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PS/Secretary of State

c.c. PS/Mr. Patten

PS/PUS (B-L) M

Mr. Bloomfield - M

Mr. Brennan

Mr. Gilliland - M

Mr. Merifield - M

Miss Elliott

Mr. Lyon

Mr. Reeve - M

Mr. Bickham



MEETING WITH JOHN HUME: 17 JUNE

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cc Mr Carny

The Secretary of State is to meet John Hume on Monday, 17 June. ... The attached briefing assumes that the Secretary of State will wish to broach the subject of the Anglo-Irish talks with Mr. Hume. It therefore includes the Speaking Notes that the Secretary of State has already seen. They were drafted for use with the Unionists; but I hope that with slight modification they will offer a viable approach also to discussion with Mr. Hume.

The briefing also covers internal political development. It does not deal with the question of relations with Sinn Fein or the situation in District Councils. I understand that that will be discussed at the Secretary of State's meeting with the larger SDLP delegation, and that Mr. Reeve is submitting briefing for that meeting.

DC

D. CHESTERTON

14 June 1985

covering

MEETING WITH JOHN HUME

INTERNAL POLITICAL DEVELOPMENT

Aim

1. The aim of the meeting is:
 - i. to re-establish the Secretary of State's relationship with John Hume after a gap of four months since their last meeting;
 - ii. to reassure Mr. Hume that the Government continues to regard the SDLP as the representatives of mainstream nationalism in Northern Ireland;
 - iii. to reiterate the importance that the Government attaches to making progress politically within Northern Ireland;
 - iv. to make clear that HMG will only contemplate new political arrangements if they command widespread acceptance (and that, given if above, that inescapably means that the SDLP must be involved);
 - v. to clarify Mr. Hume's attitude to internal political development as a guide as to the role HMG should play in stimulating movement over the coming months.
2. The Secretary of State may wish to take some soundings of Mr. Hume with regard to the three models (partial devolution, executive devolution and an elected Northern Ireland Council making nominations to province-wide functional Boards) under consideration for a possible Green Paper. It might be prudent to proceed with extreme caution. Mr. Hume will not be expecting to be confronted with any suggestions for internal models. And he will resist any idea that the SDLP should be drawn into even preliminary negotiations before the nature of the Anglo-Irish dialogue is clear. In particular, it is suspected that HMG is

contemplating executive devolution to a Regional Council as advocated by the UUP (albeit with some participatory role for the minority) he may react extremely adversely. In approaching this area, therefore, the Secretary of State may wish to proceed in the most circumspect way, emphasising that he is simply seeking Mr. Hume's preliminary views to help him in deciding where to focus his own thinking.

Points to Make

3. It is four months since our last meeting. Since then Chris Patten has had two useful talks with you and your colleagues and the district council elections are over. I intend to talk to all party leaders in the next few days to establish how best I can take forward the achievement of widely acceptable arrangements for devolved government in Northern Ireland.

4. I would welcome your assessment of the present political scene. In particular what will be the longer term impact of the Sinn Fein presence in the District Councils.

5. Is there any way of getting progress towards agreement among the parties about arrangements for government within Northern Ireland? What does he believe to be the attitude of the unionist parties?

6. What sort of step should be taken over the next few weeks and months? How can the Government contribute?

7. Turn to the ideas discussed with Chris Patten (see paragraph 5 of Background Note). Would it be worthwhile to pursue them?

8. For example, would partial devolution of some of the Northern Ireland Departments, but with the Secretary of State holding the ring as head of DFP, interest the SDLP if minority representatives got a share of the top jobs?

9. It seems the two sides are taking a different approach. The UV have advocated the devolution of only legislative powers. The UUP want only executive powers devolved in a form of Regional

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Council. Again, if the minority got a share of the top jobs, would either of these approaches interest the SDLP?

10. If direct rule has to continue, would there be advantage in having some elected forum (not necessarily the Assembly in its present form) as a focus of local political debate and an opportunity for resumption of consideration of a devolved settlement.

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Mr. Blodfield - f.i.s.

INTERNAL POLITICAL DEVELOPMENT

BACKGROUND NOTE

STATE OF THE PARTY

Mr. Hume is known to be reasonably satisfied with his party's performance at the district council elections. Although worried about the level of support for Sinn Fein, he is clearly relieved that the SDLP's share of the vote held up so well and that, despite the Sinn Fein challenge, they hung on to around 100 seats. Of much more concern to him at the moment, is the prospect of continuing disruption at council meetings and the efforts of the unionist parties to isolate not just Sinn Fein but all nationalist councillors. The UUP/DUP pact in general and the antics of the DUP in particular are putting the SDLP under pressure and are forcing them in some areas, to make common cause with Sinn Fein. The decision of his party's representatives in Fermanagh to reject a power-sharing offer from the Official Unionists in favour of a deal with Sinn Fein is a matter of considerable embarrassment to Mr. Hume and tends to overshadow the party's more moderate approach elsewhere.

