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**The United Kingdom, Republic of Ireland,
United States and the Conflict in Northern
Ireland, August 1971 – September 1974**

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**Submitted in fulfilment of the requirements
for the degree of Doctor of Philosophy**

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Abstract

This thesis offers a new interpretation of the international history of the early period of Northern Ireland's 'Troubles'. Such a revision is necessary given the recently released material in the national archives of the United Kingdom, Republic of Ireland and the United States, and in the personal archives of those involved. Furthermore, by adopting a different methodology, made possible by the recent archive material, further new perspectives emerge of the international dimension. Rather than taking a single element of the international history of the Troubles – for example, the 'Irish dimension', 'American dimension', the Cold War, or European integration – this thesis takes a multidimensional approach analysing the impact of the interactions of each of the international actors.

The starting point for this multidimensional analysis is the introduction of internment without trial on 9 August 1971. This was not just a significant event in Northern Ireland, but also had the effect of internationalising the Troubles. Over the months that followed the international dimension developed two distinct spheres of activity – a political sphere and a security sphere. Different combinations of actors interacted in each of these spheres. In addition to the moderate Northern Irish parties, the British and Irish governments participated in the political sphere. The US government eventually ruled itself out of this sphere following the US presidential election in November 1972, but only after it had flirted with intervention. However, interventions by the US Congress's 'Irish Caucus' continued. Meanwhile, in the security sphere, comprehensive Anglo-Irish security cooperation proved impossible to achieve. Instead, Anglo-American and Hiberno-American security cooperation developed – with Dublin eventually exerting as much of an influence on US policy as the UK. However, the US

government's attempts to suppress IRA support were seriously restricted by the administration's unwillingness to pick a fight with the Irish Caucus.

The international dimension was an integral component of the peace process that resulted in the establishing of a cross-community power-sharing executive and the Sunningdale Agreement of December 1973. Even when this process was brought to an end by a Protestant backlash in May 1974 the principles developed during this period were confirmed and were to be central to future peace initiatives in Northern Ireland, including the Good Friday Agreement.

Contents

Abstract	ii
Acknowledgements	vi
Abbreviations	viii
Note on Terminology	x
Introduction	1
Part I – Interaction without Cooperation, August 1971 – March 1972	
Part I: Introduction	15
Chapter 1: Internment	18
Chapter 2: The American Reaction	34
Chapter 3: Stalemate	47
Chapter 4: Bloody Sunday	60
Chapter 5: Hearings	71
Part I: Conclusion	85
Part II – Conceding Principles, March 1972 – March 1973	
Part II: Introduction	87
Chapter 6: The March Initiative	89
Chapter 7: US Presidential Election	102
Chapter 8: Security Cooperation	115
Chapter 9: Green Paper	128
Part II: Conclusion	141

Part III – Reaching Agreement, March 1973 – December 1973

Part III: Introduction	143
Chapter 10: The Coalition	145
Chapter 11: The Package	161
Chapter 12: The Inter-Agency Conference	174
Chapter 13: Sunningdale	186
Part III: Conclusion	201

Part IV – Confirming Principles, January 1974 – September 1974

Part IV: Introduction	203
Chapter 14: Hillsborough	206
Chapter 15: The British General Election	219
Chapter 16: Withdrawal	233
Chapter 17: The UWC Strike	243
Chapter 18: Doomsday	257
Part IV: Conclusion	274

Conclusion	276
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Bibliography	285
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Abbreviations

ACUJ	American Committee for Ulster Justice
CIA	Central Intelligence Agency
DFA	Department of Foreign Affairs
DUP	Democratic Unionist Party
EEC	European Economic Community
FARA	Foreign Agents Registration Act
FBI	Federal Bureau of Investigation
FCO	Foreign and Commonwealth Office
GOC	General Officer Commander, British Forces in Northern Ireland
HMG	Her Majesty's Government
IDU	Inter-Departmental Unit on Northern Ireland
INAC/Noraid	Irish Northern Aid Committee
INC	Irish National Caucus
INS	Immigration and Naturalization Service
IRA	Irish Republican Army
NACP	US National Archives, College Park, MD
NAI	National Archives of Ireland, Dublin
NIO	Northern Ireland Office
NPMS	Nixon Presidential Materials Staff, College Park, MD
NSA	National Security Advisor
NSC	National Security Council
OIRA	Official Irish Republican Army
PIRA	Provisional Irish Republican Army

PRO	Public Records Office, Kew
PRONI	Public Records Office of Northern Ireland, Belfast
RUC	Royal Ulster Constabulary
SDLP	Social Democratic and Labour Party
UDA	Ulster Defence Association
USG	United States Government
UUC	Ulster Unionist Council
UUP	Ulster Unionist Party
UUUC	United Ulster Unionist Council
UVF	Ulster Volunteer Force
UWC	Ulster Workers' Council

Note on Terminology

The terms ‘nationalist’, ‘Catholic’, and ‘minority’ are used interchangeably throughout the thesis to refer to that section of the Northern Irish population that desired the unification of the six counties with the Republic of Ireland. The terms ‘unionist’, ‘Protestant’, and ‘majority’ are used to refer to those in Northern Ireland that wished to remain part of the UK. ‘Republican’ is used to describe those willing to tacitly or openly support the use of paramilitary violence to achieve Irish reunification. The term ‘loyalist’ is more problematic as it can be used to describe those willing to support paramilitarism to retain Northern Ireland as part of the UK or to describe the Unionist parties opposed to the British government’s political initiative in this period. ‘Irish’ will be used in referring to the government of the Republic of Ireland and ‘British’ the government of the United Kingdom. In addition, throughout the thesis frequent reference is made to the Irish Republican Army (IRA). The IRA split in 1969, leading to the formation of the Provisional (PIRA) and Official factions (OIRA). The thesis deals primarily with the Provisional IRA and, as a result, the terms IRA, PIRA, and Provisionals are used interchangeably.

Introduction

The international history of the Troubles needs to be re-written on the basis of the archives now available in London, Dublin, Belfast and Washington. From these archives a new perspective of the international dimension emerges, one that shows how the interactions between the international actors to the conflict impacted their policy and approaches towards Northern Ireland. Examining the period from August 1971 to September 1974 the significance of the international dimension to the development of the political process that led to the Sunningdale Agreement and the formation of the cross-community power-sharing executive becomes clear. It also becomes apparent that it is necessary to dispense with many of the clichés that have developed with regard to the international dimension of the Troubles, especially in relation to the role of the United States.

There has been considerable scholarly debate as to the importance of the international dimension of the Troubles. During the 1980s, when the international dimension began to be seriously considered, the debate focussed on the impact of international actors in aiding internal participants of the Troubles, thereby prolonging the conflict.¹ The focus of this debate changed in the 1990s, especially after the Good Friday Agreement of April 1998, to instead concentrate on the significance of the international dimension in developing the peace process in Northern Ireland.² Much of the early debate was influenced by John Whyte's conclusion that the academic consensus was that the sources of Northern Ireland's problems were internal to Northern Ireland and therefore the resolution of the conflict would depend on dealing with these internal

¹ For example, Adrian Guelke, *Northern Ireland: The International Perspective* (Dublin: Gill and Macmillan), pp. 1-2.

² For example, Michael Cox, 'The War That Came in from the Cold', *Irish Studies in International Affairs*, 9 (1998), pp. 73-84; and Paul Dixon, 'Northern Ireland and the International Dimension: The End of the Cold War, the USA and European Integration', *Irish Studies in International Affairs*, 13 (2002), pp. 105-20.

factors.³ However, the active participation of the Clinton administration in Northern Irish affairs in the 1990s, thought to have been made possible by the end of the Cold War and the removal of the US government's need to placate British opinion on Northern Ireland, led to the questioning of the primacy of internal factors and considerable debate over the role of the international dimension.⁴

From this debate it is apparent how few international actors were willing to get involved in the conflict. In the early years of the Troubles Irish attempts to involve the United Nations failed. There was little appetite in the General Assembly to take up the issue, and, in any event, the UK had a veto in the Security Council.⁵ The European Economic Community (EEC) also resisted involvement, although the European Parliament did hold debates on Northern Ireland in the 1980s.⁶ In addition, individual members of the EEC were not prepared to make Northern Ireland an issue in their bilateral relations with the UK.⁷ Indeed, very few states were willing to intervene in the Northern Ireland conflict.⁸ Colonel Gaddafi's Libya did intermittently supply arms to the Irish Republican Army (IRA) over the course of the conflict, but it did not become a major international actor in the Troubles. Rather, Libya was a facilitator of the IRA's campaign of violence but had no influence over the IRA's strategy, or on the internal or international climate in which the Troubles occurred.⁹

³ John Whyte, *Interpreting Northern Ireland* (Oxford: Clarendon, 1990), pp. 202-5; Guelke, *The International Perspective*, p. 3; and Dixon, 'Northern Ireland and the International Dimension', p. 106.

⁴ Feargal Cochrane, 'Irish-America, the End of the IRA's Armed Struggle and the Utility of "Soft Power"', *Journal of Peace Research*, 44 (2007), p. 221; Cox, 'The War that Came in From the Cold', pp. 73-4; and Adrian Guelke, 'The United States, Irish Americans and the Northern Ireland Peace Process', *International Affairs*, 72 (1996), p. 521 and pp. 535-6.

⁵ Daniel C. Williamson, 'Taking the Troubles across the Atlantic: Ireland's UN Initiatives and Irish-US Diplomatic Relations in the early years of the Conflict in Northern Ireland, 1969-72', *Irish Studies in International Affairs*, 18 (2007), pp. 177-79.

⁶ Guelke, *The International Perspective*, pp. 158-63.

⁷ Dublin: National Archives of Ireland (hereafter NAI), Department of the Taoiseach (hereafter DT) 2002/8/481, 'Summary of Results to Approaches to Foreign Governments about the situation in Northern Ireland', 26 August 1971; and Guelke, *The International Perspective*, p. 171.

⁸ Dublin: NAI, DT 2002/8/481, 'Summary of Results to Approaches to Foreign Governments about the situation in Northern Ireland', 26 August 1971.

⁹ Cox, 'The War that came in from the Cold', p. 76; and Brendan O'Leary, 'Mission Accomplished? Looking Back at the IRA', *Field Day Review*, 1 (2005), p. 236.

This leaves the Republic of Ireland and the United States. For those who have downplayed the importance of international actors, the bilateral relationship between the Irish and British governments is not taken to be part of the international dimension.¹⁰ Instead, the Anglo-Irish relationship has been considered ‘national’ rather than international.¹¹ Clearly, though, the relationship between the UK and Republic of Ireland must be considered an international one. At the heart of the dispute was the question over which state Northern Ireland should belong to. Adrian Guelke has listed the ‘territorial dispute’ between the UK and the Republic of Ireland over Northern Ireland as one of the distinct elements of the international dimension. That said, Guelke discounted the importance of this strand of the international dimension given the lack of enthusiasm in London and Dublin to support their respective ‘sides’ in the conflict.¹²

Indeed, in the literature on the Anglo-Irish relationship, the impact of Irish influence on British policy towards Northern Ireland is minimised. This is especially true of the period under consideration in this thesis. Irish policy is viewed as a reaction to events in Northern Ireland and the actions of the British government and not as the result of a process of interaction between the governments in Dublin and London. For example, Bew, Gibbon and Patterson have implied that the Irish had little influence over British policy on Northern Ireland, arguing instead that the Conservative government of Edward Heath let the Prime Minister of Northern Ireland, Brian Faulkner, dictate British policy.¹³ In addition, Bew and Patterson have argued that Jack Lynch’s Fianna Fáil government was ‘almost pathetically grateful’ when the British conceded that there was an ‘Irish dimension’ to resolving the conflict.¹⁴ Again the implication is that the Irish

¹⁰ Dixon, ‘Northern Ireland and the International Dimension’, p. 107; and Eamonn O’Kane, ‘The Republic of Ireland’s Policy Towards Northern Ireland: The International Dimension as a Policy Tool’, *Irish Studies in International Affairs*, 13 (2002), p. 132.

¹¹ *Ibid.*

¹² Guelke, *The International Perspective*, p. 2.

¹³ Paul Bew, Peter Gibbon, and Henry Patterson, *Northern Ireland 1921-1996: Political Forces and Social Classes* (London: Serif, 1996), p. 167.

¹⁴ Paul Bew and Henry Patterson, *The British State and the Ulster Crisis: From Wilson to Thatcher* (London: Verso, 1985), p. 53.

had little influence over British policy and it was only after the British had recognised that it would be unable to resolve the conflict without Irish involvement that London sought to bring Dublin into their developing political process. This involvement would be on lines defined by London. Furthermore, Catherine O'Donnell has argued that while the Irish Taoiseach, Jack Lynch, was consistent in his approach to Northern Ireland his influence over British policy was diminished by London's refusal to allow the Irish a role in the affairs of the Province.¹⁵ As for the Sunningdale Agreement, Brendan O'Duffy and Etain Tannam have both argued that its main purpose was to achieve the British ambition of securing power-sharing in Northern Ireland, with the Irish dimension 'a belated side-payment to nationalists'.¹⁶

Only in terms of defining the structure of the Council of Ireland is it argued the Irish had any appreciable influence. On this London was neutral, leaving it to the parties in Northern Ireland and the Republic to reach agreement. Whatever could be agreed would be acceptable to the British. Had the British been more explicit in defining the structures and powers of the Council, in effect dictating the pattern of North-South interaction, then an agreement less frightening to unionist opinion would have been produced.¹⁷

More recently there have been attempts to rehabilitate British policy in Northern Ireland in the early 1970s. The deteriorating conditions in Northern Ireland are blamed on the Provisional IRA's offensive rather than the failure of British policy.¹⁸ Heath, it is argued, wanted to see the improvement of relations between Northern Ireland and the Republic, such as had existed during the Lemass-O'Neill era in the mid-1960s.

¹⁵ Catherine O'Donnell, *Fianna Fáil, Irish Republicanism and the Northern Ireland Troubles, 1968-2005* (Dublin: Irish Academic Press, 2007), pp. 45-6.

¹⁶ Etain Tannam, 'Explaining British-Irish Cooperation', *Review of International Studies*, 37 (2011), p. 1206; and Brendan O'Duffy, *British-Irish Relations and Northern Ireland: From Violent Politics to Conflict Regulation* (Dublin: Irish Academic Press, 2007), pp. 98-102.

¹⁷ Paul Bew, *Ireland: The Politics of Enmity 1789-2006* (Oxford: Oxford University Press, 2007), pp. 511-2.

¹⁸ Jeremy Smith, "'Walking a Real Tight-Rope of Difficulties": Sir Edward Heath and the Search for Stability in Northern Ireland, June 1970 – March 1971', *Twentieth Century British History*, 18 (2007), pp. 219-253.

Following the damage caused to Anglo-Irish relations by the Lower Falls Curfew of early July 1970, the Heath government wanted to foster better relations with Dublin. While this did not bear fruit immediately, it paved the way for the closer cooperation that eventually led to the Good Friday Agreement.¹⁹ The effect of this rehabilitation of British policy, however, is to again emphasise the primacy of London in forming policy on Northern Ireland and minimise the influence of Dublin.

Unable to move the British government's policy on Northern Ireland the Republic sought to bring international pressure to bear on London. Of these international actors, the United States was most important. While there is a large body of work on the influence of the minority of Irish-Americans who actively participated in fundraising and gunrunning for the IRA, there is much less on US government policy towards Northern Ireland. Writing in the 1980s, Guelke pointed to the caving of President Carter to the lobbying of the Congressional Irish Caucus in agreeing to a ban of supplying weapons to the Royal Ulster Constabulary (RUC) as the first direct US government intervention in the Troubles. Guelke attributed the failure to resist Irish Caucus pressure to the weakness of the presidency as an institution following Watergate and the general malaise in the Carter administration.²⁰ However, prior to this, US governments had followed a strict policy of non-intervention as far as Northern Ireland was concerned.

It is perhaps understandable that little research has been conducted into the US government's policy of non-intervention. In the research that has been done, the reluctance of the administration of President Richard Nixon to intervene in Northern Ireland has mainly been attributed to the realities of Cold War politics. Ronan Fanning has argued that the US looked upon Britain as the 'lynch-pin' of its anti-communist alliance and as an important NATO ally. By contrast Ireland was marginal and

¹⁹ Daniel C. Williamson, 'Moderation Under Fire: the Arms Trial Crisis, the Lower Falls Curfew and Anglo-Irish Cooperation on Northern Ireland', *Irish Studies in International Affairs*, 21 (2010), p. 206.

²⁰ Adrian Guelke, 'The American Connection to the Northern Ireland Conflict', *Irish Studies in International Affairs*, 1 (1984), pp. 3-4.

strategically insignificant.²¹ Joseph E. Thompson has also argued that in the Realist interpretation of foreign policy of Nixon's National Security Advisor, Henry Kissinger, the US was required to maintain its 'special relationship' with the UK. The price for this was US silence on Northern Ireland.²² In addition, both Fanning and Thompson have highlighted what they consider to be the pro-British bias of the State Department. As a result of this, it is argued, the British were able to wield significant influence over the US government.²³ Fanning has stated that there was a 'British stranglehold in Washington' which left Dublin unable to move US policy on Northern Ireland.²⁴ Meanwhile, Thompson has argued that the combination of Kissinger's Realism and the State Department's pro-British bias 'resulted in Britain controlling American policy towards Ireland, north and south'.²⁵

Most of the existing literature on the international dimension of the Troubles predates the opening of government archives and the availability of the personal papers of the participants for each of the international actors. Archival material for the early part of the Troubles, including the important years from 1971 to 1974, is now available to researchers. As a result, a revision of the international dimension using these newly opened archives is timely. Moreover, such a revision should be a truly 'international' history of the Troubles. That is to say it should not be a one-dimensional national history setting out the policy development of one of the international actors towards the other actors. This is one of the principle weaknesses of the existing literature on the international dimension. Rather it should be a multi-dimensional 'international' history, analysing not only the policy development of individual participants, but also assessing

²¹ Ronan Fanning, 'The Anglo-American Alliance and the Irish Question in the Twentieth Century', in Judith Devlin and Howard B. Clarke (eds), *European Encounters: Essays in Memory of Albert Lovett* (Dublin: University College Dublin Press, 2003), pp. 198-207.

²² Joseph E. Thompson, *American Policy and Northern Ireland: A Saga of Peacebuilding* (Westport, CT: Praeger, 2001), pp. 22-3.

²³ Fanning, 'The Anglo-Irish Alliance and the Irish Question', p. 199; and Thompson, *American Policy and Northern Ireland*, pp. 35-6.

²⁴ Fanning, 'The Anglo-Irish Alliance and the Irish Question', p. 205.

²⁵ Thompson, *American Policy and Northern Ireland*, p. 40.

the impact of the interactions of each of the international actors on policy towards each other and Northern Ireland. This can only be achieved through detailed examination of the available archives in the United Kingdom, Republic of Ireland and the United States. What emerges from such a revision is a new understanding of the international dimension of Northern Ireland's Troubles.

This investigation will cover the period from the introduction of internment without trial in August 1971 through to the aftermath of the collapse of the Sunningdale Agreement in 1974. These were some of the bloodiest years of the Troubles. In this period some 1,200 people were killed as a result of the conflict and many more were injured.²⁶ Yet this period also saw the best opportunity for a peaceful settlement of the conflict prior to the peace process of the 1990s. Although this process was to collapse in May 1974 as a result of the Ulster Workers' Council (UWC) strike, the principles that underpinned this initiative, symbolised by the Sunningdale Agreement, endured. Nearly 25 years later Seamus Mallon, the then deputy leader of the SDLP, described the Good Friday Agreement as 'Sunningdale for slow learners'.²⁷

Significantly this was also the period in which the international dimension began to develop. And it was to play an important role in the political process that emerged from March 1972. The UK and Republic of Ireland are connected by strong historical, cultural, and ethnic links. Globalisation and economic integration projects such as those which developed in Europe from the 1950s further increased the interconnections between the two states.²⁸ In this relationship of complex interdependence, 'governments are affected by one another's policies so that they react to changes in policy by the other

²⁶ Malcolm Sutton, 'An Index of Deaths From the Conflict in Ireland', CAIN Web Service, <http://cain.ulst.ac.uk/sutton/tables/Year.html> [accessed 17 June 2011].

²⁷ Jonathan Tonge, 'From Sunningdale to the Good Friday Agreement: Creating Devolved Government in Northern Ireland', *Contemporary British History*, 14 (2000), p. 39.

²⁸ Martin Hollis and Steve Smith, *Explaining and Understanding International Relations* (Oxford: Clarendon Press, 1990), pp. 32-4.

side'.²⁹ Yet it is not necessarily the state with the greater military or economic power that can influence weaker states with which they are interdependent. Instead, thanks to asymmetries in the interdependent relationship, a weaker state can successfully bring considerable pressure upon a stronger state to influence policy changes to the weaker state's advantage.³⁰ The interdependent relationship between the UK and Republic of Ireland imposed considerable constraints on each government. London was unable to exploit its military and economic predominance in order to force the Irish government to accept the British approach to Northern Ireland. Dublin was therefore in a much stronger position as the British were compelled to interact with the Irish government at the diplomatic level. It took some time for the British government to recognise this, however, and when it did, cooperation with Dublin came only reluctantly.

With regard to American involvement in Northern Ireland, here too the interconnections between Ireland and the US are key. Indeed, it is these interconnections that led to the US being an important international actor in Northern Ireland while other nations avoided involvement.³¹ Despite the desire of US governments prior to the Clinton administration to avoid involvement in Northern Ireland, the interconnections between America and Ireland dragged the US into the conflict. Some 40 million US citizens describe themselves as Irish-American; that is Irish Catholic rather than Protestant 'Ulster Scots'.³² Only a small proportion of these Irish-Americans became activists on Northern Ireland, but they developed effective and influential lobby groups, such as the American Committee for Ulster Justice (ACUJ) and the Irish Northern Aid

²⁹ Paul Arthur, 'Anglo-Irish Relations and the Northern Ireland Problem', *Irish Studies in International Affairs*, 2 (1985), p. 37; and Robert O. Keohane and Joseph S. Nye, Jr., 'The Complex Politics of Canadian-American Interdependence', *International Organisation*, 28 (1974), p. 600.

³⁰ Robert O. Keohane and Joseph S. Nye, *Power and Interdependence* (New York: HarperCollins, 1989, 2nd edition), p. 18.

³¹ Dublin: NAI, DT 2002/8/481, 'Summary of Results to Approaches to Foreign Governments about the situation in Northern Ireland', 26 August 1971.

³² Michael Hout and Joshua Goldstein, 'How 4.5 Million Irish Immigrants Became 40 Million Irish Americans: Demographic and Subjective Aspects of the Ethnic Composition of White Americans', *American Sociological Review*, 59:1 (1994), pp. 64-5; and Lawrence J. McCaffrey, *The Irish Catholic Diaspora in America* (Washington, DC: The Catholic University of America Press, 1997, 3rd edition), pp. 188-92.

Committee (Noraid), that had clout in Congress and forced Northern Ireland onto the American political agenda. In addition to this domestic lobbying, the fundraising and gunrunning activity of a small number of Irish-Americans in support of the IRA led to British and Irish pressure on the US government to take action.³³ However, rather than the Nixon administration's policy on Northern Ireland being dictated by the British, it was often constrained by domestic political considerations to the point of ineffectiveness. Therefore, as will be seen, American interconnections with Ireland led to both internal and external pressures for US involvement in Northern Ireland.

Consideration of the international history of the early years of the Troubles must therefore include a multi-dimensional approach that analyses the impact of both the Irish and American dimensions of the conflict, the prevailing Cold War climate, and the context of increasing European integration. By examining the international dimension in this way the significance of the interactions between all the international actors can be seen. In addition, the constraints on each, whether domestic political considerations, the realities of the Cold War, or the limits imposed by European integration, can also be assessed.

From such an investigation it becomes clear that the international dimension developed into two spheres of activity – a political sphere and a security sphere.³⁴ Each section of the thesis analyses the development of these spheres of international interaction. Part I covers the period from the introduction of internment without trial in Northern Ireland on 9 August 1971 through to the aftermath of Bloody Sunday, 30 January 1972, and the US Congressional hearings on Northern Ireland in February-

³³ Andrew J. Wilson, *Irish America and the Ulster Conflict 1968-1995*, (Belfast: The Blackstaff Press, 1995), pp. 86-99.

³⁴ Brendan O'Duffy has posited a similar concept when he refers to a 'security track' and 'political track' to British policy in this period. However, O'Duffy is referring to British policy *in* Northern Ireland rather than in the international dimension of the conflict. This is significant as the thesis of his book is that the conflict is British-Irish rather than internal to Northern Ireland and therefore that Anglo-Irish cooperation was vital in resolving the conflict. Surprisingly O'Duffy fails to examine Anglo-Irish interaction in this period in any detail, instead emphasising the centrality of British policy in Northern Ireland. See Brendan O'Duffy, *British-Irish Relations and Northern Ireland*, pp. 90-110.

March 1972. Internment was not just a significant event in Northern Ireland's domestic affairs, but effectively internationalised the conflict. It was immediately clear who the international actors were going to be. Britain was responsible for Northern Ireland, the Republic of Ireland claimed the right of involvement in the North, while the Irish-American lobby effectively pushed the Troubles onto the agenda of the US Congress and then the Nixon administration. It was also to become clear that the international dimension was going to operate in two spheres, although it was not yet clear which combination of actors would be interacting in each sphere. The British government had adopted an exclusively security based policy and increasingly sought Irish cooperation in this. Dublin refused, instead insisting that it was political solutions that were required and that it should be engaged in this sphere. Meanwhile, the Nixon administration was determined not to become involved in either sphere, but was to find itself, temporarily, the focus of political agitation on Northern Ireland.

Part II of the thesis covers the period from the British government's political initiative in March 1972 through to the Irish general election in March 1973. Dublin's increasingly aggressive policy towards the UK had had a significant impact on British thinking. In many ways the political initiative the Heath government embarked upon mirrored the position the Lynch government had advocated since the introduction of internment. However, the British had not simply replaced a security policy with a political policy as Dublin had been advocating. While the emphasis was now on political reform, the British were still sensitive to unionist opinion in Northern Ireland, something that the British believed the Lynch government was blind to. Therefore political reform had to be balanced with security action. This led the British to attempt to coax the Irish into security cooperation by making political concessions – effectively bringing Dublin into the political sphere.

London also sought to bring in the US government into the security sphere, while preventing American involvement in the political sphere. The British only wanted the assistance of the US authorities in tackling Irish-American support for the IRA. However, the British rightly did not take for granted US non-involvement in the political sphere, continuing to engage with both the US government and the Irish Caucus. Indeed domestic political considerations prompted Nixon to review the policy of non-intervention. Only after the US Presidential election was it certain that the administration would not become politically involved in Northern Ireland. Even so, Irish Caucus agitation continued.

Part III covers the period from the formation of the Fine Gael-Labour coalition government in Dublin in March 1973 through to the conclusion of the Sunningdale Agreement in December 1973. During this period Dublin's role in the political sphere was firmly established as the British brought the Irish government deeper into the political process. Moreover, it initially appeared that the new Irish government would agree to closer security cooperation with the British. However, Anglo-Irish security cooperation was torpedoed by the Littlejohn Affair of August 1973. Instead, the Irish government adopted an increasingly aggressive approach in the political sphere. As a result, the disconnection between the political and security spheres began to affect the peace process and was to undermine the Sunningdale Agreement.

Following the US presidential election the Nixon administration finally excluded itself from the political sphere of the Troubles. However, continued Irish-American support for the Provisionals forced the US government into the security sphere. The British had continued to press for US action. However, it was to be the intervention of the Republic of Ireland's new Foreign Minister, Garret FitzGerald, that was to have the most impact on the US government's approach. FitzGerald's constant lobbying led to the convening of a conference involving several of the US government's law

enforcement agencies. This resulted in the production of a list of actions that could be taken against groups like Noraid. Yet, the administration was not prepared to cause the domestic political storm that such an approach would create. There was little political will in the administration to take on the Irish Caucus. Instead the policy eventually adopted was modest in its ability to tackle Provisional IRA (PIRA) support in the United States. Domestic political concerns trumped British or Irish government lobbying.

The final section of the thesis, Part IV, covers the period from the Sunningdale Agreement in December 1973 through to the aftermath of the collapse of the peace process. Following the creation of Northern Ireland's power-sharing executive in January 1974 the British government began to withdraw from the political sphere as relations between Dublin and Belfast strengthened. As a series of setbacks afflicted the peace process, discussions between Belfast and Dublin concentrated on salvaging the Agreement. However, the failure of the Unionists to agree with Dublin on the way forward increasingly brought London back into the political sphere.

There were signs of political progress in the United States. Political engagement with the Irish Caucus by the British and Irish governments and the SDLP's John Hume had the effect of moderating the views of certain members of the Caucus. Effectively some senior members of the Caucus were being brought into the political sphere in support of the moderate position of Northern Ireland's main constitutional nationalist party, the Social Democratic and Labour Party (SDLP), and the Irish government. Having previously attempted to stop British and Irish government lobbying of the Irish Caucus, lest it merely increase pressure for US intervention, the Nixon administration now encouraged contact between the Irish government and SDLP and the Caucus.

Cooperation on security issues was harder to achieve. At Sunningdale the British government and the moderate Unionists led by Brian Faulkner had failed to achieve the desired agreement on security issues with the Irish government. A further report on

security again failed to deliver to the British or the Faulkner Unionists the security cooperation they wanted. In the end they were forced to decide whether to break the whole peace process over the issue or accept what cooperation they could from Dublin. Reluctantly they chose the latter.

The British government and Faulkner Unionists were so persistent in their demands for security cooperation because they believed that this would help sell the Sunningdale Agreement to the unionist majority in Northern Ireland. More than that, it could even prevent a Protestant backlash against the peace process. Eventually, though, the feared Protestant backlash occurred, wrecking the peace process and the Sunningdale Agreement. In the aftermath of this, the Irish government became extremely concerned that the British would opt to unilaterally withdraw from Northern Ireland. The Nixon administration shared the Irish government's analysis of the future development of British policy. Certainly there were some in the British government who were advocating withdrawal. Yet this never came close to being adopted as British policy. Instead the British government restated its commitment to the Sunningdale principles. Despite repeated reassurances, the Irish government remained unconvinced and the strain in Anglo-Irish relations increased.

In all this, it is clear that the development of the international dimension did not lead to harmony in the relations between the main participants. Rather relations were often strained and cooperation grudging or non-existent. Yet, an agreement of the general approach to Northern Ireland was at least fostered during this period by the main state actors involved. So, too, did an understanding of the roles that each government was, and was not, willing to play in Northern Ireland. Furthermore, the central principles developed in this period by the interactions of the participants survived and were to be the basis of future political initiatives.

Utilising the national archives of the United Kingdom, Republic of Ireland and United States, in addition to the private papers of involved politicians, this thesis brings together new material from the three principal international actors in the Troubles. By so doing, the interactions of these actors and the impact that these then had on policy towards Northern Ireland and each other can be seen. What emerges is a new account of the early Troubles, where the development of an international system across political and security spheres accompanied the developing peace process of the early 1970s. In this, the principles on which the Good Friday Agreement was to be based were developed.

Part I: Interaction without Cooperation, August 1971 to March 1972

Introduction

The introduction of internment internationalised the Northern Ireland conflict. While it was not immediately clear what shape the international dimension would take, or how important it would be, it was clear who the international actors would be. Despite its repeated claims that the conflict was an internal affair, for it alone to resolve, the UK's Conservative government, headed by Prime Minister Edward Heath, had increasingly to engage with the Republic of Ireland and the United States on Northern Ireland following the introduction of internment.

The most obvious candidate for inclusion in the developing international dimension was the Republic of Ireland. Dublin reacted angrily to internment and the Fianna Fáil government, headed by Taoiseach Jack Lynch, developed an increasingly aggressive policy towards the UK. In the first month after the introduction of internment this progressed from public denunciations of British policy and calling for the abolition of Northern Ireland's devolved government, to policy aimed at actually attempting to bring this about. This pressure was enough to force Ted Heath into inviting Lynch for talks.

While the Irish government advocated political reform in Northern Ireland, the British government attempted to end the violence by means of a toughening security policy. In order to put an end to IRA violence the British attempted, despite the considerable reluctance of Northern Ireland's Prime Minister, Brian Faulkner, to gain security cooperation from the Republic by allowing Lynch to put forward his views on political reform in Northern Ireland. This approach failed as Lynch argued only political reform would end the violence. But Heath had opened the door to Irish involvement.

That said, the British and Irish governments remained poles apart in their analysis of the conflict, with the British continuing to concentrate on security action while Dublin argued for political reform. This distinction between spheres was to define the international dimension.

As part of its attempts to bring international pressure on the British, the Lynch government sought the support of the United States. However, while Dublin was sure-footed and effective in its approach to the British, it proved to be tactically inept in its attempts to lobby the US. By contrast the British intensively lobbied the Nixon administration, US Congress and public opinion.

It has been argued that the Nixon administration's decision not to intervene in Northern Ireland was due to the slavish pro-British bias of the State Department.¹ More than this, US government action against domestic Irish-American republican supporters has been blamed on the malign influence of the 'special relationship'.² Such a view cannot be sustained. The British government was never confident that the Nixon administration would stick to its non-intervention policy, hence the continued and intensive lobbying of the US government. This activity contrasted with Dublin's sporadic calls on the US government to intervene. More significantly, British fears were compounded by the development of a large group in the US Congress that supported a republican position on Northern Ireland. This 'Irish Caucus' had a significant impact on the Nixon administration, limiting its cooperation with the British and even leading the administration to flirt with intervention. Congressional influence prompted extensive British lobbying of the Caucus. Meanwhile, the Irish government was passive and inept in relation to the Irish Caucus, leaving Dublin without influence. The Caucus's views

¹ For example see, Francis M. Carroll, *The American Presence in Ulster: A Diplomatic History, 1796-1996* (Washington, DC: The Catholic University of America Press, 2005), pp. 188-90; Seamus P. Metress, *The American Irish and Irish Nationalism: A Sociohistorical Introduction* (London: The Scarecrow Press, 1995), pp. 15-19; Thompson, *American Policy and Northern Ireland*, p. 40; and Barry White, *John Hume: Statesman of the Troubles* (Belfast: The Blackstaff Press, 1984), p. 188.

² Jack Holland, *The American Connection: US Guns, Money and Influence in Northern Ireland* (New York, NY: Viking, 1987), pp. 32-43; and Karen McElrath, *Unsafe Haven: The United States, the IRA and Political Prisoners* (London: Pluto Press, 2000), pp. 15-16.

were influenced more by the radical IRA sympathising Irish-American groups like the ACUJ and Noraid.

Chapter 1: Internment

Anglo-Irish relations deteriorated sharply following the introduction of internment. Jack Lynch, the Irish Taoiseach, condemned the introduction of internment in Northern Ireland as ‘deplorable evidence of the political poverty of the policies which have been pursued there for some time’.¹ Frustrated by the British refusal to acknowledge Dublin’s right to a role in resolving the conflict or to heed Irish concerns, the Lynch government developed an increasingly aggressive policy towards the UK government. Over the month following the introduction of internment this moved from public attacks on the Heath government’s policy to actions aimed at undermining Northern Ireland’s Unionist government. Yet this was not a reckless policy borne of emotion. Rather this was a carefully calculated policy enabled by the Irish government’s accurate analysis of the restrictions that prevented the British from retaliating. By the end of August 1971 this had inserted the Irish government into the international dimension of the Troubles as Heath was forced to invite Lynch for talks.

Dublin was in a much better position to react to the introduction of internment than earlier crises in Northern Ireland. At the outbreak of the Troubles in 1968, the Fianna Fáil government had shown itself to be largely ignorant of conditions in Northern Ireland. Moreover, the Irish cabinet was split between hardliners, who contemplated armed Irish intervention in Northern Ireland, and more moderate voices who would countenance only peaceful involvement in the North. In the years since then most of the hardliners had left the government thanks to the Arms Crisis of 1970, leaving Jack Lynch to follow his more ‘moderate’ policy relatively unhindered.² Furthermore, the Irish government had taken steps to better inform itself on Northern Ireland and to better

¹ London: PRO, PREM 15/478, Sir John Peck to Foreign and Commonwealth Office (FCO), 9 August 1971.

² O’Donnell, *Fianna Fáil, Irish Republicanism and the Northern Ireland Troubles*, pp. 32-8.

formulate policy. In 1969 Lynch had created the Inter-Departmental Unit on Northern Ireland (IDU). The IDU was comprised of senior officials from across the Irish civil service and was charged with investigating issues referred to it by the Taoiseach and to report back, making recommendations.³ In addition, Eamonn Gallagher, an official from the trade section of the Irish foreign ministry, had developed contacts with leading members of the minority community in Northern Ireland. Gallagher became an important advisor to Lynch on issues relating to the North and following the introduction of internment became the head of a new Anglo-Irish section in the Irish Department of Foreign Affairs. This section also included Sean Donlon. Donlon was recalled to Dublin from the United States the day after internment was introduced to act as a conduit between the Irish government and politicians in the North.⁴

All this compared favourably to the confusion of responsibilities that existed in the UK. Northern Ireland enjoyed a significant degree of autonomy, having its own Parliament based at Stormont and its own government headed by a Prime Minister. While it retained competence for all domestic issues in Northern Ireland, the British government had been using its influence to pressure the Stormont government into reform. Meanwhile, Westminster retained control of British forces deployed to the Province, while Army policy was the subject of negotiation between London and Belfast. Within the British government things were no better. Northern Irish affairs were the responsibility of a small bureau in the Home Office, while Anglo-Irish relations were the responsibility of the Foreign Office and control of the British Army was the responsibility of the Ministry of Defence.⁵ A Cabinet Subcommittee, meeting

³ Anthony Craig, *Crisis of Confidence: Anglo-Irish Relations in the Early Troubles* (Dublin: Irish Academic Press, 2010), pp. 167-8.

⁴ Paul Arthur, *Special Relationships*, pp. 105-6.

⁵ Paul Bew, Peter Gibbon, and Henry Patterson, *Northern Ireland 1921-1996: Political Forces and Social Classes* (London: Serif, 1996), pp. 170-1.

irregularly, attempted to coordinate policy, while the Home Secretary and Prime Minister were left to liaise with the Prime Minister of Northern Ireland, Brian Faulkner.⁶

Internment crystallised the opposing approaches of the British and Irish governments to the Northern Ireland crisis. Both governments wanted peace in Northern Ireland. However, in the words of Sir John Peck, the then British Ambassador to Dublin, their ‘differences lay in their diagnosis and cure of the Northern sickness’.⁷ For the British, a political solution in Northern Ireland was essential. Westminster and Stormont were cooperating to implement an agreed programme of reforms in a process that dated back to the previous Labour administration and the Downing Street Declaration of August 1969.⁸ Yet the level of violence had increased over the summer of 1971 to the point where it was ‘threatening the life of the community’.⁹ It was the responsibility of the British government to deal with the terrorists. Reluctantly they had agreed to internment. But this did not diminish the British government’s desire to see a fair and just society develop in Northern Ireland, one that was acceptable to both the minority and majority communities.¹⁰

Dublin’s view was rather different. The Irish government was convinced that only the reunification of Ireland could ultimately resolve the crisis in Northern Ireland. Until this could be achieved the Irish wanted to see the creation of a just society in the North. Standing in the way of this was a Stormont government and Parliament dominated by the Orange Order that discriminated against the Catholic minority and had

⁶ For example: Edward Heath, *The Course of My Life: My Autobiography* (London: Hodder and Stoughton, 1998), pp. 427-8.

⁷ John Peck, *Dublin from Downing Street*, (Dublin: Gill and Macmillan, 1978), p. 113.

⁸ London: PRO, PREM 15/478, Minute of Meeting between Reginald Maudling and Paddy Hillery, 12 August 1971; and PREM 15/478, Transcript of Prime Minister’s telephone conversation with Mr Lynch, 12 August 1971.

⁹ London: PRO, PREM 15/478, Minute of Meeting between Reginald Maudling and Paddy Hillery, 12 August 1971.

¹⁰ *Ibid.*

no interest in implementing reforms.¹¹ Rather than bringing the two communities together the focus on military solutions merely alienated the minority further. This, in turn, was increasing the minority's support for the IRA. Only a demonstration by the British government that it would not allow the Unionists to obstruct meaningful reform and the ending of the Catholic community's exclusion from power would begin to persuade the minority to abandon their support for the IRA.¹² Dublin's increasingly aggressive policy over the course of August 1971 was an attempt to force the British government to recognise this and to alter its policy accordingly.

The introduction of internment convinced the Irish government of two things. Firstly, Stormont had to go. Secondly, its replacement should involve the equal sharing of power between the unionist and nationalist communities in Northern Ireland. Dublin therefore attempted to convince the British government of this through diplomatic contact and by endeavouring to bring British public opinion to bear on the Heath administration. In a meeting on 11 August 1971 the Irish Foreign Minister, Paddy Hillery, told Reggie Maudling that Stormont was finished. Hillery proposed that a commission comprised of equal numbers of representatives from both communities should replace it. In the exceptional circumstances of Northern Ireland, where the majority Protestant community held power permanently, Hillery argued that the normal processes of democracy did not work. A solution along the lines of a commission would help to build a responsible leadership for the minority community and provide an alternative to the IRA.¹³ Maudling demurred, but reported Hillery's proposal to Heath. The following day, in a telephone conversation between the British and Irish leaders, Lynch again pressed the British to consider the commission proposal. Heath rejected the

¹¹ London: PRO, PREM 15/478, Minute of Meeting between Reginald Maudling and Paddy Hillery, 12 August 1971; and PREM 15/478, Transcript of Prime Minister's telephone conversation with Mr Lynch, 12 August 1971.

¹² London: PRO, FCO 33/1464, Letter from Sir John Peck to Sir Stewart Crawford, 12 August 1971.

¹³ London: PRO, PREM 15/478, Minute of Meeting between Reginald Maudling and Paddy Hillery, 12 August 1971.

idea, telling Lynch that he ‘couldn’t consider anything that meant constitutional change’.¹⁴

Having failed to persuade the British of this in private, Lynch decided to go public. Lynch had warned Heath that he was under considerable domestic pressure to make a statement on the situation in Northern Ireland and that he was considering publicly floating the commission idea. The Taoiseach stressed that if he did raise the commission proposal he would not reveal the fact that it had already been put to the British government.¹⁵ Later that afternoon, 12 August 1971, Lynch released his statement, which was far more aggressive in its tone than Heath felt he had been led to believe it would be.¹⁶ The statement launched a withering attack on Stormont, accusing it of delaying and distorting reform while attempting the repression of the minority through internment. It also included an appeal to the British public, who, it was argued, would be horrified by what was being done in their name, and at their expense, in Northern Ireland. Events had now demonstrated that Stormont could not be reformed, and needed to be replaced.¹⁷

Peck’s analysis was that the statement emerged out of an Irish cabinet meeting that had lasted all day and attempted to reflect the range of opinion in the governing Fianna Fáil party.¹⁸ Yet this was not just empty posturing by Lynch. He clearly believed that Stormont could not be reformed and needed to be replaced. Any replacement had to include cross-community power-sharing. In addition, the security policy being pursued jointly by the Stormont and Westminster governments, Lynch believed, amounted to the ‘outright repression of the minority’.¹⁹ Lynch’s statement was motivated not only by

¹⁴ London: PRO, PREM 15/478, Transcript of Prime Minister’s telephone conversation with Mr Lynch, 12 August 1971.

¹⁵ *Ibid.*

¹⁶ London: CAB 130/522, GEN 47(71) 4th Meeting, 13 August 1971.

¹⁷ Dublin: NAI, DT 2002/8/512, Statement released on behalf of the Taoiseach by the Government Information Bureau, 12 August 1971.

¹⁸ London: PRO, PREM 15/478, Telegram from Sir John Peck to FCO, 13 August 1971.

¹⁹ Dublin: NAI, DT 2002/8/512, Statement released on behalf of the Taoiseach by the Government Information Bureau, 12 August 1971.

domestic political considerations, but was primarily intended to bring further political pressure to bear on the British in an attempt to convince the Heath government to reverse what Lynch considered were disastrous policies. Indeed, the Irish government was now also attempting to go over the head of the British government and appeal directly to the British people. According to Lynch's statement 'the British public, if fully aware of the facts, would turn away in horror from what they have been asked to support'.²⁰ Here Lynch attempted to rouse British public opinion in order to introduce another source of pressure on British government policy toward Northern Ireland.

Although surprised by the aggressive tone of Lynch's statement, Heath ruled out any direct response to it. Instead, Heath decided to absorb the pressure coming from Dublin, arguing that time should be given for tempers to cool before any British reply was made.²¹ Faulkner's response, however, was not as measured. The Northern Irish Prime Minister rejected Lynch's right to intrude in the affairs of a neighbouring country. Lynch had demonstrated 'cant and hypocrisy' by trying to achieve by political means what the IRA were trying to obtain by terrorism.²²

Beyond calling for the abolition of Stormont and its replacement with a cross-community commission, Lynch restated the Irish government's claim to have a role to play in Northern Ireland. Lynch sought to have this recognised by the British. On 19 August 1971, Brian Faulkner travelled to Chequers to meet with Heath and Maudling, along with the Foreign Secretary, Sir Alec Douglas-Home, and the Defence Secretary, Lord Carrington. To coincide with this meeting Lynch sent a telegram to Heath which was released to the press before it was received by the Prime Minister. Lynch's telegram stated that it should by now be obvious to the British that military solutions would not work in Northern Ireland and instead a political initiative was needed based on the principle of equality of treatment for all the people of Northern Ireland. If this change of

²⁰ *Ibid.*

²¹ London: PRO, CAB 130/522, GEN 47(71) 4th Meeting, 13 August 1971.

²² 'North-South Gulf Grows Wider', *The Times*, 14 August 1971, p. 1.

policy did not happen then Lynch would support the passive resistance campaign of the nationalist minority in the North. Finally, Lynch declared himself ready to take part in ‘a meeting of all the interested parties’ aimed at resolving the issues affecting Ireland, ‘without prejudice to the aspiration of the great majority of the Irish people to the reunification of Ireland’.²³

This was Lynch’s third press statement in ten days attacking British policy in Northern Ireland. It was effectively an ultimatum. Unless the British changed their policy, Lynch would openly support a mass passive resistance campaign that was aimed at undermining the administrative structures in Northern Ireland. Lynch had moved from his statement of 12 August 1971 which called for the replacement of Stormont, to declaring his support for action that was aimed at bringing this about. However, if the British government relented and reversed its policy, then Lynch stood ready to attend talks as the representative of one of the ‘interested parties’ to the conflict.

