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**Title:** Copy report by Seán Donlon, Department of Foreign Affairs, reporting a conversation with Gerry Fitt MP, discussing the possible formation of an executive in Northern Ireland and the proposed tripartite conference.

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Mr. Mallory

1. By a fortunate coincidence, I travelled on a London-Belfast flight on 16th November, 1973, with Mr. Gerry Fitt M.P. Due to congestion at London Airport, we were an hour sitting in the plane near the runway before take-off and I therefore had an opportunity to have a two hour discussion with him. He was his usual cheerful, frank self and was optimistic and almost elated by the prospects of early agreement on the formation of an Executive, the resolution of the contentious questions and the holding of a tripartite conference. He had seen Whitelaw informally at dinner on 12th November, formally at Stormont on 13th November and informally in the Westminster corridors on 15th November. He was in no doubt that Whitelaw was anxious to leave the Northern Ireland post immediately and that it was this and not the meeting of the Ulster Unionist Council which had been primarily responsible for the air of urgency in the current political developments.

2. Fitt down-played the significance of the Whitelaw dinner on 12th November. He said that the guests were Napier, Barry Shaw (Director of Public Prosecutions) himself and their respective wives. Because of bombs and road-blocks, Fitt and his wife arrived 2½ hours late by which time the host and other guests were "in great form". The dinner started late, much wine was consumed and some frank talking took place. Next day, the three party leaders met Whitelaw separately. Fitt told Whitelaw he was there to listen to proposals and bring them back to his party. Whitelaw told him that Faulkner had to have a majority on the executive but that the S.D.L.P. could have "everything else". Whitelaw then proposed a 6-4-1 allocation but with an additional fifth post of chief whip for the S.D.L.P. The holder of this post would attend Executive meetings, be paid an Executive salary, have no Department of his own and have no vote on the Executive. Whitelaw "strongly hinted" that since the holder of the post would have to be acceptable to Faulkner, the most suitable candidate seemed to be Eddie McGrady who commanded wide respect among Unionists circles in general and Faulkner in particular.

Of the four S.D.L.P. Executive posts, one would be that of Deputy Chief Executive without specific Departmental responsibilities and the other three would involve substantial Departments. Fitt reported these proposals to his negotiating team on 14th November and he thinks they reacted favourably. There was one unfortunate misunderstanding which complicated consideration of the proposals. Paddy Devlin got it into his head that the fifth S.D.L.P. post of Chief Whip/<sup>was for him</sup> and he reacted violently against the whole deal. A Northern Ireland Office official was prevailed on to telephone Devlin to clarify the matter of the fifth post and it was eventually agreed that the negotiators would go to Frank Cooper on 16th November, ask for the proposals to be repeated and the commitment on the contentious issues to be put in writing.

3. Fitt had met Whitelaw at Westminster on 15th November and though Fitt did not directly say so to me it seems that he may have indicated that the S.D.L.P. were generally well disposed towards the proposals. Whitelaw went into some more detail on two matters. On the holding of the tripartite conference, he said there were legal difficulties in excluding "Paisley and company" and that the situation was not made any easier by the fact that the proposed Executive would not be taking part in the Conference on the basis of an agreed policy on basic questions. Whitelaw was therefore inclined to the view that there was no way of leaving "Paisley and company" out of the invitation list. On a second matter, Whitelaw asked Fitt what his views were on the way out in relation to detention and again Fitt gave me the impression, although he did not directly say so, that he told Whitelaw that he was "100% on the ball" in his present list of detainees. Fitt said he did not want to advise taking the risk of releasing from Long Kesh people of the type who had killed his friend Paddy Wilson - (Both Whitelaw and Fitt agree, according to Fitt, on who the ringleader of the group who stabbed Wilson is and apparently he was lifted shortly after the killing) and he implied that he agreed with Whitelaw that what would probably satisfy the S.D.L.P. position was a formula under which there would be a

commitment to phase out detention as the security situation improved.

