas where the Irish would regard such consultation as especially desirable. We know already that consultation confined to security matters will not be enough for them: it will be necessary to indicate that consultation might be extended to a wide range of subjects, especially those bearing on the position of the minority community. We shall have our own ideas about what subjects might be appropriate for consultation, and the process of exploring Irish views on these matters will enable us to react appropriately and to give them some idea of what may and may not be acceptable from our point of view. I would stress that affording the Irish Government in this way a formalised say in the affairs of the Province would be a major departure from the established British position and constitute a very important and visible recognition of the Irish dimension.

6. I would propose at the same time to press them hard on the form any amendment to their Constitution would take, making it clear that any wording which fell short of an unambiguous waiver of the Republic's territorial claim on the North would be valueless.

7. For the purposes of this next round of talks with Mr Nally I do not think that I require new instructions as to the detailed form which "institutionalised consultation" in Northern Ireland might eventually take. As I have explained, it is not my intention to put forward any firm or formal proposals, but simply to explore the ground. We have already canvassed ideas for closer cross-border co-operation between the two police forces, a joint security commission, an all-Ireland law commission, and measures to meet certain minority concerns (eg repeal of the Flags and Emblems Act); and the Secretary of State for Northern Ireland, in his speech in the House of Commons on 2 July, floated the idea of a joint Parliamentary body. This should provide enough material with which to draw the Irish into a discussion of consultative arrangements. I shall, however, need to be able if need be to indicate readiness to consider (or at least not to exclude) the possibility of a resident Irish Government representative in Northern Ireland, and to exchange preliminary views on how this status might be defined.

8. A discussion on these lines should enable us to ride the Irish off any exaggerated ideas they may still have about "joint authority"; and I shall want to draw attention to the advantages from their point of view of acquiring a measure of acknowledged influence in the Province through institutional consultation. I hope too that as a result of the discussion we shall then be able to form a clearer idea of the minimum which the Taoiseach is likely to regard as a realistic basis for backing a referendum to amend the Irish Constitution. But it is of course only at a much later stage - probably the final one - in any negotiation that the real Irish "bottom line" is likely to emerge.



9. This minute has been seen in draft by the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland, who agree with it. I should be grateful to know if you are content that I should proceed accordingly.

RIA

ROBERT ARMSTRONG

11 July 1984

CONQUEROR