Heath’s response was not as measured as it had been on 12 August. In the words of Sir John Peck, Heath’s reply to Lynch was ‘a fair stinker’.²⁴ Heath’s response rejected Lynch’s assertion that the principle of equality of treatment was lacking from either British or Northern Irish policy. The purpose of the military action being taken was to protect the lives and property of all the people of the Province. Some assistance from the Irish government in tackling the terrorists would be welcome. Heath also criticised Lynch’s support for the campaign of passive resistance as ‘calculated to do maximum damage’ to cross community cooperation and went on to say that Lynch’s whole approach would do nothing other than increase tensions in Northern Ireland. Finally, Heath rejected Lynch’s proposals for talks including the Irish government as Heath could

²³ Peck, *Dublin from Downing Street*, pp. 130-1.

²⁴ Peck, *Dublin from Downing Street*, p. 130.

not accept that ‘anyone outside the United Kingdom can participate in meetings designed to promote the political development of any part of the United Kingdom’.²⁵

While the British had been willing to absorb the pressure emanating from Dublin since the introduction of internment, by the time of the exchange of telegrams of 19 – 21 August 1971 they were no longer prepared to do so. Lynch’s calls for the abolition of Stormont and now his willingness to support the passive resistance campaign of the minority community in Northern Ireland were calculated to undermine the authority of the Stormont administration. With Brian Faulkner in a room with them, Heath and Maudling were placed in the position of having to support Faulkner and his policies. The British political establishment did not want direct rule. Brian Faulkner was seen as the only remaining acceptable Unionist figure capable of holding the position of Prime Minister of Northern Ireland. If Faulkner fell there was no one to replace him. The British government would be forced to abolish Stormont and introduce direct rule from Westminster.²⁶

Furthermore, the British government was sensitive to anything that might provoke a ‘Protestant backlash’ in Northern Ireland. Such a backlash could sweep Faulkner from power, strengthen his extremist rivals Ian Paisley and Bill Craig, and generally make Northern Ireland ungovernable.²⁷ Conceding that Dublin was an ‘interested party’ with a role to play in Northern Ireland, never mind discussing specific Northern issues with the Irish government, was one way the British believed a Protestant backlash could be provoked. When Hillery put his commission proposal to Maudling, the Home Secretary was at pains to stress that ‘it would be disastrous for it to become known that he had discussed the constitutional position of Northern Ireland with Dr

²⁵ Peck, *Dublin from Downing Street*, pp. 131-2.

²⁶ London: PRO, CAB 130/522, GEN 47 (71) 2nd Meeting, ‘Northern Ireland’, 5 August 1971.

²⁷ London: CAB 130/522, GEN 47(71) 2nd Meeting, 5 August 1971. One of the considerations of the sub-committee was that if Faulkner asked for the introduction of internment and the British government refused then Faulkner could resign. This would have resulted in direct rule.

Hillery and he must therefore ask that this part of the discussion should be regarded as not having taken place'.²⁸

And while the British were sensitive to Protestant opinion in Northern Ireland they believed that the Irish government was blind to it. For the Irish government the main obstacle to reform was the Protestant dominated Stormont Parliament, which the British had allowed a veto on political progress. However, the British view was that the Irish government underestimated the power of the Unionists or their ability to cause trouble. More than that, according to Peck, the Irish:

... will not accept that if we were to lean hard against the Unionists we would risk an uncontrollable Protestant reaction involving not only direct rule, but possible armed revolt and complications at Westminster too. So the basic difference is that Dr Hillery and the Taoiseach are firmly and unshakeably convinced that if we call the extreme Unionists' bluff, they will crumble.²⁹

Therefore London, fearful of precipitating a Protestant backlash, had to maintain that Northern Ireland was a domestic issue in which Dublin had no right to interfere. To do otherwise could spark a Protestant revolt that would render the Province ungovernable. Lynch's increasingly aggressive public statements, his condemnations of the Stormont regime, and his open hostility to British policy were not, so far as London was concerned, helping matters.

Lynch's public declaration of support for the passive resistance campaign in his telegram to Heath marked the beginning of a new phase in the Irish government's approach to Northern Ireland. Dublin was now moving from its attempts to change British policy through diplomacy and inciting public opinion that it had followed since the introduction of internment. Now the Irish government was following a more proactive and provocative policy of direct intervention in Northern Ireland. On Monday 23 August 1971, several Irish cabinet ministers, including Lynch and Hillery, met with a

²⁸ London: PRO, PREM 15/478, Minute of Meeting between Reginald Maudling and Paddy Hillery.

²⁹ London: PRO, FCO 33/1464, Letter from Sir John Peck to Sir Stewart Crawford, 12 August 1971.

delegation of opposition MPs and Senators from the Stormont Parliament. The Stormont opposition had been boycotting the Northern Parliament since July 1971 as a result of the British government's refusal to hold an inquiry into the deaths of two young Catholic men shot by the Army in Londonderry.³⁰ Two important decisions were reached during this meeting, one of which was to have a lasting impact on Anglo-Irish relations.

Firstly, the opposition representatives agreed to establish an 'Alternative Assembly' for Northern Ireland. Alienated from the Unionist dominated institutions at Stormont, the Alternative Assembly was intended to provide a substitute political forum for the Northern minority. The Irish government agreed to support this move. Irish civil servants from the government's IDU were tasked with drawing up a constitution for the Assembly.³¹ In addition, the Irish government also committed to providing funding.³²

Dublin's support for the Assembly, both moral and financial, was potentially an extraordinarily provocative move. This went beyond the routine condemnation of Stormont by Dublin. Instead the Irish government was now prepared to participate in the creation of an Alternative Assembly that was designed to further undermine Stormont by attracting the loyalty of the minority community in Northern Ireland. Yet the decision to support the Alternative Assembly was not taken recklessly. The Irish government weighed the possible consequences of such a move. On the one hand the IDU believed supporting the Assembly would show that Dublin was seriously engaged in trying to achieve its policy by non-violent means. On the other hand it was likely to seriously anger the British and Stormont governments. It was for ministers to decide which consideration was most important. However it was argued that if it was decided to make this financial support publicly known it should be done in such a way that the Irish government could defend itself in the international arena against British charges of

³⁰ Paul Bew and Gordon Gillespie, *Northern Ireland: A Chronology of the Troubles* (Dublin: Gill and Macmillan, 1993), pp. 35-6.

³¹ Dublin: NAI, DT 2002/8/481, 'Situation in the Six Counties', 24 August 1971.

³² Dublin: NAI, DT 2002/8/512, 'Draft agenda for meeting between Government Ministers and Members of the Stormont Opposition', Monday 23rd August, 1971.

unwarranted Irish interference in British affairs. This could be done by arguing that the purpose of the Alternative Assembly was to give aid to the non-unionist population of Northern Ireland in obtaining their civil rights by non-violent means, although it is doubtful whether this would have satisfied the British.³³

In the end, however, the Alternative Assembly met just twice and achieved little.³⁴ For this, the Irish government had committed itself to a provocative policy that could have led to another confrontation with London. Yet, Dublin's support of the Alternative Assembly had a symbolic importance. It demonstrated that, whether the British recognised it or not, the Irish had a role to play in Northern Ireland. This role was recognised by the moderate nationalists who had travelled to Dublin to make common cause with the Irish government. Indeed, this was all the more symbolic as these minority politicians refused to talk to Stormont or British ministers while internment remained.

The second and more significant decision related to allegations of torture and brutality against the British Army. Dublin viewed internment as an essentially anti-Catholic operation launched by a sectarian government in Belfast; a view shared by the Northern Irish opposition. Allegations of brutality, and even of torture, against the British Army by those rounded up in the internment operation confirmed this. Dublin had already called on the British to hold an impartial inquiry into the allegations.³⁵ Now the Lynch government was prepared to go much further. If the British refused an inquiry they would be informed that the Irish government was considering referring the issue to the European Commission of Human Rights at Strasbourg.³⁶ To assist in developing a case, the Northern opposition members were asked to collect evidence of British

³³ *Ibid.*

³⁴ Paddy Devlin, *Straight Left: An Autobiography* (Belfast: The Blackstaff Press, 1993), p. 162.

³⁵ London: PRO, FCO 33/1606, Telegram from Sir John Peck to FCO, 19 August 1971.

³⁶ Dublin: NAI, DT 2002/8/481, 'Situation in the Six Counties', 24 August 1971.

brutality, preferably by affidavit, and supply this to Dublin.³⁷ On 31 August 1971, the British government announced that an inquiry, headed by Sir Edmund Compton, would be held into the brutality allegations. But the British announcement of the appointment of Compton did not end the efforts of the Irish government to accumulate its own evidence of brutality and torture. While Compton was investigating the allegations, so too were the Irish. A final decision on whether to refer the UK to Strasbourg would only be made once Compton's report was published.³⁸ Although the Irish government decided to delay making a final decision, Dublin was preparing another avenue by which its interest in Northern Ireland would be demonstrated. British ministers would be forced to recognise the Republic as having an interest in the Province and interact with Irish representatives over the conflict, if the Irish pressed a case before the European Commission of Human Rights.

Before agreeing to support the Alternative Assembly or gather evidence of British Army brutality, the IDU had already considered the likelihood of the British government taking retaliatory action against the Republic if the Irish government continued to adopt increasingly provocative policies. The IDU concluded that 'the likelihood of retaliation is reasonably remote so far as London is concerned'.³⁹ This was due to the range of options open to the British government being greatly reduced by the joint membership of international bodies such as the GATT, OECD, the UN, and forthcoming membership of the EEC. This level of Anglo-Irish interdependence made unilateral action by the UK difficult. As far as retaliation relating to North-South cooperation, the IDU concluded that these would be more damaging to the North than they would be to the Republic and therefore would be ruled out by the British.⁴⁰

³⁷ Dublin: NAI, DT 2002/8/512, Untitled minute of meeting between Irish cabinet ministers and a delegation of opposition representatives from Northern Ireland, 23 August 1971.

³⁸ Dublin: NAI, DT 2002/8/481, 'Situation in the Six Counties', 24 August 1971.

³⁹ Dublin, NAI, DT 2002/8/481, 'Note to the Taoiseach, Minister of Foreign Affairs and Minister of Finance from the Inter-Departmental Unit on the North', 23 August 1971.

⁴⁰ *Ibid*

The Irish were right to consider the possibility of British retaliation. On 24 August 1971, Heath had instructed civil servants to study ‘the range of actions which would be open to us in order to retaliate against the Irish Republic, in circumstances where the Dublin Government carried to unacceptable lengths its policy of bringing down the Stormont Government’.⁴¹ These studies reached the same conclusions as the Irish IDU. It was impossible to take action against the Republic in the field of immigration due to the porous nature of the border between the Republic and Northern Ireland. Action could only come through instituting internal immigration checks with all traffic coming into British ports from Northern Ireland, a measure that was politically unacceptable.⁴² Impending membership of the EEC would mean that any trade restrictions would only have effect until the date of EEC membership. After that any economic sanctions would lapse as the whole purpose of the Common Market was to bring down trade barriers between member states. As for action between the North and South, the British civil servants shared the analysis of their Irish counterparts that this would have a greater adverse effect on the North, especially in the sphere of electricity supply where the North was a net importer from the Republic.⁴³

Despite being by far the more powerful nation there was no way the British could make the pursuit of the Irish government’s agenda so expensive for Dublin that they would be forced to abandon it. London had no economic leverage over Dublin and the options available to the British would be as damaging to Northern Ireland as they would be to the Republic. Conversely, the Irish government had the ability to bring diplomatic pressure and public opinion to bear on the British, in addition to being able to directly influence events in Northern Ireland thanks to the relationship Dublin had with Northern nationalist politicians. In effect, the only way the Heath government could stop Irish

⁴¹ London: PRO, PREM 15/479, Letter from Peter L. Gregson to N. J. Barrington, 24 August 1971.

⁴² London: PRO, PREM 15/479, Letter from J. G. Pilling to Peter L. Gregson, August 1971.

⁴³ London: PRO, PREM 15/479, Letter from Nicholas J. Barrington to Peter L. Gregson, 27 August 1971.

criticism and attempts to intervene in Northern Ireland would be for London and Belfast to adopt the policies Jack Lynch had been urging on them.

Heath was not yet minded to do this, but at this point he did make a major concession. 'In view of the fact that pressure is growing for action to be taken which would be directly harmful to the Republic', Heath believed it was necessary to address the deteriorating relations between the two countries through a meeting between the two leaders.⁴⁴ During such a meeting, Heath believed that there should be a 'very frank discussion of the Northern Ireland situation in some depth'.⁴⁵ In so doing, Heath was effectively recognising the international dimension to the Northern Ireland conflict and conceding that the Irish government had a role to play in finding a solution. Heath was also conceding that having a critical and activist Irish government was more problematic for the British government than the prospect of a Protestant backlash. Thus the two major arguments against Irish involvement, that Northern Ireland was a domestic issue and that it would precipitate a Protestant backlash, were, partially at least, discarded by the British government. This marked a significant success for Irish foreign policy.

Even with this concession the Irish were reluctant to agree to an early meeting between the two leaders. While Heath's request for a meeting with Lynch was an implicit recognition that there was a role for Dublin to play in Northern Ireland, it came with no guarantee of movement by the British on the substantive issues on which the Irish wanted to see action. This caused some debate within the Irish government. A refusal by the Irish to attend, coupled with the worsening situation in the North, could force the British into taking action in Northern Ireland along the lines advocated by Dublin.⁴⁶ After all, the Republic's aggressive policy had led Heath to request the meeting. In addition, it was also felt that there would need to be a clear understanding on

⁴⁴ London: PRO,CJ 4/37, Telegram from Sir Alec Douglas-Home to Sir John Peck, 27 August 1971.

⁴⁵ *Ibid.*

⁴⁶ Dublin: NAI, DT 2002/8/481, 'Dasiderata [*sic*] in regard to Taoiseach's meeting with Mr Heath', 29 August 1971.

what the likely outcome of such a meeting would be. For the Irish this would require the end of the Unionist monopoly of power; the British government declaring that it was in favour of Irish reunification; and the creation of an all-Ireland Economic and Social Council aimed at bringing the Northern and Southern economies into closer harmony.⁴⁷ Set against this was the practical benefits that such a meeting could produce. Lynch would be able to pressure Heath directly on internment, while using the threat of referring the brutality allegations to Strasbourg as leverage on the British.⁴⁸ Despite reservations, Lynch reluctantly agreed to the meeting.⁴⁹

Anglo-Irish relations deteriorated markedly following the introduction of internment. In response to what the Irish government viewed as the disastrous policies being pursued by the British, Dublin adopted an increasingly aggressive policy. Dublin concluded that Stormont had to go and should be replaced with a cross-community power-sharing commission. In addition, the Irish made it clear that they believed they had a right to be involved. Indeed, they demonstrated that they were involved through their meeting with the moderate nationalist politicians from the North, support for the creation of the Alternative Assembly, and preparation of a case against the UK government at the European Commission on Human Rights. In all this the Irish realised that they ran the risk of provoking British retaliation. Yet their analysis was that there were no effective steps that the British could take that would not have as damaging an effect on the North as on the Republic, thanks to the interdependency between Britain and Ireland. The British also recognised this fact. The only way to end Irish criticism on Northern Ireland was to bow to Irish pressure. This Heath did in requesting a meeting with Lynch.

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ Dublin: NAI, DT 2002/8/487, untitled memorandum by Hugh McCann, 29 August 1971; and London: PRO, PREM 15/479, Telegram from Sir John Peck to FCO, 31 August 1971.

In considering Heath's request the Irish had to decide whether there was more to be gained by going to the meeting than by refusing. Only reluctantly did Lynch agree. At this stage, however, all the Irish had achieved was implicit recognition of their need to be involved. The two governments remained poles apart in their interpretation of the causes of the conflict and the possible solutions. And it was not only in the bilateral relations between the Republic and the UK that this struggle between the two nations was played out. It also crossed the Atlantic as both London and Dublin vied for the support of the United States.

Chapter 2: The American Reaction

Not only was the Irish government seeking to get the British to recognise that it had a role to play in Northern Ireland and to accept the developing Irish agenda, Dublin also sought to bring other international actors into this relationship in order to further increase pressure on the British government. Most important amongst these international actors was the United States. However, the Nixon administration had no desire to get involved in Northern Ireland. An examination of the archives shows that this was the result of the US government's internal policy-making processes and not as the result of British control of US policy on Northern Ireland as has been alleged.¹ Left to its own devices the Nixon administration would have avoided all involvement in the conflict. What the US government had not counted on was the impact that the introduction of internment would have on internal political opinion. Hitherto the US Congress had been largely silent on the issue of Northern Ireland. Internment changed this. The introduction of internment sparked what can be called the 'first phase' of US Congressional activity on Northern Ireland. This phase spanned the period from the introduction of internment until it petered out over the course of 1974. As a result, domestic political activism, rather than the lobbying of either the British or Irish governments, was to slowly bring the US into the international dimension of the conflict. Indeed the consequence of this domestic political development was to make the Nixon administration more anxious to prevent Irish and British lobbying over the Northern Ireland issue lest this simply provoke further domestic political agitation.

The United States was not bucking an international trend in refusing to intervene in Northern Ireland. As part of the aggressive policy developed following the

¹ Carroll, *The American Presence in Ulster*, pp. 188-90; Metress, *The American Irish and Irish Nationalism*, pp. 15-19; Thompson, *American Policy and Northern Ireland*, p. 40; and White, *John Hume*, p. 188.

introduction of internment, Dublin again sought international support. The Irish approached a number of governments with requests that they intervene. However, most of those whom Dublin approached, while expressing sympathy for the situation in Northern Ireland, rejected Irish advances.² While there were expressions of concern with what was happening in Northern Ireland, there was little inclination in foreign governments to involve themselves in the conflict. In this the United States was not alone.

Indeed, the desire to avoid being drawn into the conflict in Northern Ireland was clearly expressed by the US Secretary of State, Bill Rogers. Responding to an internal State Department memorandum on the situation in Northern Ireland following the introduction of internment Rogers exclaimed, ‘Thank God this is one mess we won’t have to get involved in in any way’.³ Although a marginalised figure in an administration where foreign policy was primarily made at the White House by the President and his National Security Advisor (NSA), Rogers still had a considerable range of foreign policy responsibilities. Throughout his time as Secretary of State, Rogers was involved in repeated attempts to bring peace to the Middle East, in the strategic arms limitation talks, and negotiations on West Berlin. And, although not in charge of policy formation on Vietnam and the new approach to Maoist China, Rogers was responsible for implementing the decisions made at the White House.⁴ In addition, the second half of 1971 saw the mounting crisis in East Pakistan and war between India and Pakistan.⁵

² Dublin: NAI, DT 2002/8/481, ‘Summary of Results to Approaches to Foreign Governments about the situation in Northern Ireland’, 26 August 1971.

³ College Park, MD: United States National Archive at College Park (hereafter NACP), General Records of the Department of State, Record Group 59 (hereafter RG 59), A1 5573, Records Relating to Ireland, 1962-1975, Box 6, Folder ‘IRE – POL 18 – NI – August – September 1971’, Memorandum ‘Northern Ireland Crisis’ from Scott George to Martin J. Hillenbrand, 12 August 1971.

⁴ See for example William Bundy, *A Tangled Web: The Making of Foreign Policy in the Nixon Presidency* (London: I. B. Taurus, 1998); Tad Szulc, *The Illusion of Peace: Foreign Policy in the Nixon Years* (New York: The Viking Press, 1978); and Martin J. Hillenbrand, *Fragments of Our Time: Memoirs of a Diplomat* (Athens, GA: The University Press of Georgia, 1998), pp. 267-312.

⁵ Bundy, *A Tangled Web*, pp. 269-292.

Northern Ireland presented yet another foreign conflict. Yet, unlike those listed above, the Troubles did not directly impinge upon the US national interest or national security concerns. Rogers's view on Northern Ireland, as reiterated to John Moore, the US Ambassador in Dublin, was that 'with all the hassles in the world that we have to get involved in, there's no good reason to involve ourselves in this one, since it is not really our concern and since there is little or nothing we can usefully contribute towards a solution'.⁶ There was therefore no foreign policy imperative for the US to intervene in Northern Ireland, and, as a result, the preference of the Secretary of State was to avoid involvement.

Nevertheless, if the situation changed and US national interests started to be affected by the on-going conflict then the Nixon administration could potentially have been provoked into intervention. By November 1971 Martin J. Hillenbrand, the US Assistant Secretary for European Affairs, was becoming concerned at the potential impact on NATO of the conflict in Northern Ireland. Hillenbrand recognised the drain on British resources caused by the Troubles. Britain was required to commit a significant number of troops and money and this was having 'a clear affect on Britain's ability to meet its NATO defense commitments'. In addition, the discovery of an arms shipment to the IRA from Czechoslovakia pointed to the first Communist intervention in Northern Ireland.⁷ Reporting these concerns to Rogers was as far as Hillenbrand went at this stage. But if the Northern Ireland conflict began to seriously hamper Britain's ability to meet its NATO commitments or if the Troubles led to Communist intervention in the Province then this would directly impact the US national interest. The implication was that this could prompt the US to reconsider its policy of non-intervention.

⁶ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5 'POL – IRE – Appointments for Ambassador Moore', letter from Scott George to John D. J. Moore, 23 September 1971. Underlining is George's.

⁷ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 6, Folder 'IRE – NI – POL 18 – OCT to NOV 1971', Briefing Memorandum 'Northern Ireland' from Martin J. Hillenbrand to William Rogers, 8 November 1971.

Having decided not to intervene, the Nixon administration argued it had to take an ‘impartial’ position on Northern Ireland in order to maintain its friendly relations with both Britain and Ireland. It was recognised that there was resentment in Ireland at the US refusal to take a more pro-Irish stance on partition and a feeling that the American ‘relationship with the United Kingdom overrides our policy considerations effecting Ireland’. Nevertheless, Washington concluded that ‘our desire to retain the friendship of both the UK and Ireland prevent us from taking other than an impartial position’.⁸ In a meeting at the State Department on 20 August 1971, the US refusal to intervene was explained to the Irish Ambassador to Washington, William Warnock. The formula deployed in this meeting was the standard US response in dealings with the Irish on the issue of Northern Ireland. It was made clear that the US was concerned at the human suffering in Northern Ireland. Yet, while the US valued its traditionally close friendship with the Irish government there was no action the US could usefully take. It was a central point of US policy not to interfere in the domestic affairs of other states and any approach to the British was likely to be resented. Instead it would likely do nothing more than exacerbate an already fraught situation. And while the US would of course consider any new proposals that the Irish brought forward, it was unlikely that anything new would emerge that would make the administration consider intervention.⁹ Rather than an issue requiring American intervention, the State Department took the view that the US ‘must regard the troubles in Northern Ireland as an internal affair of the British government’.¹⁰ This was, of course, a point that the Irish government disputed and ran to the heart of the on-going arguments between Dublin and London. Yet, it would have

⁸ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5, Folder ‘POL 1 – Gen Policy – IRE – 1970’, ‘Ireland: Interest Paper’, 1970.

⁹ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 6, Folder ‘IRE – NI – POL 18 – OCT to NOV 1971’, Memorandum ‘Visit of the Irish Ambassador at Four O’clock Today’, Scott George to Russell R Fessenden, 20 August 1971.

¹⁰ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 6, Folder ‘IRE – POL 18 – NI – August – September 1971’, Action Memorandum ‘Northern Ireland Situation’ from Russell Fessenden to William Rogers, 17 August 1971.

been extraordinary if the US had taken any other position, especially as the UN had failed to recognise the conflict as an international issue.¹¹

Therefore like many other governments the Nixon administration chose not to accept the Irish invitation to intervene in the conflict in Northern Ireland. Given the other issues on its plate, there was no desire in the State Department to become involved in yet another conflict. And, like the rest of the international community, the US recognised that the situation in Northern Ireland was a domestic issue for the British government to resolve. Yet, a desire to stay out of the conflict and recognising it as a domestic issue for the British did not mean a ceding of policy control to London as Joseph E. Thompson has argued.¹² The administration continued to watch events in Northern Ireland closely, concerned at the potential strategic implications for NATO. In addition, the US government was not uncritical of British policy in Northern Ireland. Some in the State Department concluded that limited US intervention may be desirable.

In discussions between the US embassies in London and Dublin and the Consul General in Belfast it was generally agreed that it was useless for foreign powers to propose solutions, no matter how sensible, as any agreement would have to be the result of negotiations between the parties to the conflict. In addition there was concern that the members of Congress that had started to take up the issue of Northern Ireland would have the US confront the British as adversaries rather than allies. A more fundamental problem with Congressional lobbying was that it ignored the one million Protestants in the Province who would not allow themselves to be coerced into a united Ireland.¹³

However, the US Ambassador to Dublin, John Moore, did argue that there was a role the US could play. Rather than confronting the British, Moore suggested that the US

¹¹ Williamson, 'Taking the Troubles across the Atlantic', pp. 177-9.

¹² Joseph E. Thompson, *American Policy and Northern Ireland: A Saga of Peacebuilding* (Westport, CT: Praeger, 2001), p. 40.

¹³ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'IRE - LEG8 - Congress - 1972', letter from William J. Galloway to Scott George, 22 October 1971; and Box 6, Folder 'IRE - NI - POL 18 - OCT to NOV 1971', letter from Ambassador John J. Moore to Scott George, 15 November 1971.

approach the British as a friend and urge them to embark on a political initiative in Northern Ireland. The Heath government's military policies had demonstrably failed. Instead of bringing an end to violence, these policies had increased the divisions between the two communities in Northern Ireland and had damaged Britain's reputation in the US and around the world. Moreover, the Ambassador was attracted to Lynch's idea for Stormont to be replaced by a commission and the view within the embassy was that this could actually work.¹⁴

Much of Moore's analysis was shared by the US Consul General in Belfast, Grover Penberthy. Thompson has portrayed Penberthy as slavishly reporting the Unionist perspective in his reports to Washington and that this 'misinformation' was confirmed in the reports from the US embassy in London.¹⁵ Yet, in his first lengthy dispatch, sent on 29 September 1971, just weeks after he had taken up his post, Penberthy made a number of points that contradict Thompson's portrayal of him. Rather Penberthy shared Moore's opinion that the military policy being pursued by the British was not working. Indeed Penberthy echoed Lynch's view when he attributed the level of sympathy for the terrorists to the alienation of the minority from the Unionist establishment. Penberthy went on to point to the instability of the Stormont regime. Commenting on the generally held view that Faulkner was the last viable candidate for the post of Prime Minister of Northern Ireland and that if he fell direct rule would have to be introduced, Penberthy stated that 'Any system that depends on one man is really not a system'. Most concerning of all, however, was the lack of a serious political initiative.

¹⁴ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 6, Folder 'IRE - NI - POL 18 - OCT to NOV 1971', letter from Ambassador John J. Moore to Scott George, 15 November 1971.

¹⁵ Thompson, *American Policy and Northern Ireland*, pp. 35-6.

Penberthy's prophetic conclusion was that "Muddling along" always runs the risk of some dreadful occurrence'.¹⁶

Within the State Department, then, British policy was clearly subject to criticism. Indeed, Penberthy in Belfast painted a bleak picture of the situation in Northern Ireland. The view from the State Department officers in London, Belfast and Dublin was that any solution had to be the result of negotiations between the parties in the Province. No solution could be imposed by foreign governments, no matter how sensible they may seem. However, officials in the US embassy in Dublin believed that the US should go so far as to express to the British government concern at the military policy being pursued, which Penberthy agreed was adding to the alienation of the minority in Northern Ireland. This effectively would have led to the US government acceding to the Irish request to raise the issue with the British government. Therefore, there were some in the State Department willing to consider US participation in Northern Ireland. Such a course was rejected, though, by the Secretary of State, who believed that the US already had sufficient foreign policy concerns in which it had to get involved without adding Northern Ireland.

While the Nixon administration was determined not to become involved in the conflict in Northern Ireland, the Congressional 'Irish Caucus' began to demand US intervention. Hitherto Congressional interest in Northern Ireland had been sporadic and fleeting.¹⁷ In the wake of the introduction of internment this changed. A group of approximately 80 Congressmen and Senators, dubbed the 'Irish Caucus' by the State Department, tabled a series of resolutions in the House of Representatives and the Senate attacking British policy in Northern Ireland and calling for steps to be taken to accomplish the reunification of Ireland. One resolution demanded that President Nixon

¹⁶ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 5, 'Northern Ireland – Political Affairs – POL 1 – General – 1973', letter from Grover Penberthy to George Scott, 29 September 1971.

¹⁷ Thompson, *American Policy and Northern Ireland*, p. 28.

support the policies of the Lynch government and sponsor a resolution at the UN calling for Irish reunification. Another called for the US government to support the holding of an all-Ireland plebiscite on Irish unity, while yet another urged the creation of 25,000 visas for those fleeing the violence in Northern Ireland.¹⁸

However, the best known of these Congressional resolutions was that sponsored by Democratic Senators Edward Kennedy and Abraham Ribicoff and Congressman Hugh Carey. On 20 October 1971 they introduced a resolution that *inter alia* called for the dissolution of the Stormont Parliament, the withdrawal of British troops from Northern Ireland, and the convening of a conference for the purpose of bringing about the reunification of Ireland.¹⁹ Britain was portrayed as a colonial occupier, with Kennedy comparing British intervention in Northern Ireland to that of the US in Vietnam.²⁰

Interventions such as these by US politicians were not the result of lobbying by the Irish government. Rather it was of domestic origin and the result of pressure by Irish-American groups, especially in the New York area.²¹ This drew condemnation both in the UK and the Republic of Ireland. Certain aspects of the Kennedy-Ribicoff-Carey resolution echoed Lynch government policy, such as the call to end internment and dissolve Stormont. This was enough to bring condemnation from Britain.²² But the Irish believed that the withdrawal of British troops as advocated in the resolution would lead to a civil war in the Province. Rather than being seen in Dublin as potential allies in their

¹⁸ New York, NY: Bronx County Historical Society, Jonathan Bingham MS, Box 30, 'Ireland', Press Release 'Bingham Charges U.S. is "Pussy-Footing" in Northern Ireland Crisis: Offers 6-Point Program', 11 September 1971; Boston, MA: John F. Kennedy Presidential Library and Museum, Archives and Manuscripts, James J. Delaney MS, Series 1: Legislative Files, 1950-1978, Subseries 3: Subject Files, Box 11, Folder 59, 'H. Res. 635, Irish Resolutions, 92nd, October 1971', H. Res. 646, 18 October 1971; and Boston, MA: Boston University, Howard Gotlieb Archival Center, F. Bradford Morse MS, Collection 557, Box 206, Folder 1 'FBM on Northern Ireland', H. R. 11467, 28 October 1971.

¹⁹ Washington, DC: Library of Congress, Manuscript Division, Abraham A. Ribicoff MS, Box 129, Administrative Files, Congressional Record, Senate, Vol. 117, No. 157, Wednesday, October 20, 1971.

²⁰ 'Senator Kennedy calls for talks by all interested parties to promote unification of Ireland', *The Times*, 21 October 1971.

²¹ Wilson, *Irish America and the Ulster Conflict*, pp. 58-9.

²² Princeton, NJ: Princeton University, Mudd Manuscript Library, Peter Frelinghuysen MS, Box 142, Nigel Lawson, 'An open letter to Senator Kennedy from a British admirer', *Sunday Times*, 24 October 1971.

attempts to persuade the Nixon administration to intervene, the intervention of the Irish Caucus was seen as self-serving and more to do with garnering domestic electoral support rather than an attempt to help solve the crisis in Northern Ireland. For example, the *Irish Times* criticised Kennedy's speech as ill-informed and obviously aimed at the sentimental Irish-American vote:

Given the fantastic resources of the Kennedy organisation and the massive fact gathering in which his advisors can steep themselves at an instances notice, it is instructive that so little trouble was taken about his brief. The lesson is simple: Ireland does not matter, the Irish-American myth of Ireland matters greatly.²³

The State Department also believed that these resolutions were for domestic political consumption. In a meeting with the Department's Irish Desk Officer, Robert DuBose, Congressmen called for the administration to condemn British policy on Northern Ireland. Martin Hillenbrand, when informing the Secretary of State of this meeting, concluded that, 'it is clear that the Irish Caucus is speaking more to the record and to their constituents than seriously to us'.²⁴ Hillenbrand viewed Congressional action as aimed at securing Irish-American support rather than a serious attempt to engage with the State Department or the administration in order to affect a change in US policy. Thus the administration could continue to maintain its policy of non-intervention, but at a political cost. Hillenbrand clearly recognised this and warned Rogers that the attitudes of the Irish Caucus 'highlight a domestic political problem which will grow more acute if the Northern Ireland situation continues to deteriorate'.²⁵ Events in Northern Ireland could therefore have an impact on the levels of domestic support for the administration.

²³ Princeton, NJ: Princeton University, Mudd Manuscript Library, Peter Frelinghuysen MS, Box 142, *Irish Times*, 22 October 1971.

²⁴ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 6, Folder 'IRE - NI - POL 18 - OCT to NOV 1971', Briefing Memorandum 'Northern Ireland' from Martin J. Hillenbrand to William Rogers, 8 November 1971.

²⁵ *Ibid.*

Although the administration maintained that the foreign policy benefits of non-intervention outweighed the domestic political costs, as Congressional pressure intensified the administration's stance subtly changed. Some in the Irish Caucus began to call for the US to offer itself as mediator.²⁶ Again the State Department rejected this, insisting that the US could only consider involvement if the governments of both the UK and Republic of Ireland came forward with a specific role for the US to play. It was highly unlikely that both governments would jointly come forward with such a request. Otherwise, 'The only way we [the US] could mediate uninvited would be to go in with the marines'.²⁷ As such a joint request was highly unlikely this formulation made US intervention more remote. Yet, importantly, this was the first public international recognition that the Republic of Ireland had an equal political role to play in Northern Ireland, a point that the British were still denying.

The domestic political impact of the Northern Ireland conflict made the US government sensitive to British and Irish attempts to play for American public support. Both the Heath and Lynch governments recognised the need to try and shape US domestic opinion. Heath had written to Nixon immediately following the introduction of internment to explain the reasoning behind the policy.²⁸ In addition, the British government sent the junior Defence Minister Geoffrey Johnson Smith to the US to explain and defend British policy to the American public, while the Stormont government had sent junior Home Affairs Minister John Taylor to New York for a similar purpose.²⁹ This was a cause of concern in Washington. As a result the US embassy in London was instructed to inform the British government of US 'sensitivity to

²⁶ Washington, DC: Library of Congress, Manuscript Division, Daniel Patrick Moynihan MS, Box I, Kennedy Correspondence, letter from Edward Kennedy to President Richard Nixon, 9 December 1971.

²⁷ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 3, 'LEG - NORTHERN IRELAND HEARINGS - 1971', Memoranda 'Congressional Briefing on Northern Ireland', from Scot George to Martin Hillenbrand, Tab A, talking points, 17 December 1971.

²⁸ London:PRO, FCO 33/1465, 'Draft Message to Mr. Nixon', 19 August 1971.

²⁹ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 6, Folder 'IRE - POL 18 - NI - August - September 1971', Action Memorandum 'Northern Ireland Situation' from Russell Fessenden to William Rogers, 17 August 1971.

the effect that extraordinary UK methods of publicising their case could have in US internal affairs'.³⁰ While it was not being suggested that Johnson Smith's visit should be cancelled, the US government did want to prevent future such 'direct and obvious British official effort to put their case to the American public because we think it may only prolong and sharpen the reaction among some parts of the public'.³¹ The British were asked to pass this message on to the Northern Irish government while a similar telegram was being sent to the Irish government.³²

Evidently the 'Irish question' was a sensitive domestic issue for the Nixon administration. The policy of non-intervention, while believed to be the correct policy, came at a political cost. As the administration believed that it was prolonging domestic reaction in the US, the British and Irish governments were warned off playing for US public support. This was, in effect, an attempt by the administration to isolate the Northern Ireland issue from external influences in the hope that this would starve the issue of oxygen, thereby easing domestic pressure on the administration. Yet this merely served to prove that Northern Ireland was becoming an issue in Anglo-Irish-US relations, despite the administration's wishes. The British and Irish clearly believed it was necessary to seek US government and public support for their policies. And as a result of the Irish Caucus's interest, Northern Ireland was from now on to be an issue in US relations with the British and Irish governments.

For example, as 1971 came to an end, the announcement that President Nixon was to have a two day summit with Edward Heath on 20-21 December in Bermuda brought another spate of calls from the Irish Caucus for US intervention in Northern Ireland. The Bermuda talks were part of Nixon's consultations with the heads of friendly governments in advance of his planned trips to Beijing and Moscow in 1972. Among the

³⁰ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 6, Folder 'IRE - NI - POL 18 - OCT to NOV 1971', telegram 'Northern Ireland Situation' from State Department to US Embassy in London, 17 August 1971.

³¹ *Ibid.*

³² *Ibid.*

first to lobby for Nixon to raise Northern Ireland was Senator Kennedy who urged that the US should offer a mediator to help find a solution to the conflict.³³ This was quickly followed by a letter from a group of Congressmen urging Nixon to convey to Heath the concern of all Americans and to state that British policy in Northern Ireland was harsh, unjust and doomed to fail. Nixon was asked to urge Heath to end internment and allow British troops to be replaced by a UN peacekeeping force. The US should then help facilitate talks aimed at bringing about a united Ireland.³⁴

A face to face meeting between Nixon and Heath now made it more difficult for the administration to avoid raising the issue of Northern Ireland with the British, especially as Congressional pressure showed little sign of abating. Yet there was little prospect of Nixon deviating from the non-intervention policy his administration had been defending and it was highly unlikely that he would now adopt the policies urged on him by the likes of Kennedy. That said, Heath had shown a desire to keep Nixon informed and to explain British policy. As a result it was possible for the issue to be raised in such a way that would go some way to satisfying their respective domestic positions. Following their discussion it was announced that,

Prime Minister Heath outlined the measures which his government is taking to try to find a solution to the problem. The President told Mr. Heath of the concern of the American people over this tragic situation and assured the Prime Minister of our support for any efforts to put Northern Ireland on the road to peace with justice.³⁵

This was to prove a useful form of words for the US government. Yet, Irish Caucus agitation had forced the conflict onto the agenda of Anglo-American relations despite the administration's determination not to become involved in Northern Ireland.

³³ Washington, DC: Library of Congress, Manuscript Division, Daniel Patrick Moynihan MS, Box I, Kennedy Correspondence, letter from Edward Kennedy to President Richard Nixon, 9 December 1971.

³⁴ New York, NY: St. John's University, Rittenberg Law Library, Hugh L. Carey MS, Box 4, 'Northern Ireland, 1971-2', 'Dear Colleague' letter from Jonathan Bingham, 10 December 1971.

³⁵ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'Northern Ireland - 1972 - Feb 20 - March 31, 1972', telegram 287 from US Embassy in Dublin to Secretary of State, 3 March 1972.

The US refusal to intervene in Northern Ireland following the introduction of internment was the result of the Nixon administration's desire not to be drawn into yet another foreign conflict. As no US interests were at stake there was no imperative for American involvement. By refusing the Irish government's invitation to intervene the administration was not bucking an international trend. Neither was the US government's recognition of the conflict in Northern Ireland as a domestic issue for the British to resolve. The State Department continued to monitor events in Northern Ireland, especially where they might start to impinge on the ability of the UK to meet its NATO commitments. Indeed, there was criticism of British policy by US officials in the UK and Republic of Ireland. But while there were some in the US embassy in Dublin who favoured quiet US diplomatic intervention with the British, the Secretary of State was determined not to get involved.

Congressional interest in Northern Ireland was of domestic origin and the result of the interconnections between Irish-America and Ireland. The positions adopted by the Congressional Irish Caucus went too far for the Irish government. In Britain, Ireland and in the Nixon administration, Congressional interest in Northern Ireland was seen to be a self-serving attempt to garner Irish-American votes, rather than an attempt to help resolve the conflict. The basis of the Irish Caucus stance was believed to be the romantic Irish-American myth of Ireland rather than any understanding of the conditions in modern Ireland. However, the result of this agitation was to force the Nixon administration to offer itself as mediator if both the British and Irish governments could agree a role. The unintentional result of this was to recognise the Irish government's claim to a role in resolving the conflict. In addition, domestic US political pressure put Northern Ireland onto the agenda of Anglo-American relations while the Irish government was putting it onto the agenda of Hiberno-American relations. Slowly, and

against its will, the Nixon administration was being forced to address the conflict in Northern Ireland.

Chapter 3: Stalemate

Irish pressure in the month following the introduction of internment was enough to convince Heath to meet with Lynch. But the British and Irish governments continued to hold opposing views on what was needed in Northern Ireland. The Lynch government developed a distinct agenda for political reform that it urged on the British. Heath rejected this and instead sought to bring Lynch into an Anglo-Irish security policy aimed at defeating the IRA. Lynch rejected this, arguing that political and not security measures were necessary. As a result, Heath and Faulkner developed further security measures aimed at tackling IRA activity along the North-South border. This merely confirmed the stalemate that had developed between the British and Irish governments.

However, the Irish government identified yet another potential source of pressure to place on the British. Dublin began to engage with the British Leader of the Opposition, and former Prime Minister, Harold Wilson. Dublin's aim was to get Wilson to accept the very agenda that Heath had rejected. Wilson went some way towards this when, in November 1971, he came out in favour of Irish reunification. With the traditional British bipartisan policy on Northern Ireland effectively ended by Wilson the Heath government decided it had to engage with the Labour opposition on Wilson's new policy agenda. This marked a significant advance for Dublin. Yet, more significant, although not known to Dublin, was the alternative policy for Northern Ireland being developed by the British Home Secretary, Reggie Maudling. Maudling was effectively advocating that the British adopt the Irish government's political agenda for Northern Ireland. Events were to intervene, however, that were to have a significant impact on Northern Ireland and the international dimension.

By the end of August 1971 Edward Heath had concluded that early talks between himself and Lynch were desirable in order to prevent Anglo-Irish relations from

deteriorating further. Lynch reluctantly agreed, doubting such a meeting would produce even the minimum action the Irish government believed was necessary to start addressing the causes of the conflict. In fact Lynch travelled to Chequers, the official country residence of the British Prime Minister, twice in September 1971. On 6-7 September 1971 he met with Heath. At the second meeting, on 26-27 September 1971, Lynch and Heath were joined by Brian Faulkner. Given the gulf that separated the position of Lynch from that of Heath and Faulkner both sets of talks were unproductive. Of the first Chequers meeting, the most Lynch could say was that he 'had an opportunity over these several hours of hearing Mr Heath's point of view and he had the opportunity of hearing mine'.¹ Lynch took the opportunity to once again press the Irish government's case. He again demanded that the British government concede the principle that the Irish government should, by right, be involved in finding a solution to the Troubles. To put this into action, Lynch proposed quadripartite talks that would include the British and Irish governments and the leaders of the Unionists and the nationalist SDLP. Heath rejected this proposal, restating the British government's claim that Northern Ireland was a domestic issue of no concern to the leader of a foreign government.²

The second Chequers talks were no more productive. Heath and Faulkner had become increasingly concerned at the IRA's ability to mount operations into Northern Ireland from the Republic and that paramilitaries were able to find sanctuary in the South.³ In the bilateral talks of 6-7 September, Lynch had been unmoved by Heath's call for security cooperation.⁴ Heath therefore concluded that holding tripartite talks, where

¹ Dublin: NAI, DT 20027, 'Transcript of Press Conference given by the Taoiseach after his meeting with the British Prime Minister at Chequers, 6-7 September 1971', undated.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

Lynch could be allowed to put his views on domestic reform in Northern Ireland, may make Lynch more forthcoming on security cooperation.⁵

This marked a shift in Heath's position. Just a few weeks earlier, he and Maudling had been concerned that discussing constitutional issues with the Irish could precipitate a Protestant backlash in Northern Ireland.⁶ Now Heath was willing to trade Lynch's participation in tripartite talks, at which the Taoiseach would be able to discuss domestic Northern Irish issues at length, in exchange for possible security cooperation with the Irish. The rising level of violence in Northern Ireland was the principal concern of Faulkner and his government. While Faulkner was willing to consider an all-out military operation against the IRA, no matter the potential for further alienating the Catholic minority or the damage it would do to relations with Dublin, the British government was not.⁷ Indeed, the British cabinet believed that major military operations in Belfast or Londonderry would alienate the Catholic minority further without necessarily defeating the IRA.⁸ Instead, Heath believed that the best way to avoid a Protestant backlash was to bring the violence in the Province under control and sought to achieve this through diplomatic interaction with Lynch.

This put Lynch in a position of considerable power in his relations with Heath. And it was to remain a source of Irish leverage on British policy. During the course of the tripartite talks, Lynch made it clear that rather than just allowing him to make his views on Northern Ireland clear, Heath would have to take action on them. In fact, Lynch argued that Heath and Faulkner were concentrating too much on security issues and he maintained that 'military methods' could not provide a long-term solution.⁹ Internment would not be introduced in the Republic and Lynch argued that the longer

⁵ London: PRO, CJ 4/48, 'Text of telephone call between Mr Faulkner and the Prime Minister', 10 September 1971.

⁶ London: PRO, PREM 15/478, Minute of Meeting between Reginald Maudling and Paddy Hillery.

⁷ London: PRO, CAB 130/522, GEN 47(71) 5th Meeting, 6 October 1971.

⁸ *Ibid.*

⁹ London: PRO, CJ 4/48, 'Record of a discussion held at 12 noon' between Edward Heath, Brian Faulkner and Jack Lynch, 27 September 1971.

internment remained in the North the worse the situation would become there. Political, not military, solutions were required. As a result, there could be no question of cooperation from the Republic on security matters.¹⁰ In addition, Lynch made clear the political steps he believed were necessary. As Heath had again rejected the Irish proposal for a Commission to replace Stormont, Lynch insisted that any reform of Stormont would have to go much further than those proposed by Faulkner. There would have to be a guaranteed role in government for the nationalist minority, with Northern Ireland run by a coalition government comprised of Unionists and the SDLP.¹¹ This was too much for Faulkner who refused to serve alongside those who wanted Northern Ireland absorbed into the Republic.¹² For Lynch, then, an urgent political initiative was required. Indeed the security position would improve, Lynch argued, only if the British government would embark upon the political reforms he had set out and, in addition, offered the Irish a guaranteed position in this process. Irish cooperation would not be forthcoming until these steps had been taken.

Having rejected Lynch's proposals for a political solution, the British government required an alternative security option. On 6 October 1971 Heath and Faulkner agreed to a policy of 'humping' and 'cratering' roads crossing Northern Ireland's border with the Republic. The purpose of this initiative was to cut the number of routes crossing the border by making them impassable and thus preventing them from being used by the IRA to mount operations into the North or escape to the South. It also served as a symbolic rebuke to the Irish government's refusal to cooperate on security measures. If Dublin was unwilling to cooperate on security issues then the British would secure the border alone. On being informed by Heath of this decision, Lynch complained bitterly, arguing

¹⁰ London: PRO, CJ 4/48, 'Record of a discussion held at 10.45am' between Edward Heath and Jack Lynch, 27 September 1971.