2. The attitude of unionists following the elections has inevitably strengthened anti-Assembly feeling inside the SDLP and the party continues to look to Dublin for its salvation. Nevertheless, there is a growing mood of pessimism as continued newspaper leaks seem to confirm the impression that no significant Anglo-Irish agreement is likely to emerge. We can assume that Mr. Hume is well briefed about the current state of the London/Dublin talks but he is making no effort to keep his colleagues informed. Indeed he has spent most of the last few weeks away from Northern Ireland leaving Mr. Mallon and Mr. McGrady to make the running on such issues as security and the district councils.

ATTITUDE TO INTERNAL POLITICAL DEVELOPMENT

3. This fairly gloomy outlook contrasts with the more moderate and flexible approach adopted in private, from time to time, by leading party figures. The Secretary of State will recall that at a recent dinner party, Denis Haughey, spoke openly of the SDLP's continued interest in the idea of internal political development.

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4. When the Secretary of State last saw the SDLP on 19 February they were disinclined to talk to the unionist parties until the Anglo-Irish dialogue produced satisfactory results and unless they knew what concessions the unionists were likely to make. Mr Hume suspected that the latter were only really interested in a local government type arrangement (where legislation would remain for the Government and Parliament) in which the minority would be given some committee chairmanships. He said that this would be "meaningless in SDLP terms".

5. In discussion with Mr Patten on 27 and 31 March, both Mr Hume and his colleagues argued, again in the context of an Anglo-Irish agreement, for a proportional representation voting system in Westminster elections; this would give the minority a significant voice in Parliament. Failing that, they said that they would be prepared to work a power-sharing devolved administration, but with no less responsibility than under the 1974 arrangements. Despite this initial insistence, the SDLP were willing at both meetings to discuss a form of partial devolution as envisaged in the Northern Ireland Act 1982. This consisted of the devolution of power to five Northern Ireland Departments, except Finance & Personnel. The Secretary of State would remain responsible for finance and security. Local politicians would be appointed on a proportional basis from an Assembly to head the Northern Ireland Departments. The system might operate without a formal Executive or Cabinet. Assembly committees would shadow and scrutinise the work of the Departments. Members and Chairmen would be appointed on a proportional basis. Elections would be needed before any of this could occur.

6. The scheme outlined above is one of those which features in the draft Green Paper commissioned by the Secretary of State on 9 May as a possible stepping stone to the full devolution of legislative and executive powers to all six Northern Ireland Departments envisaged under the Northern Ireland Constitution Act 1973 and the Northern Ireland Act 1982. There are similarities between the second model described in that paper -

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the devolution of executive powers only to the six Northern Ireland Departments with legislation remaining the responsibility of the Government and Parliament - and the local government committee arrangement which Mr Hume believed the unionists favoured and which he so categorically rejected.

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MEETING WITH JOHN HUME

THE ANGLO-IRISH TALKS

Aim

1. The aim of the meeting is:
 - i. to reassure Mr. Hume that we are serious about our discussions with the Irish;
 - ii. to give him an understanding of HMG's approach to the talks and of the extent to which we can go in offering Dublin a role in respect of the North;
 - iii. to test his reactions to our approach and, in particular, to gauge whether a limited agreement of the kind that we have in mind will offer enough to the SDLP to allow them to consider seriously internal political development.

Background

2. In describing the agreement (the Secretary of State may wish, with slight modification, to follow the Speaking Note attached that was drawn up for use with the Unionists) it may be helpful to stress two points. First, what is on offer to Dublin is an altogether unique institutionalised structure for another Government to involve itself in Northern Ireland's affairs; that is a major concession by HMG. Secondly, Mr. Hume must be under no illusions - we cannot offer the Irish an executive role.

3. We know from what Mr. Barry said to the Secretary of State on 30 May that the Irish Government have been putting specific proposals to Mr. Hume to test out his reactions to them. We suspect that Mr. Hume knows rather more about the content and conduct of the talks than this, but we cannot be certain.