4. After the meeting between the S.D.L.P. and Northern Ireland Office officials (Frank Cooper and James Allen) at Laneside on 16th November, I met Hume, Currie, Devlin and Ivan Cooper and over a meal at the Greenan Lodge Hotel in Belfast. They said that they had asked Cooper to outline to them the proposals already outlined to Fitt by Whitelaw and while Cooper tried to do so, Fitt intervened to elaborate so often that it was difficult to distinguish between the exact nature of the proposals and the gloss which Fitt was putting on them. There was, according to Hume, a distinct difference between Fitt's "the S.D.L.P. can have everything else if they agree on the numbers" and Frank Cooper's "if the S.D.L.P. agree on the numbers, substantial concessions will be possible on the contentions issues". Asked to spell out these concessions, Cooper did so as follows:-

- the Council of Ireland would have executive functions from the beginning and would also have a parliamentary tier;
- on internment, a formula would be found to indicate a general phasing out provided violence decreased and political developments continued. In addition it might be possible to make some gesture on immediate releases;
- on policing, the Dublin Government's document was being studied but at initial sight it appeared to be impracticable and it was clear that Dublin did not fully understand the implications of their own proposals. The common law enforcement element in the document was, however, interesting. (In an effort to flush out British reactions to our document which some of the S.D.L.P. negotiators had seen, Hume and Devlin took the line that they had not seen it and wondered if Cooper could outline and comment on it. Cooper's reply was direct. He told them he knew that within the previous two hours, the

Minister for Foreign Affairs had seen Hume and Devlin at Aughnacloy and that they must therefore have a very full picture of the Dublin proposals! It is not clear how Cooper found out about this meeting so quickly and more so why he would have found it necessary to reveal to the S.D.L.P. that he knew about it);

on the timing of the tripartite conference, Cooper indicated that a way would be found of holding it before the actual formation of the Executive but he did not raise the question of invitations to Paisley and company. Those with whom I was dining were clearly not aware that Whitelaw had mentioned this to Fitt and their attitude was that they would like our views on it in anticipation of the subject being raised with them shortly by the British. Their present feeling is that Paisley and company should not be invited as their presence might reduce the prospects of agreement on a strong Council but before coming to a final decision, they would like to know our views.

5. At the end of the 16th November meeting with Frank Cooper and James Allen, the S.D.L.P. asked for a document which would contain the proposals already outlined orally and when it was indicated that such a document would probably be given to them by noon on 18th November, they told Cooper that they would call a meeting of their Assemblymen and party executive for the afternoon of 18th November and might be in a position to give some preliminary reaction to the proposals at the inter-party talks on 19th November.

6. There was considerable discussion during my meal on 16th November with my S.D.L.P. contacts on the Alliance Party situation. That party is apparently very unhappy with the offer of one seat in the Executive and has asked the S.D.L.P. for support in its bid for

a second seat. Hume seemed to feel that Alliance could be dispensed with even though their support would be essential for a majority in the Assembly. His calculation was that there would be no substantial issue on which Unionists and S.D.L.P. would agree with which Alliance could disagree and that they would therefore have to swallow their pride and either take the one seat offered - he would favour giving them a substantial portfolio - or take no seat and play a constructive role in the Assembly. Devlin and Currie, on the other hand, felt that the Alliance Party was an important ally for the S.D.L.P. and that they should do "everything possible" to ensure that they were enabled to participate in the Executive. Clearly this is one of the issues which will be discussed at the special meeting of the S.D.L.P., called for 18th November.

7. The S.D.L.P. have been asked to see Carrington when he visits Belfast on 19th November and they have agreed to do so. They are somewhat puzzled by the timing and purpose of the visit but think the object may be to have Carrington explain to them in detail and in confidence the difficulties about immediately releasing the detainees.

Seán Donlon

17th November, 1973.