¹¹ London: PRO, CJ 4/48, 'Record of a discussion held at 10.45am' between Edward Heath and Jack Lynch, 27 September 1971.

¹² London: PRO, CJ 4/48, 'Record of a discussion held at 3.15pm' between Edward Heath, Brian Faulkner and Jack Lynch, 27 September 1971.

once again that what was required was political and not military solutions.¹³ Heath responded that ‘the situation does not permit us to withhold any effective measures while waiting for progress on the political front’ and went on to blame the lack of political progress on the SDLP’s continued refusal to talk with the British government.¹⁴ This did not placate Lynch, who reverted to his by now standard response of releasing a press statement condemning the policy. Lynch argued that the cratering policy would not succeed in its stated objective, would seriously inconvenience those living along the border, and would further polarise opinion in the North.¹⁵ Furthermore, the policy was counter-productive as far as the British were concerned as it made the desired North-South security cooperation less, rather than more, likely.

London’s relations with Dublin continued in this antagonistic fashion as the Irish government maintained its opposition to the British preoccupation with security rather than political initiatives. Relations were further strained by the publication of the Compton Report on the alleged mistreatment of internees. The Compton Report was published on 16 November 1971 and found that the British Army and the RUC had been guilty of the ‘ill-treatment’ of detainees, but not of torture or brutality.¹⁶ Allegations of a British government cover-up immediately appeared on both sides of the Atlantic, with Senator Edward Kennedy branding the report a ‘whitewash’.¹⁷

This was a view shared by the Irish government. Faced with a report that it believed to be wholly inadequate, the Irish government decided to take action. On 30 November 1971, Dublin announced that it was referring the matter to the European Commission on Human Rights at Strasbourg, arguing that it would have had no reason to

¹³ Belfast: Public Record Office of Northern Ireland (hereafter PRONI), CAB/9/R/238/7, letter from Edward Heath to Brian Faulkner, 13 October 1971.

¹⁴ Dublin: NAI, DT 2002/8/483, letter from Edward Heath to Jack Lynch, 12 October 1971.

¹⁵ Dublin: NAI, DT 2002/8/483, Irish government press statement, 13 October 1971.

¹⁶ Parliamentary Papers (hereafter PP), *Report of the enquiry into allegations against the security forces of physical brutality in Northern Ireland arising out of events on 9th August 1971*, HMSO 1971 (4823).

¹⁷ Washington, DC: Library of Congress, Manuscript Division, Daniel Patrick Moynihan MS, Box I, Kennedy Correspondence, letter from Edward Kennedy to Daniel Patrick Moynihan, 13 December 1971.

do so had the Compton Report not been a whitewash.¹⁸ Dublin was using every means at its disposal in its attempts to pressurise the British government to alter course in Northern Ireland. Having decided in August 1971 to cooperate with the SDLP in collecting evidence of British Army misdeeds in the North, and believing the Compton Report to be inadequate, the Lynch government now decided on a prosecution at Strasbourg.

On 6 December 1971, just days after Lynch announced this decision, he again met with Heath. Anglo-Irish relations had now reached a stalemate. Again Lynch argued the need for a political solution in Northern Ireland and added ‘humping’ and ‘cratering’ to internment in his criticism of British policy.¹⁹ Again Heath argued the need for security cooperation and added the failure of the Irish courts to extradite those wanted on suspicion of terrorism in the North to his criticism of Irish policy.²⁰ Only the movement of one leader towards the position of the other would break this deadlock. And, indeed, there were signs that the British were preparing to move towards the position that Lynch had been advocating since the introduction of internment.

At the Heath-Lynch talks of 6 December 1971 it emerged that the British government had agreed to the proposal by the Labour leader and former Prime Minister Harold Wilson for the holding of inter-party talks at Westminster to address the Northern Ireland conflict. Over the preceding months Wilson had become increasingly vocal on Northern Ireland and an object of considerable interest to the Irish government.

In the period following the introduction of internment Wilson and the Labour frontbench had been showing an increasing tendency to stray from the bipartisan policy that the government and opposition had traditionally followed since the eruption of the Troubles. On the eve of the Heath-Lynch talks on 6-7 September 1971, Wilson had

¹⁸ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder ‘LEG – NORTHERN IRELAND HEARINGS – 1971’, Telegram ‘GOI takes British to European Court’, from Ambassador John Moore to Secretary of State, 1 December 1971.

¹⁹ Dublin: NAI, DT 2002/8/489, ‘Note of discussion between the Taoiseach and Mr Heath on 6 December 1971’, 7 December 1971.

²⁰ *Ibid.*

released a statement in which he claimed that the government's policies in Northern Ireland were 'set on a dead end' and that it would be intolerable for the Heath government to abdicate its responsibility for the Province to 'the faction policies determined in Stormont'.²¹ It was for Westminster, Wilson argued, to fashion at least a medium-term solution for Northern Ireland.²²

Following the Heath-Lynch meeting, Wilson set out a 12-point plan on Northern Ireland. Wilson rejected calls for either a withdrawal of British troops from Northern Ireland or the introduction of direct rule. Instead Wilson advocated *inter alia* the creation of a Parliamentary Commission of representatives of both the Westminster and Stormont Parliaments that would supervise the performance of the Northern Ireland Parliament and could recommend legislation to it. Until this commission was established Wilson proposed the appointment of a minister to the British cabinet who would be responsible for Northern Irish affairs. He also advocated the adoption of proportional representation for elections to Stormont and a consultative 'all-Ireland Council' that would be made up of members of the Parliaments of Northern Ireland and the Republic of Ireland.²³ Wilson's proposals thus emphasised the responsibility of politicians at Westminster for finding a solution to the conflict, but in his 'all-Ireland Council' he recognised that there was an 'Irish dimension' to the Troubles. In this he was significantly ahead of Heath and Faulkner.

At the beginning of November 1971 Wilson started to trail the prospect of a new approach to Northern Ireland by the Labour Party. This prompted discussion between Wilson and the Irish Ambassador in London, Donal O'Sullivan. O'Sullivan reported to Dublin that Wilson had not finally settled all the details of this new policy. But Wilson

²¹ Oxford: Bodleian Library, Modern Political Papers, Harold Wilson Papers, MS Wilson c. 1191 – Northern Ireland: press cuttings, 1971, 'Statement by the Rt. Hon. Harold Wilson, OBE, MP on the situation in Northern Ireland', 4 September 1971.

²² *Ibid.*

²³ Oxford: Bodleian Library, Modern Political Papers, Harold Wilson Papers, MS Wilson c. 1191 – Northern Ireland: press cuttings, 1971, 'Welwyn Garden City', 8 September 1971.

had told O'Sullivan that the Downing Street Declaration of 1969 and even Wilson's own 12-point plan of September 1971 were now obsolete. Wilson had also said that Faulkner's proposals for the reform of Stormont were not 'even a gesture in the right direction'.²⁴ This had been as far as Wilson was prepared to go. However, with both Wilson and James Callaghan, who as Home Secretary had been responsible for sending British troops into Northern Ireland in August 1969, separately visiting Belfast and Dublin that month, Dublin started to consider how best to attempt to influence a change in Labour Party policy to their advantage, thereby placing further pressure on the British government.

Responsibility for considering this fell to Eamonn Gallagher, of the Irish Foreign Ministry's Anglo-Irish division.²⁵ Gallagher concluded that as the Unionists wanted at all costs to remain British 'the process of weakening this conviction is the most important contribution that we could hope to get from Mr Wilson'.²⁶ This could be achieved by the adoption by Wilson of three measures. Firstly, the best way to draw the desirability of reunification to the attention of Unionists would be for the British government to openly state that this was in the UK's interest. Secondly, the Unionists were bound together by their monopoly of power in the North. Wilson should therefore be encouraged to support a cross-community government for Northern Ireland, ending the Unionist stranglehold and very probably their unity. Thirdly, the nationalists would find it difficult to take part in government in Northern Ireland if by doing so they could be accused of continuing partition. One way around this would be the creation of an all-Ireland council responsible for the economic, social and cultural harmonisation of the two parts of Ireland. Both Wilson and Callaghan had spoken in favour of such a Council, although

²⁴ Dublin: NAI, 2002/8/483, memorandum from Donal O'Sullivan to Hugh McCann, 5 November 1971.

²⁵ Paul Arthur, *Special Relationships*, p. 106; and 'Eamonn Gallagher: Irish Diplomat', *The Times*, 17 June 2009, < <http://www.timesonline.co.uk/tol/comment/obituaries/article6513277.ece> > [accessed 10 November 2010].

²⁶ Dublin: NAI, DT 2002/8/508, 'The Wilson Visit – November 1971', 16 November 1971.

the Irish preferred that it be inter-governmental rather than the inter-parliamentary council that Wilson had suggested.²⁷

Gallagher was essentially arguing that Wilson should be pressed to accept the same points that Heath had thus far refused to accept. However, to achieve this measure of reform would require a period of direct rule. Gallagher correctly believed that the Heath government had not introduced direct rule as it was paralysed by the fear of provoking a Protestant backlash. To what extent the prospect of such a backlash was myth or reality was unknown, but Gallagher argued that if there was a Protestant backlash ‘they could discount its size’. Wilson therefore should be persuaded of the need for direct rule.²⁸

Wilson had already moved part of the way towards this position. At a dinner in Dublin hosted by Lynch, Wilson argued that all sides would need to be persuaded to make sacrifices if Irish unity was to be achieved. The sacrifices that Wilson believed the Republic would have to make would be to re-join the Commonwealth and reintroduce the Oath of Allegiance to the British monarch. It was pointed out to Wilson that neither of these proposals was politically acceptable in Dublin.²⁹ However, Wilson’s point was that the Irish government would have to make some concession to the unionist majority if they were to achieve reunification. And underlying this was the assumption that reunification was the desirable long-term goal for Ireland. For Wilson to say this publicly, as Gallagher had suggested should be one of the Irish government’s aims, would be a significant advance for the Lynch government.

This Wilson was to do in a House of Commons debate on Northern Ireland on 25 November 1971. Wilson’s starting point was to dismiss the Downing Street Declaration, his own proposals of September 1971, and Faulkner’s recent Green Paper on the reform

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ Dublin: NAI, DT 2002/8/508, ‘Note on discussion at dinner in Iveagh House on Thursday 18th November, 1971, given by the Taoiseach in honour of Mr Harold Wilson, MP’, undated.

of Stormont, as being inadequate for the conditions now prevailing in Northern Ireland.³⁰ The ‘law of diminishing acceptability’, as Wilson had described it to Heath on his return from Dublin, meant that as conditions in Northern Ireland deteriorated further, increasingly radical measures were necessary to meet the requirements of the new situation.³¹ Having thus declared all previous and existing proposals for a political solution to the Troubles obsolete, Wilson put forward a 15-point plan which he believed met the prevailing conditions in Northern Ireland. At the heart of this plan was that all parties should work towards the reunification of Ireland, which would be achieved over a fifteen year period from the date of an agreement being reached.³² This was a significant moment for the Lynch government. The leader of one of the main British political parties publicly advocating reunification represented a major shift towards the position of the Irish government and placed yet more pressure on the Heath government. Lynch immediately released a statement welcoming Wilson’s proposals.³³

Yet the question was what would the British government’s reaction be? The cabinet subcommittee on Northern Ireland concluded that Wilson had effectively ended the bipartisan policy. However they did not reject Wilson’s proposals out of hand. Wilson had called for inter-party talks to take place at Westminster as a prelude to wider talks that would include the various parties in Northern Ireland and then eventually also the parties in the Republic. It was decided by the subcommittee that the government should agree to talks between three members of the cabinet and three privy counsellors from the Labour frontbench.³⁴ Tortuous negotiations then began over the scope and format of these talks which were eventually ready to begin in late January 1972.

³⁰ House of Commons Debates, 5th Series (hereafter HC Debates), 25 November 1971, vol. 826, cc. 1579-80.

³¹ London: PRO, PREM 15/1022, ‘Note for the Record: Northern Ireland’, 24 November 1971.

³² HC Debates (5th Series), 25 November 1971, vol. 826, c. 1588.

³³ Dublin: NAI, DT 2002/8/508, Press statement by the Government Information Bureau on behalf of the Taoiseach, 25 November 1971.

³⁴ London: PRO, CAB 130/522, GEN 47(71) 15th Meeting, 26 November 1971.

From the Irish government's perspective this was a positive step. During the 6 December 1971 meeting, Lynch emphasised the Irish government's view that if the British political parties could persuade the British people that reunification offered the only long-term solution, then the Unionists in Northern Ireland would fall into line and the extremists amongst them would lose their influence.³⁵ For Lynch this offered the hope of a political initiative, which contrasted with what he considered to be Heath's disastrous military policy. Wilson had inserted himself into the situation in Northern Ireland and the Irish appeared to have gained a sympathetic ally in London. Dublin had followed an unrelenting policy in its efforts to bring about a change in British government policy. The Irish government seemed to be coming closer to achieving this through the conversion of Harold Wilson to the cause of Irish unity.

Yet, as the months had passed since the introduction of internment, the British Home Secretary, Reggie Maudling, had also become convinced of the need for reform in Northern Ireland. On 18 January 1972, Maudling circulated a memorandum to his colleagues on the Northern Ireland cabinet subcommittee arguing that the government could not allow the situation to continue as at present. Instead he believed it was time for the government to devise a solution of its own and to seek to implement it by agreement with the Unionists, or, if necessary, by force. While the government would continue to emphasise that there would be no change to the constitutional status of Northern Ireland without the consent of the people, Maudling suggested that the Northern Irish government had to be reformed to introduce a permanent role for the minority. In addition, Stormont's powers should be greatly reduced. Exactly what powers should be left with Stormont was for discussion, but Maudling recommended stripping it of responsibility for law and order. Finally the Home Secretary hoped all this could be achieved with the agreement of the Province's politicians. However if they opposed this

³⁵ Dublin: NAI, DT 2002/8/489, 'Note of discussion between the Taoiseach and Mr Heath on 6 December 1971', 7 December 1971.

initiative Maudling recommended that direct rule should be introduced for an interim period while the new arrangements were being introduced. All this, Maudling believed, would be welcomed by the majority of people in Northern Ireland.³⁶

Maudling's proposals revealed a marked shift in thinking and tentative discussion began within the Northern Ireland subcommittee on their implications. Rather than going down the cumbersome route being advocated by Wilson, Maudling urged the adoption of a new initiative that contained many of the elements pressed on the British by Lynch. While Maudling did not advocate that the government become a persuader of Irish unity, had these proposals been accepted by the British government they would have gone further towards implementing the reforms the Irish wanted to see than the inter-party talks Wilson proposed. There would be a guaranteed role in government for the minority and Stormont would be stripped of its control over security. Most significantly Maudling had conceded that a short period of direct rule would not only be necessary, but desirable. If anything, Wilson was more opposed to direct rule than leading members of the cabinet. Wilson had repeatedly stated his opposition to direct rule. Indeed, Wilson had told Heath in a private conversation that he 'rejected direct rule except in a situation where there had been a complete breakdown of the structure of society in Northern Ireland'.³⁷ In other words, Wilson believed direct rule should only be contemplated if Northern Ireland descended into full scale civil war. Maudling, however, was now willing to consider direct rule as a positive step towards reform by the British government.

Despite maintaining that the conflict in Northern Ireland was a domestic issue, the British government had been unable to avoid contact with Dublin over the remaining months of 1971. Dublin's policy had become increasingly aggressive as it sought to place as much pressure as it could on the British to change course in Northern Ireland.

³⁶ London: PRO, CAB 130/522, GEN 47(72) 1, 'Northern Ireland – Policy for 1972', 18 January 1972.

³⁷ London: PRO, PREM 15/1022, 'Note for Record' of conversation between Harold Wilson and Edward Heath, 22 November 1971.

Added to its interaction with Northern nationalist politicians, public criticism of British policy, and diplomatic pressure, Dublin now used its refusal to cooperate on security issues and the launching of the case at Strasbourg to place further pressure on the British. Dublin also benefited from the conversion to the cause of Irish unity by Harold Wilson. On the political front it seemed that the Lynch government's aggressive policy was slowly beginning to bear fruit. Although the Heath government was still not prepared to become persuaders of unity, a step the Irish believed essential, the programme of reform proposed by Maudling effectively addressed the remaining points that the Lynch government had been pressing since the introduction of interment. This marked an acceptance of the Irish government's reform agenda rather than the development of an alternative approach by the Heath government. If left to develop, then it was possible that Britain would have eventually introduced reforms acceptable to Dublin, allowing the normalisation of relations between London and Dublin.

That said, the British government's concern at the prospect of a Protestant backlash remained. Heath's position on this had moderated, though. Whereas the British had initially contended that even talking to the Irish government about Northern Irish issues could provoke a Protestant backlash, now Heath was willing to allow Lynch to put forward the Irish government's views on political reform if it could lead to joint Anglo-Irish action against the IRA. On this the British were to be disappointed.

However, these tentative initiatives, both the inter-party talks and the British government's discussions of Maudling's proposals, were overtaken by the events of 30 January 1972, the day that would become known as Bloody Sunday. While leading to two months of frenetic diplomatic activity, with the United States again being further drawn into the Troubles, the events of Bloody Sunday had the effect of bouncing the British government into adopting Irish policy on Northern Ireland much more quickly than the tentative discussions beginning in London could have.

Chapter 4: Bloody Sunday

The killing of thirteen civilians by British troops and the injuring of eighteen more, one of whom later died of his injuries, during a civil rights march in Derry on 30 January 1972, sent a shockwave of anger through the Catholic community in Northern Ireland and throughout the Republic.¹ This wave of outrage led to the sacking of the British embassy in Dublin on Wednesday 2 February.² In the United States similar threats had been made against British Foreign Office staff in New York and Boston.³ In the weeks that followed, Anglo-Irish relations reached a new low as direct diplomatic contacts between the two virtually ended. Instead the United States became the centre of inter-government interaction on Northern Ireland. Against its will the US government once again found itself being dragged into the Troubles. Dublin again sought to invoke US support, but failed to capitalise on the intense domestic pressure that the Nixon administration was under. Meanwhile the British government recognised that the credibility of its Northern Ireland policy had been destroyed by Bloody Sunday and went on its own diplomatic offensive fearing that the US may now seek to intervene. And significantly, in the wake of Bloody Sunday, the US government did flirt with arms-length involvement in the Northern Ireland conflict, while in public it defended its embattled non-intervention policy against domestic critics.

A lengthy telephone conversation between Lynch and Heath on the evening of 30 January 1972, as the full scale of what had happened in Londonderry was becoming clear, highlighted the chasm between the two men. Before shock gave way to anger and violence, Lynch urged Heath to take immediate political action. At the very least Lynch

¹ Bew and Gillespie, *Chronology of the Troubles*, pp. 44-6; and J. Bowyer Bell, *The Irish Troubles: A Generation of Violence, 1967-1992* (Dublin: Gill and Macmillan), pp. 270-5.

² Henry Patterson, *Ireland Since 1939: The Persistence of Conflict* (Dublin: Penguin Ireland, 2006), pp. 222-3.

³ London: PRO, FCO 87/100, 'Demonstrations at HM Consul General NY', from BIS New York to FCO; and PRO, FCO 87/101, 'Boston and the Irish Troubles', from D. C. Tebbit to Mr Booth, 10 February 1972.

advocated stripping Stormont of its powers on security and law and order. Heath agreed to consider this. But when Lynch again pressed for action from Westminster, Heath retorted that the British had been urging the Irish to take action against the IRA for months and if Lynch had done so the conflict 'would have been over long ago'.⁴ Lynch utterly rejected this and insisted that such action would merely have made matters worse.⁵ Seemingly unable to move British policy, Lynch demonstrated his government's anger at the events of Bloody Sunday by recalling the Irish Ambassador from London. This dramatically reduced contact between the British and Irish governments over the coming months. Sir John Peck remained in Dublin and set about transforming the Ambassador's residence into a makeshift embassy.⁶ But the focus of Irish and British diplomatic attention now shifted to the United States.

Lynch sought to put further pressure on the British by gaining international support for three specific proposals. Firstly, the Irish sought a withdrawal of British troops from Derry and other predominantly Catholic areas in Northern Ireland. Secondly Lynch called for the ending of internment. Finally, he wanted 'a declaration of Britain's intention to achieve a final settlement' with the calling of a conference to achieve this.⁷ What a final settlement would look like was not made explicit, but the implication was that Lynch was calling for a conference to achieve Irish reunification, as he had repeatedly argued this was the only long-term solution to the Troubles.

In order to obtain international support for these proposals it was announced that the Irish Foreign Minister, Patrick Hillery, would fly to the UN in New York, then to Washington, and then to the capitals of friendly nations in Europe. Again the focus of Irish efforts was Washington. With the UN Security Council sitting in Addis Ababa, and

⁴ London: PRO, PREM 15/1001, 'Telephone Conversation between the Prime Minister and the Prime Minister of the Republic of Ireland 30 January', 30 January 1972.

⁵ *Ibid*

⁶ Peck, *Dublin from Downing Street*, pp. 140-1.

⁷ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'Hillery Visit - Jan to Feb 1972', 'Situation in the North of Ireland. Derry: Killings. Statement by the Government Information Bureau, Dublin on behalf of the Department of the Prime Minister', 31 January 1972.

with the British enjoying a veto, little could be achieved in New York, other than media attention for the Irish cause. On his arrival in New York, Hillery gave a press conference in which he stated that his purpose was to discuss with friendly governments how ‘to end the reign of terror which Britain is perpetrating on our people’.⁸ Indeed, Hillery regarded Bloody Sunday ‘as an act of war’ and hoped ‘that these friendly nations would turn Britain away from the lunatic policies she is pursuing’.⁹

The British government, however, was not prepared to allow Hillery to go unchallenged and so undertook a diplomatic offensive of its own. Sir Alec Douglas-Home, the Foreign Secretary, instructed British Ambassadors in the countries to which Hillery would visit to have pre-emptive meetings with their host foreign ministers. The Ambassadors were to bring to the attention of their hosts what the British viewed as the Irish government’s failure to take action against the IRA. Indeed Douglas-Home came very close to alleging collusion between the Irish government and the IRA. He went on to argue that ‘Faced with the choice, the Irish Government have preferred to see British soldiers and Irish civilians murdered in Northern Ireland and play to the gallery at home rather than face the political embarrassment of tackling private armies in Southern Ireland’.¹⁰ In addition, the Ambassadors were to make it clear to their hosts that ‘any attempt to interfere in this matter would not be acceptable’ to the British government, ‘and that any attempt by public statement to pre-judge the issue ... would be widely resented’.¹¹ If these governments did feel moved to intervene, they should instead remind Hillery of the Irish government’s responsibilities to tackle the IRA in its own territory.¹² Douglas-Home’s instructions represented a robust response to Hillery’s

⁸ Seán Cronin, *Washington’s Irish Policy, 1916-1986: Independence, Partition, Neutrality* (Dublin: Anvil Books, 1987), p. 283.

⁹ Cronin, *Washington’s Irish Policy*, p. 283.

¹⁰ London: PRO, FCO 87/100, ‘Northern Ireland’ telegram from Sir Alec Douglas-Home to British embassies, 1 February 1972.

¹¹ *Ibid.*

¹² *Ibid.*

inflammatory rhetoric. But that this was found necessary shows the great damage done by Bloody Sunday to Britain's international reputation.

Douglas-Home also felt moved to ensure that the US policy of non-intervention would remain unchanged in the wake of Bloody Sunday. In a personal message to Bill Rogers, the Foreign Secretary addressed the Irish government's three demands. The withdrawal of British troops, as demanded by Dublin, would create the conditions for civil war in Northern Ireland. Internment was necessary because of the intimidation of witnesses and juries by the IRA. And as for bringing about the unification of Ireland Douglas-Home stressed that, 'This is not a matter where HMG [Her Majesty's Government] can lay down the law. If the majority in Northern Ireland wanted reunification we should gladly accept. But two-thirds of the population remain resolutely opposed'.¹³ Douglas-Home also stated that it was a matter of great anger to the British that the Irish should give refuge to terrorists in their territory. As a result, Douglas-Home told Rogers, anything the US could do to persuade Hillery to adopt a more constructive attitude would be greatly welcomed by the British.¹⁴

With the breakdown in relations between London and Dublin and the transferring of their attentions from each other to the US, the Nixon administration again found itself being drawn into a conflict it wanted nothing to do with. Domestic political considerations and diplomatic courtesy meant that Rogers could not refuse to meet Hillery. This left Rogers and Hillenbrand the task of deciding how far to go towards accommodating Hillery's demands. Hillenbrand suggested that Rogers need initially only go so far as expressing shock and concern at the events in Derry.¹⁵ However, Hillenbrand also suggested the possibility of further US action. Given the apparent break

¹³ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'Hillery Visit – Jan to Feb 1972', telegram from Sir Alec Douglas-Home to William Rogers, February 1972.

¹⁴ *Ibid.*

¹⁵ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, 'Hillery Visit – Jan to Feb 1972', briefing memorandum 'Hillery: 11am February 3', from Martin J. Hillenbrand to William Rogers, 2 February 1972.

in Anglo-Irish relations caused by the withdrawal of the Irish Ambassador to London, the US could consider offering its good offices 'to re-establish the dialogue' between London and Dublin.¹⁶ This could hardly be described as a significant move towards intervention as it represented the very minimum possible action the US could take. All it amounted to was a willingness to act as 'interlocutor' and to pass notes between the British and Irish governments without expressing an opinion on policy. That said, it would give the impression that the administration was acting and this could prove useful domestically.

Indeed, there seemed to be a lack of appreciation within the State Department of the impact that Bloody Sunday had had on the Irish government. In a briefing memorandum Hillenbrand had warned Rogers that Hillery could raise what the US saw as the most pressing issue in Hiberno-American relations, that of aircraft landing rights. An on-going dispute between the US and Ireland over the Republic's refusal to let US airliners operate into Dublin had led the US government to give notice of its intention to revoke the landing rights of the Irish national carrier for New York. For the US government this was the single biggest issue in relations between the US and Ireland. Rogers was warned that Hillery may ask to have the New York termination notice lifted as a gesture of good will during Ireland's present difficulties. In such an event Rogers was to suggest to Hillery that a quick agreement on landing rights would be more desirable than putting the issue off for a short period.¹⁷ A shrewd diplomatic operator may have seen an opportunity to take advantage of a sympathetic international climate to gain leverage with foreign governments on any number of issues. But to suggest this of Hillery in early February 1972 demonstrated a lack of understanding of the scale of the impact that Bloody Sunday had in the Republic. Hillery's public comments while in New York demonstrated that the Foreign Minister was acting on pure emotion. The

¹⁶ *Ibid.*

¹⁷ *Ibid.*

Foreign Minister wanted help in changing British policy on Northern Ireland, not concessions from the US on landing rights.

However, the scale of the domestic US reaction to Bloody Sunday led Rogers and Hillenbrand to tentatively flirt with a proposal for 'arms-length' American mediation in Northern Ireland. As instructed the British Ambassador to Washington, Lord Cromer, called on Rogers the day before Hillery was due to see the Secretary of State. In this meeting Rogers and Hillenbrand alluded to the domestic political pressures on the Nixon administration and the importance of the Irish-American constituency in a presidential election year. Rogers repeated his desire not to get involved in the conflict, but warned that he would have to make a statement following his meeting with Hillery that would go some way towards appeasing domestic critics of the non-intervention policy. In addition, Rogers also floated the idea of one or more US religious leaders of sufficient standing taking the role of mediator in Northern Ireland. Cromer reported to London that, 'I tried to ride him off this particular point and he did not seem keen to pursue it'.¹⁸

The attraction of such an idea to the US government is clear. What Rogers was suggesting was a form of US mediation that could be conducted with the moral support of the US government without requiring the active involvement of the administration. Such an initiative would at once remove the diplomatic lobbying from Dublin and relieve Congressional pressure at home. After all, in December 1971 members of the Irish Caucus, including Edward Kennedy, had advocated the appointment of an American mediator in advance of the Nixon-Heath meeting in Bermuda.¹⁹

This was not the first time this proposal had been put to the British. Just two weeks earlier this same proposal had been put to Sir John Peck, the British Ambassador to Dublin, by John Moore, the US Ambassador there. Moore, a political appointee and Republican Party supporter, had been trying to think of some initiative that would steal

¹⁸ London: PRO, FCO 87/100, telegram from Lord Cromer to FCO, 3 February 1972.

¹⁹ Washington, DC: Library of Congress, Manuscript Division, Daniel Patrick Moynihan MS, Box I, Kennedy Correspondence, letter from Edward Kennedy to President Richard Nixon, 9 December 1971.

the Democratic Party's thunder in the US on the issue of Northern Ireland and which might also conceivably do some good in the Province. In his conversation with Peck, Moore had suggested that a US inter-faith group, or even the evangelist Billy Graham, who was a friend of President Nixon, travel to Northern Ireland to mediate between the SDLP and the Unionists. Peck's reaction had been similar to that of Cromer, with Peck reporting to London that Moore could not have mistaken his lack of enthusiasm.²⁰ That the idea should emerge again, this time at the other side of the Atlantic, was likely due to the presence of Moore in Washington on home leave. Moore was in the State Department in the days following Bloody Sunday and was present during Rogers's meeting with Hillery.²¹

The flirtation with the idea of the US acting as 'interlocutor' or the proposal put to the British for an American mediator highlighted the difficult position the Nixon administration was in. At the start of a presidential election year the administration had to have in mind the potential electoral benefits of the actions it was proposing and the potential electoral costs of the non-intervention policy. However, it was clear that there was still no enthusiasm within the administration for intervention in Northern Ireland, despite the apparent political costs. This was reflected not just in the possible courses of action the administration flirted with, but also the complete lack of conviction with which it pursued these ideas. And in public Rogers made it clear that there would be no change to the administration's policy of non-intervention, telling reporters that the US would not put pressure on the British to change policy, nor would they make policy suggestions to them in private.²²

Nevertheless the Irish attempted to press the US government further. On the eve of Hillery's meeting with Rogers, Lynch had told the *Chargé* at the US embassy in

²⁰ London: PRO, FCO 87/100, Sir John Peck to Kelvin White, 17 January 1972.

²¹ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'Hillery Visit – Jan to Feb 1972', briefing memorandum 'Appointment Request: Irish Foreign Minister Hillery' from Martin J. Hillenbrand to William Rogers, 31 January 1972.

²² 'US hearing ordered on violent incidents', *The Times*, 4 February 1972, p. 4.

Dublin, Roger A. Sorenson, that he wished to visit Washington to discuss the situation in Northern Ireland with President Nixon. Lynch stated that this had been under consideration by the Irish government in the days since Bloody Sunday and that Hillery would put the idea to Rogers. The proposal of a Lynch visit to Washington was then raised again with Sorenson, this time by Hugh McCann, Secretary of the Irish Department of Foreign Affairs. McCann told Sorenson that while they realised the pressures on the US government, the Irish government also believed that ‘there is a moral issue which the USG [US government] cannot ignore’.²³

The US government was opposed to such a meeting. Hillenbrand had already warned the Secretary of State that Lynch might seek an urgent meeting with the President and that Hillery might raise this during his meeting with Rogers. In this case Hillenbrand had recommended that Rogers stonewall by telling Hillery that it was necessary to check with the President. However, Rogers should also warn that Nixon was deeply involved in preparations for his forthcoming trip to China. This was diplomatic language for making clear the administration’s opposition to a Nixon-Lynch meeting taking place.²⁴

Thus far, Nixon’s involvement in the Northern Ireland issue had been minimal. In March 1971 the President had met with Lynch in Washington. During that meeting Nixon made it clear that the US would not become involved, but that the Taoiseach was free to tell the press ‘that the Americans were not only interested but concerned and happy to see the matter resolved’.²⁵ In December 1971 pressure had mounted on Nixon to raise the issue with Edward Heath when the dates for their Bermuda conference were

²³ College Park, MD: NPMS, White House Central Files, Staff Member and Office Files, National Security Council, Box 694, Folder ‘Ireland Vol. I’, ‘Ireland Crisis: Taoiseach Requests Visit with President Nixon’, Roger A. Sorenson to State Department, 2 February 1972.

²⁴ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, ‘Hillery Visit – Jan to Feb 1972’, briefing memorandum ‘Hillery: 11am February 3’, from Martin J. Hillenbrand to William Rogers, 2 February 1972.

²⁵ Dublin: NAI, DT 2002/8/440, ‘Draft Notes of Conversation of the Taoiseach with President Nixon’, 16 March 1971.

announced. Again Nixon had made clear his desire not to become involved.²⁶ Otherwise the State Department had been responsible for most contact with the Congressional Irish Caucus domestically while also providing the contact point for the British and Irish governments.

Moral issue or not, a meeting with Lynch would have placed Nixon in the position of choosing to anger the British or rebuff the Irish. Given there was little sign of the US government deviating from its non-intervention policy the latter seemed the more likely outcome. This would have proven politically damaging to both leaders, something Nixon would want to avoid as an election approached. As a result, following discussion between Nixon's domestic policy advisors and the Deputy National Security Advisor, General Al Haig, it was decided that the US Ambassador to Dublin should be instructed to 'turn off Prime Minister Lynch's intended visit'.²⁷ The matter was then to be handed back to Rogers. Rogers would make another statement in time for St. Patrick's Day, in which he would again make clear the US government's concern at the violence in Northern Ireland and desire that the conflict should soon be resolved. In addition, Rogers would repeat the offer of the US government's good offices, but only if both the British and Irish governments agreed on a specific role the US could play.²⁸ Beyond this the Nixon administration would not go.

There had also been some discussion in London about a possible approach to President Nixon, again reflecting British concern at a possible change to US policy following Bloody Sunday. Within the Foreign Office officials thought it would be 'in the interest of relations between the Prime Minister and the President' for Heath to send a personal message to Nixon for the purpose of 'restraining the President from any action

²⁶ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'Northern Ireland - 1972 - Feb 20 - March 31, 1972', telegram 287 from US Embassy in Dublin to Secretary of State, 3 March 1972.

²⁷ College Park, MD: NPMS, White House Central Files, Staff Member and Office Files, National Security Council, Box 694, Folder 'Ireland Vol. I', 'Ireland Crisis: Taoiseach Requests Visit with President Nixon', Sorenson to State Department, 2 February 1972.

²⁸ *Ibid.*

which might embarrass HMG [Her Majesty's Government] in relation to the Irish question'.²⁹ It was recognised that Northern Ireland would be an important election issue and a message to the President would be desirable 'given the set-up in Washington . . . to ensure if we can that our views on it are known in the White House as well as in the State Department'.³⁰ This demonstrated Foreign Office concern that while the State Department knew the British view and was convinced of the necessity to stay out of the Northern Ireland conflict, there was not the same certainty that the White House was also so convinced, especially with a presidential election on the horizon.

Rather than sending a message it was the view of Lord Cromer that Heath should actually seek a meeting with Nixon in order to attempt to persuade the President to put pressure on Lynch to take action against the IRA.³¹ Having dismissed the idea of a meeting with Lynch, it would be unlikely that Nixon would be happy to see Heath for a meeting that only dealt with Northern Ireland. Heath, however, was not convinced by either course of action. He dismissed the idea of a meeting and felt that 'the time is not yet ripe' to send a personal message to Nixon. A message would be sent to Nixon when the government was in a position to embark upon the political initiative that it had been spurred into as a result of Bloody Sunday.³² While rejecting the more proactive measures being advocated, Heath recognised the need to keep the President informed. Again this demonstrated a growing British belief that it needed to keep the Nixon administration in touch with developments in Northern Ireland, lest the White House be tempted to intervene.

The week following Bloody Sunday had seen frenetic diplomatic activity. With the British and Irish governments seemingly poles apart in their approaches to Northern Ireland, the prospect of agreement between the two appeared remote. Instead the focus

²⁹ London: PRO, FCO 87/101, H. T. A. Overton to W. K. K. White, 4 February 1972.

³⁰ London: PRO, FCO 87/101, Sir Stewart Crawford to W. K. K. White, 8 February 1972.

³¹ London: PRO, FCO 87/101, Peter Gregson to Patrick J. McCormick, 11 February 1972.

³² *Ibid.*

of both governments centred on the United States. The Nixon administration had no desire to become involved in Northern Ireland and the pressure from London and Dublin was unwelcome. However, the US was connected to Ireland not just through its relations with the Irish government, but also through a large Irish-American constituency. This domestic pressure led the Nixon administration to flirt with an arms-length role, despite the conviction that there was no benefit to the US in getting involved in Northern Ireland. Nevertheless, it was becoming apparent, whether the Nixon administration liked it or not, that the US was becoming a player in the Northern Ireland conflict. This was about to be demonstrated as the Irish Caucus began to prepare for Congressional hearings into the situation in Northern Ireland and to take the British government to task.

Chapter 5: Hearings

While the Irish had sought US government intervention in Northern Ireland, Dublin was unprepared for the reaction of the Irish Caucus. In response to the announcement that three days of Congressional hearings would be held into Northern Ireland, both the Nixon administration and the British government set about ensuring that their voice would be heard and that the interventionism of the Irish Caucus would at least be challenged. However, the Lynch government failed to act, despite the belief in Dublin that the views expressed by the Caucus were naïve and would be deeply damaging if they were adopted in Northern Ireland. As a result, it was the Irish government that emerged from the hearings with its position diminished, while the Nixon administration and Heath government were reasonably satisfied with the end result. Furthermore, the Irish Caucus solidified its position as an actor in the Northern Ireland conflict thereby ensuring that the US was indeed going to be part of the international dimension to the Troubles, although not the one intended by the Lynch government and one whose activities were to cause concern in London and Dublin.

There was a flurry of Congressional activity in the days after Bloody Sunday. Several Congressional statements were made. Some restated the allegation, already made by the Irish government, that the British troops had deliberately fired indiscriminately into the crowd of protestors without provocation.¹ Others compared the situation the UK was facing in Northern Ireland to that of the US in Vietnam or portrayed the British presence in the Province as a lingering, anachronistic example of British colonialism.² Meanwhile several Congressmen introduced resolutions that variously called for British withdrawal from Northern Ireland, an international inquiry into Bloody

¹ Washington, DC: Library of Congress, Manuscript Division, Abraham A. Ribicoff MS, Box 130, Administrative Files, Congressional Record, Senate, Vol. 118, No. 10, Monday, 31 January 1972.

² New York, NY: Columbia University, Butler Rare Books and Manuscripts Library, Bella Abzug MS, Box 294, Folder 'Ireland, Abzug Statements, 'Slaughter in Northern Ireland', Congressional Record, House of Representatives, Vol. 118, No. 11, Tuesday 1 February 1972.

Sunday, UN or US intervention, and the taking of steps to achieve Irish reunification.³

These same points were included in letters to President Nixon from members of the Irish Caucus.⁴

The tragic events of Bloody Sunday, together with the concern of the Irish-American constituency, resulted in the decision to hold Congressional hearings into the Northern Ireland conflict. The basis of these hearings would be the resolutions tabled in the months following the introduction of internment. These hearings would be conducted by the Europe Subcommittee of the House of Representatives Committee on Foreign Affairs, under the chairmanship of New York Democrat Benjamin Rosenthal. In a statement announcing the hearings, which were to be held on 28 February to 1 March 1972, Rosenthal recognised ‘the limits of official American influence in the tragedy in Northern Ireland’, but went on to say that ‘We are convinced that the question of civil, political and religious rights and of self-determination can never be considered solely within the confines of national boundaries or internal policies of the countries involved’.⁵ By thus dismissing the British government’s argument that Northern Ireland was a domestic issue for it alone to resolve, Rosenthal swept aside the Nixon administration’s central argument for its non-intervention policy and set the scene for three days of Congressional attacks on the British government.

An analysis by the British embassy in Washington of the resolutions to be considered showed that the hearings would prove an uncomfortable few days for the British government. Donald Tebbit, an official at the embassy, informed the Foreign Office that of the 23 resolutions to be considered only one was in any way acceptable to

³ New Haven, CT: Yale University, Manuscript and Archives, Ogden R. Reid MS, Part Four, Congressional Files, House Bills, Group No 755, Series No V, Box No 178, Folder ‘H. Res. 846. Calling for Peace in Northern Ireland 92nd, 2d’, 24 February 1972; and Boston, MA: Boston College, John J. Burns Library, Thomas P. O’Neill MS, Bill Files, Box 18, Folder ‘92nd Congress, 2nd Session, H. Con. Res. 521, 523 (Co-sponsored), Northern Ireland, 1972’, 2-3 February 1972.

⁴ New York, NY: Bronx County Historical Society, Jonathan Bingham MS, Box 8, Action Files, letter from Congressman Jonathan Bingham to President Nixon, 8 February 1972.

⁵ Hanover, NH: Dartmouth College, Rauner Special Collections Library, John S. Monagan MS, Box 72, Press Release, 3 February 1972.

the British government, while ‘the remainder are clearly incompatible with our policy’.⁶ As for the Congressmen sponsoring these resolutions, the embassy’s analysis showed that they came mostly from East Coast districts with large Roman Catholic and Irish-American populations, such as in Massachusetts, Connecticut, New York and New Jersey. There were ‘also a few mid-Westerners mostly from Districts around Chicago and an inevitable sprinkling of Liberals, do-gooders, minority group members, and civil rights enthusiasts’.⁷

The prospect of Congressional hearings caused concern in the British government. London was already worried about a possible change of policy by the US government. As a result, considerable effort was put into attempting to influence the outcome of the hearings. On being informed that the hearings were to take place Edward Heath had instructed the Foreign Office that ‘The British case must be put and in detail’.⁸ This was easier said than done. Under the rules of the Foreign Affairs Committee foreign governments were barred from testifying; a ban that extended to officials and members of parliament, whether of governing parties or opposition. Therefore ‘unofficial’ witnesses would be required if the British case was to be put.⁹

In discussions with officials in Northern Ireland a number of potential witnesses were suggested. However, the problem identified by the senior Northern Irish civil servant Ken Bloomfield was that the people that the Stormont government would most want to testify, Catholics who were in favour of remaining in the UK, could not be encouraged to appear before the Subcommittee as it would open them up to the possibility of intimidation and reprisal, especially in the atmosphere that existed

⁶ London: PRO, FCO 87/101, ‘Northern Ireland: Congressional Hearings’, D.C. Tebbit to FCO, 10 January 1972.

⁷ *Ibid.*

⁸ London: PRO, FCO 87/101, Peter Gregson to Michael Alexander, 7 February 1972. Emphasis is in the original document.

⁹ London: PRO, FCO 87/101, ‘Northern Ireland: Congressional Hearings’, D.C. Tebbit to FCO, 10 February 1972.

following Bloody Sunday.¹⁰ As a result, Tebbit turned his attention to an American ecumenical group called the Appeal of Conscience Foundation. This body had undertaken a research trip to Northern Ireland in 1970 and, on their return, had produced what Tebbit considered to be a well-balanced and objective report. Tebbit encouraged the Foundation to accept an invitation to testify as he considered ‘that the Foundation’s testimony should be valuable in emphasising the complexity of the problem and distinguishing the good influences from the bad’.¹¹

Yet more than the testimony of one ecumenical group was required. The next step was to identify individual Congressmen who could be persuaded to support the British position on Northern Ireland. An early opportunity to do this arose in February 1972 with the bi-annual meeting of the Anglo-American Parliamentary Conference, which brought together members of Congress and members of the British Parliament. At this meeting, held in Bermuda, Lord Jellicoe, a member of Heath’s cabinet, sought the views of the Congressmen present. According to Jellicoe, ‘all the Democrats present made it clear that it [Northern Ireland] was bound to be of very considerable significance in at least a number of important states, namely New York, Massachusetts and Illinois’.¹² In addition, Carl Albert, the Democratic Speaker of the House of Representatives believed that President Nixon would not hesitate to change his position on Northern Ireland if he felt it necessary to play for Irish-American votes in the upcoming Presidential election. The advice of these Congressmen was that the British embassy in Washington ‘should energetically lobby individual members of the Sub-Committee’.¹³

Given the influence that regional and party affiliation had over Congressional views on Northern Ireland, as highlighted by the US delegation at Bermuda, the effect of

¹⁰ London: PRO, FCO 87/101, ‘Northern Ireland: Congressional Hearings’, telegram from UKREP to British Embassy, Washington, 17 February 1972.

¹¹ London: PRO, FCO 87/101, ‘Northern Ireland – Appeal of Conscience Foundation’, telegram from D. C. Tebbit to FCO, 18 February 1972.

¹² London: PRO, FCO 87/102, letter from the Lord Privy Seal, Lord Jellicoe, to Hugh Overton, FCO, 18 February 1972.

¹³ *Ibid.*

lobbying on Congressmen from the North Eastern or some mid-Western states would be limited. Yet the British did find important allies on the Subcommittee. These included Anglophile Ohio Democrat Wayne Hayes and Alabama Republican John Buchanan. Most important, however, was the New Jersey Republican Peter Frelinghuysen. As the ranking Republican member of the subcommittee, Frelinghuysen prepared to defend the Nixon administration's policy, receiving pre-hearing briefings by State Department officials.¹⁴ Yet Frelinghuysen, along with Hayes, had been present at Bermuda and since his return had been in frequent contact with the British embassy official Donald Cape. Cape supplied Frelinghuysen with general background briefing documents on Northern Ireland and supplied documents that emphasised the responsibility of the IRA in creating the violence in the Province¹⁵ Frelinghuysen's robust questioning of the Irish Caucus was to be an important counterweight during the hearings to the relentless hostility to British and US policy of those giving evidence.

Beyond this there was little more that the British embassy could do to prepare for the hearings. On the eve of the hearings, Edward Heath did give an interview to the *New York Times* in order to put the British case and pre-empt a number of the criticisms expected at the hearings. Moreover, Heath fired a warning shot across the bows of Senator Edward Kennedy, the foremost US critic of British policy in Northern Ireland. Although not mentioning Kennedy by name, Heath clearly had the Senator in mind when he stated that:

...there is much misunderstanding of the situation there [in Northern Ireland] even in some of the highest quarters of the United States, though not I hasten to add, the President. It seems not to be understood that the great majority of people in Northern Ireland are Protestants, that Northern Ireland is part of the United Kingdom and that the majority wish to stay in the United Kingdom.¹⁶

¹⁴ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'LEG 9 – House Foreign Affairs – IRE – 1972', 'Notes on the House Foreign Affairs Subcommittee on Europe, February 28 – March 1, 1972', 6 April 1972.

¹⁵ Princeton, NJ: Princeton University, Mudd Manuscript Library, Peter Frelinghuysen MS, Box 138, Donald Cape to Peter Frelinghuysen, 28 February 1972; Donald Cape to Peter Frelinghuysen, 24 February 1972; and letter from Donald Cape to Peter Frelinghuysen, 17 February 1972.

¹⁶ London: PRO, FCO 87/102, telegram from Douglas-Home to Cromer, 28 February 1972.

