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① *Mr. Kinnear*
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at file on 18966 under 5 June 1974
June 1976.

1. The Minister for Foreign Affairs, accompanied by Mr. P.J. Keating, Secretary, Mr. S. Donlon, Counsellor, Department of Foreign Affairs and Mr. D. Nally, Assistant Secretary, Department of the Taoiseach met Mr. Frank Cooper, Permanent Secretary, NI Office at Iveagh House at 6.30 p.m. on 5 June 1974. Mr. Cooper was accompanied by Sir Arthur Galsworthy, British Ambassador, Mr. K. Thom, Counsellor, British Embassy and Mr. P. Harding, Counsellor, FCO, London.
 2. The Minister thanked Mr. Cooper for his visit and said he hoped it would be possible to arrange a meeting with the NI Secretary of State fairly soon. He thought it desirable to go to London in the next few weeks to see some Opposition politicians, journalists and others and it would seem odd if in the course of such a visit he did not also see the Secretary of State. Mr. Cooper did not indicate any difficulties and undertook to convey the Minister's plans to the Secretary of State.
 3. Mr. Cooper then gave a resumé of the situation as they saw it at present and sketched out both the immediate background and the long term possibilities. Their immediate objective following the collapse of the Executive was to restore calm in Northern Ireland and to achieve a good posture in Westminster - particularly so as to preserve the bipartisan approach to the problems of Northern Ireland.
- The constitutional arrangements made were very temporary but seemed to have had the desired calming effect. They were considering the question of further legislation to carry on the government of the area. They would have to consider this particularly in relation to the number of Ministers they could use as they were now up

against statutory limits on numbers. It was also important for them to have legislation to cover the allocation of money for the government of the area. No decisions had yet been taken but it seemed to him that re-enactment of the direct rule bill, unattractive though it might be at Westminster, was the most likely course of action.

Cooper thought that the Westminster debates over the past two days had gone well. His impression of them was that there was a general air of sadness. They had served to get matters into a lower key - there was now less talk of economic sanctions to be used against Northern Ireland and demands for troop withdrawals had faded somewhat. One thing which had come through very clearly was that there had to be power-sharing of some kind. This was the theme of nearly every speaker who took part in the debates.

4. In talking of the longer term situation, Cooper emphasised that they were only beginning to apply themselves to thinking about it and though no early decisions were likely, the following patterns were likely to emerge:

- power-sharing would have to be an essential element in any solution;
- to fill the immediate political vacuum, a considerable series of discussions, involving the six parties in the present Assembly and possibly the UWC and others, would be undertaken in Belfast without delay but these should not be pushed too hard since there was still no clear thinking within the Northern Ireland parties; the UWC's future, particularly in relation to whether or not it would go political, was uncertain; and the future leadership and structure of the various shades of unionism/loyalism was far from clear. As illustrations of these points, Cooper said that the UWC was not a monolithic group and the

alliance within it of the workers and the para-military groups would not necessarily last. The workers seemed to want the union to remain and while the para-military groups and some of the politicians might favour UDI, they were all fearful of the consequences of jumping onto a UDI line. In addition, West, Craig and Paisley - the latter of whom had the closest links with the UWC - were not easy bed-fellows and in general no one seemed to trust anyone else at present;

- there seemed little chance of any agreed solution emerging in the next four months. It was likely that the Assembly might have to be further prorogued and because of the parliamentary recess this would have to be done in July. The possibility of a progress report-type White Paper at the same time was also being considered;
- tendency in current thinking was that there would be a move towards holding PR elections in September/October for a constituent assembly which would have to operate within clearly defined terms of reference, including power-sharing as an essential element in any new arrangement, and within a fixed time-scale. This development could, of course, be disrupted particularly if a Westminster election was likely to take place at about the same time. (Cooper confirmed that for legal reasons the North Antrim by-election would take place as planned on 22 June.);
- the strongest discernible pattern in Northern Ireland at the moment was that "Ulstermen should be left alone to have a shot at a settlement on their own". But no one appeared to have given serious thought either to the financial or security implications of this. The financial reality would have to be made clear by London to the people of Northern Ireland over the next weeks and months though Cooper did not think this should be the issue on which the elections, e.g. to

a constituent assembly should be fought. Indeed there had been some element of over-play in the use of the economic sanctions card in recent weeks. An election was most likely to be fought mainly on the basis of personalities and in this connection he referred to the possibility of a return to the old Unionist Party by a re-merging of the West and Faulkner supporters. Considerable efforts were being made by the old guard of the Party, such as Lords O'Neill and Moyola, to bring this about.

