

Prime Minute

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PRIME MINISTER

We will explore further - but A.S.C. 3/10.
no good will come of it - without having now read it - several times -

Anglo-Irish Relations: Northern Ireland

I believe the risk of work violence is very high

Following our discussion on 21 September of the new ideas being floated by the Irish on Northern Ireland, you asked for a report on Mr Goodall's next talk on the subject with the Irish and, in the light of that report, for a further assessment of the implications of the Irish ideas (Mr Coles's minute to me of 22 September).

2. Mr Goodall saw his Irish opposite number, Mr Lillis, in Dublin on 28 September and his report is attached.

3. The line taken by Mr Lillis in this latest conversation leaves little room for doubt that he is in fact speaking with the personal backing of the Taoiseach; and that we are faced with a serious, if still highly tentative, approach from Dr FitzGerald aimed at bringing about a major change in the terms in which both the Republic and the British Government have up to now approached the problem of Northern Ireland. It is confirmed that the central element in this approach would be a bargain whereby the Irish Government and the SDLP would commit themselves to acceptance of Northern Ireland being part of the United Kingdom (if necessary with an amendment to the Irish constitution to this effect) in return for participation by Irish security forces in operations north of the border and the association of Irish judges with the judicial processes in Northern Ireland.

What happens if one of them is shot by a Unionist (see military journal)

4. The SDLP's attitude to this approach (which is crucial to its credibility) remains to be tested: but Mr Lillis continues to maintain that Mr John Hume is behind it and will shortly be making this clear to Mr Prior. What is also still unclear is how far Dr FitzGerald has taken his own Cabinet colleagues into his confidence; and to what extent if any he has wider political backing for his offer to move beyond the concept of joint sovereignty to an entrenched recognition of the Union. It must be very much an open question whether he could carry Mr Haughey



and Fianna Fail with him or whether the package would enable the SDLP to survive electorally against Sinn Fein. But the possibility of amending the present Irish constitution to change the territorial claim into a long-term aspiration is not a new idea in Irish politics (indeed it has a long history); and if skilfully presented to the Irish electorate it could command wide support (as well as arousing fierce opposition from extreme nationalists). The fact that Dr FitzGerald is apparently thinking of proceeding in stages, using the Forum to prepare the ground, lends additional credibility to his approach. So whatever scepticism we may feel about his chances of success, we cannot afford to discount them altogether.

5. The price which the Irish would be demanding from the United Kingdom in return is high, and it remains to be determined whether we might be willing - or able - to meet it. But the advantages for Britain of securing from the Republic and the SDLP a formal and durable recognition of the Union would be substantial. If the border ceased for the foreseeable future to be a political issue in relations between the two countries and between the two main political forces in the North, one of the main justifications for Unionist fears and resentment would have been removed. This could lead to a fundamental change of attitudes for the better. Moreover even if the full package outlined by Mr Lillis could not in the end be delivered, discussion of the package could provide opportunities for us to negotiate changes which would be to our positive advantage: for instance, in relations between the Royal Ulster Constabulary and the Gardan Siochana.

*Doubtful -
the IR would
be over more
a time.*

6. For the moment the ball is in the Irish court. They have asked for and been given a preliminary British reaction to their ideas and it is now up to them to pursue them. The Secretary of State for Northern Ireland will (I understand) be seeing both Mr Hume and the Irish Foreign Minister, Mr Barry, within the next month; and the Taoiseach may raise the subject with you at the Summit on 7 November. The Irish thus have ample opportunity over the next few weeks to confirm the seriousness of their



intentions and make their thinking known at the highest level. Meanwhile we need to consider urgently how we should respond if the Irish put forward firm proposals on the lines indicated by Mr Lillis, and what our public line should be, once these ideas start to attract Parliamentary and press interest.

7. The first step must clearly be to reach a considered assessment of the Irish initiative and its likely implications, which you could use as a basis for discussion with the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland. I would proposed to put this in hand as a matter of urgency, involving only a very small group of senior officials from the Foreign and Commonwealth Office, the Northern Ireland Office and the Cabinet Office. The ground to be covered would include the political background to the Irish initiative, the motivation underlying it and the reaction it might be expected to evoke from the political parties and public opinion generally inside the Republic. At the same time it will be necessary for the Northern Ireland Office to consider the likely impact in Northern Ireland of the approach proposed; to identify the constitutional, legal and practical difficulties which would be involved in associating Irish security forces and judges with the maintenance of law and order in Northern Ireland; and to examine the extent to which it might be possible to accommodate Irish ideas on these points, assuming that the Irish Government (and the SDLP) were able and willing to deliver their side of the bargain. I should be glad to know if you are content for us to proceed on this basis.

8. I am sending copies of this minute for their personal information to the Secretaries of State for Foreign and Commonwealth Affairs and for Northern Ireland.

ROBERT ARMSTRONG

3 October 1983

Melania
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Pt 14



Ref: B06861

Z^ASIR ROBERT ARMSTRONGAnglo-Irish Relations: Northern Ireland

As agreed, I had a further private meeting with Mr Lillis, the Head of the Anglo-Irish Division in the Irish DFA, in the margins of the meeting of the Co-ordinating Committee of the AIIC in Dublin on 28th September. Our conversation began by my making all the points set out in the third paragraph of Mr Coles' minute to you of 22nd September. I stressed our scepticism about the viability of the Lillis ideas in terms of Irish domestic politics, while at the same time making it clear that we could make no considered evaluation of them until we knew more precisely what the proposition - if it was a proposition - comprised. In particular, we needed to know how the Irish Government's commitment to recognise that Northern Ireland was and would remain part of the United Kingdom would be expressed so as to ensure that it could not be reversed when the Irish Government changed. I drew attention to the fact that the various versions of the Lillis ideas which had been floated in the British press appeared (with the exception of the Guardian piece) to point in the direction of joint sovereignty: and I emphasised that a proposition involving joint sovereignty would have no interest for the British Government.