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4. It will be helpful if the Secretary of State can get some impression from Mr Hume of whether he is prepared to accept an agreement which falls short of giving an executive role to the Irish. Recent reports suggest some equivocation in the SDLP on this point. Some SDLP members close to Mr Hume have suggested that anything short of an executive role will be totally unacceptable. Others have suggested that some form of consultative role for the Irish Government might be agreed to. In forming his view, Mr Hume will no doubt be keeping a close eye not only on Mr Mallon and the unity of his party, but also on the political situation in the Republic. He will need to weigh whether he can afford to be seen to accept an agreement which Mr Haughey is bound to reject. If the Secretary of State were able to get any appreciation of Mr Hume's views on this problem, that would be helpful.
5. The Secretary of State will also wish to make clear to Mr Hume that he does not see an Anglo-Irish agreement as being the whole answer. It could be an important part of the picture, but unless it is likely to allow Mr Hume to be more forthcoming about internal developments in Northern Ireland, much of its value will be lost. The Secretary of State will need to assess Mr Hume's appreciation of this.
6. Mr. Hume is likely to press the Secretary of State to go into rather more detail about the elements of any agreement with the Irish. He will be well aware of press speculation, more recently on joint courts, but stretching back across the role of the UDR, joint policing, an Irish Government office in Belfast and other areas. The Secretary of State will wish to avoid being drawn. Mr Hume is bound to report anything he says back to the Irish Government, who will conclude he spoke in the same terms to the unionists. There can be no guarantee that anything said in confidence will remain so. While the Secretary of State will not wish to appear too secretive, he might say in all honesty that since the talks are continuing we none of us yet know what will emerge or what precisely will form the elements of any agreement.

SPARKING NOTE: ANGLO-IRISH TALKS

1. I recognise your interest in the Government's talks with the Irish Government and I want to give you now some clearer idea of what they are about. Inter-Governmental discussions of this kind must proceed on a confidential basis and I hope that you will treat what I have to say on that basis. (For Mr Molyneux - on a Privy Counsellor basis).
2. The principle of an Anglo-Irish dialogue was clearly stated in last November's summit communique. I have made no secret of it ever since. Talks have been progressing steadily but unhurriedly since then.
3. The dialogue has been conducted at both Ministerial and official level. It has had the Prime Minister's full approval. Officials have acted on Ministerial instructions and have reported fully to Ministers. Both I and Geoffrey Howe have been involved because, when it comes to relations with another sovereign Government, the FCO have a clear interest.
4. We have made it absolutely clear to the Irish that there can be no question of derogation of sovereignty or joint authority. Dublin now knows that it cannot expect any executive role in affairs in the north. The talks have been valuable in getting that message across.
5. But what I and Cabinet colleagues recognise (as I am sure you do) is that Dublin has an inevitable interest in events in the north; and that if we can create a framework for the Irish to put their views to us, they are more likely to reach us in a constructive than in a negative form. As I have said in public (eg on 20 January) we are seeking a more methodical basis for the interchange that we have with Dublin over the north. We want to reassure the Irish that we recognise their interest and to ensure that we are fully aware of the viewpoint represented by Dublin's voice.

6. So that is what the discussions with the Irish are aimed at: devising a framework through which the Irish can be seen to be communicating with us on certain matters in the north, thereby giving greater confidence in the institutions of government to those nationalists who would otherwise be hostile to them.
7. There has been a good deal of speculation on what these matters might be. I do not want to add to it. We do not yet know the shape of any final agreement. But the sort of areas we have been considering are those where we know the minority have a legitimate and particular interest: and where we incidentally need to secure the understanding and support of the Irish. I have in mind security arrangements, the reputation of the criminal justice system, cross border efforts on economic cooperation, social matters (particularly recognising the minority's interest) and political areas such as the involvement of the minority in appointments to public authorities (like the Police Authority). If we cannot make progress on devolution, the Irish may have views on that as well.
8. There is, of course, already some contact with the Irish on many of these matters. We are seeing, however, whether we can find an acceptable basis for formalising and regularising it. But what we will not do is hand over or share responsibility for any of it with the Irish.
9. As part of any agreement the Irish would make absolutely clear that they accepted that Northern Ireland must remain part of the United Kingdom for as long as the majority wish. That is a valuable - and indeed an essential - element in any arrangement. It offers you the absolute assurance that an agreement cannot be a back-door route to Irish unite against majority wishes.

An agreement with the Irish would bring a number of advantages:

- (i) a recognised means of relaying Northern nationalist views;
- (ii) a closer understanding in the Republic of the realities of government in the north;
- (iii) a more favourable environment for fully effective security cooperation with the south;
- (iv) a more favourable international reputation which is important because coolness in relations overseas can have implications for security, inward investment and public morale;
- (v) clear acceptance by the Republic of Northern Ireland's status as part of the UK;
- (vi) greater readiness of the SDLP to consider options to political progress within Northern Ireland.

11. There can be no guarantee of success. The Taoiseach was not far wrong in forecasting a 50/50 chance of success. Agreement is difficult because the Irish would prefer more than we can give them. But that is no reason for breaking off the talks. There is every advantage in reaching an acceptable agreement within the terms laid down last November.

12. There is no set timetable. We will see how discussions progress and be guided by that. But one way or another, I would expect the outcome to be settled later this year.

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13. Finally, I should emphasise that this is an east-west arrangement between London and Dublin. It does not commit any future devolved Government in the north. It would be for the local administration in the north to make its own arrangements - if any - with Dublin about matters transferred to it (as envisaged in 1973). So in the event of devolved government an agreement would have to be reviewed in that light.

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