Heath went on to counter claims that Northern Ireland was a colony and argued that the withdrawal of British troops from Northern Ireland would result in a bloodbath in the Province.¹⁷

Despite the considerable efforts of British officials, the hearings turned out to be all that the British government had expected. A series of Congressmen from the Irish Caucus and their 'expert' witnesses launched scathing attacks on British policy in Northern Ireland. In his entertaining report on the hearings, Robert W. DuBose, the State Department's Irish Desk Officer, described the atmosphere of the hearings as being 'somewhat like a Hieronymus Bosch painting, with much fire and brimstone, much confusion, little devils torturing people here and there'.¹⁸ Yet again the intervention of the Irish Caucus was not seen as an attempt to change US or British policy, but rather an attempt to gain further domestic political support. DuBose believed that while Kennedy had performed well there had been 'a distressingly inept series of performances by various Congressmen/women'. He continued that there 'seemed to be an unwritten, unsaid assumption that the whole thing was staged to get Irish-American votes for certain individuals', and it was clear that domestic US political considerations loomed large in the testimonies that were heard by the Subcommittee.¹⁹

In his testimony Kennedy attacked British policy in what Lord Cromer described as a 'demagogic statement'.²⁰ Kennedy condemned internment and argued that the withdrawal of British troops was a necessary prerequisite for peace. Heath's argument that this would lead to a bloodbath was dismissed by Kennedy who did 'not believe that the majority of Ulster Protestants are prepared to plunge their homeland into civil war to

¹⁷ *Ibid.*

¹⁸ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'LEG 9 – House Foreign Affairs – IRE – 1972', 'Notes on the House Foreign Affairs Subcommittee on Europe, February 28 – March 1, 1972', 6 April 1972.

¹⁹ *Ibid.*

²⁰ London: PRO, FCO 87/102, 'Congressional Hearings', telegram from Lord Cromer to FCO, 28 February 1972.

preserve the British tie'. A British political initiative that was not aimed at reunification would be 'too little, too late'. Kennedy's most stinging words, however, were in reaction to Bloody Sunday: 'Just as Ulster is Britain's Vietnam, so Londonderry is Britain's My Lai'.²¹

Kennedy's views were repeated by the witnesses that followed. Frequent mention was made of Fascist regimes and Nazism. Congresswoman Bella Abzug compared internment to the policies of Nazi Germany and Congressman Mario Biaggi compared British troops to the Gestapo.²² Many witnesses wanted the US to raise the issue of Northern Ireland at the United Nations and most demanded immediate moves towards the reunification of Ireland. And if the British government did not respond to such demands Congressman James Delaney demanded immediate moves to introduce economic sanctions against the UK.²³

British lobbying, though, had had some effect. Frelinghuysen, at times supported by Hayes, took to task those witnesses that advocated US intervention and highlighted the role of the IRA in creating the violence in Northern Ireland, a point stressed by Donald Cape in his correspondence with Frelinghuysen in the preceding weeks.²⁴ Also reassuring to the British was the testimony of Martin Hillenbrand, who appeared on behalf of the Nixon administration. In advance of his testimony Hillenbrand had written in his diary that he expected a 'turbulent session' as he would be 'surrounded by witnesses most of whom will be fire-breathing advocates of Irish unity now'.²⁵ Nevertheless Hillenbrand once again stated that the US would consider getting involved in Northern Ireland only if the US was approached by the British and Irish governments and asked to play a part in finding a solution. Failing this there was no role for either the

²¹ 'Northern Ireland. Hearings before the Subcommittee on Europe of the Committee on Foreign Affairs', House of Representatives, 92nd Congress, 2nd Session (1972), pp. 2-16.

²² *Ibid*, p. 224 and p. 155.

²³ *Ibid*, p. 320.

²⁴ *Ibid*, p. 30.

²⁵ Athens, GA: University of Georgia, Richard B. Russell Library, Martin J. Hillenbrand MS, Series II, Box G, Personal Journals, 'August 5, 1971 – August 29, 1972', 27 February 1972, pp. 108-9.

US or UN to play. Hillenbrand also took a swipe at the involvement of Congress by arguing that the process of finding a peaceful solution to Northern Ireland's problems was being 'retarded by sweeping declarations by outsiders as to how the peoples concerned should arrange their destinies, for sweeping declarations tend to sharpen old divisions instead of blurring them'.²⁶

The conclusion of the hearings was met with relief by the British. Reflecting on them, Donald Cape believed that the British could 'be reasonably satisfied with the way things went, and must be especially grateful to Congressman Frelinghuysen for his part in the proceedings'.²⁷ In addition, Hillenbrand had forcefully defended the US policy of non-intervention. Further reassurance for the British had come when Frelinghuysen informed Cape that he believed that he could prevent the Subcommittee from reporting out any resolution.²⁸ The State Department was similarly satisfied, with DuBose concluding that, 'All sides were heard, the complexities were aired, the villains excoriated, and the proposed resolutions (presumably) quietly buried'.²⁹

Yet, while the conclusion of the hearings was met with some satisfaction in the US and the UK, this was not the case in the Republic of Ireland where they had in fact caused the Irish government considerable embarrassment. While the British government had expended great energy in lobbying members of the subcommittee, identifying sympathetic witnesses, and ensuring continued State Department support for the non-intervention policy, the Irish government was passive and inactive. There is no evidence of any Irish government lobbying of Congressional opinion in the month leading up to the hearings.³⁰ There is also no evidence of lobbying by the Irish government in the

²⁶ 'Northern Ireland. Hearings before the Subcommittee on Europe', p. 166.

²⁷ London: PRO, FCO 87/102, 'Northern Ireland Sub-Committee Hearings', D. S. Cape to Kelvin White, 6 March 1972.

²⁸ *Ibid.*

²⁹ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'LEG 9 - House Foreign Affairs - IRE - 1972', 'Notes on the House Foreign Affairs Subcommittee on Europe, February 28 - March 1, 1972', 6 April 1972.

³⁰ NIA Department of the Taoiseach file 2003/16/192 'Partition: resolutions introduced in Congress of the United States of America House of Representatives and Senate', January - April 1972 was unavailable as

papers of leading members of the Irish Caucus or of the Subcommittee on Europe. Given the importance that the Irish government placed on gaining US support for its position on Northern Ireland this represents an extraordinary failure of policy. This is especially significant when compared to the considerable effort the Irish government had gone to since the introduction of internment to implement an increasingly aggressive policy towards the British government and the development of the IDU and Anglo-Irish section in order to do so. No similar effort was made with regard to the lobbying of the United States.

A consequence of this passivity was that the Irish government lost the initiative. This left the Irish nationalist perspective presented to US politicians to be channelled through Irish-American pressure groups. There was potentially a useful and powerful political lobby in the US with which the Irish government could work. Dublin and the Irish Caucus shared the aspiration of a united Ireland. However, the Irish Caucus was advocating overly simplistic courses of action that the Irish government believed would be disastrous for Northern Ireland. What the Irish government required was a more subtle and nuanced approach from Irish-America, one that could prove persuasive with the US government. However, for many Irish-Americans, for example Paul O'Dwyer, founder of the American Committee for Ulster Justice (ACUJ) and a lawyer who was to defend those who were charged with gun-running to the IRA, the Lynch government was too timid in pursuing the objective of Irish reunification.³¹ As a result of Dublin's passiveness, it was O'Dwyer and the ACUJ's republicanism, a republicanism that

at September 2009 and July 2011. Archivists were unable to determine whether the files were lost, misfiled, or had not yet been opened to researchers. Other related files, however, contained only press clippings or correspondence with private US citizens who had written to the Irish government on Northern Ireland.

³¹ New York, NY: New York University, Bobst Library, Jane Muller Oral Collection, Paul O'Dwyer, Disc 19.

embraced the ‘physical force tradition’ of the Provisional IRA, which was heard by the Irish Caucus and not the moderate policies of Dublin.³²

The difficulty that the Irish government faced was demonstrated in Jack Lynch’s response to Kennedy’s testimony. In an interview with the *Washington Post*, Lynch responded to Kennedy’s call for British troops to be withdrawn from Northern Ireland by saying that ‘I don’t think he [Kennedy] understands the situation as fully as we do’.³³ Lynch went on to argue that the withdrawal of British troops would lead to civil war in Northern Ireland. This was a point that Kennedy had explicitly denied in his testimony.³⁴ Although Lynch had added the caveat that he wanted to see British troops withdrawn from Catholic areas, on the publication of the interview he quickly found himself under attack and felt it necessary to issue a clarification. Lynch argued that he had been quoted out of context and that some of the report was misleading. ‘For example, the Taoiseach did not, as reported, criticise Senator Kennedy or his efforts.’³⁵ On their differences on the withdrawal of British troops Lynch clarified his comments saying that it was his long-term ambition to see all British troops leave Northern Ireland, but that this should follow political initiatives by the British government rather than immediate withdrawal.³⁶ Yet it was clear that Irish government policy was at odds with the stated positions of many in the Irish Caucus, including Kennedy, Ribicoff and Carey. Rather than energetically lobbying members of the Irish Caucus to bring them round to the Irish government’s point of view, Lynch had instead claimed he had been misquoted and had

³² Boston, MA: Boston College, John J. Burns Library, Thomas P. O’Neill MS, Grants/Projects/Subject Files, Subject Files, Box 13, Folder, ‘Ireland, October-December 1977’, correspondence between Speaker O’Neill, Governor Carey, and Senators Kennedy and Moynihan. By 1977 the ‘Irish Caucus’ had become the Ad Hoc Congressional Committee for Irish Affairs chaired by New York Congressman Mario Biaggi. The Committee was seen in the Republic and in Northern Ireland as having links with the Provisional IRA, causing Kennedy, Carey, Tip O’Neill and Daniel P. Moynihan to break with the Committee in 1977 with the publication of their St. Patrick’s Day appeal for peace in Northern Ireland. Henceforth Kennedy, Carey, O’Neill and Moynihan were known as the ‘Four Horsemen’. See also Washington, DC: Library of Congress, Manuscript Division, Daniel Patrick Moynihan MS, Box II, ‘329 – Friends of Ireland – Four Horsemen Appeal’.

³³ London: PRO, FCO 87/102, telegram from Sir John Peck to FCO, 3 March 1972.

³⁴ ‘Northern Ireland. Hearings before the Subcommittee on Europe of the Committee on Foreign Affairs’, House of Representatives, 92nd Congress, 2nd Session (1972), pp. 2-16.

³⁵ Dublin: NAI, DT 2003/16/463, Statement by Government Information Bureau, 3 March 1972.

³⁶ *Ibid*

attempted to show there was little between his government's position and the position of Kennedy. The Irish government proved itself unable or unwilling to stand up to the Congressional Irish Caucus and counter the Irish-American perspective of the conflict.

In addition to the spat over Lynch's *Washington Post* interview, both he and Hillery found themselves under fire as a result of Hillenbrand's testimony before the Subcommittee. Hillenbrand had told the Subcommittee that 'Foreign Minister Hillery told Secretary Rogers that he understood our position and that he was not requesting United States' intervention in the Northern Ireland situation'.³⁷ This prompted the Irish government to release a statement contradicting Hillenbrand's testimony. According to the statement Hillery 'asked Mr Rogers to indicate, on behalf of the US government, to the British government that their policy of seeking a solution by military means in Northern Ireland was no way to solve the problem'. Having contradicted Hillenbrand's testimony, Hillery's statement went on, in tortured language designed to avoid open disagreement with the US, to say that,

This does not amount to requesting intervention, in the technical sense of the term, but indicates that Dr Hillery would welcome, short of intervention, anything that the United States government, as one friendly to Britain might feel able to do with a view to encouraging Britain to substitute a political for a military approach to the problem.³⁸

Hillery followed the statement with a telephone call to John Moore, the US Ambassador in Dublin, in which the Foreign Minister complained that 'it is being suggested that I crossed the Atlantic and did not ask you for anything'. Hillery went on to add, more worryingly for the US government, that if it was the US position that he

³⁷ 'Northern Ireland. Hearings before the Subcommittee on Europe', p. 164.

³⁸ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'Hillery Visit - Jan to Feb 1972', 'Northern Ireland and the United States: Statement by the Department of Foreign Affairs, Dublin', 6 March 1972.

asked for nothing then perhaps the Taoiseach ‘would now address a formal request to USG [United States government] for some friendly assistance’.³⁹

Hillery’s complaint was followed up with the US embassy by the Irish foreign ministry official Sean Donlon. Donlon reported that the Irish were concerned that the Taoiseach’s speeches were used in Hillenbrand’s testimony to argue against Lynch’s own position. In addition, Donlon restated the Irish government’s concern that Hillery was being presented as having made no request for help from the US government. Finally, on Hillenbrand’s quoting Lynch’s statement that there could only be Irish unity by consent, Donlon pointed out that the Irish government firmly believed that this would not happen until the British exerted some pressure on the Unionists to reach agreement with the nationalists in the North and the Irish government in the Republic.⁴⁰

For their part the US embassy staff forcefully argued that much of the blame for this confusion rested with the Irish government. Before flying to the US Hillery had given insufficient thought to the points he had wanted to raise with Rogers or the arguments in favour of them. Moreover, the Irish government had failed to transmit this information to the US embassy which meant that it was impossible to properly brief Rogers. Indeed, it seemed that Hillery himself had forgotten to raise one of the points with Rogers that had been put to the US embassy in Dublin, that of a meeting between Lynch and Nixon. As a result of ignoring the advice of the US embassy Hillery’s ‘talk with the Secretary sometimes bordered on the incoherent’.⁴¹ The cause of the misunderstanding between the Irish and US governments was therefore largely down to the incompetence of Irish diplomacy.

³⁹ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder ‘Northern Ireland – 1972 – Feb 20 – March 31, 1972’, telegram 290, ‘Northern Ireland’, John Moore to State Department, 6 March 1972.

⁴⁰ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder ‘Northern Ireland – 1972 – Feb 20 – March 31, 1972’, letter from Datus C. Proper to Robert DuBose, 14 March 1972.

⁴¹ *Ibid.*

Yet the US government had no wish to cause trouble for the Lynch government and so hoped to come up with a solution that would help Lynch while avoiding embarrassment to themselves. The State Department proposed a formulation as tortured as that already released by the Irish to describe the Hillery-Rogers meeting of 3 February 1972. According to the State Department's proposal Hillery had during the meeting referred to possible measures that friendly governments might take, while Rogers, without addressing these, put forward the reasons that the US felt it could not intervene. If Hillery continued to argue that he made a formal request to the US then the State Department would have to say in response to questions that 'the Secretary did not understand him [Hillery] to make such a request', a position that would have proved embarrassing to both Hillery and Rogers.⁴²

By securing the subcommittee hearings, the Irish Caucus inserted itself into the Northern Ireland conflict. It quickly became clear how little agreement existed between these different actors. All three governments objected to the stance of the Irish Caucus. As a result the British put considerable effort into lobbying individual Congressmen and pulled off something of a coup with their engagement with Frelinghuysen, who proved an important ally on the subcommittee. The British were happy with the Nixon administration's non-intervention policy, but did not take this for granted and worked to ensure that this would remain unchanged. However, while the Irish sought US intervention, the hearings were to cause an embarrassing squabble between the Lynch government and the Nixon administration. Indeed the hearings exposed the Irish government's weaknesses when it came to engaging with the US. The Lynch government failed to lobby members of Congress and, as a result, the Congressional Irish Caucus was more influenced by Irish-American groups like the ACUJ and Noraid, who were supporters of the Provisional IRA. And despite the fact that Dublin believed the

⁴² College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'Northern Ireland - 1972 - Feb 20 - March 31, 1972', 'Hillery-Rogers Feb 3 Meeting and Hillenbrand Testimony', State Department to US Embassy in Dublin, 5 March 1972.

positions advocated by the Irish Caucus were likely to lead to further bloodshed and violence, Lynch hastily recanted his criticism of Kennedy's testimony and failed to take those in the US holding extremist positions to task.

However, the months of antagonism between the British and Irish governments were about to end. In the weeks following Bloody Sunday, as the United States had taken centre stage in the international dimension of the Troubles, the Heath government had been working on a new political initiative for Northern Ireland. And this initiative was to mark a considerable triumph for Irish foreign policy as the British government was to adopt almost completely those policies that Lynch and Hillery had been advocating since the introduction of internment. Suddenly, and without forewarning, the British government began to make a number of concessions on principle and policy towards the Irish agenda on Northern Ireland. This was not only to affect the relationship between the UK and Republic of Ireland, but was also to alter the position of the US government and the Irish Caucus.

Part I – Conclusion

For the inhabitants of Northern Ireland the period from August 1971 to March 1972 was a difficult and bloody time. In the international dimension of the Troubles this period witnessed substantial diplomatic activity between Britain, Ireland and the United States. Much of the agenda in these contacts was set by Dublin, with their claim to involvement in Northern Ireland and development of a series of political measures deemed necessary for the successful resolution of the conflict. Indeed, the Irish government demonstrated that it was involved through the willingness of the SDLP to travel to Dublin to coordinate action, while refusing to talk with the British.

The Heath government's approach to Dublin was inconsistent. Heath rejected the Irish claim to have a right to be involved. In addition the British were determined to avoid taking any action that would provoke a Protestant backlash. But the British view of what could cause such a backlash changed. At first any sign of Dublin's involvement in Northern Ireland's affairs was enough to scare Maudling and Heath. However, as Anglo-Irish relations deteriorated and the increasing violence in Northern Ireland brought further Unionist pressure for security action, the British conceded that Dublin should at least have its voice heard. It was hoped that this concession would be enough to gain security cooperation with the Irish, which would, in turn, reassure the Protestant majority in Northern Ireland. This was the first sign of a division appearing between political cooperation and security cooperation.

Dublin had also sought US involvement. In so doing, the Lynch government was seeking the assistance of the Nixon administration and did not reckon on the involvement of the Irish Caucus. This Irish-American connection was to prove problematic for all three governments. Despite the Nixon administration's disinclination to get involved, domestic pressure from the Irish Caucus had to be considered. This led to half-hearted

proposals for the US to act as interlocutor or to propose an independent US mediator. While these came to nothing, Irish Caucus agitation ensured US involvement in the conflict in Northern Ireland.

All this diplomatic activity did nothing to foster agreement on the best way to tackle the Troubles. However, as the British government staunchly defended its position following Bloody Sunday it was also developing a political initiative for Northern Ireland. In shaping this initiative the British began to recognise that the interconnections between the Republic, Northern Ireland, and the UK had to be fully taken into account. In announcing its political initiative on 24 March 1972, the British government moved significantly towards the Irish government's position. As a result, the international dimension began to change.

Part II: Conceding Principles, March 1972 to March 1973

Introduction

Bloody Sunday prompted a radical rethink by the Heath government. In the immediate aftermath of Bloody Sunday the British cabinet subcommittee on Northern Ireland began to develop a political initiative that sought to balance the aspirations of the Catholic minority and the fears of the Protestant majority. On 24 March 1972, Heath announced that the Stormont Parliament and government would be prorogued and that Northern Ireland would be directly ruled from Westminster. A Secretary of State for Northern Ireland would be appointed to the British cabinet responsible for administering the Province. William Whitelaw, Heath's close cabinet ally, was appointed as the first Northern Ireland Secretary. Over the coming year, Whitelaw was to announce a number of initiatives that resulted in the moderate parties from both communities in Northern Ireland seriously engaging for the first time since the formation of the Northern state.

Prior to the political initiative, the British had claimed Northern Ireland to be an internal matter and had struggled to prevent any political involvement by the Republic of Ireland or United States. However, over the course of 1972, the British were to recognise that the interconnections between the North and the Republic required Dublin's involvement in the peace process. This did not mean the recognition of the Irish government as an equal partner, but it did require cooperation between London and Dublin in the developing political initiative. And, while the British were to concede a role for Dublin, the Heath government was clear that it wanted to avoid US involvement. This led to continued engagement by the British with the Nixon administration and the Irish Caucus. By contrast, the Lynch government's contacts with the US were minimal, despite the potential support that could have been available to Dublin.

On security issues the British were far more eager to cooperate with both the Irish and US governments. The US was to prove willing to cooperate with both London and Dublin on addressing the issue of the active support of the IRA by US citizens. However, US policy continued to be influenced, and limited, by domestic political considerations. Domestic pressures also led to the Lynch government limiting security cooperation with the British. Indeed, Dublin's view was that by addressing the political issues in Northern Ireland the violence would gradually disappear. This was to continue to be a cause of friction in Anglo-Irish relations.

Over the course of the year following Bloody Sunday, the pattern of the international dimension of the Troubles was to become clear. The division between the political and security spheres became fixed, with different combinations of actors cooperating in each. As a result, the relations between the actors were normalised and a systemic relationship began to emerge involving the international actors to the Troubles.

Chapter 6: The March Initiative

The British government's political initiative for Northern Ireland, announced on 24 March 1972, received a euphoric reception in Dublin.¹ By opting for political rather than military solutions, the British were embarking on a course that the Irish government had been advocating for months. More than that, the policy agenda outlined by the British closely resembled the package of measures that the Lynch government had been advocating since the introduction of internment. General agreement now existed between the two governments as to the way to proceed. Tensions still remained, though, and the Irish government was vocal in its opposition to British government activities that took it outside of the policy agenda that Dublin had been urging. Nevertheless a distinct change had occurred and the political process that was to lead to Sunningdale had begun.

While attention in the weeks following Bloody Sunday was focussed on events in the US, the British government had begun the process of drawing up a new policy towards Northern Ireland. The British were sensitive to the fact that 'world opinion was becoming increasingly critical of the situation in Northern Ireland' and that a political initiative would be required to reverse the growing alienation of the Catholic minority.² It was also recognised that any initiative would have to be sufficiently acceptable to Jack Lynch that the Taoiseach would use his influence with the Catholic community in Northern Ireland to persuade them to participate.³ This would necessitate movement by the British government on internment and perhaps ending the policy of 'cratering' cross-border roads 'which appeared to be more a political gesture towards Protestant opinion than an effective military measure'.⁴

¹ London: PRO, PREM 15/1005, 'Direct Rule: Irish Reactions', Sir John Peck to Edward Heath, 25 March 1972.

² London: PRO, CAB 130/560, GEN 79(72) 1st Meeting, 9 February 1972.

³ London: PRO, CAB 130/560, GEN 79(72) 7th Meeting, 8 March 1972.

⁴ London: PRO, CAB 130/560, GEN 79(72) 1st Meeting, 9 February 1972.

Irish opinion, then, clearly influenced the British government's thinking. Indeed, the basis of the British government's initiative was Maudling's proposals of 18 January 1972, which were themselves based on the Lynch government's agenda for Northern Ireland.⁵ Eventually it was agreed by the British cabinet that Faulkner would be told that Stormont would be stripped of its powers on law and order. If Faulkner opposed this and resigned, which it was hoped he would, then the British government would dissolve Stormont and introduce direct rule from Westminster.⁶ William Whitelaw, a close cabinet ally of Heath, would be appointed Secretary of State for Northern Ireland and would be given the responsibility of developing the British government's initiative. In addition it would be announced that internment would be phased out and the cases of all current internees would be personally reviewed by Whitelaw. And, in an attempt to remove the question of the constitutional status of Northern Ireland from day-to-day politics, a plebiscite would be held on whether the Province should remain part of the UK or should be united with the Republic. The first plebiscite would be held as soon as practicable, with subsequent plebiscites taking place after a substantial period of years.⁷

Lynch had repeatedly stated his view that he did not believe that the IRA could be militarily defeated, but rather it would 'evaporate' as it had in the past as a result of political reforms.⁸ It was the opinion of Sir John Peck, reporting from Dublin on the reaction to the British government's initiative, that 'the Irish are expecting modification in current security procedures . . . and any evidence that direct rule has produced no change after a fairly short period will lead to widespread disillusionment'.⁹ In other words, for the Irish government to be convinced that anything had changed following direct rule then it would require a change in British security policy.

⁵ London: PRO, CAB 130/522, GEN 47(72) 1, 'Northern Ireland – Policy for 1972', 18 January 1972.

⁶ London: PRO, CAB 130/560, GEN 79(72) 10th Meeting, 21 March 1972.

⁷ HC Debates, 'Northern Ireland', vol. 833, cc. 1859-62, 24 March 1972.

⁸ London: PRO, PREM 15/1005, 'Direct Rule: Irish Reactions', Sir John Peck to Edward Heath, 25 March 1972.

⁹ *Ibid.*

This had already been recognised in London and consequently British security policy moved significantly in the direction advocated by Lynch. Shortly after taking office, Whitelaw told colleagues that the decision to impose direct rule had ‘involved a deliberate choice of a policy of combining political and military measures’ which would require the British Army to assume a significantly less proactive and provocative role in the Province. This resulted in the government adopting what was termed the ‘low profile policy’ for the Army in Northern Ireland.¹⁰

For example, immediately after the introduction of direct rule the General Officer Commanding (GOC), General Sir Harry Tuzo, the senior Army officer in Northern Ireland, requested that three major infantry units be sent to Northern Ireland as reinforcements. Tuzo was concerned at the increased tension in the Province following the introduction of direct rule and believed an increase in troop numbers was required so that he could deploy sufficient forces to the various flashpoints in the Province where clashes between the two communities were most likely. However, discussing Tuzo’s request, the cabinet’s Northern Ireland subcommittee believed that ‘a decision not to send any reinforcements would be the most consistent with the Government’s stated view that its current measures were designed to reduce tension and so to enable political discussions . . . to take place in a calmer atmosphere’.¹¹ In the end, it was decided to send one infantry unit to allow Tuzo more flexibility in deploying his forces. The potential effect on minority opinion in Northern Ireland of troop reinforcements trumped, on this occasion, Tuzo’s view on the desirability of reinforcements.¹²

In addition, following Bloody Sunday, one of Lynch’s demands had been that the British remove its forces from Catholic districts in Northern Ireland. This was exactly what the British government now did. While it was recognised that the Army had to

¹⁰ London: PRO, CAB 130/560, GEN 79(72) 15th Meeting, 2 May 1972.

¹¹ London: PRO, CAB 130/560, GEN 79(72) 14th Meeting, 30 March 1972.

¹² *Ibid.*

continue to patrol wearing full battle kit, lest soldiers become an all too easy target for the Provisional IRA, it was decided that there was no benefit in sending the Army into the Bogside or Creggan areas of Londonderry. In effect, the British government was allowing the existence of no-go areas where its rule of law did not run. It was believed in London that the Army could only return to these areas when the local population recognised a change in the way the Army carried out its duties and were convinced that the ending of the no-go areas would not be followed by arrests and house searches.¹³

However, any change in perception of the Army would depend on what happened with regard to internment. Jack Lynch had continuously condemned internment as a disastrous mistake, more likely to cause violence than prevent it. The British government's political initiative included a pledge to end internment. On taking office, Whitelaw immediately set about releasing internees. By 12 May 1972 he was able to inform ministerial colleagues that he had already released 200 internees, with 400 remaining in detention. If the release rate was maintained at that level, internment would be at an end by July. Nevertheless, Whitelaw believed that there was around 100 'hard core' terrorists in detention for whom some form of legal machinery would be required.¹⁴

British security policy, then, immediately following direct rule changed along the lines Dublin had advocated for some time. However, Whitelaw was willing to move further than the Lynch government was comfortable with. After talks with British officials, the Provisional IRA called a ceasefire to begin on 26 June 1972.¹⁵ During the ceasefire six leading members of the Provisionals were flown to London for a secret meeting with Whitelaw. However, as the PIRA representatives arrived in London with a list of demands rather than to negotiate with the British the meeting ended without result.

¹³ London: PRO, CAB 130/560, GEN 79(72), 15th Meeting, 2 May 1972.

¹⁴ London: PRO, CAB 130/560, GEN 79(72) 17th Meeting, 12 May 1972.

¹⁵ London: PRO, PREM 15/1009, 'Note of a Meeting with Representatives of the Provisional IRA', 21 June 1972.

On 9 July 1972 the ceasefire ended and the Provisionals revealed that they had met with Whitelaw.¹⁶

Lynch believed that if the British government followed the right policies in Northern Ireland then the IRA would ‘evaporate’. This did not mean that Lynch was sympathetic to either wing of the IRA. While the Taoiseach believed the only solution to the conflict was the reunification of Ireland, he rejected the use of violence to achieve this. There were others, on the republican wing of Lynch’s Fianna Fáil party who were more equivocal in their attitudes towards the IRA, and Lynch had at times struggled to maintain the moderate, non-violent, policy of his government.¹⁷

As a result Lynch was vulnerable to any move by the British that appeared to engage with the IRA as it would undermine his government’s moderate position. On the eve of the introduction of direct rule, the British opposition leader, Harold Wilson, had again visited Dublin. In a meeting arranged by the Irish Labour member of the Dáil, John O’Connell, Wilson had met with senior Provisionals.¹⁸ Wilson maintained that he informed Lynch in advance that he was to meet the PIRA leadership. The Irish denied this, however, and a number of Irish ministers made their anger clear to Peck.¹⁹ Whitelaw’s meeting with the PIRA leaders caused similar consternation in Dublin. The Northern Ireland Secretary conveyed his regret to the Irish Ambassador to London, Donal O’Sullivan, at any difficulty the episode may have caused the Irish government.²⁰ However, just months earlier, a meeting between a British cabinet minister and representatives of the IRA would have been unthinkable. Whitelaw’s move had shown how far British security policy in Northern Ireland had changed. It was particularly

¹⁶ HC Debates, ‘Irish Republican Army (London Meeting)’, 18 July 1972, vol. 841, cc. 97-8W; and Whitelaw, *Memoirs*, p. 100.

¹⁷ O’Donnell, *Fianna Fáil, Irish Republicanism and the Northern Ireland Troubles*, pp. 38-9, 41-2, and 45-6.

¹⁸ Oxford: Bodleian Library, Modern Political Papers, Harold Wilson Papers, MS Wilson c. 908, Confidential Filing: Opposition Years; N-O, ‘Talks with the Provisional Wing’, 11 March 1972.

¹⁹ London: PRO, PREM 15/1022, letter from Sir John Peck to Kelvin White, 16 March 1972.

²⁰ Dublin: NAI, DT 2003/16/465, letter from Donal O’Sullivan to R. McDonagh, 14 July 1972.

ironic that, given the repeated exhortations by Heath that the Irish government take action against the IRA, it was the British that had been willing to meet with the Provisionals. But in meeting the PIRA leaders, Whitelaw had gone further than Dublin was comfortable, causing further friction between the two governments.

Nevertheless, there was clearly greater understanding between London and Dublin on security matters than hitherto. Having pressed the British to ease their military policies the Irish government now had evidence that this was happening. The British, in return, had been pressing the Irish government for some months to take action against IRA activity in the Republic and this is now what the Lynch government did. The Irish government announced proposals to amend the Offences Against the State legislation to make securing convictions against the IRA more likely. Peck informed London that the Lynch government now believed such legislation necessary in order to break the threat from the Provisionals to the Republic's democratic institutions. It would also have the effect of helping Whitelaw and, it was hoped, hasten the end of internment. Finally, and most importantly from the point of view of its authors, the legislation would help avert the threat of civil war in the North that could engulf the South.²¹ From this perspective then, the Lynch government's security policy was beginning to move in the direction the British had been urging for some time.

When setting out the British government's political initiative, Heath had announced that periodic plebiscites would be held 'as a reassurance that there would be no change in the Border without the consent of a majority of the people of Northern Ireland'.²² Heath explained that the government hoped that this would leave open the possibility of reunification if the majority of the population wished it, but would also act as reassurance that there would be no change to Northern Ireland's status in the years

²¹ London: PRO, CJ 4/209, 'Special Courts', telegram from Sir John Peck to the FCO, 2 June 1972.

²² HC Debates, 'Northern Ireland', vol. 833, c. 1859, 24 March 1972.

between plebiscites.²³ This was an attempt to take the issue of the border out of day-to-day politics so that the government could concentrate on solving internal divisions in Northern Ireland without the future status of the Province constantly being an issue of division between the parties.

Just as ministerial meetings with the IRA had formed no part of Dublin's agenda on Northern Ireland neither did the holding of plebiscites. This element of the British initiative was to cause considerable friction between London and Dublin. Lynch complained that no one part of the Irish people could make a decision that affected the whole island and that there was little evidence to show that a plebiscite would succeed in achieving its main aim; that of taking the border out of day-to-day politics. As for reassuring the Protestants, Lynch argued that it was the minority that had suffered most since partition and it was they who were in need of reassurance. In any event, Lynch had repeatedly stated that his desire was for unity by consent and not by force, so the Protestant community did not need the reassurance that would come from such a poll.²⁴

Lynch referred the issue to the civil servants of the Irish government's Inter-Departmental Unit on Northern Ireland (IDU) to consider. Fearing that, as the result was a foregone conclusion, the British would use the poll to demonstrate to international opinion that Northern Ireland wanted to remain part of the UK and that the views of Dublin on Irish unity should therefore be discounted, the IDU proposed four possible policy options for the Lynch government. Firstly the government could, as Lynch was to do in the Dáil debate, argue that a plebiscite in only one part of Ireland had no validity. Then the government could either urge the minority to record their votes anyway, or, alternatively, boycott the poll. However, both of these courses of action ran the risk of being ignored and demonstrating the relative impotence of Dublin in this matter. Finally

²³ HC Debates, 'Northern Ireland', vol. 833, c. 1862, 24 March 1972.

²⁴ Dublin: NAI, DT 2003/16/561, Note of Dáil Adjournment Debate, 14 July 1972.

the government could arrange to hold a plebiscite in the Republic on the same day as that held in the North.²⁵

The IDU seemed attracted to this idea. Whilst it recognised that the Irish could be accused of gimmickry, the IDU argued that the result would be a massive vote in favour of unity. Nationalists in Northern Ireland would be encouraged to vote in massive numbers and it could potentially ‘spread politics right across the border . . . one could envisage politicians from here campaigning on the matter in the North and opposition politicians from the North campaigning here. Psychologically this would do a great deal to insert Dublin directly into Northern politics.’²⁶

In the meantime, the Irish tried to dissuade the British government from going ahead with the border poll. Sir John Peck, the British Ambassador to Dublin, was summoned to a meeting with the Secretary of the Irish Foreign Affairs Ministry, Hugh McCann. McCann, who believed the British Ambassador already had misgivings about the plebiscite, restated the Irish government’s view that the plebiscite would ‘cement the intransigence of the Unionists and undermine the moderates in the minority community who are seeking to make progress by political means’.²⁷ In addition there would be pressure on the Irish government to hold a similar poll so as to properly ascertain the view of all the Irish people. There was also the danger of the IRA bombing polling booths resulting in innocent people being killed or injured. McCann believed ‘that I had him [Peck] thoroughly worried in the end’, with Peck ‘thinking aloud’ about heading to Belfast to warn Whitelaw of the dangers of holding the plebiscite.²⁸

Peck certainly did doubt the wisdom of the plebiscite, but his report on this meeting with McCann was rather different. The Ambassador reported to London that ‘As always, officials, as exemplified by members of the Department of Foreign Affairs,

²⁵ Dublin: NAI, DT 2003/16/429, ‘Plebiscite’, 22 June 1972.

²⁶ *Ibid.*

²⁷ Dublin: NAI, DT 2003/16/561, ‘Note’ of Meeting with Sir John Peck, 30 June 1972.

²⁸ *Ibid.*

are much more emotional than Ministers'.²⁹ Peck repeated the Irish arguments about the border poll being unnecessary and their fear that it would further increase sectarian violence. However, Peck stressed that the line he was taking with the Irish government was that 'Mr Whitelaw would not be going ahead with it without very good reasons and a careful calculation of the balance of advantage, and that the timing and details have still to be worked out'.³⁰

Whitelaw believed he had very good reason for going ahead with the plebiscite. In devising and implementing its political initiative, the British government was concerned with maintaining a balance between the aspirations of the nationalist community and the fears of the unionists. Dublin disagreed with the need for such a balance and had argued the need for the British to end what they saw was the Protestant veto.³¹ To some extent the British were prepared to take a firmer line with the Protestants. However, London's concern of provoking a backlash remained and this influenced British actions following the introduction of direct rule.

For example, while the British had made significant modifications to security policy they remained sensitive to Protestant opinion. Inspiring the confidence of the moderate nationalists, especially the SDLP, had led to the tolerance of no-go areas and a pledge to end internment. Brian Faulkner was later to describe this period of British security policy as an attempt to kill the IRA with kindness.³² However Whitelaw's view was that, while it had been misused, internment had been a central part of the Faulkner government's policy. Releasing several hundred internees, considered terrorists by the majority, could seriously alienate the Protestant community. The only way around this, in Whitelaw's view, was for the ending of internment to coincide with the ending of the no-go areas. If it became necessary to end the no-go areas, it was hoped that this could

²⁹ London: PRO, CJ4/178, Telegram from Sir John Peck to FCO, 1 July 1972.

³⁰ *Ibid.*

³¹ Dublin: NAI, DT 2002/8/508, 'The Wilson Visit – November 1971', 16 November 1971.

³² Faulkner, *Memoirs of a Statesman* (London: Weidenfeld and Nicolson, 1978), p. 163.

be done after the confidence of the people living in these communities had been gained and with the cooperation of locally respected figures. Otherwise, the no-go areas would have to be reoccupied as the result of a major security operation, which would forfeit, once again, any trust in the British government amongst these communities.³³ The balance struck by the British government, therefore, was to tolerate the continued existence of the no-go areas, despite the anger this aroused amongst the unionists. On the other hand, internment would be retained, albeit with many fewer detainees, despite the British pledge to abolish it.

Including the plebiscite in the British political initiative had been an attempt by the Heath government to offer some reassurance to the majority community. But since then the loss of Stormont, the declaration that internment would end, the acceptance by the British government of no-go areas in Catholic districts, the continued violence and the revelation that Whitelaw had met with representatives of the Provisionals all had a major impact on Protestant opinion. And as the summer of 1972 wore on Whitelaw became increasingly concerned that a Protestant backlash could be imminent. The no-go areas had become the central focus of the majority community's anger and the Protestant paramilitary Ulster Defence Association (UDA) warned Whitelaw that failure to end the no-go areas in Catholic districts would lead to the UDA putting up barricades in Protestant districts.³⁴ Whitelaw responded to this by pushing within the British government for the speedy holding of the plebiscite. He even gave the UDA an assurance that there would be quick action on this.³⁵ Whitelaw made it clear to Donal O'Sullivan that he fully recognised that the Taoiseach had serious reservations, but that,

...all his [Whitelaw's] actions since the initiative had been in the direction of placating the minority. It is true that he had given firm assurances on the constitutional problem but the majority did not regard these as sufficient. They are on the point of exploding and he is now sitting on a powder keg. He very

³³ London, PRO, CAB 130/560, GEN 79(72), 16th Meeting, Northern Ireland, 5 May 1972.

³⁴ London: PRO, CAB 130/560, GEN 79(72) 23rd Meeting, Northern Ireland, Thursday 29 June 1972.

³⁵ *Ibid.*

much hoped that the Taoiseach would understand his difficulties and the extreme risk of a Protestant outburst.³⁶

The belief that he was sitting on a powder keg led to Whitelaw advocating that the government should announce that the border poll would be held in the autumn of 1972. Growing Protestant anger led to a face-off between the UDA and Army in Belfast over the UDA's threat to erect barricades in Ainsworth Avenue that would force Catholic residents to pass through a Protestant check-point.³⁷ Twice Whitelaw urged the cabinet subcommittee to authorise a move on legislation that would see the plebiscite taking place by the end of 1972. However, while the subcommittee recognised the increasing anger in the Protestant community it believed that announcing the plebiscite too early would restrict the government's freedom of movement and it was instead decided to delay action.³⁸ But whatever the timing of the plebiscite the fact that it had been promised was a sign of British fears of a possible Protestant backlash – a fear the Irish discounted.

The British government's dilemma over the plebiscite was resolved by a bloody intervention by the IRA. On the afternoon of Friday 21 July 1972 the IRA exploded 22 bombs in just over an hour in Belfast. Nine people were killed and 130 were injured in what became known as Bloody Friday. Such was the scale of the IRA operation the Heath government had little option but to respond militarily. This had the potential to reverse the improved relations with the Irish government and undermine the work that had been done to reassure the minority community since the introduction of direct rule. However the British recognised this and designed the operation accordingly. It was decided that a massive military operation would be launched to reoccupy all of the no-go

³⁶ Dublin: NAI, DT 2003/16/561, letter from Donal O'Sullivan to Hugh McCann, 30 June 1972.

³⁷ Whitelaw, *Memoirs*, pp. 96-98.

³⁸ London: PRO, CAB 130/560, GEN 79(72), 24th Meeting, 7 July 1972; and 27th Meeting, 21 July 1972.

areas in the Province, whether they were IRA or UDA.³⁹ Operation MOTORMAN was launched on 31 July 1972. Unlike Operation DEMETRIUS, that saw the introduction of internment, the government had decided that a public warning should be made on the evening before the operation commenced. In addition, the Irish Taoiseach and US President were given advance notice.⁴⁰

MOTORMAN was the cause of some concern in Dublin. Lynch's response to Heath's note of advance warning had none of the fury of their exchanges over internment. The Taoiseach used the opportunity to restate his conviction that only a united Ireland could resolve the problems of the North. Moreover, Lynch urged that further political action should quickly follow the military operation and stated that he stood ready to play a constructive role in this. At the same time, Lynch sought reassurance that the return to military operations would not be followed by a return to the 'sectarian administration' of Stormont. He also urged the reform of the RUC and action against the Protestant UDA.⁴¹ On the whole, though, the reaction of the Irish government was far more measured than that of previous occasions. A press release on behalf of the Taoiseach made many of the same points that Lynch had put to Heath. The press release stated that the, 'military operation in Northern Ireland has been presented by Mr Whitelaw as a means to save lives and make political progress possible'.⁴² Unlike pre-direct rule military operations, the Irish government now seemed to be taking the British at their word.

The introduction of direct rule had received a euphoric reception in Dublin and had caused an immediate improvement in Anglo-Irish relations. In the weeks that followed, the British government appeared to adopt many of the policies that had been advocated by the Irish, especially on the lowering of the British Army profile in Catholic

³⁹ London: PRO, CAB 130/560, GEN 79(72), 30th Meeting, 27 July 1972; and 31st Meeting, 28 July 1972.

⁴⁰ London: PRO, CAB 130/560, GEN 79(72) 31st Meeting, 28 July 1972.

⁴¹ Dublin: NAI, DT 2003/16/466, 'Message from the Taoiseach to the Rt. Hon. Edward R. G. Heath', 1 August 1972.

⁴² Dublin: NAI, DT 2003/16/466, Irish government press release, 1 August 1972.

areas. Still difficulties remained, though, where the British stepped outside the limits of the Irish government's agenda on Northern Ireland. This the British did in both the political and security initiatives. Whitelaw's meeting with leading members of the Provisional IRA caused embarrassment and anger in Dublin. The main point of contention caused by the 24 March initiative, however, was the border plebiscite proposal, which the Irish government strongly opposed.

In addition, the Irish government was concerned that the British may backslide on its commitment to reform and sought reassurances that there would be no return to the old Stormont. This fear became especially acute following Operation MOTORMAN. Furthermore, the British government's political initiative marked only the first step of reform in Northern Ireland. Over the coming months, Whitelaw would work to bring forward proposals aimed at bringing together the two communities in Northern Ireland into a political process. What role international actors would have in that still remained to be seen.

Chapter 7: The US Presidential Election

The Congressional hearings had acted as something of a pressure valve for US political activity on Northern Ireland.¹ Northern Ireland was not again to produce the same frenzy of activity that had surrounded the hearings, although Irish Caucus interest remained and Congressional activity continued, albeit at a lower level. Having failed to lobby Irish-American opinion or the Irish Caucus prior to the hearings, Dublin continued to put little effort into trying to alter US opinion. US intervention, at the political level at least, dropped down the list of Irish priorities. Meanwhile the British continued to try and engage with the Irish Caucus, especially Senator Edward Kennedy, but were still unable to exert any influence or agree on any points of principle. In addition, the British continued to be nervous of a possible defection of the Nixon administration from its policy of non-intervention, a policy London was happy with. However by the end of 1972 it was clear that the principle of non-intervention had been confirmed by the Nixon administration.

Irish Caucus activity continued following the hearings. For example, New York Democrat Lester Wolff circulated a 'Statement of Conscience' on Northern Ireland which quickly received Caucus support. The signatories to the Statement declared that they were 'shocked at the present state of affairs in Northern Ireland and the apparent loss of regard for democratic values' and urged the British government to take political action to restore peace and freedom in the Province.² Meanwhile, modified versions of

¹ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder 'LEG 9 – House Foreign Affairs – IRE – 1972', 'Notes on the House Foreign Affairs Subcommittee on Europe, February 28 – March 1, 1972', 6 April 1972.

² Boston, MA: Boston University, Howard Gotlieb Archival Center, F. Bradford Morse MS, Collection 557, Box 206, Folder 7 'N. Ireland Pre-1971', Lester Wolff 'Dear Colleague' letter and 'Statement of Conscience', 16 March 1971.

the Kennedy-Ribicoff-Carey resolution were introduced in Congress.³ And Hubert Humphrey, former US Vice President and now Senator for Minnesota, joined the call for the British government to ‘consider the proposals relating to unification of the Irish Republic and Northern Ireland’ made by Harold Wilson and Jack Lynch.⁴

In addition, the Subcommittee on Europe had not quite finished with Northern Ireland. During the hearings the Subcommittee’s chairman, Benjamin Rosenthal, had announced that the Subcommittee would visit Northern Ireland, Republic of Ireland and the UK.⁵ As preparations for this visit began, Peter Frelinghuysen made clear his opposition to such a trip. Frelinghuysen had been uniformly helpful to the British during the hearings and was to prove so again. He now did his best to prevent the proposed visit to Ireland from going ahead and appealed over the head of Rosenthal to the Chairman of the Foreign Affairs Committee, Thomas Morgan. Frelinghuysen argued that ‘In view of the delicate situation in Northern Ireland, I feel that any such visit at this time would be highly inadvisable.’⁶ He was joined in his protest by fellow Republican John Buchanan, who wrote to Morgan that ‘not only could I not participate in this venture, but further feel such a mission at this point in a violent and sensitive situation would seem inappropriate and unwise.’⁷ The Anglophile Ohio Democrat Wayne Hayes also protested to Morgan.⁸ Due to the cross-party nature of the opposition to the visit, Frelinghuysen was soon able

³ For example: New York, NY: Bronx County Historical Society, Jonathan Bingham MS, Box 8, Action Files, press release ‘Bingham proposes new Congressional Legislation on Northern Ireland’, 23 April 1972.

⁴ New York, NY: New York University, Bobst Library, Cormac K. H. O’Malley MS, Box 8, Series 2: American Committee for Ulster Justice, Subseries A; ACUJ Organisational Material, Folder 3, ‘ACUJ Correspondence, March-May 1972’, letter from Senator Hubert Humphrey to Dermot Foley, 22 March 1972.

⁵ United States House of Representatives, *Hearings Before the Subcommittee on Europe of the Committee on Foreign Affairs*, 92nd Congress, Second Session, 28 February 1972, p. 161.