2. Mr Lillis said that the need to find some way of entrenching the commitment was recognised by the Taoiseach and by those working with him on these ideas (who he emphasised were a very small group). Present thinking was that it probably would be necessary to amend the constitution, perhaps by combining the present Articles 2 and 3 (copy attached) into a new article. This might be to the general effect that while unification of the whole island of Ireland remained the national aspiration, the national territory and jurisdiction was that of the present Republic unless and until a majority of the people of Northern Ireland freely decided otherwise. (I must emphasise that Mr Lillis did not offer any precise formula and indeed did not seem to have any particular form of words in mind: he was simply illustrating his point that an amendment would have to be devised which expressly recognised partition while at the same time maintaining unification as an aspiration; and that this would probably need to incorporate some of the language of the existing Articles 2 and 3.)

3. On joint sovereignty, Mr Lillis said the main reason why this was being given a run in the Forum and in certain quarters within the Irish Government was because those concerned claimed to have received intimations from London that joint sovereignty might offer a possible long term solution. The presence of police and judges from one country on the territory of another was bound in any case to have some bearing on the nature of sovereignty. But the ideas he was authorised to float were not concerned with joint sovereignty, nor were they conceived as an oblique move towards it. I said that I knew of no hints from London about joint sovereignty. But I could make it authoritatively clear that, whatever hints of this kind the Irish might think they had been given, the fact was that joint sovereignty was not an idea which the British Government was prepared to entertain. I recognised the magnitude in Irish terms of the step which an Irish Government would be taking in seeking to amend the constitution and accept the Union on the lines Mr Lillis had indicated. But there should be no underestimation on the Irish side of the magnitude of what they would be inviting the British Government to do in return. Leaving aside the formidable legal and practical difficulties of accepting a "palpable presence from the Republic" on the streets in the North (the words used by the Irish Minister of State at the recent British Irish Association conference at Oxford), the political difficulties on the British side would be enormous. Unionist opinion would find the idea repugnant; and it was inconceivable that the majority community in the North might be brought to accept such a development in return for anything short of an express and entrenched acceptance by the Republic that Northern Ireland was part of the United Kingdom. Mr Lillis said that he understood this and would make it clear to his principals that this was the British view. Meanwhile, he confirmed his assurance that joint sovereignty was not what was envisaged in the proposition he was putting forward.

4. I said that I did not want to mislead him by giving an impression of greater British interest in his ideas than in fact existed. I did not therefore want to probe further into the details of what was apparently no more than a tentative and inchoate outline rather than a clearly defined proposition (Mr Lillis indicated agreement). But I wondered how much thought the Irish had given to the very real problems posed by the

From
Liam in
London?

hypothetical involvement of police and judges from the Republic in the North which remained part of the United Kingdom. What law would they be applying and operating under? To whom would they be responsible? Would the arrangements be reciprocal? Mr Lillis confessed that these were extremely difficult and sensitive questions which the Irish had not yet seriously addressed. On reciprocity, he said that he personally would be against it. But he believed that the Taoiseach would not rule it out "at least in areas close to the border". I said that speaking personally I could not imagine anyone in practice wanting to deploy members of the RUC in Tralee or Clonmel: but the principle of reciprocity was likely to be of great importance.

5. More generally, Mr Lillis said that the Irish had taken on board the point I had made to him in one of our earlier conversations: namely the view in London that an initiative to "solve" the Irish problem ran a serious risk not just of failure, but of making the situation worse and producing more bloodshed. (I commented that this risk would be all the greater if an initiative were to be launched which the Irish Government then found itself unable to deliver.) The Irish recognised the need to proceed cautiously and slowly. Contrary to what I had understood him to say earlier, it was not the intention that the Forum should come up with the specific proposition he had been discussing. The Forum would in all probability produce a range of alternative proposals. But its most important function would be to lower the level of public expectation in the Republic about unification, and thereby to help to create a climate of opinion in which the proposition under discussion could be launched with a reasonable prospect of success. I said that this seemed sensible and realistic; and asked whether against that background the Taoiseach was likely to want to say anything however tentative to the Prime Minister about these ideas at the 7th November Summit. After reflection Mr Lillis said he thought Dr FitzGerald probably would want to do this. In answer to a further question he also confirmed that Mr John Hume would soon be unveiling these ideas to Northern Ireland Ministers.

6. In conclusion I said that I would report our conversation on the basis that what was being suggested from the Irish side was in no sense a fully worked out proposition: their thinking was still at a formative stage. As I understood it, however, they were clear that the proposition

SECRET AND PERSONAL

towards which they were working would contain on the one hand an express and entrenched acceptance by the Irish Government of the Union (ie not joint sovereignty) which would include a readiness to amend the Irish constitution; and on the other hand a willingness by the British Government to allow Irish security forces to participate in operations north of the border and Irish judges to be associated with the judicial process in Northern Ireland. We would now await further indications from the Irish side on how their thinking was evolving. Mr Lillis expressed his agreement with this summary of the position.

David Goodall

30th September 1983

A D S GOODALL