



PUS/B/5636/MLR

PS/Secretary of State (L&B)

cc Mr Bloomfield
Mr Brennan
Mr A W Stephens
PS/PUS(L)

ANGLO-IRISH AGREEMENT

In my submission of 6 September I mentioned that the text of the draft Agreement had recently been shown on a personal basis to the Permanent Secretaries of the Northern Ireland Departments. (This had not been done earlier because we were under strict instructions not to circulate papers on this subject in Belfast). Much of my regular meeting with the Permanent Secretaries on 19 September was devoted to a discussion of the draft Agreement. The attached note summarizes the main points made by the Permanent Secretaries.

2. I do not think that any of the points raised was entirely new. Most of them had already been the subject of discussion by Mr Bloomfield and myself and had been fed into Ministerial briefing and into Anglo-Irish negotiations. But the arguments were put forward cogently and together constitute a fairly formidable criticism of the Agreement. I think that the Secretary of State should be aware of them. The Permanent Secretaries are acute observers of the local scene, with wide experience stretching back over many years and their views should be accorded considerable weight.

3. I am preparing a draft minute which SofS might send to the Prime Minister giving his impressions on the Agreement in the light of his talks with Messrs Hume, Molyneaux, Cushnahan, Barry and FitzGerald. I will reflect in it the main points from the attached note.

24 September 1985

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Jonathan Stephens
For R J ANDREW (Approved by
PUS but signed in his

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ANGLO-IRISH AGREEMENT

(Note of points made during PUS's meeting with NI Permanent Secretaries 19 September 1985)

There was a general recognition that any Agreement would improve Northern Ireland's and the UK's image internationally, at least in the short term. There was concern that the failure to reach an Agreement now, on whatever terms, would be very serious for the future of constitutional nationalism in Northern Ireland. Sinn Fein's claim that progress could only be achieved through violence would be made more credible. Some Permanent Secretaries also recognised advantages in principle in establishing a framework for the Republic's inevitable concern and interest in Northern Ireland. An Agreement could provide a basis for co-existence between the UK and the Republic which would make Irish unity increasingly irrelevant.

2. But there was little confidence that the terms of the present draft Agreement would improve the situation in Northern Ireland. Some thought it would prove disastrous. Others thought the Agreement fatally flawed in what it did and did not deal with. There were two fundamental criticisms:

(i) the Agreement did not offer enough to nationalists to secure their support for the security forces and their involvement in internal political development; and

(ii) the Agreement, and the process leading up to it, were one-sided and offered little of substance to Unionists.

3. There was general agreement that there was no prospect of a dramatic decline in violence at least in the short term, as a result of an Agreement, and some fear that IRA violence would be accompanied by new disruptive action from the Protestant side. On internal political development, it did not offer enough to the SDLP to enable them to drop their insistence on power-sharing. But there was no doubt that the Agreement went far enough to

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infuriate Unionists. It would be viewed as one-sided. Dublin would be recognised as the protector of nationalist interests and given a formal role. But Unionists would be denied a seat at the top table, except through the British Government, which would have to continue to look to the interests of both communities and could not be seen as a special protector of majority interest (a balance to the Irish role as protector of minority ones). The Agreement would end any remaining trust that the Government could be relied upon to protect Unionist interests. The Republic's acknowledgement of Northern Ireland's constitutional position would not offset this: it went no further than the Sunningdale Agreement and left intact the Republic's territorial claim on Northern Ireland in Articles 2 and 3 of its Constitution. The only selling-point to Unionists was the prospect of increased security co-operation. But on this the Agreement was vague, in contrast to the specific commitments to consult the Republic on appointments to PANI, and the review of PANI.

4. Unionists would view the process which led to an Agreement as one-sided, too. While the SDLP had been kept in touch with the negotiations by Dublin, and was widely believed to exercise a veto on the outcome, Unionists had been kept in the dark and would not be consulted before the Agreement was implemented. Unionists would contrast this with the insistence on consent to constitutional change or widespread acceptability for internal developments. The Agreement could be viewed as a colonialist action imposed against the wishes of local people and, as itself, a form of change in constitutional status for which consent should have been obtained.

5. Specific items in the Agreement which would be most likely to raise Unionist fury would be:

(i) the reference in Article 7(b) to parades and processions. Many Unionists would take this as proof that the RUC action over the summer had been Dublin-inspired;

(ii) the establishment of a permanent Irish presence in Belfast: this would be the obvious symbol for Unionist attack, both verbal and physical;

(iii) the Republic's involvement in appointments to PANI, in prisons issues and in reviewing the structure, composition and powers of PANI.

6. Turning to the likely reaction to any Agreement, all the Permanent Secretaries agreed that the situation would get worse before it improved. A firm Government stance from the beginning would be crucial. A climbdown in the face of Unionist pressure would be more disastrous than if an Agreement had never been concluded. In the first instance, Unionists would seek to emphasise their numerical support by organising large rallies in advance of any Parliamentary debate. Thereafter Unionist reactions would be less predictable. At present there were no indications of widespread support for either industrial or violent action. Extremists would be wary of openly challenging the Government unless they were sure of support: the defeat of the 1977 strike was still remembered. But there was a wide gap in Unionist perception of what an Agreement might contain and the reality. Fanned by IRA violence, the Unionist reaction could gradually smoulder into life. In 1974, the Workers Strike came several months after the conclusion of the Sunningdale Agreement. If this were to be avoided, it would be vital to persuade at least moderate Unionists that the Agreement offered them something. The greatest danger would be if moderates and extremists were pushed together into opposition. More likely than an all-out strike was a total Unionist withdrawal from local government accompanied by one-day actions. Prolonged industrial unrest as a result of an Agreement could prove more damaging to the confidence of investors abroad than the failure to conclude an Agreement.

7. Turning to presentation of any Agreement, the question that we ought to be encouraging people to ask was not whether an Agreement was better than the status quo, but whether it was better than what would follow in the absence of an Agreement; but this was not an easy thought to put across. There was widespread

anxiety that the two Governments would be forced to claim different things for the Agreement to justify it domestically. This could only fuel Unionist accusations of hypocrisy and treachery. The Prime Minister's personal and continuing support would be vital. If she clearly supported an Agreement, Unionist reaction might be muted as they feared to try where the miners had failed. The Agreement would have to be positively presented from the start and the handling of the Government's case would be critical in the event of widespread disruption.

NORTHERN IRELAND OFFICE

24 September 1985