⁶ Princeton, NJ: Princeton University, Frelinghuysen MS, Box 138, ‘Northern Ireland Hearings’, letter from Peter Frelinghuysen to Thomas Morgan, 1 June 1972.

⁷ Birmingham, AL: Birmingham Public Library, John H. Buchanan MS, Box 19, Folder 3, letter from John H. Buchanan to Thomas Morgan, 5 June 1972.

⁸ London: PRO, FCO 87/104, Telegram from Lord Cromer to FCO, 1 June 1972.

to inform Lord Cromer that pressure from himself and like-minded members of the Subcommittee had led to the visit being cancelled.⁹

One member of Congress did, however, decide to visit Northern Ireland. Lester Wolff made an unofficial visit to the Province following the hearings.¹⁰ On his return, Wolff appeared before a special session of the Subcommittee on Europe, during which he declared that Northern Ireland was on the brink of civil war. Wolff told the Subcommittee that the constant sound of gunshots could be heard in Northern Ireland and went on to criticise the British Army for the poor way in which they conducted themselves on the streets.¹¹ Yet, by the time of Wolff's visit, circumstances in Northern Ireland had changed considerably from those prevailing at the time of the original hearings. The long awaited British political initiative was underway. In these changed circumstances, and as a result of his experiences in Northern Ireland, Wolff believed that a withdrawal of British troops, as advocated by many Congressional resolutions, would lead to anarchy in the Province. Instead what was required was better training of the British Army in policing and riot control. However, Wolff still believed that US intervention was desirable through the sending of a mediator to Northern Ireland.¹²

Thanks to the intervention of Frelinghuysen, however, the British no longer had to be concerned with the activities of the Subcommittee on Europe. Now British concern centred on the most prominent member of the Irish Caucus, Senator Edward Kennedy. As it was generally accepted that Kennedy would be a future presidential candidate the British had to tread carefully. Indeed, some in the British embassy in Washington believed that the fact that Chicago's Mayor Daley had not endorsed a presidential candidate could be an indication of a possible Kennedy candidacy in 1972.¹³ In London,

⁹ *Ibid.*

¹⁰ London: PRO, FCO 87/105, Telegram from Douglas-Home to Washington Embassy, 27 June 1972.

¹¹ House of Representatives, *Hearing Before the Subcommittee on Europe of the Committee on Foreign Affairs*, 92nd Congress, Second Session, 18 July 1972, p. 4.

¹² *Ibid.*, p. 27.

¹³ London: PRO, FCO 87/103, letter from H. T. A. Overton to W. K. K. White, 23 March 1972.

others worried over rumours that Kennedy would instead miss the Democratic Party convention in order to visit Ireland.¹⁴ This possibility was thought unlikely by officials in the British embassy in Washington, especially if Kennedy was to seek the Democratic nomination in the future. Yet all this fed into the British belief that Kennedy's behaviour 'borders on the erratic'.¹⁵

This view of Kennedy was confirmed, so far as the British government was concerned, by the Senator's statements on Northern Ireland. Having been scathingly critical of British policy in his testimony before the Subcommittee hearings, Kennedy's tone had change by the summer when he praised Whitelaw and Heath for achieving the IRA ceasefire announced for 26 June 1972.¹⁶ Kennedy followed this with a letter to Whitelaw in which he praised the action Whitelaw had taken since his appointment and offered any help he could give.¹⁷ However, within weeks, Kennedy had reverted to his earlier criticism of British policy. He marked the first anniversary of the introduction of internment by attacking the continued use of this 'cruel and repressive policy', which, Kennedy argued, made 'a mockery of Britain's claim to evenhanded [*sic*] justice'.¹⁸

Following the publication of an article by Kennedy in *Crossbow*, the journal of the Bow Group, a Conservative Party think tank, the junior Northern Ireland Office (NIO) minister David Howell sought the permission of Whitelaw to 'go after' Kennedy.¹⁹ Howell argued that Kennedy was 'talking dangerous and provocative nonsense' and should not be allowed to continue to do so unchallenged.²⁰ Initially Whitelaw agreed, on condition that it was not an official statement from the NIO, but rather it was a personal statement from Howell that would be drafted in agreement with

¹⁴ London: PRO, FCO 87/104, letter from T. A. K. Elliot to A. D Bright, 27 April 1972.

¹⁵ *Ibid.*

¹⁶ London: PRO, FCO 87/105, Senator Edward Kennedy, 'Ceasefire in Northern Ireland, 23 June 1972.

¹⁷ London: PRO, FCO 87/106, letter from Senator Edward Kennedy to William Whitelaw, 30 June 1972.

¹⁸ London: PRO, FCO 87/106, 'Northern Ireland', Telegram from Washington to FCO, 11 August 1972.

¹⁹ London: PRO, CJ 4/351, memorandum from David Howell to William Whitelaw, 11 May 1972.

²⁰ *Ibid.*

NIO civil servants.²¹ Howell then set about drafting the statement, in which he said Kennedy ‘shows no tolerance, no compassion, no readiness to face the facts before leaping in’ and that ‘Northern Ireland cries out for disinterested help. From Senator Kennedy it has received only a superficiality, prejudice and ignorance which shame the Kennedy tradition’.²² This, however, was too much for Whitelaw, who, on reflection, decided to cancel the whole idea.²³

While the Northern Ireland Secretary shied away from openly confronting Kennedy, the problem of what to do with the Senator remained. A prospective future US president and leading member of the Irish-American community, Kennedy’s criticisms of British policy, coupled with what was viewed as his lack of consistency, was a continuing source of concern for the British government. As a result it was decided in London that Kennedy was unreliable and that it would be fruitless for ministers or officials to try and engage with him. Indeed, it was felt that this would likely provoke Kennedy into making further attacks on British policy.²⁴ The British, therefore, decided to try and ignore him.

Whoever the Democratic nominee for the Presidential election was, gaining the support of Irish-American voters was going to be important in their campaign against Nixon. The eventual Democratic candidate was the North Dakota Senator George McGovern. McGovern had found himself under attack by one of the main Irish-American lobby groups, the ACUJ, in early 1972 over his refusal to ‘extend my feelings of sympathy for the Catholics [in Northern Ireland] to advocacy of outside intervention

²¹ London: PRO, CJ 4/351, letter from Leonard Davis to Mr Moore, 15 May 1972.

²² London: PRO, CJ 4/351, ‘Statement on Senator Edward Kennedy’s Crossbow article on Northern Ireland’, 22 May 1972.

²³ London: PRO, CJ 4/351, G. H. Crawley to William Whitelaw, 22 May 1972.

²⁴ London: PRO, FCO 87/106, ‘Northern Ireland and the Presidential Election’, Minute from R. B. Bone to Sir Stewart Crawford, 17 August 1972.

in the affairs of another country'.²⁵ If the situation in Northern Ireland led to conflict between the UK and the Republic then it was for the UN to step in and mediate.²⁶ The ACUJ attacked McGovern for what they considered his 'callousness and insensitivity' and declared that 'We have come to the conclusion he won't do'.²⁷ After securing the nomination, McGovern then reversed his position on Northern Ireland by coming out in support of the Kennedy-Ribicoff resolution. McGovern conceded that 'in the strict legal sense the troubles of Northern Ireland are an internal matter', but went on to open the door for US intervention by stating that, 'in a larger moral sense, injustice, intolerance, and the stifling of freedom are the legitimate concern of men and women everywhere'.²⁸

While not exactly welcomed by the British, there was some reassurance to be found in McGovern's eschewing the demagoguery of Kennedy. Although McGovern had called for the speedy end of internment and discrimination, much of his statement concentrated on ending the terrorism in the Province, a sentiment for which the British had much sympathy. Two days after the release of McGovern's statement, Lord Cromer was able to confirm that McGovern would not be cosponsoring or subscribing his name to the resolution, but was simply saying that he supported it.²⁹ Nevertheless McGovern's *volte face* on Northern Ireland clearly demonstrated the British government's dilemma. Domestic pressures had forced McGovern to change policy on Northern Ireland and the British government had found no way to influence either Irish-American or Irish Caucus opinion.

Although concerned at the continuing hostility of the Irish Caucus, the attitude of the Nixon administration was a cause of greater apprehension for the British. While

²⁵ New York, NY: St. John's University, Queen's Campus Library Special Collections, Paul O'Dwyer MS, Box II:11, Folder 1, 'Correspondence Jan-Mar 1972', letter from Senator George McGovern to Paul O'Dwyer and Dermot Foley, 28 January 1972.

²⁶ *Ibid.*

²⁷ New York, NY: St. John's University, Queen's Campus Library Special Collections, Paul O'Dwyer MS, Box II:11, Folder 1, 'Correspondence Jan-Mar 1972', ACUJ press release 'Senator George McGovern Says Northern Ireland is British', 22 February 1972.

²⁸ London: PRO, FCO 87/104, 'Statement of Senator George McGovern', 26 April 1972.

²⁹ London: PRO, FCO 87/104, Telegram from Lord Cromer to the FCO, 28 April 1972.

there had been no sign of a move away from its position of non-intervention, British officials continued to monitor events, lest the pressure of an election campaign prompt a rethink by the White House. If the White House did appear to be moving 'towards the Democrat position on Northern Ireland', one Foreign and Commonwealth Office (FCO) official suggested 'stimulating a counter-balancing recommendation from the State Department by instructing the Embassy to inform the State Department of the regret we should feel should the Administration abandon its position of benevolent neutrality'.³⁰ However, given its marginal role in the formulation of foreign policy during the Nixon administration (until Henry Kissinger took over as Secretary of State) it is unlikely that lobbying the State Department would be enough to persuade the White House against a policy shift, especially if the President was in favour of it.³¹

The British were right to be worried. A review of US policy on Northern Ireland had been conducted over the summer of 1972, prompted by President Nixon himself. Nixon 'expressed an interest in learning what, if anything responsible might be done by the US in helping achieve a solution to the Ulster problem', and instructed the National Security Council (NSC) to conduct a review, even if they concluded that their present position was still the most appropriate.³² In the review that took place, the consensus was that there was nothing the US could or should do in Northern Ireland. The Deputy National Security Advisor, General Al Haig, admitted that Northern Ireland was causing political difficulties for the administration, but that he could 'conceive of no more self-defeating initiative than to move one inch beyond our current policy'.³³ The advantage of this policy of non-intervention was that it kept the US on good terms with both the

³⁰ London: PRO, FCO 87/106, 'Northern Ireland and the Presidential Election', Minute from R. B. Bone to Sir Stewart Crawford, 17 August 1972.

³¹ Thompson, *American Policy and Northern Ireland*, p. 20.

³² College Park, MD: NMPS, White House Central Files, Staff Member and Office Files, National Security Council, Box 694, Folder 'Ireland Vol. I', Memorandum from Les Janka to Jerry Livingston, 'Ulster', 26 July 1972.

³³ College Park, MD: NPMS, White House Central Files, Staff Member and Office Files, National Security Council, Box 694, Folder 'Ireland Vol. I', 'Ulster', Memorandum from Al Haig to Bruce Kehrli, 31 July 1972.

British and Irish governments. Moreover, in terms of domestic political pressures, Catholic voters would be satisfied by the administration's policies on abortion, bussing, and parochial schools, which 'should more than compensate for a lack of do-goodism on the Ulster problem'.³⁴ Haig continued that 'there is no way that we can "out-Kennedy" Kennedy on this issue . . . Therefore our best posture in the post-Vietnam climate is the overriding need to keep out from the foreign policy point of view.'³⁵ In other words it made foreign and domestic policy sense for the Nixon administration to maintain a policy of non-intervention in Northern Ireland.

With non-intervention confirmed as US policy, the administration could set about reassuring the British. Henry G. Cashen II, who was responsible for 'minority issues' on the Nixon campaign, informed Jeffrey Ling, of the British embassy, that there would be no significant change in administration policy on Northern Ireland. Nixon, Ling was told, would be trying to appeal to Irish-American voters on domestic rather than foreign policy issues. Indeed, Irish-American voters were being viewed by the campaign as essentially the same as Roman Catholic voters, with only an easing of the quotas on immigration from Ireland being considered as a specific concession to Irish-Americans.³⁶ Cashen also believed that the Democrat challenger, McGovern, would be unlikely to campaign on Northern Ireland, but 'if McGovern did venture any statement about Northern Ireland which the Republicans could attack as interventionist then they would be quick to do so'.³⁷

President Nixon also felt moved to give a personal reassurance to Ted Heath that there would be no change in US policy. Heath had written to Nixon on the eve of Operation MOTORMAN setting out the context and reasoning behind the need to occupy the no-go areas in Londonderry and Belfast. In his reply, Nixon noted that 'there is

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ London: PRO, FCO 87/106, 'Northern Ireland: Republican Party Election Campaign', Letter from Jeffrey Ling to Roger Bone, 16 August 1972.

³⁷ *Ibid.*

continuing pressure from various quarters in the United States that would have us in some way intervene in Northern Ireland. You can be sure, however, that I shall continue to resist such pressure'.³⁸ Nixon reiterated this reassurance in a handwritten postscript to the letter stating that, 'You can be sure that despite the pressure of a political campaign – I shall not add to your problems on this issue'.³⁹ This assurance came only after Nixon had ordered a review of US policy on Northern Ireland and had contented himself that intervention would not be electorally advantageous; something that Democratic Congressmen had warned the British of during the Anglo-American Parliamentary Conference in Bermuda.⁴⁰

A demonstration of the sensitivity of the administration in the run-up to the election can be seen in the debate as to whether the President should meet the Irish Foreign Minister, Patrick Hillery, during the latter's visit to the US in October 1972. The Secretary of State, Bill Rogers, recommended against the meeting as Hillery would 'probably raise the one big issue which troubles Irish-American relations, landing rights'.⁴¹ As has been seen, this on-going dispute between the US and Ireland over the Republic's refusal to let US airliners land in Dublin had led the US government to warn that it would revoke the landing rights of the Irish national carrier from landing in the US. For the US government this was the single biggest issue in US-Irish relations. A disagreement between the President and Foreign Minister was to be avoided just weeks before the election. However, Cashen recommended that a 'courtesy call' by Hillery would be desirable, as long as it did not raise any substantive issues. Cashen argued that such a meeting would be well received by Irish-Americans and demonstrate the President's interest in Ireland. It would also balance out the fact the President had

³⁸ London: PRO, PREM 15/1038, Letter from President Nixon to Edward Heath, 17 August 1972.

³⁹ *Ibid.*

⁴⁰ London: PRO, FCO 87/102, letter from the Lord Privy Seal, Lord Jellicoe, to Hugh Overton, FCO, 18 February 1972.

⁴¹ College Park, MD: NPMS, White House Central Files, Staff Member and Office Files, National Security Council, Box 694, Folder 'Ireland Vol. I', Memorandum from Helmut Sonnenfeldt to Henry Kissinger, 21 September 1972; and Memorandum from Theodore L. Eliot Jr. to Henry A. Kissinger, 5 October 1972.

recently met the British Foreign Secretary, Sir Alec Douglas-Home. The meeting went ahead on 6 October. But the debate that preceded it demonstrated the sensitivity of the White House as the election approached.⁴²

Yet the administration still felt that their non-intervention policy left them open to Congressional and public criticism. The idea of US economic aid to Northern Ireland therefore started to be considered. It was argued that non-intervention would be easier to defend if the administration could ‘simultaneously demonstrate a genuine concern about the situation, and point to a constructive effort on our part to improve the long-term welfare of the people of Northern Ireland’.⁴³ On 10 November 1972, just days after Nixon’s landslide re-election, the State Department brought forward proposals for a scheme to encourage US private investment in Ireland, a scheme which the British believed was inspired by Hillery during his meeting with the President on 6 October.⁴⁴ The proposals envisaged the US, UK and Republic of Ireland forming a joint ‘Capital Mobilization Program’. US government agencies, selected Congressmen and members of the Irish-American community would vigorously promote investment in the west of Ireland amongst US businesses, while the UK and Irish governments would offer investment incentives, such as tax holidays and cash grants for capital investment. Such a scheme, it was argued, could provide an alternative channel for Irish-American energies away from organisations associated with paramilitary groups. It would also counter the continuing Congressional criticism of the administration’s non-intervention policy. In addition, it was also believed that the ‘British and Irish Governments would warmly welcome our encouragement of investment in the depressed areas of both North

⁴² *Ibid.*

⁴³ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 3, Folder ‘INT 11 – Bibliographies NI – 1972’, ‘Research Project: Possibilities for US Private Investment in Depress Areas of Northern Ireland’, Memorandum from Robert T. Burns to Sven O. Groennings, 10 July 1972.

⁴⁴ London: PRO, FCO 87/237, ‘Talks between the Prime Minister and the President of the United States on 1 and 2 February 1973 – Northern Ireland – Brief by the Northern Ireland Office’, ‘Background Note’, 25 January 1973.

and South, and would see political benefits for themselves in working within a trilateral framework toward that end'.⁴⁵

However, the Capital Mobilization Program proposal quickly ran into problems. In order to avoid allegations of bias towards one part of Ireland over the other, the State Department had concluded that any scheme would have to operate both North and South of the Irish border. This would require the cooperation of the governments of both the UK and the Republic, which led to the recommendation to establish a formal 'trilateral framework'.⁴⁶ This was a cause of difficulty for the British. Dublin had repeatedly called for quadripartite talks in Northern Ireland, a call that had repeatedly been rejected by London. The British feared that accepting the US proposal for tripartite regime on economic investment,

...might appear to Dublin as a nudge to Her Majesty's Government to accept Dublin's proposals for discussions about a political solution to Northern Ireland's problems. The Irish have on other occasions sought to bring international and especially American pressure to bear on us.⁴⁷

The same reasoning for rejecting quadripartite talks operated against a trilateral framework for US investment. London could not concede the right for Dublin to have a role directly in the affairs of Northern Ireland; if such a concession was made, it ran the risk of provoking a violent Protestant reaction. 'Quiet cooperation' already existed on economic affairs between the Republic and Northern Ireland and the British were keen to see that continued and, when the time was right, expanded. However, while the British were keen to encourage US investment, they preferred that this been done by Washington

⁴⁵ College Park, MD: NACP, RG 59, A1 5573 Records Relating to Ireland, 1963-1975, Box 3, Folder 'IRE – Lord Windlesham Visit November 1972', 'Memorandum for the President: A Capital Mobilization for the Two Parts of Ireland', 10 November 1972.

⁴⁶ College Park, MD: NACP, General Records of the Department of State, Record Group 59, Records Relating to Ireland, 1963-1975, Box 3, Folder 'IRE – Lord Windlesham Visit November 1972', 'Briefing Memorandum', from Walter J. Stoessel Jr. to Deputy Secretary of State, 15 November 1972.

⁴⁷ London: PRO, FCO 87/237, 'Talks between the Prime Minister and the President of the United States on 1 and 2 February 1973 – Northern Ireland – Brief by the Northern Ireland Office', 'Background Note', 25 January 1973.

dealing with London and Dublin separately, rather than on a formal trilateral basis.⁴⁸ By the time of the change of government in Dublin in March 1973 this issue remained unresolved.

Despite the efforts of the Heath government, the British government failed in its attempts to moderate Irish Caucus opinion. Caucus criticism of British policy continued and it seemed impossible that any accommodation could be achieved. This was especially so with regard to the position of Edward Kennedy. Kennedy was seen as erratic and unreliable and the Northern Ireland Office came close to setting their junior minister on him. Yet, rather than confront Kennedy publicly, the British government decided to cut its losses and attempt to ignore him. As for the Irish government, Dublin had all but given up on gaining US intervention on its behalf in Northern Ireland and continued to make no effort to lobby the Irish Caucus.

Domestic considerations remained important for the Nixon administration in the run up to the presidential election. It had been domestic electoral considerations that had led to the administration re-evaluating policy towards Northern Ireland. Although believed to be an electoral liability with Irish-American voters, the balance of advantage for the administration was seen to be in continuing the non-intervention policy. That said, the administration recognised that it would be able to deflect some of its domestic criticism if some kind of programme of economic assistance for Ireland could be devised.

Following the US presidential election, though, British fears that the Nixon administration would reverse its policy of non-intervention disappeared. This effectively marked the end of the US role in the 'political sphere' of the international dimension to the Troubles. In future this was to involve only the UK and Republic of Ireland. Yet it did not end US involvement in Northern Ireland. Irish Caucus agitation remained. And for London and Dublin, the US still had an important role to play in the 'security sphere'

⁴⁸ *Ibid.*

of the Troubles. In this domestic American political opinion was again to have its influence.

Chapter 8: Security Cooperation

Following the introduction of direct rule the British had moved considerably towards the Irish position on security issues in an attempt to reduce the alienation of the Catholic minority from the security forces and in order to try and persuade the SDLP into talks with Whitelaw. However, Bloody Friday proved the turning point for the British, requiring the occupation of the no-go areas and overturning the government's position of accommodating the minority on security issues. Moreover, as the British gave way on political reform, security once again became the focus of the British government's attempts to reassure the Protestant majority. This again brought London and Dublin into conflict. However, both the British and Irish governments were concerned at domestic US support for the IRA and sought the assistance of the US authorities in this. While cooperation was forthcoming from the Nixon administration, it was again to be influenced by domestic political considerations.

With the ending of the Provisional IRA's ceasefire on 9 July 1972 and the resumption of violence that culminated in Bloody Friday, the British requirement for greater action against republican terrorism reasserted itself. British frustration at perceived inaction by the Republic against IRA activity along the North-South border returned.¹ This frustration was demonstrated by an incident following a brief meeting between Heath and Lynch at the Munich Olympics. Lynch, who believed the conversation to be private, was outraged by a statement released by the British after the meeting in which the British complained about IRA activity across the Border and went on to say there was little hope of a solution to the violence in Northern Ireland until the Republic started to take action against the IRA.²

¹ London: PRO, CAB 130/560, GEN 79(72) 35th Meeting, 16 October 1972.

² T. Ryle Dwyer, *Nice Fellow: A Biography of Jack Lynch* (Cork: Mercier Press, 2001), pp. 292-3.

Donal O'Sullivan, the Irish Ambassador to London, was immediately dispatched to see Whitelaw to complain about Heath's statement. But O'Sullivan was to gain little satisfaction from the Northern Ireland Secretary. After confronting Whitelaw with the 'serious embarrassment' caused to the Taoiseach by the statement, the Ambassador went on to ask Whitelaw what exactly he expected the Irish government to do about the IRA.³ Whitelaw claimed to be unaware of what had been said in Munich, but went on to ask the Irish to arrest and charge the IRA chief of staff Seán Mac Stíofáin. This request raised eyebrows in Dublin, given that months earlier the Provisional leadership had been 'ferried to Britain for a conference' with Whitelaw.⁴ Nevertheless the British concern on security matters was returning. Attempting to press Whitelaw further, O'Sullivan pointed out that the Taoiseach would face a barrage of questions on his return to Dublin about exactly what was said at Munich. Whitelaw's unhelpful reply was that Lynch should 'say to the press that the British are very concerned about cross-border violence and that he [Lynch] would do everything possible to combat it'.⁵

Meanwhile in Munich, Lynch complained to the German Chancellor Willy Brandt about the British statement. Lynch denied that he was soft on the IRA and insisted that his government had 'taken every action possible against the IRA short of internment'.⁶ He continued, arguing that:

Internment in the North had been a great mistake and led to support and recruitment for the IRA. It was an obstacle to reconciliation talks. He [Lynch] felt there were sufficient British forces in the North to justify the risk of releasing the IRA hard core now remaining interned. That would remove one more *raison d'être* of their existence.⁷

Again the different perspectives with which Heath and Lynch viewed security questions is apparent. Lynch's argument was that if the grievances of the Roman

³ Dublin: NAI, DT 2003/16/466, Letter from Donal O'Sullivan to Hugh McCann, 8 September 1972.

⁴ *Ibid.*

⁵ *Ibid.*

⁶ Dublin: NAI, 2003/16/466, 'Meeting of the Taoiseach with Bundeskanzler Brandt', 8 September 1972.

⁷ *Ibid.*

Catholic community in Northern Ireland were addressed, then the causes for the continued existence of the IRA would disappear and it would lose public support. For Heath, this view was somewhat simplistic. While the British government would attempt to remove the grievances of the minority, Heath had also to consider the concerns of the Protestant majority. During the first months of direct rule the British government had followed a policy aimed at wooing the minority, which included running down internment, tolerating no-go areas, and meeting leading Provisional IRA members. The result of this had been increasing tension amongst the Protestant community, which led to threats by the UDA to create its own no-go areas. Only with Operation MOTORMAN were tensions amongst the majority eased. Therefore, for the British, taking the risk of ending internment as Lynch was advocating would be to satisfy the demands of the minority at the possible cost of provoking a Protestant backlash.⁸ This the British were not prepared to do.

Tensions between the two governments on security cooperation continued as the Heath government prepared to publish its Green Paper. At a further meeting between the two leaders, this time in Paris on 23 October 1972, Lynch again complained about the statement released at Munich. Indeed, Lynch went on to tell Heath that ‘There was no point in telling the Irish Government to do more. We had no inhibition about doing what was necessary and possible’.⁹ The point of departure between the Irish and British governments was their differing interpretations of what was ‘necessary’ and what was ‘possible’. As the British believed that security cooperation was essential and that Dublin should be doing far more, the Heath government continued to press the Irish on this issue. This caused Donal O’Sullivan to inform the FCO Deputy Under-Secretary Sir Stewart Crawford that the constant criticism from London ‘was resulting in frayed

⁸ London, PRO, CAB 130/560, GEN 79(72), 16th Meeting, Northern Ireland, 5 May 1972.

⁹ Dublin: NAI, DT 2003/16/473, Note of meeting between Jack Lynch and Edward Heath, 23 October 1972.

tempers' in Dublin.¹⁰ Crawford replied that such criticism would continue until the British were convinced that the Irish were doing all they could on security. And he went on to say that he accepted that the Irish performance was improving, but emphasised the British view that 'there should be ever closer cooperation between North and South in putting an end to violence'.¹¹

Towards the end of 1972 events within the Republic gave the British some encouragement that there may be a more forthcoming attitude on security cooperation from Dublin. After broadcasting an interview with Mac Stíofáin the board of RTÉ was dismissed by the Irish government and Mac Stíofáin was arrested. In addition the Irish government's amendments to the Offences Against the State Bill were considered by the Dáil. Peck had earlier described these amendments as a significant move by the Lynch government. While primarily motivated by domestic considerations and the Lynch government's natural desire to secure the Republic's democratic institutions from the IRA, Peck also interpreted the legislation as an attempt by the Irish to assist Whitelaw.¹² The Irish government's ability to pass this legislation had been in doubt until two car bombs exploded in Dublin on 1 December 1972, after which opposition to the amendments largely disappeared.¹³

Although the British were anxious not to be seen to be taking advantage of the bombings, it was hoped that the Irish would now be more amenable to security cooperation. Peck was ordered to hand Lynch a dossier on terrorist suspects operating within the Republic. This dossier had earlier been promised to Lynch by Heath. The Ambassador was also to encourage Lynch to consider consultations between security officials in the Republic with their counterparts in the North. These contacts would be kept entirely secret and, although the officials were obviously accountable to their

¹⁰ Dublin: NAI, DT 2003/16/468, Letter from Donal O'Sullivan to Hugh McCann, 8 November 1972.

¹¹ *Ibid.*

¹² London: PRO, CJ 4/209, 'Special Courts', telegram from Sir John Peck to the FCO, 2 June 1972.

¹³ Dwyer, *Nice Fellow*, pp. 293-9.

ministers, the meetings would be conducted without involvement of ministers.¹⁴ Yet, despite these British efforts, the Lynch government remained unforthcoming on security cooperation. Still the Irish argued that the best way to defeat the paramilitaries was through political reform.

The need for greater security cooperation with the United States was an issue on which both Heath and Lynch agreed. Such cooperation from the US government was forthcoming. For example, the British noted that the ‘United States authorities have been helpful in refusing visas to IRA members and sympathisers, and, more important, in dealing with arms smuggling’.¹⁵ The question of visas for entry into the US was important to the British as they sought to prevent suspected IRA members from travelling on fundraising tours, or from escaping to the US in order to try and seek political asylum.

US policy on visas for suspected members of terrorist groups in Northern Ireland was reviewed and reformulated over the course of 1972. This happened with little input from the British government and was more a reflection of how the State Department viewed the conflict in Northern Ireland and assessed domestic US reaction to it. Initially the State Department decided on a more open visa policy, but following the intervention of the US Consul General in Belfast, Grover Penberthy, US visa rules were tightened.

In January 1972, the US Immigration and Naturalization Service (INS) raised with the Secretary of Consular Affairs, Barbara Watson, the issue of whether IRA members were disqualified from entering the US under the Immigration and Nationality Act. Watson raised this with Martin Hillenbrand, the Assistant Secretary for European Affairs, with Watson telling Hillenbrand that ‘it was in no way assumed that past or present membership in the IRA should automatically render an alien ineligible or that the

¹⁴ London: PRO, PREM 15/1016, Telegram from Alec Douglas-Home to Sir John Peck, 5 December 1972.

¹⁵ London: PRO, FCO 87/237, ‘Briefing Note’, 25 January 1972.

IRA should be placed on the list of proscribed organisations'.¹⁶ Following consultation with the State Department staff responsible for Northern Ireland, Hillenbrand responded that he was 'strongly opposed to putting the IRA on the List of Proscribed Organizations' that would make members and past members ineligible for visas to enter the US.¹⁷ It was therefore decided that IRA membership of itself was not enough for an individual to be refused entry into the United States. Where an individual was known or suspected to be a member of the IRA appropriate security checks were to be conducted by the post (either Belfast or Dublin), with the final decision being taken by the State Department in Washington.¹⁸

Several reasons were given for this decision. For example, it was argued that although some leading members of the IRA had advocated the shooting of British soldiers, it would be difficult to prove that this was the policy of every section of the IRA. Moreover, if the IRA were proscribed in this manner, then former members would be unable to obtain a visa, which would include members of the Irish Government and also President de Valera. It was also argued that although the IRA organisation was illegal in Britain and Ireland, mere membership was not of itself a crime and therefore grounds for arrest. Finally, it was feared that, 'Taking such an action would seem to many persons, both in the US and abroad, as an anti-Catholic measure'.¹⁹

¹⁶ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 7, Folder '1 – IRE – V – Visas – 1972', memorandum 'Adding the Irish Republican Army (IRA) to the List of Proscribed Organizations', Barbara M. Watson to Martin J. Hillenbrand, 21 January 1972.

¹⁷ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 6, Folder '3 – IRE – POL 27 – 11 Guerrilla Warfare – IRA (Clann Na Gael) – 1972', memorandum 'Should the Irish Republican Army (IRA) be put on the List of Proscribed Organizations?', from Martin J. Hillenbrand to Barbara M. Watson, 7 January 1972.

¹⁸ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 7, Folder '1 – IRE – V – Visas – 1972', State Department Telegram 7675, 'Visas: IRA Members', from Secretary of State to US Embassy in London, 17 January 1972.

¹⁹ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 6, Folder '3 – IRE – POL 27 – 11 Guerrilla Warfare – IRA (Clann Na Gael) – 1972', Memorandum for EUR to SCA, 7 January 1972.

Underlying this was concern as to how domestic US opinion would react to the State Department preventing IRA members from entering the country. One of the arguments advanced by the State Department against proscribing the IRA was that,

“Spokesmen” for the IRA who have nothing in their record making them ineligible have been receiving visas and visiting the US regularly for years under the auspices of Irish-American organizations, and it would appear rather capricious to cut them off now, not to mention the probable domestic storm it would create.²⁰

The Nixon administration was already under heavy criticism from within the Irish-American community and the Congressional Irish Caucus for its policy of not intervening in the conflict in Northern Ireland on the side of the Republic. To then prevent leading representatives of the IRA, who had been making frequent fundraising visits over recent years, from entering the US would be quickly noticed and the administration would open itself up to another attack of being a slave to the British on this issue.

However, the decision on visas and the reasons put forward for them drew a sharp response from Grover Penberthy, the US Consul General in Belfast, who offered a point by point rebuttal. Penberthy argued that the constant claims of responsibility by both the Provisional and Official wings of the IRA for various attacks on British soldiers and for attacks such as Bloody Friday amply demonstrated what IRA policy was. In Penberthy’s words ‘Somebody has been killing soldiers around here, and it for darn sure is the IRA, Provos and Officials’.²¹ As to claims that former members of the IRA would be barred from entering the US, Penberthy argued that it would be a simple matter to provide these individuals with visa waivers. Penberthy then went on to point out that the argument that membership of the IRA was not of itself a crime was purely mistaken, stating that ‘Membership of the IRA, illegal in both Northern Ireland and in the Republic, is a crime

²⁰ *Ibid.*

²¹ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 7, Folder ‘1 – IRE – V – Visas – 1972’, Letter from Grover W. Penberthy to Scott George, 27 July 1972.

for which one can be arrested, convicted and sentenced'.²² As for the claim that proscribing the IRA could be seen as 'anti-Catholic', Penberthy declared that 'If condemning the IRA, after what it has done around here – 477 dead, etc – is seen as "anti-Catholic," I quit'.²³

Penberthy's criticism, coupled with similar recommendations from the US embassy in London, led to another review of visa guidelines in Washington.²⁴ The review reversed the decision that had been arrived at earlier in the year between Hillenbrand and Watson. A review of the law concluded that the Immigration and Nationality Act clearly provided a basis for refusing entry to the US on the basis of IRA membership. The previous policy was defended due to the difficulty of establishing whether individuals were members of the IRA as in most cases 'our information about suspected IRA members comes in the form of undocumented assertions by local police authorities', reliance of which raised 'potential domestic political problems'.²⁵ However, this policy could now be altered as over the period of the conflict the US had managed to acquire information on the leading members of the IRA. More than this, though, concern was growing over the activities of these individuals once they had arrived in the United States. By allowing themselves to be described as members of the IRA and then soliciting money, 'There is an increasing risk that the activities on behalf of the IRA in the United States could put in question our policy of strict neutrality in the Northern Ireland crisis'.²⁶

This was a significant change in the State Department's policy. Initially the Department had feared banning IRA members would have a damaging effect on relations

²² *Ibid.*

²³ *Ibid.*

²⁴ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 7, Folder '1 – IRE – V – Visas – 1972', draft cable 'Visas for the I.R.A.', 8 August 1972.

²⁵ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 7, Folder '1 – IRE – V – Visas – 1972', 'Visas Policy Toward IRA Members' from R. Y. Curran to Henry A. Kissinger, c. 8 August 1972.

²⁶ *Ibid.*

with the Republic of Ireland by preventing senior government officials from visiting the US, not to mention the potential domestic political repercussions of such an ‘anti-Catholic’ measure in the US. Now it was being argued that the Department had much better sources of information, independent of the local authorities in Northern Ireland, and so could better identify active members of the IRA. Moreover, the Department was now arguing that the activities of IRA representatives in the US could impact the government’s policy of non-intervention. By allowing IRA fundraising tours to go ahead, it could appear that this was happening with the tacit approval of the US government. To safeguard the Nixon administration’s policy of non-intervention it would be necessary to now set membership of the IRA as *ipso facto* cause for being refused entry into the US under the terms of the Immigration and Nationality Act.

However, the State Department was well aware of the significant political sensitivity of such a decision. Even if not publicly announced, the change in visa policy would become evident to the Irish-American community in a very short period of time. The issue was therefore sent to the National Security Advisor, Henry Kissinger, for White House approval of the policy change.²⁷ Kissinger approved the change, but in the telegram informing the posts abroad that would be affected, it was made clear that decisions should be continued to be made as before, without reliance on information supplied by the Northern Irish police authorities. Where applicants had visited the US before, the FBI was to be asked to do a background check as to the activities of individuals on their previous trips to the US. Finally, where individuals had been IRA members ‘in earlier periods of Irish history’, which would include the Irish government ministers and officials Hillenbrand had been concerned would be blocked from entering

²⁷ *Ibid.*

the US, the posts involved were to ‘make prudent use’ of their ability to provide visa waivers.²⁸

In addition to taking action on visas, the US authorities investigated alleged fundraising and gunrunning to the IRA. During his visit to Washington in January 1973, Lynch was met with demonstrations by IRA supporting Irish-Americans. The demonstrators opposed Lynch’s tougher anti-IRA legislation and his criticism of those raising funds for the Provisionals.²⁹ While Lynch exhorted Irish-Americans not to fund terrorism in Northern Ireland, showing a more vocal Irish policy towards American support for the IRA, the US authorities began to investigate those suspected of running guns to the Province. The most infamous case surrounded suspected arms smuggling through Fort Worth, Texas. A grand jury was empanelled to investigate the case, which then subpoenaed five Irish Americans from New York to testify. On the advice of Paul O’Dwyer, the Irish-American lawyer and key mover behind the ACUJ, the five refused to testify.³⁰ They were then given immunity, which brought with it the obligation to testify. Again they refused to answer questions on the basis that their evidence could lead to British attempts to extradite them.³¹ As a result of their continued refusal to testify, they were found guilty of contempt and jailed. Shortly thereafter a campaign calling for the release of the men, who became known as the Fort Worth Five, quickly gained momentum, accumulating support from the Irish-American community and from the Irish Caucus in Congress. This case provided another opportunity for an attack by Irish-Americans on the British government.³²

²⁸ College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 7, Folder ‘1 – IRE – V – Visas – 1972’, draft telegram ‘Visa Policy re IRA Members’, from William Rogers to London and Dublin embassies and Belfast consulate, c. 8 August 1972.

²⁹ Dublin: NAI, DT 2004/21/555, ‘The Today Show Interview’ 8 January 1973; 2004/21/556, ‘Issues and Answers’, 7 January 1973; and London: PRO, FCO 87/237, ‘Brief by the Northern Ireland Office’, ‘Background Note’, 25 January 1973.

³⁰ Paul O’Dwyer, *Counsel for the Defense: The Autobiography of Paul O’Dwyer* (New York: Simon and Schuster, 1979), pp. 260-1.

³¹ O’Dwyer, *Counsel for the Defense*, pp. 260-1.

³² Wilson, *Irish America and the Ulster Conflict*, pp. 91-4.

Reporting the jailing of the five men, the FCO believed them to be ‘woolly-minded Irish Americans of an all-too-familiar variety’, rather than active members of the IRA.³³ It was suspected that the case the men were called to testify in was an FBI investigation prompted by British reports of the discovery of Armalite weapons in Northern Ireland. The FCO made it clear when reporting to the Prime Minister’s office that ‘we did not put pressure on the Americans to deal with the matter in this particular way’.³⁴ Indeed, from the outset the British were sensitive to possible claims that the men were jailed at their behest. This led to the Washington embassy’s news department releasing a statement that,

Any assertion that this is a result of British pressure would be incorrect and misleading. If we have information which leads us to believe that IRA arms have been obtained in the US, we draw it to the attention of the US authorities . . . There is no question of any special British pressure having been applied to the US Government to bring about these hearings.³⁵

Allegations of British involvement in such a case were always likely. O’Dwyer, when seeking to enlist the assistance of members of Congress, alleged that the Armalite weapons were not in fact in the hands of the IRA, but rather were held by the Protestant Ulster Volunteer Force (UVF). He went on to argue that the British, through the proxy of the US Treasury and Justice Departments were now seeking ‘to harass those in the United States, who would aid refugees in flight from Mr Whitelaw and his colleagues’.³⁶ The idea that the grand jury was convened at the request of the British government quickly became common currency.

Many of those who had been involved in the Subcommittee on Europe hearings on Northern Ireland now rallied to the Fort Worth Five’s aid. The main course of political attack against the men’s incarceration centred over the venue of the grand jury,

³³ London: PRO, 87/105, Letter from A. C. Thorpe to Donald Maitland, 30 June 1972.

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ New York, NY: Columbia University, Abzug MS, Box 155, ‘Fort Worth Five correspondence’, letter from Paul O’Dwyer, 7 August 1972.

Texas rather than in New York, and the fact that the men were jailed for contempt, despite having given their fear of extradition as their reason for refusing to testify. However, the charge of British involvement was never far from the surface. Hearings were held in March 1973 to investigate the Justice Department's reason for selecting Fort Worth as the venue for the grand jury. First to testify was Edward Kennedy, who once again demonstrated to the British his lack of reliability, or even consistency, on Northern Ireland. Having previously praised Whitelaw, Kennedy now argued that,

From the beginning, the circumstances of this case have strongly suggested that it had nothing to do with Texas, and a great deal to do with a thinly veiled attempt by the Department of Justice, at the request of the Government of Great Britain, to harass Irish Americans in the New York City area engaged in peaceful protests against British policy toward Ulster.³⁷

Ultimately the Fort Worth grand jury investigation was abandoned and the Fort Worth Five released without charge. Yet the episode demonstrated that where the US authorities had evidence of gunrunning to Northern Ireland they would take action, despite being open to the charge that they were harassing Irish-Americans as a proxy for the British. From this perspective the Fort Worth Five case was an unfortunate beginning, as the men were never charged and the conduct and venue of the grand jury quickly came under attack.³⁸ What was to come the following year, however, was a coordinated attempt by Federal agencies to tackle the supply of money and guns to Northern Ireland, which was to be the result of Irish, rather than British, lobbying.

Clearly attempts to address the deteriorating security situation in Northern Ireland necessitated international cooperation. While the violence was at this time primarily, though not exclusively, happening in Northern Ireland, the activities of both wings of the IRA involved operating in the UK and Republic of Ireland, with arms and funds coming from the United States. The British and Irish governments continued to hold

³⁷ House of Representatives, *Hearing Before Subcommittee No. 1 of the House Committee on the Judiciary*, 93rd Congress, First Session, 13 March 1973, p. 8.

³⁸ Wilson, *Irish America and the Ulster Conflict*, p. 91.

contradictory positions as to the best way to counter the violence in Northern Ireland. This led to further friction between the two governments and a failure to coordinate action against the IRA. Dublin did take action on security issues, though this was motivated primarily by domestic political considerations. However, both the British and Irish governments had an interest in seeing action by the US government against the fundraising and gunrunning activities of Irish-American supporters of the IRA. On this the US authorities were clearly willing to give assistance although it is clear that this occurred mainly at an official level rather than at any senior political level. Moreover, domestic political reaction in the US still influenced the extent of US cooperation. In the future, though, it was the Irish government that was to take the lead in arguing for US action against the IRA.

Chapter 9: Green Paper

The British government's purpose in introducing direct rule was to give itself space to develop new political structures for Northern Ireland.¹ In so doing the Heath government had conceded a number of points of principle to Dublin. Dublin had been advocating direct rule since November 1971, precisely to make room for a new political initiative.² Secondly, the British had conceded the principle of cross-community power sharing for Northern Ireland where the nationalist community would have a guaranteed role in government, although this was not yet being publicly expressed by the British.³ Direct rule was therefore not intended to be permanent, but merely a stage on the way to new political structures in the Province. Thirdly, the government had conceded the need to end internment and had refrained from policing Catholic areas.⁴ Bloody Friday had required the British government to respond by mounting a massive military operation to end the no-go areas, but the British were able to reassure the Irish government that this did not represent a change of course in British policy and that there would be no return of the old Stormont. However, having created the conditions to make a political initiative possible, the British government then had to embark upon one. In so doing, the British were to make another major concession of principle in recognising that the Irish government had a political role to play in resolving the conflict in Northern Ireland.

In the summer of 1972, Jack Lynch took the opportunity of setting out his position on Northern Ireland in the US journal *Foreign Affairs*. This appeared to be the Irish government's only attempt to influence US opinion following Bloody Sunday and it had little appreciable impact.⁵ Yet the article succinctly summarised the Irish position on

¹ London: PRO, CAB 130/560, GEN 79(72) 3rd Meeting, 16 February 1972.

² Dublin: NAI, DT 2002/8/508, 'The Wilson Visit – November 1971', 16 November 1971.

³ London: PRO, CAB 130/560, GEN 79(72) 2nd Meeting, 15 February 1972.

⁴ *Ibid.*

⁵ See Dublin: NAI, DT 2004/21/573, 'Council on Foreign Relations, Inc., NY, United States of America; Jan-Oct 1972'

the status of Northern Ireland. In the article Lynch welcomed direct rule as a significant step in the right direction, but argued it was not a solution. Nor would full integration of Northern Ireland into the UK be acceptable as it would create a permanently excluded nationalist minority that would violently oppose such a settlement. Finally, Lynch rejected the idea of repartitioning the Six Counties as there was no part of Northern Ireland that was homogeneously unionist.⁶

The British therefore had to end the unionist veto and instead work towards the real solution, Irish unity. This required the British government to become a persuader of unity. Reunification could not be achieved through the coercion of the unionists. What was required was a process of encouragement where unionist fears would be addressed. In addition, Lynch made it clear that he did not consider unity to be a takeover of the North by the South. Rather, a new Ireland would be created, with a new constitution. And for unionists who feared that reunification would lead to a lowering of their standard of living, Lynch argued that the economic division of Ireland was an East-West one, rather than North-South. British subsidies for the North would eventually have to be phased out, but membership of the EEC and growing European economic integration should lift the living standards of all Irishmen.⁷

While reunification was Lynch's long-term goal, it was recognised in Dublin that this could not be achieved in the short-term.⁸ Therefore an interim political solution was required for Northern Ireland. Lynch had been clear on the principles that should underpin such a solution, including a guaranteed role for Dublin and cross-community power-sharing. Now the issue in Ireland's relations with the British was how to achieve this and what form such structures should take. Lynch continued to insist that the Irish had a right to be involved in developing a political process in Northern Ireland and

⁶ John M. Lynch, 'The Anglo-Irish Problem', *Foreign Affairs*, Vol. 50(4), July 1972, pp. 613-3.

⁷ Lynch, 'The Anglo-Irish Problem', pp. 614-5.

⁸ Dublin: NAI, DT 2002/8/508, 'The Wilson Visit – November 1971', 16 November 1971.

continued to press for quadripartite talks. These talks would effectively put the Irish government and the SDLP on a par with the British government and the Unionists. While Lynch in his correspondence with Heath continued to press for quadripartite talks, the Irish Ambassador in London, Donal O'Sullivan, also lobbied British ministers and civil servants.

Following Operation MOTORMAN, O'Sullivan had the opportunity to press the Prime Minister directly when he conveyed the Irish government's reaction to Heath. O'Sullivan reported that Heath was forthcoming on the issue of reunification. According to O'Sullivan, Heath 'talked freely about reunification, which he is confident must come about. The British Government will put no obstacle in the way of reunification once the will for it exists'.⁹ Joint British and Irish membership of the EEC would aid in developing the will for reunification. Yet, O'Sullivan repeatedly had to press Heath on the inclusion of Dublin in talks. Eventually Heath conceded that he would consider it, but he went on to 'hint at the risk of a strong reaction on the majority side if we [the Irish government] were too obviously involved'.¹⁰

Again the British government's fear of a Protestant backlash appeared as a block to Irish participation in the political process developing in Northern Ireland. By October 1972, as the British government was preparing to publish its Green Paper on political reform in Northern Ireland, British frustration at Dublin's continued calls for quadripartite talks was clear. In an exchange between O'Sullivan and Sir Stewart Crawford, Deputy Under-Secretary of the FCO, the Irish Ambassador was informed that 'it is the official view here that it would be a good thing if Ministers in Dublin would avoid repeating their call for quadripartite talks'.¹¹ These repeated demands from Dublin, Crawford argued, were proving unhelpful at a time that Whitelaw was trying to

⁹ Dublin: NAI, DT 2003/16/466, letter from Donal O'Sullivan to R. McDonagh, 2 August 1972.