5. There was a brief discussion on some possible long-term options. Cooper ruled out integration and said it was not even a serious starter. In relation to direct rule, he said it was not something which Westminster would wish to contemplate as a long-term solution. UDI was unlikely to develop as a real option. British withdrawal was not an issue and Cooper described it as "way out territory". They were not even anxious to contemplate it. What was an issue was a change in the present constitutional arrangements for Northern Ireland but this should not be confused with withdrawal. Many people seemed to regard a change in the role of the Army as signalling withdrawal but the Army's position and role was constantly being reviewed. There were probably too many troops in Northern Ireland at present. The Minister for Foreign Affairs pointed out that there were apparently not enough to cope with the recent UWC strike to which Cooper replied that it would never be possible for the Army to deal with a general strike situation. That would require "hundreds of thousands" of troops and that was simply not on. It might just have been possible for troops to deal with a strike in a situation where middle management stayed on. They could, of course, always cope with inter-sectarian trouble and could play a useful though limited role in dealing with car bombers and incendiary planters but even this role would ~~achieve~~ only to reduce and not eliminate the threat of such violence. The tackling of

violence was, however, fundamental. Recent months had shown that politics could not work when the level of violence was unacceptably high and an immediate priority in British thinking was an intensive re-examination of the Army's role in bringing violence down to an "acceptable level".

6. Other matters discussed at the meeting were:

Contacts with Northern Ireland Parties

Cooper said that there had been a feeling that our open relationship with the SDLP might have done the Executive some damage. He was not quite sure how this problem could be dealt with but, following some discussion, he came across tentatively with the suggestion that contacts, in so far as possible, should be developed right across the entire spectrum of parties in the North. In particular, efforts should be made to get all of them to come down to Dublin.

Emergency Provisions Act

The Gardiner Committee to consider this Act was being established. They had in mind asking Kathleen Jones from the University of York and J.B. White from QUB to join those already nominated. It was hoped the Committee would conclude its work in 3/4 months.

Law Enforcement Commission

They had now received a second draft of the Law Enforcement Bill and expected to be able within a fortnight to have the Bill ready for introduction. Questioned as to whether they expected to have the Bill passed before Parliament went into recess, Mr. Cooper said that this was a probability. He expressed some anxiety that the Bill on our side should follow some similar type of time-table.

Strasbourg Case

This was raised by Mr. Cooper - particularly in the light of the damage which he said the appearances of Fitt and Devlin as witnesses at the July hearing could do to the prospects of getting a power-sharing arrangement off the ground in the North. He appeared anxious that we should attempt to exert some influence on them to prevent, or at least mute, their appearance.

In general the other members of the British side were apprehensive about the case. They said that at the meeting in Paris last year, set up to try to arrange some form of settlement, there had been no real discussion between the parties and the meeting had simply broken up without making any progress whatsoever. It was explained to them that the purpose of the meeting, so far as we were concerned, was to hear proposals, under the auspices of the Commission's friendly settlement procedures, for a settlement. The British side had come to the meeting without any proposals. There was, therefore, nothing which could have been discussed at the meeting. We were still in the same position. If the British used the Commission procedures for a friendly settlement - and this involved some proposals on their part - then we would be willing to participate. Without British proposals, there just was no chance of the friendly settlement procedures getting off the ground. The British said that there seemed to have been some blockage on their legal side. They would consider it further.

Security Meeting

Cooper said that they were anxious to have this meeting soon. In reply to a query as to our ideas on the timing, he was told that the whole question would be reviewed by the Government in the light of developments in the North and on the Price sisters. We were anxious to have the meeting, but, for us, the timing was a highly critical matter.

Hunger Strikers

The Minister for Foreign Affairs set out the Government's attitude on hunger strikers as indicated in his reply earlier this year to the debate on the Price sisters. He said there was no departure from policy as outlined there.

He emphasised, however, that it was extremely important for us to have early knowledge of developments. Contacts with the Home Office, as at present, were highly unsatisfactory. In fact we had got information recently from the press here earlier than we had from the "normal Home Office" channels. He asked if something could be done to improve these procedures. The British side indicated their understanding of the problem and said they would do everything possible to ensure that we got information on developments at the earliest possible time.

The Minister then mentioned ^{confidential information} representations which had been made ^{he had received} to him about Francis Stagg. The British side were highly appreciative of the information and conveyed it immediately to the Home Office. The information from there was that they had got approximately the same type of view from other contacts.


Seán Donlon

6 June 1974