¹⁰ *Ibid.*

¹¹ Dublin: NAI, DT 2003/16/467, Donal O'Sullivan to Hugh McCann, 25 October 1972.

engage with the moderate parties in the Province. O’Sullivan responded that, once again, the Unionist Party appeared to be given a veto over British policy and that as Dublin was needed to help make any agreement work, Dublin should be involved in reaching that agreement. However, this was not a role that the British were willing to concede to the Irish. If the Irish government wanted to comment on the forthcoming Green Paper or to make suggestions to the British government on Northern Ireland policy more generally, they were welcome to do so. But relations between the UK and Republic would not be conducted through quadripartite talks, but rather ‘through diplomatic channels with occasional and *ad hoc* meetings at ministerial level’.¹²

Unable to get any movement from the British government, the Lynch government continued to keep in close touch with the British Labour opposition. The policies on Northern Ireland adopted by Harold Wilson and Merlyn Rees, Labour’s new Northern Ireland spokesman, were closer to Dublin’s position than that of Heath and Whitelaw. For example, while the British government rejected the Irish demands for quadripartite talks, Wilson and Rees supported such a move. After a meeting with Rees, O’Sullivan was able to report to Dublin that,

Harold Wilson is convinced that it is a matter of urgency to involve Dublin openly in the finding of a settlement of the Northern problem. . . . What Mr Wilson and Mr Rees are hoping is that it might be possible to persuade the Government here to announce at the time of issue of the Green Paper that Dublin was being brought into the further discussions.¹³

In addition, the Labour leadership shared the Irish government’s concerns over the planned plebiscite on the status of Northern Ireland. Again after meeting with Wilson and Rees, O’Sullivan informed Dublin of their concerns on the plebiscite and that they

¹² *Ibid.*

¹³ Dublin: NAI, DT 2003/16.467, letter from Donal O’Sullivan to H. McCann, 18 October 1972.

were looking at the Parliamentary options available so that they could at least exert some influence over the timing of the poll.¹⁴

However, while Labour was sympathetic to the Irish government's positions on quadripartite talks and the border plebiscite, both Wilson and Rees were also sensitive to Protestant opinion in Northern Ireland. In conversation with Wilson and Rees, O'Sullivan had wondered whether a 'serious confrontation between the Army and majority extremists is not what is required'.¹⁵ Yet the Labour leaders believed that efforts had to be made to reassure the Protestant community. Rees told O'Sullivan that,

The majority in the North must be continually reassured that there can be no question of their being coerced into joining a united Ireland. It would be most helpful if the Taoiseach could seize on every opportunity open to him to reiterate this point in the clearest terms. In our references to the handling of the Northern situation we should, above all, avoid harsh criticism and an attitude of aggressiveness. It is up to us now to play it cool and to make clear our readiness to participate constructively in any moves designed to bring about a reasonable solution.¹⁶

While the Labour Party conceded that the Irish government had a role to play in helping a political solution to the conflict to be found, that responsibility extended not just to trying to achieve nationalist aspirations, but also to reassuring the unionist population that this would not be done at their expense. Lynch may have stated several times, most recently in his *Foreign Affairs* article, that the majority in Northern Ireland would not be forced against their will into a united Ireland. Rees's view, however, was that the Irish government had to say this at every opportunity open to them, while avoiding any aggressively nationalistic language.

Rather than hold quadripartite talks as the Irish were proposing, Whitelaw instead opted for roundtable talks with the Northern Irish parties. These were held on 25-27 September 1972 in Darlington. Along with Whitelaw, only the Unionists, the moderate

¹⁴ Dublin: NAI, DT 2003/16/468, letter from Donal O'Sullivan to H. McCann, 8 November 1972.

¹⁵ *Ibid.*

¹⁶ Dublin: NAI, DT 2003/16.467, letter from Donal O'Sullivan to H. McCann, 18 October 1972.

cross-community Alliance Party, and the Northern Ireland Labour Party (NILP) attended. Instead of going to Darlington, the SDLP headed to Dublin to hold talks with the Lynch government.¹⁷

Whitelaw told his cabinet colleagues in advance of the Darlington Conference that the talks were unlikely to produce any kind of workable solution to the conflict. He believed that it would be necessary for the government to ‘impose the solution which it judged most likely to be acceptable and lasting’.¹⁸ Sir Alec Douglas-Home shared this view with O’Sullivan prior to the talks and had informed him that the British government was planning to bring forward its own proposals.¹⁹ As a result, on 30 October 1972, the British government published its Green Paper *The Future of Northern Ireland: A Paper for Discussion*.

The Green Paper contained another significant concession by the Heath government. In the paper the British acknowledged for the first time that there was an ‘Irish dimension’ to the Troubles and that any settlement of the conflict had to take into account Northern Ireland’s relationship with the Republic. It was pointed out that when Ireland was originally partitioned a Council of Ireland had been envisaged where representatives of both North and South could come together to address issues of common concern and to ‘facilitate unity’ between the two. Although not specifically recommended by the Green Paper, it was clear that this was the direction down which British government thinking was travelling.²⁰

This was an extraordinary concession of principle by the British government, especially given that right up to the point of publication the British had been denying that there was a role for the Irish government to play. It was all the more extraordinary given

¹⁷ Dublin: NAI, DT 2003/16/466, Irish Government Information Bureau press statement, 28 September 1972.

¹⁸ London: PRO, CAB 130/560, GEN 79(72) 32nd Meeting, 10 August 1972.

¹⁹ Dublin: NAI, DT 2003/16/466, letter from Donal O’Sullivan to R. McDonagh, 21 September 1972.

²⁰ Northern Ireland Office, *The Future for Northern Ireland: A Paper for Discussion* (London: HMSO, 1972), pas. 74-8.

that it had been the fear of precipitating a Protestant backlash that had been the cause of the British denying Irish participation in the first place. Now the British were conceding that the Irish should indeed have a role and were hinting that this should be institutionalised in a Council of Ireland.

The cause of this change of position was recognition by the Heath government of the interconnections between the North and the Republic. When drawing up the Green Paper the British government recognised that there were both ‘internal’ and ‘external’ causes of the conflict that had to be addressed. Tackling the internal causes required the British to ensure the equal treatment of both communities in Northern Ireland, ending sectarian discrimination and addressing the alienation of the minority caused by their permanent exclusion from power.²¹ However, addressing the external causes of the conflict required the British to acknowledge the differing aspirations of the ‘British orientated’ majority and ‘Irish orientated’ minority. The British had to recognise the ‘deep influence upon the Northern Ireland community both of the sustained claim of the Republic to exercise jurisdiction in Northern Ireland . . . and of the virulent anti-British nature of the “republican” tradition throughout Ireland’.²² In order to ease this anti-Britishness and address the needs of the Irish-orientated community in Northern Ireland the Republic should enjoy a ‘special relationship’ with the North. This special relationship, it was argued, should be institutionalised through a joint council to foster greater consultation and cooperation on issues of mutual interest.²³

However, there was a limit to this British concession. The Heath government was proposing that the relationship between the Republic of Ireland and Northern Ireland should be recognised and should be institutionalised. But the Heath government

²¹London: PRO, CAB 130/561, GEN 79(72)23, ‘Annex II, Future Policy Group, Political Settlement: The “Irish Dimension”’.

²²*Ibid.*

²³*Ibid.*

continued to reject the idea of any involvement of Dublin directly in the internal affairs of Northern Ireland. At their meeting on 24 November 1972, Heath told Lynch:

...that his [Heath's] position at Westminster would be impossible if there were to be any question of his negotiating with the Irish Government on the future arrangements for Northern Ireland. As he had always said in the past, there was no reason why there should not be discussion between the two Governments. . . This discussion and the consultation could take place at diplomatic level, at Foreign Minister level, or at Prime Ministerial level, as opportunity arose. But there could be no question of negotiation.²⁴

While Dublin could state its views, there could be no question of their involvement in decisions relating to new devolved institutions for the Province or the nature of its government. There certainly would be no quadripartite talks. Instead there would be a council, 'without – in the first instance – executive functions', that could coordinate policy on the Foyle Fisheries, the Erne drainage and hydroelectricity scheme, in addition to other economic or security issues.²⁵

Bew and Patterson have described the Republic's response to the Green Paper as 'almost pathetically grateful'.²⁶ This less than flattering description does not properly portray the response to the Green Paper by the Dublin government. Nor does it reflect the increasing influence Dublin was able to exert on the British from this point onward; albeit that it was the Fine Gael-Labour coalition that was to exert this and not Lynch. Indeed the sense of urgency with which the Lynch government took up the idea of the Council of Ireland was enough to deprive the British of the initiative on this scheme.

The Irish had very different ideas on the Council than the British. At his meeting in London with Heath on 24 November 1972, Lynch argued that the 'Council of Ireland

²⁴ London: PRO, CJ 4/335, 'Note for the Record of the discussion between the Prime Minister and Irish Taoiseach at Downing Street on Friday 24 November 1972'.

²⁵ London: PRO, CAB 130/561, GEN 79(72)23, 'Annex II, Future Policy Group, Political Settlement: The "Irish Dimension"'.

²⁶ Paul Bew and Henry Patterson, *The British State and the Ulster Crisis: From Wilson to Thatcher* (London: Verso, 1985), p. 53.

should be a strong one and should have built into it the possibility of evolution'.²⁷ As has been seen, while the British had envisaged that the Council could evolve, they did not believe that it would be a powerful institution, at least initially. For London the purpose of the Council was to help gain minority support for any new devolved institutions. For Dublin the purpose of the Council was to harmonise policy between North and South in order to start to move Ireland down the road to unity.

Lynch had been able to get Heath to agree to an early meeting between British and Irish officials to discuss the Council. The British were surprised by just how early the Irish intended these meetings to be, with the Irish proposing the first meetings to take place in December 1972. At this stage the British were not keen on entering discussions on the Council. Whitelaw was still conducting consultations on the Green Paper with groups in Northern Ireland and wanted time to reflect on these before holding talks with the Irish. It was also felt in London that any publicity relating to Anglo-Irish talks on the Council would be 'unhelpful in Northern Ireland'.²⁸ Nonetheless, Heath did not want to put the Irish off and agreed that meetings between officials would be held on the basis that British officials would not be able to go into detail and that there would be no publicity for the meetings.²⁹

In the meantime Irish civil servants began to consider the possible structure of a Council of Ireland. The Irish government's IDU concluded that without knowing what form of local administration would be established in Belfast, or how far the British government or Unionists would be prepared to go on giving powers to the Council, it would be difficult for the Irish government to draw up detailed plans. A range of possibilities was therefore considered. This included a weak form of council, which would be the option most likely to be favoured by the Unionists, 'intended merely as a

²⁷ Dublin: NAI, DT 2004/16/468, 'Report on Discussion between the Taoiseach and the Prime Minister', 24 November 1972.

²⁸ London: PRO, PREM 15/1016, Letter from Robert Armstrong to Michael Alexander, 7 December 1972.

²⁹ *Ibid.*

“sop” to us and to the minority in the North’.³⁰ At the other end of the spectrum were proposals for a strong council, which would be the aim of Dublin, which would have exclusive authority over certain areas of policy across Ireland and would be able to evolve in the future as more powers were delegated to it.³¹

The IDU did make a number of recommendations that remained Irish policy through to the Sunningdale talks. Firstly the IDU warned that if the Council was to be considered ‘an embryo institution of “the new Ireland”’ then vested interests in the Dublin administration should not be allowed to prevent the transfer of power to it. Secondly, the Irish decided against the UK government having a role on the Council. This was to be exclusively an all-Ireland institution, although procedures would be required if the Council wanted to discuss an issue that was a reserved power of the British government. Thirdly the council had to have the potential to evolve. With this in mind the IDU was already looking to the EEC as a model for the council. An executive Council of Ministers could be made up of representatives of both the Dublin government and a Belfast executive; there could be an assembly made up of members of a future devolved Belfast assembly and members of the Oireachtas; and there could be a permanent secretariat headed by a secretary-general to carry out the decisions of the council.³²

When the meetings between British and Irish officials eventually took place, on 1 January 1973 and again on 22 January, they set a pattern that was to be followed by subsequent Anglo-Irish meetings up until Sunningdale. The arguments put forward by the Irish were similar to those set out by the IDU and were to be the central arguments for Irish representatives from that point on. For the Irish, a strong Council was desired, on similar lines to the EEC institutions; it should have specific responsibilities

³⁰ Dublin: NAI, DT 2003/16/469, ‘Brief for Ministers on Proposals for New Northern Administration, C. Council of Ireland’, 19 December 1972.

³¹ *Ibid.*

³² *Ibid.*

independent of both Dublin and Belfast; and the ‘Council should be designed to set North and South on converging paths so as to encourage eventual unification’, with the unionists not being allowed to have a veto over the project.³³

For their part the British argued that it would not be possible for them to clearly define the powers and structure of a council until the final political settlement was reached in Northern Ireland. Essentially the British were seeking to defer any decisions on a council, preferably for some time. Whitelaw was still to complete his discussions with the Northern Irish parties on the Green Paper. This would be followed by a White Paper, legislation to put the White Paper into effect, elections to an assembly and the formation of some kind of government for Northern Ireland. For the British it was necessary to ensure all this was done before there could be any thought of turning to the Council of Ireland.³⁴ Moreover, whatever shape the Council took it had to be acceptable to the Northern majority, and if they wanted the unionists to cooperate in this the Republic would need to review Articles 2 and 3 of their Constitution to give up their claim to the North. It was no good to just demand that the Protestant majority in Northern Ireland not be allowed a veto on political reform, as the Irish had. Rather the British believed that if the Irish wanted Protestant participation in a council then it was up to the Irish government to take the appropriate action to reassure the Northern majority that they were not going to end up in a united Ireland against their will. Reform of the Irish Constitution, to delete its irredentist clauses, was one way to achieve this.³⁵

Finally, the British would not and could not become persuaders for Irish unity, although they would not stand against it.³⁶ As has been seen, Lynch had repeatedly argued that the most effective way of removing the Protestant veto to progress towards Irish unity was for the British government to become a persuader of Irish unity. While

³³ London: PRO, CJ 4/391, ‘Record of Meeting: “Council of Ireland: Preliminary Discussions with the Irish Government”, 14 February 1973.

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ *Ibid.*

the British Labour Party had been prepared in the months after the introduction of internment to declare its interest in seeing the reunification of Ireland, this was not something that the Heath government would contemplate. Instead the British government remained 'neutral' on the constitutional status of the Province. It would remain part of the UK so long as that was the wish of the majority. If this changed, then the British government would be happy to facilitate the reunification of Ireland. But for all practical purposes the British recognised that the Protestant majority in Northern Ireland did not want a united Ireland and this was something that was unlikely to change soon. There was nothing to be gained from declaring support for the reunification of Ireland and forfeiting the trust of the Northern majority.³⁷

In embarking on its political initiative the Heath government had conceded a number of points of principle as it moved towards the Irish position on Northern Ireland. As the British sought to move forward with the initiative it was to make another significant concession in recognising there was an 'Irish dimension' to the Troubles. Previously the British, fearful of provoking a Protestant backlash, had refused the Irish such a role. However recognition of the interconnections between the Republic and Northern Ireland necessitated acknowledgement of the need for Irish involvement. This involvement was to be between Northern Ireland and the Republic. Dublin was not to be given the role that they wanted in the developing political initiative in Northern Ireland. To do so would have forfeited Heath the support of even moderate unionists. And the British refused to accede to the Irish demand of becoming a persuader of unity.

Yet, although the British had not conceded the right of Irish involvement in Northern Ireland, at his meeting with Lynch on 24 November 1972 Heath had acknowledged that the Irish had a right to be heard on what was happening in Northern Ireland. Furthermore, the British conceded the initiative on the Council of Ireland to the

³⁷ London: PRO, CAB 130/561, GEN 79(72)23, 'The Essential Requirements of a Constitutional Settlement in Northern Ireland', p. 15.

Irish government. It was a tactical mistake by the British to float the idea of the Council and then expect that no work should be done on it until after Whitelaw had developed an initiative and a new devolved administration had been established in Belfast. Dublin immediately grasped the significance of the British concession on the Council of Ireland and immediately started to formulate proposals for an institutionalised North-South regime whose purpose was to move Ireland down the road to unity.

Part II – Conclusion

In the year following the introduction of internment, the issues to be addressed in the international dimension of the Troubles began to fall into two spheres, the political sphere and the security sphere. Dublin was clear that it had a right to be involved in the political sphere and should have a role in developing political reforms for Northern Ireland. The Heath government, until the publication of its Green Paper in October 1972, continued to claim that the Northern Ireland conflict was a domestic issue that neither the Republic of Ireland nor the United States had a role in in terms of political involvement.

However, the political initiative the British government developed was almost identical to the measures that Dublin had been advocating since the introduction of internment and with the acknowledgement of the Irish dimension in the Green Paper, the British reluctantly recognised that the cross-border connections between the North and South required the participation of the Republic. That said, Dublin was not being brought into the political sphere as an equal. London continued to be concerned at the possibility of a Protestant backlash and the involvement of the Republic would have to be tailored accordingly. But having made this concession, the British did nothing more. This allowed the Irish government to take the initiative in deciding what form an institutionalised Irish dimension should take.

In Washington, the Irish Caucus continued to press for American involvement in the political sphere and in the run-up to the presidential election Nixon even had the NSC review US policy towards Northern Ireland. The conclusion of the presidential election, however, effectively ended the possibility of a political engagement in Northern Ireland by the US government. Instead, London and Dublin both sought US involvement in the security sphere. Irish-American connections with Northern Ireland led to support networks developing across the Atlantic in order to supply money and weapons to the

Province, mainly to the Provisionals. Both the British and Irish governments wanted to close down these connections. This led to some results as the US government and agencies began to take action. However, this US government action was tempered by domestic political considerations.

In addition, while both the British and Irish governments were eager to cooperate with the Nixon administration on security matters, London and Dublin were unable to agree to cooperate with each other in this sphere. Following the 24 March Initiative the British government had effectively adopted the security policy that Dublin had been urging. The events of Bloody Friday change this. Lynch continued to argue that political reform would render security cooperation unnecessary. However, as the British made concessions in the political sphere, they increasingly demanded greater action and greater cooperation from Dublin the security sphere in order to pacify the majority community in Northern Ireland and fend off a possible Protestant backlash.

Part III: Reaching Agreement, March 1973 to December 1973

Introduction

In the general election held in the Republic of Ireland on 28 February 1973, Jack Lynch's Fianna Fáil was defeated and replaced by a coalition government consisting of the Fine Gael and Labour parties. Liam Cosgrave, leader of Fine Gael, replaced Lynch as Taoiseach. Fine Gael's Garret FitzGerald was appointed Foreign Minister. Labour leader Brendan Corish became the new Tánaiste (deputy prime minister), with Labour's Northern Ireland spokesman, Conor Cruise O'Brien, appointed to the new government as Minister of Posts and Telegraphs. Of this group, Cosgrave and FitzGerald were to be the most influential over the coalition's Northern Ireland policy.

The coalition took power in the Republic just as the peace process in the North was about to enter a more active phase. On 8 March 1973 the plebiscite on the constitutional future of the Province was held. Aided by a nationalist boycott, 98 per cent of those who voted supported Northern Ireland remaining in the UK.¹ Later that month, Whitelaw published his White Paper *Northern Ireland Constitutional Proposals*. Whitelaw proposed a unicameral Assembly for Northern Ireland elected by proportional representation. This Assembly would have fewer powers than the old Stormont Parliament, with responsibility for law and order reserved to Westminster. Most importantly, executive power would have to be shared between parties representing both the majority and minority communities. With elections to the Assembly held on 28 June 1973, talks then began between representatives of the Unionist Party, the SDLP, and the cross-community Alliance Party on the formation of a power-sharing executive. Then, in December 1973, a tripartite conference was held at Sunningdale in Berkshire between the

¹ Fionnuala McKenna, 'Referendum ('Border Poll') (NI) – Thursday 8 March 1973', Cain Web Service <<http://cain.ulst.ac.uk/issues/politics/election/ref1973.htm>> [accessed 26 November 2010].

British government, the new Northern Ireland power-sharing executive, and the Irish government.

Over this period the Irish government's role in the political process was firmly established. The British government made another important concession in Dublin's favour, as it was recognised that the connections between the Northern minority and the Irish Republic required Dublin's involvement in the political process. As a result, the Cosgrave government was brought into discussions on the internal political structures in Northern Ireland. Moreover, thanks to an increasingly aggressive approach, the Irish government also inserted itself into discussions on domestic Northern Irish issues. While the British were willing, initially at least, to discuss these issues as long as it remained secret, the Heath government became increasingly concerned at the coalition's lack of appreciation that its policies and actions could negatively influence unionist opinion. British fears of a Protestant backlash began to grow.

While Dublin's place in the political sphere was confirmed, so too was the Nixon administration's non-involvement. The British government did continue to try and engage with the Irish Caucus, and even Jack Lynch attempted to moderate Edward Kennedy's views. However, it was in the security sphere that both London and Dublin wanted to see US action. The new Irish government's persistence in this led to some success as the Irish government prepared to take action against American supporters of the IRA. However, domestic considerations still loomed large for the Nixon administration and it was unprepared to take action that might provoke Irish Caucus agitation. Domestic considerations also played a role in Dublin's reluctance to cooperate with the British and Northern Irish authorities on security issues. This was to become an increasing cause of concern for both the British government and Faulkner's Unionists.

Chapter 10: The Coalition

As the peace process was about to enter a more active stage, the Irish general election had brought about a surprise change of government in the Republic. The new Fine Gael-Labour coalition brought fresh energy to Anglo-Irish relations and the British had high hopes for a more productive relationship than that which it had enjoyed with Lynch. In fact there was a great deal of consistency between the position of the new Irish government and its predecessor. However Cosgrave's coalition was to benefit from another concession of principle by the British government. Now the British were to concede that the Irish government should have a voice on the developing political structures in Northern Ireland thus firmly establishing Dublin's role in Northern Irish affairs. This was balanced, though, by a growing British concern to ensure that any political agreement was acceptable to the Protestant community in Northern Ireland.

Following the Irish general election there was a completely new Irish ministerial team for Heath and Whitelaw to deal with. Just a week after the Irish election, Cosgrave and Corish travelled to London for their first meeting with Heath and Whitelaw on 8 and 9 March 1973. Heath was to find them 'no less friendly, but more practical in outlook' than Lynch.¹ Although less fraught than meetings between Heath and Lynch, the policy of the new Taoiseach and Tánaiste was little different from that of the former Irish government. Having had the content of the White Paper explained to them, both Cosgrave and Corish were keen to stress that there should be no possibility of a return of the old Stormont. Moreover they were eager to have reassurances over power-sharing. On the Council of Ireland the Irish delegation expressed their view that this should be an all-Ireland institution, excluding the UK government. Moreover, there should be no limit

¹ London: PRO, CAB 130/633, GEN 79(73) 5th Meeting, 13 March 1973.

to how far the Council could evolve if, over time, both Dublin and Belfast agreed that extra powers should be ceded to it.²

Indeed, a week later, following a meeting between Heath and the new Irish Foreign Minister Garret FitzGerald, the consistency between the new Irish government's policy and that of its predecessor became even more apparent.³ The coalition's policies on the treatment of the minority, on the institutions to be created as part of the British government's initiative, and on the Council of Ireland were entirely consistent with those put forward by Lynch. All that was missing was the constant restatement that a united Ireland offered the only long-term solution to the conflict and that what was being proposed by the British were interim measures until reunification could be achieved. But this does not represent the 'less green' alternative alluded to by Bew.⁴ Rather there was now an anti-partitionist government without the anti-partitionist language.

In terms of the fundamental aspiration for Irish unity, nothing had changed with the election of the Fine Gael-Labour coalition. An Irish government policy paper produced shortly after the general election stated that Cosgrave's intention was 'to move towards the creation of an Irish society which will gradually and inexorably remove the obstacles, North and South, which stand in the way of the creation of a united Ireland'.⁵ This was no different from the fundamental position of the Lynch government. In order to achieve this, the coalition had to deal with Brian Faulkner as leader of the Unionist Party and also with the British government. Faulkner's aim was, according to the coalition's analysis, to 'preserve the union with Britain indefinitely'; a view Faulkner himself would hardly have dissented from.⁶

² London: PRO, CJ 4/335, telegram from Sir Alec Douglas-Home to Sir John Peck, 9 March 1973; and CAB 130/633, GEN 79(73) 5th Meeting, 13 March 1973.

³ Dublin: NAI, DT 2004/21/466, 'Memorandum delivered to the British Government', 15 March 1973.

⁴ Paul Bew, *Ireland: The Politics of Enmity* (Oxford: Oxford University Press, 2007), p. 511.

⁵ Dublin: NAI, DT 2004/21/466, memorandum 'The present political situation in the North' [author unknown], 23 April 1973.

⁶ *Ibid.*

In its analysis of the British government's position, the coalition agreed with its predecessor that the British wanted to 'insulate' the conflict in Northern Ireland from mainstream British politics. However, the coalition went further in this view than the Lynch government had. From the outset the coalition believed that the British government wanted to leave open 'where the future of the North is to be'.⁷ Whereas Lynch had been convinced that the Heath government should become an advocate for Irish unity, the coalition's view was that British 'neutrality' over the constitutional position of Northern Ireland was intended to leave the way open for the British government to withdraw from Northern Ireland should the peace initiative fail.⁸ In fact, the British interpreted its position on Northern Ireland's status as being a long-term commitment to the Province remaining in the UK as there was little prospect of a majority of the population of Northern Ireland voting for Irish unity.⁹

However, the coalition feared that the Heath government was leaving open the option of withdrawing from Northern Ireland. FitzGerald told the Foreign Minister of Luxembourg, Gaston Thorn, that the British may withdraw from Northern Ireland should the peace process fail as British public opinion was moving in this direction.¹⁰ He feared that a unilateral withdrawal by the British from Northern Ireland would lead to a full-scale pogrom by the Protestant population against the Catholics, which would compel the Irish government to intervene in some way.¹¹

Irish fears of a British withdrawal were confirmed by their contacts with representatives of the British Labour Party. Merlyn Rees and his deputy, Stanley Orme, told the Irish Ambassador in London that as a UK general election approached, the Labour Party would make the most of every opportunity open to it. On Northern Ireland

⁷ *Ibid.*

⁸ *Ibid.*

⁹ London: PRO, CAB 130/561, GEN 79(72)23, 'Annex II, Future Policy Group, Political Settlement: The "Irish Dimension"'.
¹⁰ Dublin: NAI, DT 2004/21/467, memorandum 'Discussion with Gaston Thorn, Luxembourg' 23 June 1973.

¹¹ *Ibid.*

this meant that there could be strong pressure at the Labour Party conference to adopt a policy of withdrawing British forces from the Province.¹² Indeed, Rees and Orme repeated this view to Cosgrave. In a meeting on 16 July 1973, less than three weeks after the Assembly elections had taken place in Northern Ireland, Rees and Orme told Cosgrave that if a tolerable power-sharing executive was not formed quickly ‘both British political parties would be in trouble with significant sections of their members who were expressing the feeling that the two sides in Northern Ireland should be left to fight it out – saving British troops and money’.¹³ In fact, the Labour spokesmen went further and placed a date of 1 September 1973 for the formation of an executive, before the British political conference season was underway, as ‘Public opinion in Britain was likely to favour a British pull-out then’.¹⁴ In all this, both Rees and Orme shared the Irish government’s view of the disastrous consequences for Northern Ireland of a British withdrawal, predicting an eruption of violence across the Province.¹⁵ From the outset then, the coalition was convinced that the British establishment was leaving open its options on Northern Ireland and may very well opt to withdraw should the peace process fail. This was to fester in the minds of Irish ministers over the coming months and was to have an important impact later in the peace process.

The British government’s preoccupation at the time of the Irish general election was the developing political initiative in Northern Ireland. The election of the coalition coincided with the concession by the British of another point of principle. As the Irish general election took place, Heath and Whitelaw were preparing to publish the White Paper containing their proposals for a constitutional settlement for Northern Ireland. Heath recognised that significant problems would be caused should the Irish government

¹² Dublin: NAI, DT 2004/21/467, letter from Donal O’Sullivan to H. J. McCann, 12 July 1973.

¹³ Dublin: NAI, DT 2004/21/467, memorandum ‘Note of meeting between the Taoiseach and Messrs Merlyn Rees and Stanley Orme MPs – British Labour Party experts on Northern Ireland’, 16 July 1973.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

reject these proposals.¹⁶ Given the interconnections between the two parts of Ireland and the alignment between the Irish government and the minority population in Northern Ireland, the rejection of the proposals by Dublin would seriously damage their chances of being accepted by the Catholic minority in the North. This meant bringing the Irish into discussions on the internal arrangements for Northern Ireland, something the British had rejected previously. Again this was not the quadripartite talks that the Lynch government had been demanding. But it was intergovernmental discussion and the British recognised that a certain level of Irish support was necessary for the proposals to succeed.¹⁷

As a result, when the Irish general election was over, it would be necessary for Heath to meet the Taoiseach 'with very little delay'.¹⁸ The British had assumed that it would be Lynch that would be coming to this meeting. Instead it was to be Cosgrave and Corish.¹⁹ However, it was FitzGerald who was to set out the Irish government's considered opinion of the White Paper when he saw Heath on 15 March 1973. FitzGerald explained the Irish government's view on the proposed assembly and executive, arguing that the executive should be comprised of representatives of the parties in proportion to their strength in the assembly. FitzGerald also argued for a Bill of Rights for the North and that a 75 per cent vote in the Assembly would be required to pass legislation on any issue related to it.²⁰

In addition, FitzGerald brought up two further domestic Northern Irish issues that the coalition wanted to see the British address. These were reform of the civil service in Northern Ireland and reform of the RUC. In a memorandum that FitzGerald delivered to the British government during this meeting, the Irish government argued against the devolution of control of police and security powers to the proposed Northern Ireland executive, believing that control of the RUC would place any power-sharing executive

¹⁶ London: PRO, CAB 130/633, GEN 79(73) 3rd Meeting, 19 February 1973.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ London: PRO, CJ 4/335, telegram from Sir Alec Douglas-Home to Sir John Peck, 9 March 1973.

²⁰ Dublin: NAI, DT 2004/21/466, 'Memorandum delivered to the British Government', 15 March 1973.

under intolerable strain. In addition, FitzGerald also argued that the police in the Province had to be acceptable to both communities. This would require the restructuring of the RUC as it was unacceptable to the minority in its present form.²¹

FitzGerald took the opportunity to raise these issues again on 9 June 1973 in a meeting with Whitelaw. This meeting was another attempt by the British government to engage the Irish government on the legislation being proposed to bring in the new political structures in Northern Ireland. Raising such matters, however, concerned Whitelaw. While the British wanted to secure Irish government support for their initiative, Whitelaw was still sensitive to unionist allegations of ‘colluding’ with the Irish. This would merely further alienate the Protestant community. Whitelaw told FitzGerald that ‘in general he [Whitelaw] was delighted to discuss details of the Bill and of policy in the North but he would be concerned if it got out’.²² After FitzGerald suggested that the press statement say that he was merely seeking clarification on the proposed British legislation, Whitelaw was happy to go on.²³ With these precautions agreed, FitzGerald proceeded. On reform of the civil service in Northern Ireland, FitzGerald argued for action to ensure that the civil service reflected the balance of the population in the North. He then went on to discuss police reform, in which he suggested that, as it had lost all credibility with the minority in Northern Ireland, the RUC should be broken up into a number of local forces, while having its name and uniforms changed. Whitelaw noted FitzGerald’s suggestions, but stated that he would be considering reform of the police further at a later date.²⁴

The following month Cosgrave raised these same issues during a meeting with Heath on 2 July 1973. Cosgrave lamented the lack of Catholics in senior ranks of the civil service in Northern Ireland and suggested that existing senior officials should be

²¹ *Ibid.*

²² Dublin: NAI, DT 2004/21/467, ‘Meeting between the Minister for Foreign Affairs, Dr FitzGerald, and the Secretary of State for Northern Ireland, Mr Whitelaw’, 9 June 1973.

²³ *Ibid.*

²⁴ *Ibid.*

given early retirement on full pay in order that Roman Catholic replacements could be promoted to these positions.²⁵ Heath acknowledged that there was an ‘unduly low’ proportion of Catholics in the Northern Ireland civil service, but he believed that the early retirement of senior civil servants or promotion based on religion rather than merit, would cause considerable problems within the civil service and was likely to provoke opposition amongst the Protestant majority.²⁶ All that Heath would commit to was to monitor the situation and to ‘help discreetly’ by bringing people from the minority into senior posts on a case by case basis.²⁷

On reform of the RUC, Heath told Cosgrave that the British government had no information on the make-up of the force as applicants were not asked to state their religion, but from figures dating from 1969 it was believed that about eleven per cent of the force was Roman Catholic.²⁸ Cosgrave responded that, no matter its composition, the RUC should be trusted to act impartially and treat all sections of the community the same. He then repeated the coalition’s view that the minority community in Northern Ireland had become alienated from the RUC and that substantial reform was necessary.²⁹ Again the British took note of the Irish government’s views. But other than promising a few ‘discreet’ promotions in the civil service and to consider reform of the RUC at a later date, the Irish failed to persuade the British of the need for immediate reform. British policy on these issues continued to be influenced by the prospect of aggravating Protestant opinion.³⁰

The new Irish government was also to find that the British were in no hurry to establish the Council of Ireland. For the Heath government getting agreement on

²⁵ Dublin: NAI, DT 2004/21/469, ‘Meeting between the Taoiseach and the Prime Minister’ 2 July 1973.

²⁶ London: PRO, CJ 4/391, ‘Note for the Record’ of a meeting between Edward Heath and Liam Cosgrave, 2 July 1973.

²⁷ Dublin: NAI, DT 2004/21/469, ‘Meeting between the Taoiseach and the Prime Minister’, 2 July 1973.

²⁸ London: PRO, CJ 4/391, ‘Note for the Record’ of a meeting between Edward Heath and Liam Cosgrave, 2 July 1973.

²⁹ Dublin: NAI, DT 2004/21/469, ‘Meeting between the Taoiseach and the Prime Minister’, 2 July 1973.

³⁰ London: PRO, CJ 4/391, ‘Note for the Record’ of a meeting between Edward Heath and Liam Cosgrave, 2 July 1973.

forming a power-sharing executive in Northern Ireland following the Assembly elections was more important. At his 2 July 1973 meeting with Cosgrave, Heath again repeated this view. That said, Heath did see the merit in preliminary exchanges between the two governments on the Council, so that a future tripartite conference between the British and Irish governments and the Northern executive would not descend into chaos.³¹ These meetings would be between officials rather than ministers ‘so as to avoid giving the impression of collusion’ to the Protestants that secret deals were being done with Dublin behind their backs.³² Heath did go on to reiterate the British government’s strong attachment to the idea of a Council of Ireland and insisted that it would enjoy real power and be able to evolve.³³ Forming a power-sharing executive in Belfast, however, was his priority.

In any event, the Cosgrave administration was unable to move quickly on the Council of Ireland as the coalition had yet to agree its final position towards it. While there was ready agreement on the structure of a council, there was some debate in the Irish government about the powers that should be ceded to it. In July 1973 Sean Donlon, of the Irish Foreign Affairs ministry’s Anglo-Irish section, told David Blatherwick, an official in the British embassy in Dublin, that Irish government departments had been directed to investigate the functions that could be devolved to a Council of Ireland. Donlon reported that ‘some Departments were unwilling to contemplate that their functions be taken over by a Council’ and that this was leading to some delay within the Foreign Affairs Department in putting together an overarching Irish government strategy towards the Council.³⁴ Donlon went on to tell Blatherwick that ‘When the paper was agreed, the Irish would be able to see what they wanted out of the Council and what they

³¹ London: PRO, CJ 4/391, ‘Note for the Record’ of a meeting between Edward Heath and Liam Cosgrave, 2 July 1973; and Dublin: NAI, DT 2004/21/469, ‘Meeting between the Taoiseach and the Prime Minister’ 2 July 1973.

³² Dublin: NAI, DT 2004/21/469, ‘Meeting between the Taoiseach and the Prime Minister’, 2 July 1973.

³³ *Ibid.*

³⁴ London: PRO, CJ 4/391, letter ‘Council of Ireland’ from David Blatherwick to Brian Donnelly, 11 July 1973.

could offer; until then, they would not be in a position to talk about it'.³⁵ Anglo-Irish talks on the Council would therefore have to wait until the Irish government had sorted out its own position. This suited the British government well, as it concentrated on talks between the parties in Northern Ireland on the formation of a power-sharing executive.

As the new Irish government outlined its policy on Northern Ireland, the concessions it believed the British had to make, and the internal reforms it felt were necessary in the Province, the British government set out the action it wanted to see from Dublin. These included Irish agreement to drop the case at Strasbourg, security cooperation, especially over extradition, and Irish recognition of the constitutional status of Northern Ireland. Whereas the dropping of the Strasbourg case was a desired outcome for the British government, action on security and the recognition of Northern Ireland's constitutional status was believed by the British to be necessary measures for securing Protestant support for the political initiative.

There were encouraging signs for the British as far as the Irish case at Strasbourg was concerned. In his initial meeting with Cosgrave, Heath had again suggested to the Irish that the case at Strasbourg should be settled.³⁶ The next hearing at Strasbourg was due to take place on 9 July 1973. Given the proximity of this hearing to the Assembly elections in Northern Ireland, due on 28 June 1973, Cosgrave had informed Heath that if the British government sought a postponement of the hearing until September 1973 then the Irish government would not oppose it.³⁷ In so doing the Irish government was conceding nothing on the substance of the case before the Commission. Dublin was merely willing to accept a postponement so that the case could not be seen to negatively affect the situation in Northern Ireland.

Agreeing to the postponement, however, angered the SDLP. On 12 July 1973 a delegation from the SDLP met with the quadrumvirate of Irish government ministers

³⁵ *Ibid.*

³⁶ London: PRO, CAB 130/633, GEN 79(73) 5th Meeting, 13 March 1973.

³⁷ London: PRO, CAB 130/633, GEN 79(73) 7th Meeting, 14 June 1973.

responsible for the coalition's policy on Northern Ireland. The SDLP attacked the coalition for its 'appeasement' of the Protestant community in the North and for allowing a postponement of the Strasbourg case without first consulting the SDLP. Cosgrave sought to reassure the SDLP delegation, telling them that 'the main concern had been to retain it [the case] as a bargaining weapon. Had no adjournment been sought by the British, the application might have been disposed of by now and once a decision was taken that would be the end of the matter'.³⁸ Nevertheless, Cosgrave had to give way to the SDLP delegation's request that they be able to state publicly that 'they had received assurances at the meeting that the Government had no intention of withdrawing the application to the Commission'.³⁹

Cosgrave's argument, however, was that delaying the action before the Commission retained the case as leverage over the British government. Indeed, the case would be re-scheduled for the period when it was hoped that the tripartite meeting, promised by the British government White Paper to settle the outstanding issues between the British and Irish governments and the Northern Ireland executive, would be held. This could help gain further concessions from the British. Yet, Cosgrave was also intimating that the coalition was not committed to pursuing the case come what may. If it would gain greater concessions from the British government in any talks, then the Irish would consider disposing of the case through the 'friendly settlement procedure' of the Commission.⁴⁰

Just weeks later, it appeared that the Irish government was considering pursuing such a policy. The recently appointed British Ambassador to Dublin, Sir Arthur Galsworthy, reported to London that the Irish Attorney General, Declan Costello, had spoken to him about the Strasbourg case. Costello floated the idea of resolving the case through the friendly settlement procedure in return for early action on the formation of

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ *Ibid.*

the Council of Ireland.⁴¹ Galsworthy guessed that Costello was suggesting the case be resolved in such a way that the coalition could demonstrate to its domestic audience that it was extracting every inch of mileage from the case and leveraging concessions from the British government. In replying to Costello, Galsworthy again made clear the British government's view that the executive must be formed in Northern Ireland before there could be any progress on the Council of Ireland. In addition, Galsworthy also warned London that the coalition was unlikely simply to give up on the case at Strasbourg. To do so would result in criticism from Fianna Fáil and the Irish media in the South and the SDLP in the North. In Galsworthy's view, the coalition would only agree to a friendly settlement in exchange for heavy concessions from the British.⁴²

The British government was initially less persistent on security issues with the coalition than they had been with the Lynch government. Having raised the issue with Cosgrave and Corish at their first meeting, security cooperation became a secondary issue as the British government's political initiative was implemented over the spring and summer of 1973. When Heath and Cosgrave met in London on 2 July 1973 the British did raise the question of extradition.⁴³ Since the beginning of 1971 the Republic had made 24 extradition requests of the British, 15 had been fulfilled while another four were already serving sentences in Northern Ireland. In the same period, the British government had made 26 extradition requests of the Republic. None of these had been fulfilled, a fact that was giving ammunition to domestic critics of the British government's policy on Northern Ireland.⁴⁴ Heath had made similar complaints to Lynch, with Lynch responding that such matters were for the Irish courts to decide, not

⁴¹ London: PRO, CJ 4/391, telegram 'Strasbourg' from Sir Arthur Galsworthy to the FCO, 23 July 1973.

⁴² *Ibid.*

⁴³ London: PRO, CJ 4/391, 'Note for the Record' of a meeting between Edward Heath and Liam Cosgrave, 2 July 1973; and Dublin: NAI, DT 2004/21/469, 'Meeting between the Taoiseach and the Prime Minister' 2 July 1973.

⁴⁴ London: PRO, CJ 4/391, 'Note for the Record' of a meeting between Edward Heath and Liam Cosgrave, 2 July 1973; and Dublin: NAI, DT 2004/21/469, 'Meeting between the Taoiseach and the Prime Minister' 2 July 1973.

the Irish government.⁴⁵ Cosgrave's response was similar, although he did add that the special courts established in the Republic would probably improve this situation.⁴⁶ However, while Heath failed to secure action from Cosgrave, the question of extradition in particular and security cooperation more generally were to become central to the British and Unionist's demands as the political initiative gained momentum.

Finally, the British began to press the coalition on the question of Irish recognition of the constitutional status of Northern Ireland. Whitelaw first raised this with FitzGerald during a meeting on 4 April 1973. The Northern Ireland Secretary 'stressed that, although it was not a prerequisite, it would isolate extremists in the North if the Irish Government could show that it accepted the existence of Northern Ireland as a separate entity'.⁴⁷ In attempting to reconcile as much of the Northern majority as possible to the constitutional proposals being put forward for the Province, the British government was seeking to reinforce its position that there could be no change to the status of Northern Ireland without the consent of a majority of the population. Getting the Irish government to recognise the position of Northern Ireland, the British government reasoned, would undermine the position of the extremist Protestant parties.

FitzGerald replied, however, that, while Irish governments had always tacitly recognised the North, Article 2 of the Republic's Constitution laid claim to Northern Ireland. There would be 'great emotional difficulty' in trying to amend it.⁴⁸ Feeling on the nationalist side that Ireland had been falsely partitioned and that the island should be reunited was as passionately held as the Protestants' support for the Union. FitzGerald recognised this and feared that any attempt to amend the Irish Constitution to give up the

⁴⁵ Dublin: NAI, DT 2002/8/489, 'Note of discussion between the Taoiseach and Mr Heath on 6 December 1971', 7 December 1971.

⁴⁶ London: PRO, CJ 4/391, 'Note for the Record' of a meeting between Edward Heath and Liam Cosgrave, 2 July 1973; and Dublin: NAI, 2004/21/469, 'Meeting between the Taoiseach and the Prime Minister' 2 July 1973.

⁴⁷ London: PRO, CJ 4/391, 'Note of Meeting, between William Whitelaw and Garret FitzGerald, 4 April 1973.

⁴⁸ *Ibid*

claim to the North would fail, as the campaign was likely to be dominated by nationalist emotion.⁴⁹

Yet the British government believed that the coalition may be prepared to give ground in return for action on the formation of the Council of Ireland. Sir Arthur Galsworthy reported from Dublin that Cosgrave had said that it was unlikely that there would be constitutional amendments before the establishment of a Council of Ireland. The implication of this response was that the Irish government ‘might conceivably be willing to consider an amendment of Article 2 of the Constitution as part of a general agreement at a tripartite conference ... but not before’.⁵⁰

A month later Galsworthy revised his view, however, following Cosgrave’s speech at Blackrock on 21 June 1973. Cosgrave’s Blackrock speech crystallised the coalition’s more practical approach to Northern Ireland in contrast to the ideological approach of its Fianna Fáil predecessor. While Cosgrave underlined the desire of the majority of Irish people for the reunification of the island of Ireland, he went on to argue that this must be achieved by consent. This was unlikely in present circumstances. Cosgrave went on to say that,

What is needed above all in dealing with this tangled problem within Ireland and indeed in relations between these two islands as a whole, is a willingness to accept, and work forward from, existing realities, rather than a concern with abstract legislation or constitutional definitions.⁵¹

Galsworthy interpreted this ‘as an appeal to the North to allow Article 2 of the Constitution to remain in quiet disregard, and to accept the willingness of the South to work with the Northern Executive’.⁵² The Ambassador believed that the Irish people would not accept change to the Constitution unless it was necessary in order to form a

⁴⁹ *Ibid.*

⁵⁰ London: PRO, CJ 4/391, telegram ‘Council of Ireland’ from Sir Arthur Galsworthy to the FCO, 21 May 1973.

⁵¹ London: PRO, CJ 4/391, letter ‘The Taoiseach’s Speech at Blackrock on 21 June’ from Sir Arthur Galsworthy to W. K. K. White, 28 June 1973.

⁵² *Ibid.*

powerful Council of Ireland and that there was full cross-party support. Even then it was felt that adopting a whole new Constitution for the Republic, which would exclude a territorial claim to the North, would be easier to achieve than attempting to delete Article 2, given the nationalist passions that could be aroused in attempting to abandon the claim on the North.⁵³

In their meeting of 2 July 1973, Heath raised the issue with Cosgrave. While Heath conceded that the Irish government's willingness to sit on a Council of Ireland with representatives of the Northern Ireland executive would demonstrate *de facto* recognition of Northern Ireland as a separate entity, the Prime Minister doubted that this would be enough. Cosgrave reiterated the point made in his Blackrock speech that it would be unwise to become bogged down in the legalities of the issue.⁵⁴ Indeed, the Taoiseach went on to say that he was proposing to reconvene the All-Party Committee on reform of the Irish Constitution that had been established by the Lynch government but had lapsed at the Irish general election.⁵⁵ This move allowed Cosgrave to deflect questions on the status of Northern Ireland until the All-Party Committee reported. Yet when the terms of reference for the committee were announced on 12 July 1973, the British embassy noticed that they varied slightly, but significantly, from that of the previous committee. The new committee was 'to establish the common ground ... on ... steps required to bring about lasting reconciliation of all the people of Ireland so that conditions may be created conducive to a united Ireland'.⁵⁶ The emphasis now was on reconciliation rather than reunification. Coupled with the appointment of FitzGerald,

⁵³ *Ibid.*

⁵⁴ Dublin: NAI, DT 2004/21/469, 'Meeting between the Taoiseach and the Prime Minister' 2 July 1973.

⁵⁵ *Ibid.*

⁵⁶ London: PRO, CJ 4/392, letter 'All Party Committee to Contribute to a Peaceful Settlement of the Northern Ireland Situation' from D. E. S. Blatherwick to B. Donnelly, 18 July 1973. Emphasis is Blatherwick's.

Costello and O'Brien to the Committee, the British government took this as a promising sign that the Irish may be willing to take some form of action on the status issue.⁵⁷

The change of government in Dublin brought little change to the Irish position on Northern Ireland. British action on power-sharing and developing a powerful and well-resourced Council of Ireland remained central to Irish policy. However, the coalition did have a very different outlook than its predecessor on Britain's long-term commitment to Northern Ireland. British 'neutrality' on the constitutional status of Northern Ireland was seen to be motivated by a British desire to leave open options for a possible withdrawal should the political initiative fail. This view seemed to be confirmed by the Irish government's interaction with the British Labour Party.

However, the coalition's election coincided with two developments in British policy. First the British conceded that the Irish government should have an input on the internal arrangements for Northern Ireland. This was not to be through quadripartite talks that put the Republic on an equal footing with the UK government. Rather they were to be through bilateral exchanges with the British. Nevertheless, the British recognised the interconnections between the two parts of Ireland and that for a political initiative to have a chance of succeeding it would have to have some level of Irish support. Cosgrave and FitzGerald took full advantage of this concession and began to expand Irish intervention beyond discussion of new political structures for the Province to issues such as civil service and police reform.

The British still remained sensitive to the possibility of a Protestant reaction to this, however. This informed the second development in British policy. Now that the political initiative was moving ahead, following the Assembly elections and the beginning of talks to form the power-sharing executive, the British had to ensure that whatever agreement was reached was acceptable not only to the Irish government, but

⁵⁷ *Ibid.*

also to the Protestant majority in Northern Ireland. As a result the British began to raise issues with the Irish that were believed could influence the likelihood of Protestant acceptance. While the Strasbourg case was a British government preoccupation, the British continued to press for security cooperation from the Irish, specifically now on the question of extradition. In addition, the British began to raise a new issue in the political sphere, that of Irish recognition of the constitutional position of Northern Ireland through amendment of the Republic's constitution. It was necessary for the Irish government to take action on these issues to ensure the acceptance of political reform by the Protestant majority in Northern Ireland.

These early discussions between the new coalition government and the Heath government had been conducted in an atmosphere of goodwill that had been lacking in British exchanges with Lynch. However, the general ease in Anglo-Irish relations was soon to disappear as the Irish government came under increasing domestic pressure to take a tougher approach to the British, especially after the Littlejohn Affair of August 1973.

Chapter 11: The Package

The Cosgrave government's attitude towards the British changed dramatically following the Littlejohn Affair of August 1973. Gone was the improving relationship the Heath government had enjoyed with Dublin since the Irish election. In its place the aggressiveness of previous Irish policy towards Northern Ireland returned. Having had their place in the political process confirmed, the Irish now tried to dictate the pace and form of the peace process. Rather than the British government's piecemeal approach, Dublin now demanded a comprehensive reform 'package' and insisted on involvement in the negotiations between the Northern Irish parties on forming the new power-sharing executive. All this took the British by surprise. Heath attempted to walk back the earlier British concession of allowing the Irish a voice in internal Northern Irish matters as the British became increasingly concerned at what they saw as the Irish government's blindness to the effect their positions and tactics were having on the Protestant majority in Northern Ireland. FitzGerald, in particular, was seen to show little concern for Protestant sensibilities. This caused considerable anxiety in the British government as the delicate negotiations on power-sharing continued.

On 3 August 1973 two English brothers were jailed in Dublin for their part in a bank robbery in the Irish capital that netted £67,000. Kenneth Littlejohn was jailed for 20 years and his younger brother Keith was jailed for 15 years. During their trial the brothers had claimed that they worked for the British intelligence services and that they had been instructed to infiltrate the Official IRA. They claimed the purpose of the bank raid, committed at the behest of the British authorities, was to force the Irish government to crack down on the IRA.¹

¹ Denis Taylor, 'Two brothers jailed for total of 35 years for Dublin raid claim British intelligence link', *The Times*, 4 August 1973, p. 2.

It quickly became apparent that the brothers had indeed had contacts with the British government. Having come forward in 1971 with claims that they had information on the IRA and its sources of arms a meeting was arranged between the brothers and junior defence minister, Geoffrey Johnson Smith. The Littlejohns claimed that at this meeting they were recruited as spies.² However, the British government claimed that all it had agreed was to receive information on the IRA from the Littlejohns. It had, in fact, been made clear to the brothers that, owing to their criminal records, the British government was not condoning, nor were they commissioning, any criminal activity in order to receive such information. Indeed, if the brothers found themselves facing criminal prosecution they could not expect assistance from the British authorities. Moreover, the British government categorically denied that it was in any way connected with the Dublin bank robbery.³

Despite British denials of involvement, the Littlejohn Affair caused considerable anger in the Republic resulting in a sharpening of the coalition's attitude towards the British government. On 15 August 1973, Garret FitzGerald informed the Taoiseach of his intention to call in the British Ambassador for a meeting. FitzGerald's intention was to give Galsworthy a dressing down over the Littlejohn Affair. He would also put forward the Irish government's view that they had been uniformly helpful on Northern Ireland, despite the political damage this had caused at home, but that they had received no *quid pro quo* from the British. There had been no action on reform of the police or the civil service in Northern Ireland. In addition, there had been no movement by the British government to release the 40 to 50 internees at Long Kesh that the Irish government had identified as having severed their links with terrorist groups. The British Army had not reduced its profile in the North, again despite the representations of the

² Political Obituaries, 'Sir Geoffrey Johnson Smith', *The Daily Telegraph*, 12 August 1973, <<http://www.telegraph.co.uk/news/obituaries/politics-obituaries/7941713/Sir-Geoffrey-Johnson-Smith.html>> [accessed 11 November 2010].

³ 'Defence Ministry admits Littlejohn meeting', *The Times*, 7 August 1973, p. 1.

Irish government. Now there had been the Littlejohn Affair. FitzGerald would therefore demand that Galsworthy apologise for the Littlejohn Affair and give an assurance that it would not happen again. Moreover FitzGerald would demand ‘concrete progress’ on the issues that the Irish government had repeatedly raised with the British; reform of the civil service and police, release of detainees that no longer had links with the IRA, and a reduction of the profile of the British Army in Northern Ireland.⁴

Galsworthy, however, was not to be cowed by FitzGerald’s aggressive approach. The Ambassador stated that the Littlejohns had not been employed by the British government, merely that the British had agreed to receive information on the IRA if they were willing to pass it on. There was therefore no need for a British apology. Indeed, Galsworthy pointed out that at his meeting with the Taoiseach the previous week they had agreed that it would be better for both governments to refrain from making further public comment on the matter, a point which took FitzGerald by surprise.⁵

Nevertheless, the Irish government was now to adopt a more aggressive stance towards the British on Northern Ireland. The first victim of this was the Strasbourg case. Cosgrave’s government had already given an assurance to the SDLP that it would continue with the case at Strasbourg, unless significant concessions could be extracted from the British. Now it appeared the Irish would continue with the case for its own sake. On 4 August 1973, Cosgrave sent a personal message to Heath saying that it would not be possible for the Irish government to further delay the case at Strasbourg. Cosgrave recognised the influence that the case had in the North, which was why he had agreed to a delay in the summer during the Assembly elections, but now ‘in the wake of recent revelations public opinion would be gravely disturbed’ if the Taoiseach was to agree to another delay.⁶ Cosgrave said that this decision had been made with some

⁴ Dublin: NAI, DT 2004/21/467, letter from Garret FitzGerald to Liam Cosgrave, 15 August 1973.

⁵ London: PRO, CJ 4/392, telegram from Sir Arthur Galsworthy to the FCO, 17 August 1973.

⁶ London: PRO, CJ 4/392, telegram from Sir Arthur Galsworthy to the FCO, 4 August 1973.

‘heart-searching’ and was not motivated by ‘ill-will or a desire just to rake over past recriminations’, but the Irish government felt that it had to proceed with the case.⁷

Galsworthy’s view was that the Strasbourg case had been a casualty of the Littlejohn affair. Coupled with criticism from the SDLP and Fianna Fáil of the earlier delay of the case, the ‘Littlejohn business has increased their [the Irish government’s] pusillanimity over this issue’.⁸ While the Irish government ruled out a joint approach to the Commission with the British to seek a friendly solution to the case, the Irish government did say that the British could approach the Commission themselves with proposals to resolve the case. This was unacceptable to the British, as it would suggest the British government was afraid of the charges while giving the Irish government the opportunity to turn down any proposed solution. Galsworthy’s analysis of the Irish position was that,

...what the Irish Government are now hoping is that (A) they will be able to take us sternly to task at Strasbourg (thus restoring their image with their critics here and in the SDLP); but that (B) ... [the British would] mute our replies to their charges at the October hearings, in order not to endanger our chances of getting them to agree to an ultimate friendly settlement. In other words, that we will allow ourselves to be pilloried at the outset without biting back too much, and thus give the Irish [the] leverage over us they have always believed they could get out of Strasbourg.⁹

Galsworthy believed that it was necessary to make clear to the Irish that this was unacceptable and that the case would be fought.¹⁰ Edward Heath agreed. Having seen Galsworthy’s report, Heath’s somewhat Churchillian response was that ‘We shall have to fight them at Strasbourg by every means open to us. The Attorney General must throw himself whole heartedly into the battle. Dublin will regret it’.¹¹

⁷ *Ibid.*

⁸ London: PRO, CJ 4/392, telegram ‘Strasbourg’ from Sir Arthur Galsworthy to the FCO, 21 August 1973.

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ London: PRO, CJ 4/392, letter from C. W. Roberts to M. O’D. B. Alexander, 22 August 1973.

However, by the time of his meeting with Cosgrave on 17 September 1973, Heath's view had changed. At this meeting Cosgrave had restated the Irish view that they could not participate in a joint approach to the Commission given the impact of the Littlejohn case on Irish public opinion and assurances the Irish government had made to the SDLP.¹² Nevertheless, in order to dispose of the case, Heath now said that the British were prepared to take the initiative with the Commission in proposing a friendly settlement.¹³ Agreeing a unilateral approach to the Commission was a significant concession by Heath. But this was not enough to prevent the hearing scheduled for 2-5 October 1973 from going ahead. The manner in which the Irish Attorney General conducted the Irish case at these hearings convinced the British that the coalition had no real desire to settle the case, but instead wanted to proceed to the next stage of examining witnesses.¹⁴ As a result the British government felt it would have to go ahead, without seeking a settlement, despite the impact that this may have on a tripartite conference to establish a Council of Ireland to which 'both Mr Faulkner and British Ministers might find it hard to attend if they were at the same time under attack in Strasbourg'.¹⁵

No matter how aggrieved the British felt at what they regarded as Irish duplicity, and despite the dire warnings for the consequences in Northern Ireland, the fact was that the Strasbourg case was a side issue for both governments. What was of more importance was the political process developing in Northern Ireland, combined with the work that was proceeding on establishing a Council of Ireland. The Littlejohn affair was to affect the coalition's attitude towards these too. Indeed, the Heath-Cosgrave meeting of 17 September 1973, held at the Baldonnel military airfield outside Dublin, very nearly did not take place.

¹² Dublin: NAI, DT 2004/21/624, 'Heath Visit', 21 September 1973.

¹³ London: PRO, CJ 4/468, 'Record of Conversations between the Prime Minister of the United Kingdom and the Taoiseach of the Irish Republic', 17 September 1973.

¹⁴ London: PRO, CAB 130/633, GEN 79(73) 10th Meeting, 18 October 1973.

¹⁵ *Ibid.*

At the end of August 1973, Galsworthy was instructed to pass a note from Heath to Cosgrave, in which Heath proposed a meeting between the two leaders, preferably well in advance of the next session at Strasbourg. Cosgrave, though, was unenthusiastic, complaining to Galsworthy that ‘there had been no visible response in regard to various matters which the Irish had raised with us [the British government] from time to time, particularly the reform of the police and reform of the civil service’.¹⁶ These were the same points that FitzGerald had raised with Galsworthy two weeks earlier. Cosgrave doubted that much progress would be made on these issues in two weeks and without progress there was little point in the two leaders meeting. Whitelaw had already explained to FitzGerald the British position on these issues.¹⁷ Now Galsworthy repeated this to Cosgrave, explaining that the only issue on which the British found it impossible to agree with the views of the Irish government was on civil service reform, where Whitelaw believed the Irish proposals to be ‘an example of the kind of discrimination we had set our faces against, and would create dislocation, uproar and lasting resentment in the civil service and amongst the majority community.’¹⁸

Cosgrave eventually, reluctantly, agreed to meet Heath. At this meeting, though, Irish aggressiveness took the British by surprise. The Irish demanded an end to the piecemeal approach of the British towards Northern Ireland and insisted that the British accept the necessity of devising an over-all ‘package’ of reforms that combined the creation of a Council of Ireland with the establishment of a power-sharing executive in the North.¹⁹

The idea of the ‘package approach’ had already been floated with the British during a meeting between O’Sullivan and Whitelaw on 31 August 1973. During this meeting O’Sullivan expressed the Irish government’s ‘very strong reservations about a

¹⁶ London: PRO, CJ 4/392, telegram from Sir Arthur Galsworthy to the FCO, 30 August 1973.

¹⁷ Dublin: NAI, DT 2004/21/467, ‘Meeting between the Minister for Foreign Affairs, Dr FitzGerald, and the Secretary of State for Northern Ireland, Mr Whitelaw’, 9 June 1973.

¹⁸ *Ibid.*

¹⁹ Dublin: NAI, DT 2004/21/467, letter from Garret FitzGerald to Liam Cosgrave, 15 August 1973.

piece-meal approach' to resolving the conflict in Northern Ireland.²⁰ Furthermore, the Ambassador stated that the Irish government's position was 'entirely in line with those of the SDLP' and that Dublin had assured the SDLP 'of our very strong feelings in favour of a package agreement'.²¹ Whitelaw, not realising that the package approach was to become central to Irish policy in the months leading up to Sunningdale, brushed O'Sullivan off on this point, conceding only that 'while his mind is not fully closed on the subject he would see merit in having the Executive first'.²²

At Baldonnell, however, the Irish were not to be deflected from their package proposal. Time and again the Irish delegation returned to the idea of a conference that would deal with both the creation of the power-sharing executive and the Council of Ireland. Indeed, such a conference could also deal with issues such as the reform of the police in Northern Ireland. Repeatedly the Irish argued that such a package was necessary as the SDLP were concerned that they would find themselves in the position where they had agreed to participate in a power-sharing executive without progress having been made on the Council of Ireland and the other issues of concern to the minority. This would be disastrous for them and could undermine their support.²³

Heath was taken aback by the Irish delegation's repeated demands for a package approach, insisting that such an idea had never before been put to him. Moreover, Heath argued that the Irish government's package proposal went much further than any demands the SDLP had made of the British. As he understood it, the SDLP were content with the British government's commitment that a conference on the Council of Ireland should be held not more than one month after the formation of a power-sharing executive. Police reform, Heath added, was already being discussed by the Northern parties in the on-going negotiations on forming an executive. Meanwhile the power over

²⁰ Dublin: NAI, DT 2004/21/624, letter from Donal O'Sullivan to H. J. McCann, 31 August 1973.

²¹ *Ibid.*

²² *Ibid.*

²³ London: PRO, CJ 4/468, 'Record of Conversations between the Prime Minister of the United Kingdom and the Taoiseach of the Irish Republic', 17 September 1973.

internment would not be devolved and would therefore remain under the control of the Northern Ireland Secretary. And once an executive was formed it would be able to reform the Northern Irish civil service itself. Finally, as far as the Irish dimension was concerned, it would be for the executive in Belfast to agree with the Irish government what form a Council of Ireland should take. They could hardly do this until after the executive was formed.²⁴ Eventually, in an attempt to deflect Irish pressure, Heath began to walk back on the concession the British had previously made to the Irish on accepting that Dublin's views on internal Northern Irish matters should be heard. Now Heath maintained that the responsibility for forming an executive in Belfast and for the reform of the RUC was a matter for the UK government and the British Parliament at Westminster to deal with. These were domestic matters not to be discussed at a conference with a foreign government.²⁵

The British left Baldonnell stunned by the Irish government's intransigence over their package proposal. As a result, little progress was made. Galsworthy's assessment was that the package proposal had little to do with the requirements of the SDLP and more to do with the desire of FitzGerald and officials in the Irish Foreign ministry to get a strong Council of Ireland in place. The Council had now become an obsession for FitzGerald. Galsworthy went on to warn London that, 'If this reading of the situation is correct, then I fear we may find them [the Irish government] breathing down the SDLP's necks to ensure that the SDLP stick firmly to this line and do not settle for an Executive until they have a Council of Ireland in the bag'.²⁶

Days later, the Ambassador's assessment seemed to be confirmed in exchanges between officials from the Irish Department of Foreign Affairs (DFA) and the British

²⁴ London: PRO, CJ 4/468, 'Record of Conversations between the Prime Minister of the United Kingdom and the Taoiseach of the Irish Republic', 17 September 1973; and Dublin: NAI, 2004/21/624, 'Heath Visit', 21 September 1973.

²⁵ London: PRO, CJ 4/468, 'Record of Conversations between the Prime Minister of the United Kingdom and the Taoiseach of the Irish Republic', 17 September 1973.

²⁶ London: PRO, CJ 4/392, telegram 'Meeting between the Prime Minister and the Taoiseach', from Sir Arthur Galsworthy to the FCO, 18 September 1973.

embassy. While the Irish continued to claim that the SDLP would not join an executive until there had been action on the Council, internment, and reform of the police and civil service, the British claimed that meetings with the SDLP since Baldonnell seemed to indicate that the SDLP were still satisfied with Whitelaw's guarantee of talks on the Council no later than one month after the formation of an executive. When asked if the SDLP themselves had come up with the package proposal, the Irish response was that the SDLP had 'voiced no disagreement to the proposition'.²⁷ All this confirmed Galsworthy's view 'that Dublin are stiffening the SDLP's will to hold out for the whole package as their price for going into the Executive', although he also believed that the SDLP were not as 'solid on the package doctrine as Dublin might wish'.²⁸

The British believed that the Irish were playing with fire in seeking to harden the SDLP's position on the Council of Ireland and participation in an executive. Although Faulkner led the largest unionist group in the Assembly, his group was outnumbered by unionists opposed to power-sharing or an accommodation with Dublin.²⁹ Ian Paisley's Democratic Unionists and William Craig's Vanguard Unionists, along with members of Faulkner's own party that opposed their leader's conciliatory policies towards the nationalists, had demonstrated their willingness to disrupt the Assembly and attack Faulkner and his supporters, at times physically.³⁰ Faulkner remained the only viable moderate Unionist leader. At Baldonnell Heath had reminded Cosgrave of the weak position that Faulkner found himself in and highlighted the risks to Faulkner if they proceeded on the basis being suggested by Dublin.³¹ Heath feared that Faulkner's position could very quickly become impossible and asking him to take part in

²⁷ London: PRO, CJ 4/392, telegram from Sir Arthur Galsworthy to the FCO, 21 September 1973.

²⁸ *Ibid.*

²⁹ Fionnuala McKenna, 'Assembly Election (NI) – Thursday 28 June 1973', *CAIN Web Service*, <<http://cain.ulst.ac.uk/issues/politics/election/ra1973.htm>> [accessed 15 November 2010].

³⁰ Ken Bloomfield, *Stormont in Crisis: A Memoir* (Belfast: The Blackstaff Press, 1994), pp. 185 and 204; and Faulkner, *Memoirs of a Statesman*, pp. 200-2.

³¹ London: PRO, CJ 4/468, 'Record of Conversations between the Prime Minister of the United Kingdom and the Taoiseach of the Irish Republic', 17 September 1973; and Dublin: NAI, 2004/21/624, 'Heath Visit', 21 September 1973

negotiations on the Council of Ireland before an executive was formed could cost Faulkner his remaining support.³²

Again Irish policy towards Northern Ireland aroused British concerns over the position of the Protestant majority and their willingness to accept the developing initiative. The Cosgrave government's package proposal and their attempt to stiffen the position of the SDLP, the British believed, demonstrated the Irish government's ignorance of the impact their policy could have on the unionist population in Northern Ireland. Much of the blame for this was placed firmly at the door of the Irish Foreign Minister, Garret FitzGerald.

British concern with FitzGerald began just a month after he had taken office. At the end of a meeting between FitzGerald and Whitelaw in London in April 1973, FitzGerald had suggested a follow-up meeting in Belfast. Whitelaw feared the appearance of the Republic being brought into the internal affairs of the North could provoke a Protestant backlash. He therefore did not think it wise for FitzGerald to visit Northern Ireland until after the Assembly elections, which were scheduled for 28 June 1973.³³ Despite Whitelaw's warning, on 25 April 1973 FitzGerald travelled to the North to visit the Ardoyne area of Belfast. FitzGerald did not inform the British government in advance, and, indeed, only informed the Taoiseach in a letter written the morning of the visit.³⁴ The lack of advance notice was the cause of considerable anger within the British government. Donal O'Sullivan was summoned to the Foreign Office in London where, not only was British anger at the diplomatic discourtesy involved made clear, but also the potential harm to the process in Northern Ireland was once again spelled out.³⁵

³² London: PRO, CJ 4/468, 'Record of Conversations between the Prime Minister of the United Kingdom and the Taoiseach of the Irish Republic', 17 September 1973.

³³ London: PRO, CJ 4/391, 'Note of a Meeting' between William Whitelaw and Garret FitzGerald, 4 April 1973.

³⁴ Dublin: NAI, DT 2004/21/466, letter from Garret FitzGerald to Liam Cosgrave, 25 April 1973.

³⁵ Dublin: NAI, DT 2004/21/466, letter from Donal O'Sullivan to the DFA, April 1973.

A second visit by FitzGerald only increased British anxiety. While the visit was known about in advance, FitzGerald's announcement that he would be making further visits in the autumn caused further concern in the NIO. Frank Cooper, the NIO Permanent Secretary wrote to Galsworthy following the visit complaining that FitzGerald 'seems singularly insensitive to the precarious political balancing act' that Whitelaw faced.³⁶ Cooper considered that it might be necessary to send British officials to Dublin to brief FitzGerald on the various issues the NIO was seeking to resolve, for example police reform, in order to educate FitzGerald and make clear the difficult position the British government faced in Northern Ireland.³⁷

Having already been warned once about unannounced visits to Northern Ireland and with the British government having made clear the potential impact of these visits on political process in the Province, the British government's reaction to FitzGerald's third trip to the North on 31 October 1973 was 'explosive'.³⁸ The British government only found out about the visit after it had been announced on the BBC, with official confirmation only coming later. Not only was FitzGerald repeating the diplomatic discourtesy of April, which he had assured Galsworthy would not happen again, but it was clear that FitzGerald had intended to keep the British in the dark as long as possible about the visit, with London being informed only after the Foreign Minister's itinerary had been finalised.³⁹

However, it was not just the diplomatic discourtesy that angered the British. FitzGerald was going to visit Belfast on the day that Whitelaw had announced the power-sharing negotiations would be discussing the Council of Ireland. While the Council was an important issue for the SDLP, it was one of great sensitivity for Faulkner's Unionists

³⁶ London: PRO, CJ 4/392, letter from Frank Cooper to Sir Arthur Galsworthy, 23 August 1973.

³⁷ *Ibid*

³⁸ London: PRO, CJ 4/332, telegram 'Visit by Dr FitzGerald to the North', from Thom to the FCO, 30 October 1973.

³⁹ London: PRO, CJ 4/332, telegram 'Dr FitzGerald's Visit to Northern Ireland', from Sir Alec Douglas-Home to the British embassy, Dublin, 31 October 1973.

and the Protestant majority in Northern Ireland. For FitzGerald to have a meeting with the SDLP on the day these talks were to take place looked like Dublin was being brought into this process. And for FitzGerald to then take part in a BBC radio phone-in only made matters worse, as Whitelaw had persuaded those involved in the power-sharing talks to refrain from public comment.⁴⁰ Douglas-Home instructed the British embassy in Dublin to make it clear to the Irish Foreign Ministry the anger in the British government, and that,

...you should say that I [Douglas-Home] have hitherto defended Dr FitzGerald's visits in public, saying that we had had forewarning when in fact that forewarning amounted to only a few hours. We had assumed that the apparent discourtesy reflected no more than thoughtlessness. We are now less certain. We shall not look for publicity on this occasion, but if asked we shall not attempt to conceal the facts.⁴¹

Such was the state of Anglo-Irish relations as the negotiations in Northern Ireland neared agreement on power-sharing and the British started to prepare for the tripartite meeting between the British and Irish governments and the new Northern Irish executive. Since the Irish general election the coalition had enjoyed the position of being the only international actor directly involved in the political sphere other than the British government. This had coincided with the British government's concession of allowing the Irish a voice over the internal reforms to be made in Northern Ireland. Following the Littlejohn Affair, however, the Irish government's approach was to become far more aggressive as Dublin now attempted to dictate the pace and form of the political initiative in Northern Ireland.

This greatly concerned the Heath government. The British argued the package approach was unreasonable, unpractical and liable to inflame Protestant opinion. Indeed,

⁴⁰ London: PRO, CJ 4/332, telegram 'Dr FitzGerald's Visit to Northern Ireland', from Sir Alec Douglas-Home to the British embassy, Dublin, 31 October 1973; and PRO, CJ 4/332, telegram 'Visit by Dr FitzGerald to the North', from Thom to the FCO, 30 October 1973.

⁴¹ London: PRO, CJ 4/332, telegram 'Dr FitzGerald's Visit to Northern Ireland', from Sir Alec Douglas-Home to the British embassy, Dublin, 31 October 1973.

the British became greatly concerned at the lack of awareness of the coalition to the consequences of their actions on the majority in the North. This was especially true of FitzGerald, whose repeated diplomatic discourtesies and insensitivity to the precarious balance of the peace process in Northern Ireland was a cause of considerable anger throughout the British government. The practical result of this was that the British were unable to persuade the Irish government to make any political concessions to unionist opinion that would help sell the reform process to the Protestant community in Northern Ireland.

Rather than presenting a softer alternative to the Fianna Fáil government of Lynch, the Cosgrave government adopted an increasingly aggressive stance as the negotiations of forming a power-sharing executive neared their conclusion and the promised tripartite conference approached. In these talks, the coalition's aggressiveness was to bring them success, at the expense of the British government and the Faulkner Unionists. However, it was not just in their relations with the British government that Cosgrave's coalition was to find it had greater influence than its Fianna Fáil predecessor. FitzGerald was to prove a much more aggressive advocate for the Republic's position on Northern Ireland in the United States than Lynch and Hillery had ever been.

Chapter 12: The Inter-Agency Conference

Once the presidential election of 1972 was over, the key electoral calculations that could have motivated US government intervention were removed. In addition, it was becoming clear that political progress in Northern Ireland had an inverse relationship with Irish Caucus agitation in the US. As the British and Irish governments and Northern Irish parties embarked on a peace initiative, there was less force in Irish Caucus demands for intervention. As a result, the Nixon administration's exclusion from involvement in the political process in Northern Ireland was confirmed. However, Irish Caucus agitation did not disappear and the Nixon administration, as well as the British and Irish governments, continued to have to engage with the Caucus. That said, there were signs that the views of Edward Kennedy were beginning to moderate, largely thanks to the combined lobbying of the British and Irish governments and the SDLP's John Hume.

Yet, as domestic pressures on the Nixon administration declined, external lobbying increased. Irish lobbying for US action re-asserted itself. This time, though, the Irish were not seeking US political intervention. Rather it was action on security issues, especially gunrunning and fundraising for the IRA, on which the Irish government wanted US government action. Thanks to the lobbying of Garret FitzGerald, an inter-agency conference, involving various branches of the US government, was held to determine what action could be taken against US supporters of the IRA. However, in its response to FitzGerald's lobbying, the US government was still unwilling to adopt policies that would provoke an angry response from the Irish Caucus.

Irish Caucus activity declined as the political initiative in Northern Ireland developed. Members of the Caucus remained sensitive to the lobbying of Irish-American groups, but their activity was never to reach the levels of early 1972. Nevertheless, Edward Kennedy continued to be the focus of British and Irish government interest.

Over the course of 1973 Kennedy maintained his running commentary on all things related to Northern Ireland. In February 1973 Kennedy spoke on the issue of the 800 Royal Marines that the ACUJ claimed were being trained by US forces for their role in Northern Ireland, but were in fact carrying out annual NATO joint US-UK amphibious warfare exercises.¹ In March he testified before the Judiciary Subcommittee hearings on the Fort Worth Five, arguing the detention of the men was the result of the British government, through the proxy of the Justice Department, attempting to harass anybody peacefully protesting against British policy in Northern Ireland.² Two weeks later, Kennedy gave a lukewarm welcome to the British White Paper on Northern Ireland, while stating that ‘the proposals themselves are still far more shadow than substance’.³

The moderation of Kennedy’s views on Northern Ireland has generally been attributed to a meeting between the Senator and the SDLP’s John Hume in Germany in November 1972.⁴ Yet Kennedy’s conversion was not immediate, as seen above, and the lobbying of the Irish and British governments must be seen as a contributing factor. Both the British and the Irish governments had again attempted to engage with Kennedy in the first weeks of 1973, as both Jack Lynch and Ted Heath had separately visited the US. During their visits they both met Kennedy and made their respective views clear to him.

In his meeting with Kennedy, Jack Lynch used ‘unusually tough language’ and warned the Senator to lay off the issue of Ireland, at least in his public statements.⁵ Heath, too, was eager to set Kennedy straight. In advance of the Prime Minister’s visit, two officials from the British embassy in Washington, Donald Cape and Pauline Neville-

¹ New Haven, CT: Yale University, Manuscripts and Archives, Ogden R. Reid MS, Part 4, Congressional Files, Constituent Correspondence, Group No. 755, Series No XIII, Box 275, Folder, ‘Foreign Affairs: Miscellaneous’, ‘800 British Marines training in US between duty tours in Ulster’, *Boston Globe*, 15 February 1973; and Boston, MA: John F. Kennedy Presidential Library and Museum, Archives and Manuscripts, James Delaney MS, Box 93, letter from Assistant Secretary for Defence John H. Morse to Congressman James A. Burke, 13 March 1973.

² House of Representatives, *Hearing Before Subcommittee No. 1 of the House Committee on the Judiciary*, 93rd Congress, First Session, 13 March 1973, p. 8.

³ London: PRO, CJ 4/324, telegram ‘Northern Ireland White Paper’, from Sykes, British Embassy in Washington, to the FCO, 21 March 1973.

⁴ White, *John Hume*, pp. 186-7.

⁵ London: PRO, FCO 87/238, letter from Alistair Maitland to J. A. N. Graham, 29 January 1973.

Jones, met Carey Parker, a member of Kennedy's staff. In a combative meeting, the British deployed a new strategy in their attempts to influence Kennedy. Cape suggested to Parker that 'Senator Kennedy would be well advised to think twice if on any issue he found that his position was different to that of Mr Lynch and the Irish Government'.⁶ Recognising that Kennedy would not accept the British position on Northern Ireland, in order to moderate the Senator's views the British now argued that Kennedy should question the validity of his positions if he was to find himself in the position where even the Irish government was criticising him. Furthermore, Cape had gone on to suggest that Kennedy should join Lynch in trying to persuade Irish-Americans to not give money to Noraid.⁷ When Heath met Kennedy in Washington two weeks later, the Prime Minister urged the Senator to support the political initiative Whitelaw was developing.⁸ In addition, Heath also raised his concerns at the flow of money from the US to the paramilitaries in Northern Ireland. On this, 'Kennedy, with a glancing reference to a "bit of trouble in the beginning" declared positive and cooperative intentions'.⁹ Following this meeting the British believed that their lobbying had paid off and that Kennedy would adopt a more constructive attitude on Northern Ireland.

In May 1973, Kennedy followed Lynch's lead and set out his views on the Northern Ireland crisis in a US journal. In the article, 'Ulster is an International Issue', published in the US journal *Foreign Policy*, Kennedy defended the position that he had taken on Northern Ireland and restated many of the points he had made since August 1971. Kennedy compared the conflict in Northern Ireland to the war in Vietnam, condemned British policy in the Province up to the introduction of direct rule and argued that the British White Paper of March 1973 did not go far enough. And again Kennedy argued that Ulster was not a domestic issue for the UK government to deal with. Rather

⁶ London: PRO, FCO 87/237, letter from Donald Cape to the FCO, 18 January 1973.

⁷ *Ibid.*

⁸ London: PRO, FCO 87/237, telegram 'Prime Minister, Secretary of State and I met Senator Kennedy for half an hour at 1000 hours today', from Lord Cromer to FCO, 2 February 1973.

⁹ *Ibid.*

it was an international issue that involved the government of the Republic of Ireland and in which the United States should also be interested.¹⁰ On receiving a courtesy copy of the article, the British Ambassador in Washington, Lord Cromer, saw it as another example of Kennedy's inconsistency. Cromer replied to Kennedy that he felt 'compelled to tell you that I find it difficult to reconcile the tenor of this article with your parting remarks when you called on my Prime Minister and Foreign Secretary at the Embassy earlier this year'.¹¹

However, beyond Kennedy's by now familiar rhetorical jibes at British policy in Northern Ireland, the article did mark a shift in the Senator's views. It appears that the lobbying of Hume, Heath and Lynch had some impact. Indeed, Donald Cape's advice that the Senator would do well not to deviate from the position of Lynch now reflected Kennedy's position.¹² Essentially, the position set out by Kennedy was now identical to that of Lynch. Kennedy argued that the reunification of Ireland was the only solution to the conflict in Northern Ireland and that the British government should become a persuader of Irish unity. Moreover, Kennedy echoed Lynch's criticism of the British government allowing the extremist Protestants a veto over political reform in the Province. Here Kennedy repeated his argument that he did not believe the Protestants in Northern Ireland would plunge the whole island into civil war over the issue of the reunification.¹³ Yet, the article did not include Kennedy's earlier demand for the withdrawal of British troops from Northern Ireland. Instead it called for 'effective and even-handed peace-keeping arrangements', without going into any detail of what this would entail.¹⁴

¹⁰ Edward M. Kennedy, 'Ulster is an International Issue', *Foreign Policy*, No. 11 (Summer 1973), pp. 57-71.

¹¹ London: PRO, CJ 4/351, letter from Lord Cromer to Senator Edward Kennedy, 31 May 1973.

¹² London: PRO, FCO 87/237, letter from Donald Cape to the FCO, 18 January 1973.

¹³ Kennedy, 'Ulster is an International Issue', pp. 66-9.

¹⁴ *Ibid*, p. 71.

In effect, Kennedy's position was now largely the same as Lynch's. Kennedy did still argue for an American role. Yet this too had changed. Again Kennedy repeated the argument that the United States had a right to be concerned with injustice no matter where in the world it occurred. Interestingly he also argued that 'The thousands of British troops now tied down in Ulster are of obvious importance to the level of troop commitments in NATO, an issue of growing concern between the United States and Europe'.¹⁵ Here Kennedy was deploying the argument that the Nixon administration was sensitive to, that the conflict in Northern Ireland had the potential to undermine NATO. Therefore resolution of the conflict was a matter of concern, not only to the United States, but to Europe too. But little was made of this point by Kennedy. Having established to his own satisfaction the right of the United States to be involved, Kennedy moved on to state the ways in which the US could get involved.

Here, there was little that the Nixon administration, or indeed the British government, would have objected to. Certainly both governments would reject Kennedy's argument that the United States should become a persuader of Irish unity. Otherwise Kennedy's call that the US should give all the support it could to the concept of a power-sharing executive, the establishing of a Council of Ireland, and then encouraging the North and South to bring their disagreements to the Council for resolution, were hardly points with which Washington or London would take issue.¹⁶ Gone were calls for the withdrawal of British troops, American mediation, punitive action against the British, or the immediate holding of conferences aimed at achieving Irish unity. Instead Kennedy, while holding to the view that only the reunification of Ireland could solve the conflict, now supported the initiative being developed by the British government as an interim arrangement until reunification could be achieved.

¹⁵ *Ibid*, pp. 58-9 and p. 70.

¹⁶ *Ibid*, pp. 70-1.

What Kennedy retained, however, was the nationalist rhetoric, which Cromer failed to see beyond in his reading of Kennedy's article.

Alongside the decline in Irish Caucus agitation, notwithstanding Kennedy's continued activism, the view in both London and Dublin was that there had also been a decline in support for the IRA in the US. The view of British officials was that public support for the IRA had declined appreciably. Alistair Maitland, the British Consul General in Boston, believed that 'the climate of opinion here concerning Northern Ireland has improved remarkably'.¹⁷ W. E. H. Whyte, of the British Consulate in New York, agreed with Maitland. Whyte reported that 'it had become increasingly difficult for the IRA to arouse interest or financial support' in New York. In addition, 'a growing distaste for terrorism in all its forms and consequent decline in support for the IRA', was also identified.¹⁸ Whyte agreed with Maitland's view that there was no advantage in publicising this decline in support for the IRA as it might only encourage them to redouble their efforts.¹⁹

From the perspective of both consulates the key driver of this change in the IRA's fortunes in the US was the British government's political initiative. The White Paper, containing far reaching proposals for the future government of Northern Ireland, followed by elections to the Northern Ireland Assembly, local government elections, power-sharing government and a Council of Ireland all offered hope for a resolution of the conflict. All this served to undermine IRA support in the United States. And British officials were sensitive to any action that might help the IRA recover its support. Avoiding public confrontation with representatives of either wing of the IRA or their American proxies was one way of doing this.²⁰ That said, Whyte did believe that the British should continue to publicise the dangers of Americans contributing financially to

¹⁷ London: PRO, FCO 87/236, letter from Alistair Maitland to Donald Cape, 16 May 1973.

¹⁸ London: PRO, FCO 87/236, letter from W. E. H. Whyte to Donald Cape, 30 May 1973.

¹⁹ *Ibid.*

²⁰ London: PRO, FCO 87/236, letter from Alistair Maitland to Donald Cape, 16 May 1973.

what may seem like good causes in Northern Ireland, as this money would likely end up in the hands of the terrorists.²¹

While the Irish government agreed with these assessments, Dublin was also not about to admit it publicly. Although there had been a reduction in support, the Irish government believed that gunrunning and fundraising from the United States continued to be vital to the IRA's ability to conduct its operations. As a result, FitzGerald was to spend the summer of 1973 lobbying US politicians to take action against the IRA's fundraising and gunrunning activities. In June 1973, FitzGerald met with Congressman Eilberg, who had recently chaired the Judiciary Subcommittee hearings on the Fort Worth Five. FitzGerald told Eilberg that 75 per cent of the funds for the Provisional's campaign came from the United States and that without this support the Provisional IRA would have been unable to sustain its high level of violence over the preceding three years.²² In a later briefing to officials at the US embassy in Dublin, Irish Foreign Ministry sources admitted that there 'had been some slight tapering off in money flows from American citizens over the past year' but that this reduction was very small.²³

Clearly the Irish government was not going to admit that the political initiative in Northern Ireland was leading to a great reduction in support for the IRA in the US when the coalition was attempting to persuade the US government to take action against the Provisional's activities in America. While the three main political parties in the Republic had all spoken out against support from American citizens for the IRA, the US Ambassador in Dublin, John Moore, sensed a change in the attitude on this issue between the previous Fianna Fáil administration and the recently elected Fine Gael-Labour coalition. Moore admitted that during his time as Taoiseach Jack Lynch had spoken

²¹ London: PRO, FCO 87/236, letter from W. E. H. Whyte to Donald Cape, 30 May 1973; and PRO, FCO 87/236, letter from Alistair Maitland to Donald Cape, 16 May 1973.

²² College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5, Folder 'IRE - POL - POL 12 - IRA - 1973', telegram 'American Contributions to Irish Violence' from Ambassador John Moore to Secretary of State, 21 June 1973.

²³ *Ibid.*

strongly against Irish-American support for the IRA. But Moore reported to Washington that the coalition ‘now seem to be making [a] major point of stressing their concern to US visitors’, marking the coalition’s determination to address this issue.²⁴

At this point, in June 1973, all Ambassador Moore requested of the State Department in Washington was whether the US law enforcement agencies were satisfied that they were receiving enough intelligence from the Irish government on this subject.²⁵ However, by 30 August 1973, Moore was advocating that the State Department take a more proactive approach. As a result of the continued lobbying of FitzGerald, Moore once again raised the issue of the fundraising activities of the Provisional’s and their proxies in the US. Moore reported that the main focus of the Irish government’s concern was Noraid and its affiliated groups. Current State Department guidelines, which were thrashed out over the course of 1972, recommended that visas be refused to those believed to be travelling to the US to raise funds for terrorist groups. This policy had achieved some success, but still leading members of the IRA had managed to travel to the US and undertake fundraising tours. Having discussed the matter within his embassy, Moore informed Washington that ‘If in fact substantial sums are being raised in [the] US for use by [the] IRA, we believe that we should make every legitimate effort to prevent fund-raisers from travelling to [the] US’.²⁶

Moore recognised that this was easier said than done. Firstly, as the IRA was an underground organisation it would be difficult for the US government to identify who its key members were. Some of these individuals would no doubt appear to be respectable members of the community who would easily get a non-immigrant visa to travel to the US. Indeed, many members of the IRA had managed to obtain visas before the Troubles began. Secondly, any apparently indiscriminate policy of excluding IRA or Sinn Féin

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5, Folder ‘IRE – POL – POL 12 – IRA – 1973’, telegram ‘IRA Fund-Raising in US’ from Ambassador John Moore to Secretary of State, 30 August 1973.

members from the US could anger many people in the US and Ireland. This risked increasing sympathy for the Provisionals.²⁷ Nevertheless, Moore recommended that the State Department should approach other US agencies, especially the Justice Department, to see what information was available on British and Irish citizens who were known to have helped in Noraid's fundraising activities. In addition, Moore suggested that the US embassies in Dublin and London should be instructed to approach their host governments and ask them to suggest the names of individuals that the US should screen for visa ineligibility due to their support of violence. This would allow the US government to develop a 'fairly small, discriminating, and realistic list, noting [the] problem of public opinion that would arise if we excluded legitimate visitors'.²⁸

In recommending only that the State Department create a 'small' and 'discriminating' watch-list, Moore recognised the potential domestic political impact an overt attack on the activities of Noraid and similar groups may have. Despite this, on reading Moore's telegram, William J. Porter, the Under Secretary of State for Political Affairs, the third ranking State Department official, immediately contacted Walter Stoessel, who had replaced Martin Hillenbrand as the Assistant Secretary for European Affairs. Porter argued that Dublin's assertion 'that American money buys 75% of the guns and explosives used by the IRA Provisionals and the support for this assertion in other telegrams and newspapers must prompt us to take new measures against this particular brand of terrorism'.²⁹ Porter asked Stoessel and the Director of the State Department's Bureau of Intelligence and Research, Ray S. Cline, to consult with the FBI and the CIA on whether any justiciable case could be developed against Noraid or any similar organisations.³⁰

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5, Folder 'IRE - POL - POL 12 - IRA - 1973', memorandum 'US Financial Support for the IRA', from William J. Porter to Walter J. Stoessel and Ray S. Cline, 30 August 1973.

³⁰ *Ibid*

These discussions with the FBI and the CIA led to the conclusion that a case could be made against organisations like Noraid for technical breaches of the Foreign Agents Registration Act (FARA), which set out the conditions in which money raised in the US could be sent to political organisations abroad. Furthermore, an inter-agency meeting, including representatives of the State Department, CIA, and FBI resulted in the agreement of a coordinated US government approach against IRA fundraising in the US.³¹ Stoessel recommended to Porter that a reporting system, similar to that advocated by Moore, should be created. The US embassies in Dublin and London, and the consulate in Belfast would be instructed to identify individuals who may attempt to enter the US with the purpose of raising funds for the IRA. These individuals could then be refused visas or monitored by the authorities if they were allowed entry to the US. Stoessel believed that ‘Conviction of one or more particularly flagrant offenders would tend to inhibit the IRA from raising money here openly’.³²

However, the domestic political considerations of taking action against Noraid had to be taken into account. Porter was warned that the ‘Justice [Department] is apparently under considerable pressure from the Hill not to impede these fund-raising activities. There appear to be strong incentives therefore not to move fast.’³³ It was therefore recommended that State Department officials should further gauge attitudes on Capitol Hill to get a clearer reading of Congressional attitudes on the issue of IRA fundraising. These officials could also meet with interested Senators and Congressmen to brief them on how the money raised by Noraid was actually spent, highlighting the violence, death and destruction that resulted.³⁴ Furthermore, Stoessel recommended that

³¹ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5, Folder ‘IRE – POL – POL 12 – IRA – 1973’, memorandum ‘Private US Financial Support for the IRA’ from Walter J. Stoessel to William J. Porter, 4 October 1973.

³² *Ibid.*

³³ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5, Folder ‘IRE – POL – POL 12 – IRA – 1973’, memorandum ‘US Financial Support for the IRA’ from George S. Springsteen (Deputy Assistant Secretary for European Affairs) and Ray S. Cline to William J. Porter, 24 September 1973.

³⁴ *Ibid.*

before any specific action was taken that guidance from the White House should be sought. The guidance was required ‘because of the widespread impression within the Federal agencies concerned that individual Members of Congress would come down hard on civil servants who attempt to curb even illegal IRA fundraising’.³⁵

Immediate action was taken to have the watch-list drawn up.³⁶ Moreover, evidence began to be collected by the State, Justice and Treasury Departments that could lead to US government action ranging from the refusing or revoking of visas through to the prosecution of individuals or organisations under the Foreign Agents Registration Act. On this, though, no action was taken as it was feared that to do so would ‘trigger a howl of protest from Congress’.³⁷ At this stage the Nixon administration was not willing to become embroiled in the political battle with the Irish Caucus that would result from actively seeking a prosecution of Noraid. An example of the existing level of Irish-American support for the IRA, and perhaps also the need for Moore’s watch-list, was reflected in the fact that Congressmen Silvio Conte and Tip O’Neill, the Majority Leader of the House of Representatives, co-hosted a reception in Congress’s Rayburn Building in honour of the visiting Ruairí Ó Brádaigh, the President of Provisional Sinn Féin.³⁸

In December 1973, Henry Kissinger, recently appointed Secretary of State, decided ‘to leave to the other USG [United States Government] agencies the problem of IRA fund raising’.³⁹ The leading part played by the State Department in bringing together US government agencies in order to collect evidence against Noraid was ended

³⁵ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5, Folder ‘IRE – POL – POL 12 – IRA – 1973’, memorandum ‘Private US Financial Support for the IRA’ from Walter J. Stoessel to William J. Porter, 4 October 1973.

³⁶ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 4, Folder ‘IRE – ORG 2 – Correspondence with AmEmbassy Dublin 1973’, letter from Stephen P. Dawkins to Grover Penberthy, 14 November 1973.

³⁷ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5, Folder ‘IRE – POL – POL 12 – IRA 1973’, memorandum ‘US Support for the IRA’, from William A. Buell, Jr., to Walter J. Stoessel, 20 November 1973.

³⁸ *Ibid.*

³⁹ College Park, MD: NACP, RG59, A1 5573, Records Relating to Ireland, 1962-1975, Box 5, Folder ‘IRE – POL – POL 12 – IRA 1973’, memorandum ‘American Contributions to Northern Ireland Violence’ from Thomas R. Pickering to George Springsteen, 19 December 1973.

as the political will to bring such a prosecution did not exist above the level of William Porter. However, the modest proposal of Ambassador Moore, to create a list of those who may seek entry to the US in order to raise funds for the IRA, was implemented. FitzGerald's lobbying of the US government had at least achieved this much, even if the political will to prosecute Noraid did not exist.

The British government's developing political process in Northern Ireland relieved much of the pressure from the Congressional Irish Caucus for US intervention in Northern Ireland. Certainly Irish Caucus activity continued, but it had none of the intensity of the previous year. In addition, it appeared that Edward Kennedy's position on Northern Ireland was beginning to change as he moved towards the line advocated by Jack Lynch. The consequence of all this was to significantly remove the pressure on the Nixon administration to become politically engaged in Northern Ireland.

However, the US government could not totally disengage from Northern Ireland. The connection between Irish-American groups and IRA fundraising led to pressure from the British and Irish governments for the Nixon administration to take action. FitzGerald's vocal and persistent lobbying led to the inter-agency conference. Action that could be taken against US supporters of the IRA was identified. However, this was all contingent on the necessary political will existing amongst the administration's senior politicians. While Under Secretary Porter seemed to possess such a will, it was clear that his new boss did not. If a prosecution against Noraid was to be mounted, it was to be done without the active participation of the State Department.

Chapter 13: Sunningdale

Ministers from the British and Irish governments and from the new Northern Ireland power-sharing executive met at Sunningdale in Berkshire on 6 – 9 December 1973. The Sunningdale Agreement confirmed Dublin's role in the politics of Northern Ireland and sought to institutionalise this relationship through the structures of a Council of Ireland. In exchange for this, both the British government and Faulkner Unionists sought cooperation on security issues, for example on the extradition of fugitive offenders. However, the Irish refused to accede and instead it was decided a commission should be appointed to look further into security cooperation. Irish intransigence on security issues fed into British frustration at Dublin's approach. In the month leading up to the Sunningdale conference the British struggled to deal with the Irish government's aggressive approach and their increasing demands.

Since the Baldonnell meeting, the British had become convinced that the Irish government had become fixated on achieving a strong Council of Ireland. Dublin was also entirely supportive of the demands of the SDLP, while demonstrating a complete lack of understanding of the Protestant majority in Northern Ireland and the pressures that Brian Faulkner and his moderate Unionists were under. The British government was convinced that any political solution in Northern Ireland depended on the support of a majority of the Protestant community there, a point they believed the Irish government was completely blind to. As a result, as the inter-party negotiations in Belfast approached Whitelaw's deadline for agreement, the British government felt it necessary to instruct Whitelaw and Douglas-Home to make clear to FitzGerald, 'who was ill-informed about Unionist attitudes', that 'success in forming the Executive centred on Mr Faulkner; that his political position at the moment allowed him little room for making

further concessions; and that there was a real danger of the SDLP and the Government of the Republic overplaying their hand'.¹

Indeed, as Whitelaw's deadline approached and the inter-party talks entered their final hours, the British government had to expend as much energy placating the Irish government, and keeping FitzGerald out of Belfast, than it did in clinching the deal that saw Faulkner's Unionists, the SDLP and the Alliance Party entering into a power-sharing executive together. On 20 November 1973, as it was becoming clear that significant progress was being made in Belfast, Douglas-Home met FitzGerald on the fringes of a meeting in Copenhagen. As agreement on forming an executive would lead on to the next stage of the peace initiative, namely the tripartite conference, FitzGerald demanded that any statement released by the British government announcing the formation of an executive should make no reference to various matters under discussion without prior clearance with Dublin. In order to underline this point, FitzGerald threatened to travel back to Dublin via Belfast or London.² At this sensitive stage of the negotiations, the British wanted to avoid anything that could anger Unionist opinion in the North. FitzGerald was told that his views would be passed on to Whitelaw and that Sir Arthur Galsworthy had been to Belfast to receive a full briefing from the NIO. Any points the Foreign Minister wanted to raise should therefore be addressed to the British Ambassador in Dublin. However, if FitzGerald continued to press to visit Belfast, Douglas-Home informed Galsworthy, that 'he will be told that Mr Whitelaw is fully occupied, and that in the present circumstances such a visit would obviously be wrong, and unwelcome to us'.³

That FitzGerald would visit the North anyway was considered a real possibility by the British government. Just the previous week, despite the repeated protests of the

¹ London: PRO, CAB 130/633, GEN 79(73) 11th Meeting, 2 November 1973.

² London: PRO, CJ 4/488, telegram from Sir Alec Douglas-Home to Sir Arthur Galsworthy, 20 November 1973.

³ *Ibid.*

British government, FitzGerald had made yet another visit to Northern Ireland without giving the British government advance notice. After campaigning in Monaghan, FitzGerald crossed the border to Aughnacloy, in County Tyrone, to meet John Hume and Paddy Devlin of the SDLP. This visit had coincided with the leaking to the SDLP of a message sent by Edward Heath to Liam Cosgrave. While FitzGerald denied being the source of the leak, Galsworthy forcefully put the point to the Foreign Minister that in the circumstances of another, unannounced visit to the North, suspicion that the Irish government was immediately passing information to the SDLP was bound to arise.⁴

Moreover, the British government was increasingly concerned at the activities of the Irish Foreign Ministry official Sean Donlon. Donlon had visited Belfast repeatedly and admitted meeting members of the SDLP. Galsworthy argued that Donlon's presence in the North, as the inter-party talks reached their final hours, was regarded by many 'as unwelcome and unwarrantable interference by the South in the affairs of the North'.⁵ Again Galsworthy repeated the point that 'it could not make for relations of confidence between this Embassy and the DFA [Irish Department of Foreign Affairs] if we felt that whatever we told the DFA in confidence was liable to be relayed immediately to the SDLP by Donlon'.⁶

On 21 November 1973, the day that the inter-party talks reached their successful conclusion, FitzGerald again had to be restrained from visiting Belfast. In the course of a meeting with Galsworthy, the Foreign Minister had raised a number of issues, some relating to the convening of the tripartite conference and others relating to the issues that would be discussed at such a conference. Although Galsworthy answered each point at length, FitzGerald demanded to meet with Whitelaw either later that evening or the following day. Galsworthy made it clear that such a meeting was out of the question. But the Ambassador was moved to contact Belfast as he felt it would reassure the Irish if

⁴ London: PRO, CJ 4/488, telegram no. 617, from Sir Arthur Galsworthy to the FCO, 21 November 1973.

⁵ *Ibid.*

⁶ *Ibid.*

Whitelaw would agree to meet with FitzGerald at some point in the near future. Whitelaw agreed, and Galsworthy was able to inform FitzGerald that the Northern Ireland Secretary would see him early the following week.⁷

While this was acceptable to FitzGerald, he again demanded that any statement released announcing the formation of the power-sharing executive should be cleared in advance with the Irish government. It is significant that Galsworthy felt moved to again contact Belfast because he ‘felt that if I could not say something to Dr FitzGerald on this there was still a risk that the Dublin Government might attempt a last minute interference with the SDLP’.⁸ Whether or not such an attempt to intervene with the SDLP would have had any affect, as Whitelaw’s deadline approached and the parties struggled to reach agreement, is a matter for conjecture. But it says something of Galsworthy’s view of the coalition’s approach to Northern Ireland that he believed that FitzGerald would risk the talks failing in order to gain leverage for the Irish government’s agenda. Nevertheless, Galsworthy was authorised by Belfast to tell FitzGerald that only a short statement would be made that evening. A fuller statement would be made to the House of Commons the following day, and that Cosgrave would receive a full briefing in advance of this statement. Galsworthy waited until the short statement was being made in Belfast before relaying this to the Irish in order to make moot any further objections by FitzGerald.⁹

With the executive finally formed, the British government could now move on to prepare for the tripartite conference. Initially the British intended that the formation of an executive would be followed within a month by the tripartite conference. This changed at Baldonnell, however, when the Irish government’s ‘package’ proposal required the Council of Ireland and power-sharing executive to be formed at the same time. By the time agreement was reached between the Northern Irish parties on 21

⁷ London: PRO, CJ 4/488, telegram no. 618, from Sir Arthur Galsworthy to the FCO, 21 November 1971.

⁸ *Ibid.*

⁹ *Ibid.*

November 1973 the matter had still not been settled. Indeed, this was one of the issues discussed between Galsworthy and FitzGerald on the day agreement was reached between the parties in Belfast and which FitzGerald had immediately wanted to raise with Whitelaw.¹⁰

Again, this was another issue on which the British government believed that Dublin was blind to the needs of the moderate unionists. In order to try and find a compromise between the SDLP and the Unionists, the British government had proposed that a preliminary conference be held. The British, somewhat mischievously, argued that this was very similar to what the Irish had proposed at Baldonnell. It would be necessary to invite the extremist Protestant parties to such a conference, the British argued, under the terms of Paragraph 112 of the White Paper of March 1973. However, the British added that 'Once the Executive had been formed the tripartite conference proper need not go beyond the two sovereign Governments and the Executive'.¹¹ Clearly the British government was sympathetic to the views of the Faulkner Unionists on this question. Rejecting FitzGerald's argument that the tripartite conference should be held before the formation of the executive, Galsworthy stated that:

The plain fact was that the Protestants just would not accept this. No British Government had ever before put so much pressure on the Unionists as the present Government had. No single British Cabinet Minister had exerted more pressure than Mr Whitelaw. But I knew Mr Whitelaw felt that he had now pushed the majority community to the uttermost. He could push them no further: Faulkner's slender majority ...showed that very clearly.¹²

Yet the Irish government rejected the proposal. Instead the proposal put by the senior Irish DFA official, Hugh McCann, at Baldonnell prevailed. There McCann suggested that the executive should be formed but not take office until after the tripartite

¹⁰ London: PRO, CJ 4/488, telegram no. 616, from Sir Arthur Galsworthy to the FCO, 21 November 1973.

¹¹ *Ibid.*

¹² *Ibid.*

meeting.¹³ By convening the inter-party talks and pushing the parties towards agreement by a fixed deadline Whitelaw had rejected the 'package' proposal and forced the SDLP into deciding whether to participate in the talks to form an executive or to hold firm for a package. However, while Whitelaw could facilitate agreement between the executive parties he could not then force them into taking office. McCann's suggestion therefore became the only way forward and effectively marked a score-draw between the differing approaches of London and Dublin.

Meanwhile other difficulties were arising over the organisation of the tripartite conference. At Baldonnell, Cosgrave had raised with Heath the idea of invitations to tripartite conference being sent jointly by the British and Irish governments. Heath had rejected the idea, arguing that Whitelaw's White Paper of March 1973 had made it clear that invitations to a conference would be sent by the British government. In addition, Heath also believed that a joint invitation would pose considerable difficulties for the Unionists, who may have been placed in a position where they would have to decline to attend a conference that appeared to be sponsored by both governments.¹⁴ Cosgrave did not pursue the matter further at that point, but FitzGerald later raised the issue of joint invitations with Galsworthy. FitzGerald claimed that it appeared that the Irish were being 'summoned to a conference' and that this view would be shared by Irish opinion unless the 'conference were a joint one of the two Governments, with invitations going out in their joint names'.¹⁵ Galsworthy rejected this and went on to tell FitzGerald that, 'A polite invitation, particularly after months of discussions, was totally different from a summons and he must know it'.¹⁶ In the end they agreed to differ as it became apparent to the Irish government that the British would clearly not move on this issue.

¹³ Dublin: NAI, 2004/21/624, 'Heath Visit', 21 September 1973.

¹⁴ *Ibid.*

¹⁵ London: PRO, CJ 4/488, telegram no. 616, from Sir Arthur Galsworthy to the FCO, 21 November 1973.

¹⁶ *Ibid.*

Another issue of concern for the Irish government was that of the chairmanship of the conference. The Irish government repeatedly sought to persuade the British of the need for a chairman from a neutral country to be brought in. Gaston Thorn, the Foreign Minister of Luxembourg, was Dublin's preferred choice. The British opposed this Irish suggestion as it was usual practice for the leader of the host nation to chair the meeting. In addition, Galsworthy noted that there was no pressure for a neutral chairman from the Irish press. If such pressure did arise, Galsworthy continued, it could be easily countered with examples of normal international practice.¹⁷

The Irish, however, argued that this conference was unique and therefore atypical arrangements for the chairmanship could be considered. Cosgrave wrote to Heath that, 'in the context of the history of these islands, a settlement reached on both British soil and also under British chairmanship would on that account be likely to give rise to more criticism and controversy than either of us would desire.'¹⁸ FitzGerald went on to add that had the Irish government known that agreeing the conference would be held in Britain also meant accepting British chairmanship, the Irish would not have acceded to holding the conference in Britain. Galsworthy responded that it could hardly have been held anywhere else. He pointed out that,

...anywhere in the North would have been impossible on security grounds: if the conference had been convened in the South the Unionists would not have attended; and even if we had thought it desirable to seek a venue in a neutral country (which we would certainly have not) most third countries would have shrunk from the security responsibility involved.¹⁹

Irish pressure on the venue and the chairmanship may well have been nothing more than pre-conference posturing. It may have been that the Cosgrave government was concerned at the imagery of travelling to England and coming back from a

¹⁷ London: PRO, CJ 4/292, telegram 'Your telegram 283', from Sir Arthur Galsworthy to the FCO, 28 November 1973.

¹⁸ Dublin: NAI, DT 2004/21/626, 'Personal Message from Mr Liam Cosgrave, TD, to the Rt. Hon. Edward Heath, MP', 28 November 1973.

¹⁹ London: PRO, CJ 4/292, telegram 'Your telegram 283', from Sir Arthur Galsworthy to the FCO, 28 November 1973.

conference that began exactly 52 years since the signing of the Anglo-Irish treaty with less than was considered the minimum required by Irish opinion.²⁰ Nevertheless, the Irish government had the choice of either attending the conference or not. And the questions of the invitations and chairmanship were not enough to stand in the way of their participation at Sunningdale.

As the parties arrived at Sunningdale there was no certainty that the conference would reach a successful conclusion. Sunningdale was supposed to be a meeting between the British and Irish governments and the new Northern executive. But the reality turned out to be different. Instead of coming as a united group, the executive came as three individual parties with three different sets of requirements. Of the executive parties, the SDLP came in a much stronger position having met with Irish government ministers a few days in advance of the conference to agree negotiating positions.²¹

Meanwhile, the British came in a much weaker negotiating position. Just days before the conference began Ted Heath carried out a cabinet reshuffle aimed at tackling the UK's increasing economic problems and industrial unrest. Whitelaw, a key ally of Heath's, was moved from the Northern Ireland Office to become Secretary of State for Employment.²² Whitelaw was replaced by Francis Pym, who had served as the Heath government's Chief Whip since it took office in June 1970. Pym, with no experience of Northern Ireland and with no time to master his new brief, was out of his depth at Sunningdale.²³ In his memoirs, Whitelaw denied that this was a history changing moment in the government's Northern Ireland initiative. But the British government had lost its key Northern Ireland policy expert right at the moment when his skills were

²⁰ Brian Harvey, *Cosgrave's Coalition: Irish Politics in the 1970s* (London: Selecteditions, 1980), pp. 78-9.

²¹ Garret FitzGerald, *All in a Life: An Autobiography* (London: Macmillan, 1991), p. 210.

²² Whitelaw, *The Whitelaw Memoirs*, p. 120.

²³ Faulkner, *Memoirs of a Statesman*, p. 226; and FitzGerald, *All in a Life*, pp. 215-6.

needed most.²⁴ Also gone from the British side was the voice that worried most about pushing Protestant opinion too far.

This mistake was compounded by the fact that Edward Heath, a politician renowned for his stubbornness, was not always present at Sunningdale as the conference coincided with a visit to the UK by the Italian premier Mariano Rumor. Heath spent his time shuttling between Sunningdale and Chequers.²⁵ Effectively, then, the British delegation at Sunningdale was left without its two major players on Northern Ireland policy. That left the British Attorney General, Sir Peter Rawlinson. FitzGerald subsequently portrayed Rawlinson as a reactionary and somewhat dim-witted politician who just did not understand the Irish requirements on extradition and policing policy. This conclusion seems to be based largely on Rawlinson's failure to do what he was told by the Irish.²⁶ In fact, Rawlinson's concerns on security cooperation reflected the general feeling of the British political parties.²⁷

For Sunningdale to succeed the conference had to address the three issues that had come to dominate relations between London, Dublin and Belfast. First was the question of the constitutional status of Northern Ireland. Second was the issue of extradition. Finally, of course, was the Council of Ireland. As far as Brian Faulkner was concerned, though, there was a fourth issue. This was the question of devolving police powers from Westminster to the new Northern Ireland executive. It was this last issue that nearly broke the talks.

The British had first raised the question of official Irish recognition of the constitutional status of Northern Ireland following the election of the Fine Gael-Labour coalition. Whitelaw had urged the new Irish government to do this as it would undermine the position of the extremist loyalist parties in the run-up to the elections for

²⁴ Whitelaw, *The Whitelaw Memoirs*, p. 120.

²⁵ Heath, *The Course of My Life*, pp. 443-4.

²⁶ FitzGerald, *All in a Life*, pp. 213-4.

²⁷ See, for example, Merlyn Rees, *Northern Ireland: A Personal Perspective* (London: Methuen, 1985), p. 63.

Northern Ireland's new Assembly. FitzGerald had rejected such a move. He argued that the nationalist aspirations for unity were as great as the Protestants' desire to maintain partition. Moreover, it would prove extremely difficult, if not possible, to win a referendum in the Republic that sought to delete Article 2 from the Irish Constitution.²⁸ Cosgrave's Blackrock speech, of 21 June 1973, was interpreted by the British as an appeal to let Article 2 stand 'in quiet disregard' so that political progress could be made in Northern Ireland.²⁹

However, this was not enough for Faulkner or his party. At Sunningdale Faulkner made clear that in order for him to agree to the Council of Ireland the Irish government would have to move to delete Articles 2 and 3 of the Republic's Constitution.³⁰ It quickly became clear that the Irish would not and could not agree to this. Conor Cruise O'Brien, the Southern politician most sympathetic to the Unionists, pointed out that a referendum was required to change the Republic's Constitution. Fianna Fáil would campaign against deleting these Articles and, as they would likely be supported from the North by John Hume, the likelihood was that such a referendum would be lost.³¹ Some form of compromise was therefore required. Eventually Faulkner conceded to instead accept that both the Irish and British governments should make declarations on the status of Northern Ireland that would be included in the Agreement. The Irish conceded in the communiqué that there could be no change in the status of Northern Ireland until the majority of the people of the North wanted such a change, with the British declaring that if in the future the majority of people wanted to join a united Ireland then the British government would support that wish.³² Faulkner was convinced,

²⁸ London: PRO, CJ 4/391, 'Note of Meeting, between William Whitelaw and Garret FitzGerald, 4 April 1973.

²⁹ London: PRO, CJ 4/391, letter 'The Taoiseach's Speech at Blackrock on 21 June' from Sir Arthur Galsworthy to W. K. K. White, 28 June 1973.

³⁰ Faulkner, *Memoirs of a Statesman*, p. 230.

³¹ Conor Cruise O'Brien, *Memoir: My Life and Themes* (London: Profile Books Ltd, 1998), p. 351.

³² Fionnuala McKenna, 'The Sunningdale Agreement (December 1973)', pa. 5, Cain Web Service <<http://cain.ulst.ac.uk/events/sunningdale/agreement.htm>> [accessed 26 November 2010].

however, that he had also received an informal agreement that the Irish government would seek to delete Articles 2 and 3 at some point in the future.³³

While Faulkner was trying to get the Irish to move on the status issue, the British were seeking an Irish concession on the question of extradition. The British had continually pressed the Irish for greater cooperation on security issues. This had come to focus on the question of extradition. Heath had complained to Jack Lynch as early as December 1971 of the Irish failure to extradite fugitives wanted by the British authorities. Lynch had dismissed these complaints, arguing that it was not a matter for him but rather for the Irish courts.³⁴ Following the election of the Cosgrave government the British had continued to press the Irish for action on extradition.³⁵ Yet, just one week before the Sunningdale conference the Irish High Court had ruled that the IRA's activities were political and therefore not extraditable.³⁶ Much to the frustration of Sir Peter Rawlinson, the Irish argued again that a change in the Irish Constitution would be required and that this would be impossible to deliver.³⁷

This had led the Irish government to propose a Common Law Enforcement Area. Prior to the talks the Irish government had raised this proposal with the British government. Essentially the Irish were proposing the creation of an all-Ireland court that would have the power to bring to trial those alleged to have committed crimes irrespective of which part of Ireland the crime was committed.³⁸ Sir Arthur Galsworthy had reported to London his surprise at the shallowness of Irish thinking and was surprised that Dublin seemed to think that their proposals covered all the relevant points. Furthermore, Galsworthy warned that 'In their present mood they [the Irish government]

³³ Faulkner, *Memoirs of a Statesman*, p. 231.

³⁴ Dublin: NAI, DT 2002/8/489, 'Note of discussion between the Taoiseach and Mr Heath on 6 December 1971', 7 December 1971.

³⁵ London: PRO, CJ 4/391, 'Note for the Record' of a meeting between Edward Heath and Liam Cosgrave, 2 July 1973; and Dublin: NAI, 2004/21/469, 'Meeting between the Taoiseach and the Prime Minister' 2 July 1973.

³⁶ Devlin, *Straight Left*, pp. 206-7.

³⁷ FitzGerald, *All in a Life*, pp. 213-4.

³⁸ Fionnuala McKenna, 'The Sunningdale Agreement (December 1973)', pa. 10, Cain Web Service <<http://cain.ulst.ac.uk/events/sunningdale/agreement.htm>> [accessed 26 November 2010].

may well try to bulldoze their ideas through the conference without any proper detailed study'.³⁹ Going in to the conference FitzGerald did think that the proposed Common Law Enforcement Area offered an easy solution to the question and was unimpressed at Rawlinson's description of it as 'that botched-up court'.⁴⁰ Yet while the Irish believed the British did not recognise the political and legal limitations in the Republic to moving on extradition, the Irish failed to recognise the political consequences in Britain to not getting agreement on extradition and security cooperation without the creation of another all-Ireland institution. Heath, present in these discussions, was not to be bounced, and instead suggested that the issue should be put to a panel of jurists from Britain and Ireland who should urgently report on this question.⁴¹

This left the Council of Ireland. In fact, this turned out to be one of the easier issues to resolve. The Council agreed to at Sunningdale was the same as that proposed by the Lynch government following the publication of the British Green Paper in late 1972. There was to be a Council of Ministers, drawn equally from the Irish government and Northern executive, which would act by unanimity. In addition there would be a Consultative Assembly with 30 members each elected from the Dáil and the Northern Assembly. A Secretary-General would head a permanent secretariat.⁴² However, while the structure of the Council was agreed, its powers were not. The general areas of policy that the Council would have some responsibility for were agreed, *inter alia*, to be agriculture, tourism, trade and industry, and public health.⁴³ But the specific powers and responsibilities that the Council of Ireland would have over these areas was not settled. Rather this would have to be agreed between the Irish government and the Northern Irish

³⁹ London: PRO, CJ 4/292, telegram 'Common Law Enforcement Area', from Sir Arthur Galsworthy to the FCO, 23 November 1973.

⁴⁰ FitzGerald, *All in a Life*, p. 215.

⁴¹ FitzGerald, *All in a Life*, p. 214; and Fionnuala McKenna, 'The Sunningdale Agreement (December 1973)', pa. 10, Cain Web Service <<http://cain.ulst.ac.uk/events/sunningdale/agreement.htm>> [accessed 26 November 2010].

⁴² Fionnuala McKenna, 'The Sunningdale Agreement (December 1973)', pa. 7a, Cain Web Service <<http://cain.ulst.ac.uk/events/sunningdale/agreement.htm>> [accessed 26 November 2010].

⁴³ *Ibid*, pa. 8.

executive, which would first have to take office. Another committee was therefore established to consider the powers of the Council of Ireland that would report back in time for a second tripartite conference.⁴⁴

Although the status question, extradition, and the Council of Ireland were the principal issues of concern at Sunningdale, the conference nearly broke over Faulkner's demands that responsibility for policing should be devolved to Belfast. Essentially this was a repeat of the debates between Faulkner and Heath of March 1972 when Faulkner had refused to concede to policing and powers over law and order being removed from Stormont to London. This had precipitated direct rule. Faulkner repeated the argument that he made in the discussions that preceded direct rule that the prime responsibility of government was the protection of its citizens. If policing powers were not devolved, Faulkner argued, the executive would have no credibility with the Protestant population.⁴⁵ However the SDLP believed that the alienation of the minority community from the RUC could only be overcome by the RUC being associated with the Council of Ireland, a suggestion to which the Unionists were opposed.⁴⁶ Meanwhile the Heath government refused to contemplate the devolution of policing powers, as split responsibility between London and Belfast had led to disastrous decision making in the months leading up to the introduction of direct rule.⁴⁷

Both Garret FitzGerald and Paddy Devlin have claimed credit for the compromise which saved the conference.⁴⁸ Yet this compromise did not involve the Irish government or the SDLP in making concessions. Rather it was the British government who were expected to give way. The British were to declare that with the present level of violence in Northern Ireland it could not devolve powers over the police to the executive. However, when the security situation had improved the British would cede control of law

⁴⁴ Bloomfield, *Stormont in Crisis*, p. 190; and Devlin, *Straight Left*, p.210.

⁴⁵ Faulkner, *Memoirs of a Statesman*, p. 235.

⁴⁶ FitzGerald, *All in a Life*, p. 217.

⁴⁷ Heath, *The Course of My Life*, pp. 436-7 and p. 443.

⁴⁸ Devlin, *Straight Left*, pp. 209-10; and FitzGerald, *All in a Life*, pp. 219-20.

and order to Belfast.⁴⁹ Although this prospect caused considerable concern to the SDLP delegation, they did not want to break the conference over this issue and so agreed to the compromise line.⁵⁰ Only reluctantly did Heath decide to concede to this proposal.⁵¹

The Sunningdale Agreement, then, was something of a fudge. On status, the Irish government would not move to delete their Constitution's claim to Northern Ireland. Instead the Irish agreed to a statement that no change could be made to the status of Northern Ireland until that was the wish of the majority of the population there. Meanwhile the British declared that they would not stand in the way of reunification if that was what the majority desired.⁵² On extradition, where the parties remained as far apart as ever, decision had been put off until a committee of British and Irish jurists had considered the matter. While the structure of the Council of Ireland had been agreed along the lines advocated by Dublin, its powers had not. Again decision on this had been postponed until a committee had examined the issue and made proposals. And even the question that nearly broke the conference, the devolution of policing powers, was fudged. A vague commitment was made by the British to devolve responsibility for law and order to Belfast at some point in the future when the security situation had improved. A second conference was therefore required, planned for early 1974, to thrash out the outstanding issues and to formally sign the agreement.⁵³

Perhaps the greatest failure of Sunningdale was the failure of the parties to agree a united approach to selling the agreement to their respective constituencies. All of the parties to the talks left the conference claiming victory. For worried loyalists in Northern Ireland it was hard to reconcile Faulkner's claims of a Unionist victory while the Irish government and SDLP were claiming the same agreement moved Ireland closer to

⁴⁹ FitzGerald, *All in a Life*, pp. 219-20.

⁵⁰ Devlin, *Straight Left*, p.210.

⁵¹ Heath, *The Course of My Life*, pp. 443.

⁵² Fionnuala McKenna, 'The Sunningdale Agreement (December 1973)', pa. 5, Cain Web Service <<http://cain.ulst.ac.uk/events/sunningdale/agreement.htm>> [accessed 26 November 2010].

⁵³ *Ibid*, pa. 20.

reunification. In an interview on RTÉ on 10 December 1973, Garret FitzGerald stated that the agreement removed obstacles to reunification. He also stated that reform of the Irish Constitution was not an option.⁵⁴ This contrasted with Faulkner's later stated view that Sunningdale 'would go down in history as a Unionist victory'.⁵⁵

Securing the Sunningdale Agreement was a significant achievement. However, Sunningdale was not a finished article, but rather a work in progress. Settlement of the outstanding issues of extradition and the powers of the Council of Ireland had still to be resolved before the formal conference could be held and the agreement ratified. Yet, although there was still much to be resolved, the Agreement had changed the dynamics of the politics of Northern Ireland. Dublin had gone from being on the side-lines in August 1971 to now being central to the future of the political process. In the first months of 1974 Dublin was to be more important in the Northern Irish executive's external relations than London. The problem was that Dublin's success in gaining a role in the political sphere had not been matched by cooperation in the security sphere. As Faulkner's troubles mounted in early 1974 he was to increasingly link making progress towards the ratification of Sunningdale with movement by the Irish on security cooperation.

⁵⁴ London: PRO, CJ 4/292, telegram 'Sunningdale' from Sir Arthur Galsworthy to the FCO, 10 December 1973.

⁵⁵ Faulkner, *Memoirs of a Statesman*, p. 237.

Part III – Conclusion

Over the period from the Irish general election to the conclusion of the Sunningdale Agreement, the political sphere of the international dimension had developed into a relationship involving the British and Irish governments and the moderate Northern Irish parties. The US government was excluded from this. So too was the Irish Caucus, although its potential to influence American policy led to the continued engagement by the British and Irish governments with the Caucus.

While leaving much still unresolved the Sunningdale Agreement was an important stage in the political process. Northern Ireland's new power-sharing executive could take office and work could begin on establishing the Council of Ireland. This led to an important, although as events were to turn out temporary, change in the political sphere as Dublin's contacts were to be increasingly with the Northern Ireland executive in Belfast rather than with the British government in London. This was an intended consequence of the Agreement and indicated the creation of a new system to regularise the interactions between Belfast and Dublin, while relations between London and Belfast would continue through the NIO and relations between London and Dublin would continue through the respective foreign ministries.

In the security sphere, too, a regularised system of interactions had emerged. Both London and Dublin continued to interact with the Nixon administration in attempts to take action against US based supporters of the IRA. While in the first months after Bloody Sunday it had been the British that had expended the most effort in engaging with the Nixon administration on security issues, the Irish government was particularly energetic in its lobbying of the US authorities in this period.

However, although it had been possible to secure London-Washington and Dublin-Washington cooperation on security matters, albeit cooperation that was limited

by domestic US political considerations, it had been much more difficult to achieve similar cooperation between London and Dublin. At Sunningdale the issue had been fudged with the creation of the Common Law Enforcement Commission as it had proved impossible to reach agreement at the conference. This was an increasing cause of concern for both the British government and the Faulkner Unionists, who had come to see security cooperation as the necessary price that Dublin had to pay in exchange for the political gains made at Sunningdale. Securing Protestant support for the developing peace process depended on it.

Part IV: Confirming Principles, January 1974 to September 1974

Introduction

Almost immediately things started to go wrong. In Dublin, the former Fianna Fáil cabinet minister Kevin Boland launched a challenge in the Irish courts against the status declaration contained in the Sunningdale Agreement. The case was to take months to resolve and the Irish government's defence did much to undermine the commitment they had made at Sunningdale.¹ Then on 4 January 1974 the Ulster Unionist Council, the main decision making body of the Unionist Party, rejected the Council of Ireland scheme agreed at Sunningdale. Although he retained sufficient support in the Assembly to remain Chief Executive, Faulkner was forced to resign as Unionist Party leader.² Most damaging of all, however, was the British general election on 28 February 1974. Called because of the mounting economic difficulties in Britain, in Northern Ireland the election was a virtual referendum on power-sharing and Sunningdale. While the 'loyalist' parties joined together in an electoral pact, the executive parties failed to do the same. Of Northern Ireland's 12 seats in the House of Commons, 11 were won by loyalist opponents of Sunningdale.³

Since the Irish general election of February 1973, the new Irish government had become more proactive in the political sphere with the British and in the security sphere with the Americans. A general pattern had emerged where the politics of the Troubles involved the British and Irish governments and the Northern Irish parties, while the security sphere involved separate Anglo-American and Hiberno-American relationships. There was little in the way of Anglo-Irish cooperation on security.

¹ Tom Wilson, *Ulster: Conflict and Consent* (Oxford: Basil Blackwell, 1989), p. 181.

² David Harkness, *Ireland in the Twentieth Century: Divided Island* (Basingstoke: Macmillan Press Ltd, 1996), p. 104.

³ Faulkner, *Memoirs of a Statesman*, p. 251.

Following the Sunningdale Agreement, the political sphere began to change. It started to be dominated by relations between the Irish government and the Northern Ireland executive, with London largely excluded. As this occurred, the Northern Ireland executive parties, and indeed the spectating British government, increasingly believed that it was incumbent upon Dublin to take conciliatory action to attempt to address the growing opposition to the peace process from the Protestant majority. Only too late did Dublin recognise this.

Anglo-Irish relations also started to change, especially after the British general election of February 1974. The Irish quickly became concerned that the new British Labour government, headed by Harold Wilson, wanted to effectively opt out of the political sphere by a unilateral withdrawal from Northern Ireland, despite the violent consequences of such a move. Repeated reassurances by the British that they had no plans to withdraw from Northern Ireland failed to satisfy the Irish government. Indeed, so concerned was Dublin that the Irish government again attempted to bring the Nixon administration back into the political sphere of the international dimension. Although the Nixon administration agreed with the Irish government's analysis, the US continued to refuse any political role in Northern Ireland.

Ironically, however, following the collapse of the Sunningdale Agreement it was to be the Irish government that was to be temporarily thrown out of the political sphere. They were only to be brought back into political participation in Northern Ireland in September 1974 by the British restatement of its commitment to the Sunningdale principles. Even this, though, was not enough to fully persuade the Irish government that the British had no intention of withdrawing from Northern Ireland. But, significantly, the British government's continued commitment to these principles confirmed that the Irish government's package of reforms that had been implemented in Northern Ireland by Whitelaw, and the recognition that Dublin should have a role in any political initiative,

meant that the framework developed in the interactions between the UK and Republic over the preceding two years would become the basis for future attempts to resolve the Northern Ireland conflict.

Chapter 14: Hillsborough

Although the basis of agreement had been reached at Sunningdale, considerable work had still to be done to resolve the outstanding issues between the parties so that a ratification conference, or Sunningdale II, could be held. However, in the opening week of 1974, Brian Faulkner's position deteriorated rapidly. As, following Sunningdale, the emphasis was now increasingly on direct relations between Dublin and Belfast, with London's role becoming more marginal, the question was how the Irish government was going to react to the setbacks suffered by Faulkner. Faulkner, himself, began to develop a package of measures on which the Irish government would have to act before he would agree to the ratification of Sunningdale. Furthermore, the Irish government also came under pressure from the SDLP, who began to demand that Dublin start to cooperate on security matters. However, Dublin's response was to refuse to bend to such pressure and instead push for the speedy ratification of Sunningdale. This increased British concern over Dublin's blindness to Faulkner's deteriorating position.

On 1 January 1974 Northern Ireland's new power-sharing executive took office. Brian Faulkner, leader of a group of 20 Unionists in the Assembly, became Chief Executive. SDLP leader Gerry Fitt became Deputy Chief Executive. Alliance Party leader Oliver Napier took on the role of Legal Member. The remaining posts were distributed between the Unionists and SDLP, with the executive comprised of a total of six Unionists, four SDLP, and one member of the Alliance. In addition, the administration included four non-voting members, two of whom were from the SDLP, one Unionist and one Alliance.¹

The executive immediately faced two major problems. Firstly, opponents within Faulkner's Unionist Party called a meeting of the Party's central policy making body, the

¹ Belfast: PRONI, OE/2/1, Minute of a Preliminary Meeting of the Executive, 31 December 1973; and Faulkner, *Memoirs of a Statesman*, pp. 223-4.

Ulster Unionist Council (UUC) for 4 January 1974. The UUC debated a motion to reject the Council of Ireland as agreed at Sunningdale, which it then passed by a majority of 53 votes. Faulkner was forced to immediately consult with his Assembly party, of which 18 of its 20 members pledged continued support. Satisfied that he could remain Chief Executive with sufficient support in the Assembly, Faulkner resigned as leader of the Unionist Party on 7 January 1974.²

Faulkner's problems were compounded by events in Dublin. Kevin Boland, the former Fianna Fáil minister who had resigned from Jack Lynch's cabinet in 1970 in support of Charles Haughey and Neil Blaney following their sacking for allegedly using Irish government funds to smuggle arms to the IRA, challenged the constitutionality of the Sunningdale Agreement in the Irish Courts. In order to successfully defend the Agreement, the Irish government had to argue that Paragraph 5, which dealt with the status of Northern Ireland, did not amount to recognition of the North as being outside the territory of the Irish State. In addition, the Irish government also maintained it was not giving up the territorial claim to Northern Ireland.³ Although the coalition won the case, their defence had undermined this element of the Sunningdale Agreement, a section that had been essential to Faulkner's ability to sell the package to the Protestant population of Northern Ireland.⁴

On 16 January 1974, Brian Faulkner travelled to the Republic for a meeting at Baldonnell with Cosgrave and FitzGerald. Faulkner told the Irish delegation that the Boland case had significantly reduced his ability to sell the Agreement to the majority community. For Faulkner and his supporters the declaration on the status of Northern Ireland had been the most important element of the Sunningdale Agreement. Having failed to get a commitment from the Irish government to amend the Republic's constitution to delete the claim to Northern Ireland, Faulkner had instead settled for the

² Faulkner, *Memoirs of a Statesman*, p. 244.

³ FitzGerald, *All in a Life*, pp. 227-8; and Faulkner, *Memoirs of a Statesman*, pp. 246-7.

⁴ Bew, *The Politics of Emnity*, p. 513.

status declarations contained in Paragraph 5 of the Sunningdale Agreement. Yet, for the Unionists, the declaration had to have real meaning. It had to be a sincere pledge that the Republic recognised and respected the position of Northern Ireland as a part of the United Kingdom. This was the only way Faulkner could hope to sell the rest of the Agreement to the Protestant majority in the North. The Boland case had devalued the status declaration and action had quickly to be taken to revalue it. Otherwise there could be no hope of ratifying the Agreement.⁵

However, the Irish government did not share this view. In a meeting the day after Faulkner's trip to Baldonnell, FitzGerald told the Northern Ireland Secretary, Francis Pym, that 'The Taoiseach had not made an agreement on status at Sunningdale: he had given his agreement to a document which contained parallel texts on status'.⁶ These texts merely restated the position that the British government would not stand in the way of unity and that the Irish government accepted that unity would have to be by the consent of the majority of the population of the North. This acknowledged the reality of the position of Northern Ireland. It also reflected Cosgrave's view, as set-out at Blackrock, that the Unionists should accept the Irish government's willingness to work closely with the Northern executive while leaving constitutional issues in quiet disregard.⁷

This was little help to Faulkner. The Boland case demonstrated that the status declaration offered no guarantees to the Northern majority that Dublin respected the constitutional position of Northern Ireland. Essentially the declaration was nothing other than empty words. This was compounded by statements, such as that by Garret FitzGerald, that the Sunningdale Agreement 'could be a stepping stone to a united

⁵ Belfast: PRONI, OE/1/29, 'Note of a Meeting' between Brian Faulkner and Liam Cosgrave, 16 January 1974.

⁶ London: PRO, CJ 4/798, 'Record of a Conversation between the Secretary of State for Northern Ireland and Dr Garret FitzGerald, Foreign Minister of the Republic of Ireland', 17 January 1974.

⁷ London: PRO, CJ 4/391, letter 'The Taoiseach's Speech at Blackrock on 21 June' from Sir Arthur Galsworthy to W. K. K. White, 28 June 1973.

Ireland'.⁸ At Baldonnell, Faulkner pressed Cosgrave to reconsider taking action to amend the Irish Constitution to remove the claim to the North. Cosgrave, as he had done at Sunningdale, again argued that this would be too difficult to achieve on its own, but rather would be better tackled through a comprehensive revision of the Irish Constitution.⁹ This was not enough for Faulkner, who made it clear that there could be no prospect of holding Sunningdale II until the issue of the status of Northern Ireland had been cleared up.¹⁰

Unionist concern over the status declaration complicated the executive's discussions on the Council of Ireland. As the executive grappled with implementing the agreement on the Council two opposing views emerged. Unionist members of the executive pointed out that the Council had little appeal to the Protestant majority in Northern Ireland and that it was necessary to proceed with caution. The powers devolved to it should therefore be modest in scale.¹¹ On the other hand the SDLP members of the executive argued that the Council of Ireland was an essential part of the Sunningdale Agreement. The minority community in Northern Ireland would not accept the Sunningdale package until the powers of the Council had been agreed. Rapid progress therefore needed to be made to agree the functions of the Council of Ireland, leading to its speedy establishment.¹² At this point, though, the Unionist members of the executive were only recommending caution in proceeding with the Council and were prepared to agree that officials should be instructed to look into the issue.¹³

It had also been agreed that the executive should seek a meeting with Irish ministers to discuss how to move forward with implementing Sunningdale.¹⁴ This

⁸ London: PRO, CJ 4/292, telegram 'Sunningdale' from Sir Arthur Galsworthy to the FCO, 10 December 1973.

⁹ Belfast: PRONI, OE/1/29, 'Note of a Meeting' between Brian Faulkner and Liam Cosgrave, 16 January 1974.

¹⁰ *Ibid.*

¹¹ Belfast: PRONI, OE/2/4, Minutes of Executive Meeting, 22 January 1974.

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ *Ibid.*

meeting took place on 1 February 1974 at Hillsborough Castle outside Belfast. At Hillsborough, in addition to covering the status issue, the Common Law Enforcement Commission, security cooperation, and the Council of Ireland were also discussed. Yet Hillsborough did not move the executive and the Irish government significantly closer to agreement on these issues, but rather highlighted the difficulties that remained to be addressed before agreement could be reached.

Of prime concern to Faulkner was the issue of status. Again Cosgrave and the Irish Attorney General, Declan Costello, explained the nature of the Irish government's defence to the Boland case and repeated that they were unable to make the desired public statement clarifying the coalition's view on the status declaration until the case was concluded.¹⁵ Costello also stated that the Irish government's defence of Boland did not deny the commitment that had been made at Sunningdale that reunification could only happen with the consent of the majority of the population of Northern Ireland. Indeed, the High Court judgement had referred to the *de facto* status of Northern Ireland as being part of the United Kingdom.¹⁶ Nevertheless, Faulkner made it clear that,

...he could not move a further inch on ratifying the Sunningdale agreement unless he had an assurance that Dublin accepted the status of N[orthern] I[reland] within the UK and that that status would not be changed without the consent of a majority of the people of N[orthern] I[reland].¹⁷

The Boland case, and the Irish government's defence, had undermined the status declaration contained in the Sunningdale Agreement. Until this was rectified, Faulkner would not move towards ratification of the Agreement.¹⁸

In fact, Faulkner went further than this. Faulkner argued that in order to sell the Council of Ireland to the Protestant majority in Northern Ireland Dublin would have to

¹⁵ Belfast: PRONI, OE/1/28, 'Meeting between representatives of the Northern Ireland Executive and the Government of the Republic of Ireland', 1 February 1974.

¹⁶ *Ibid.*

¹⁷ Dublin: NAI, DT 2005/7/626, 'Record of the talks at Hillsborough House, Co. Down', 1 February 1974.

¹⁸ *Ibid.*; and Belfast: PRONI, OE/1/28, 'Meeting between representatives of the Northern Ireland Executive and the Government of the Republic of Ireland', 1 February 1974.

implement a package of measures. One strand of this package was the status question. The others were dealing with fugitive offenders and security cooperation. Without Irish government action on these issues then progress could not be made towards establishing the Council of Ireland or ratifying the Sunningdale Agreement.¹⁹

That Faulkner was now including action on fugitive offenders as a prerequisite to the ratification of Sunningdale was unwelcome news for the Irish. While he recognised the difficulties that this could cause for the Irish government, Faulkner's clear preference was for improved extradition procedures. FitzGerald retorted by arguing that if Faulkner and the British government had just gone along with the Irish proposals for an all-Ireland court then the whole issue would have been settled.²⁰ Yet this Irish proposal was for another all-Ireland institution when Faulkner was already having difficulty selling the Council of Ireland to the Protestant majority. Faulkner made it clear to the Irish government that putting the prosecution of fugitive IRA members in the hands of the Republic's courts was hardly likely to satisfy the majority in the North.²¹

However, it was unclear how long it would be before the Common Law Enforcement Commission reported. Cosgrave and FitzGerald were eager to move speedily to Sunningdale II and had, in fact, already proposed to the British government that the ratification conference should be held as early as 8 February 1974.²² The Irish were not prepared to allow ratification to be delayed by having to wait for the Common Law Enforcement Commission to report. At Hillsborough, Cosgrave and FitzGerald argued that it had been agreed at Sunningdale that the second conference be held 'early in the New Year' while no time limit had been given for the Common Law Commission to complete its work. Therefore, as far as Dublin was concerned, awaiting the report of the

¹⁹ Dublin: NAI, DT 2005/7/626, 'Record of the talks at Hillsborough House, Co. Down', 1 February 1974.

²⁰ Belfast: PRONI, OE/1/28, 'Meeting between representatives of the Northern Ireland Executive and the Government of the Republic of Ireland', 1 February 1974.

²¹ Dublin: NAI, DT 2005/7/626, 'Record of the talks at Hillsborough House, Co. Down', 1 February 1974; and Belfast: PRONI, OE/1/28, 'Meeting between representatives of the Northern Ireland Executive and the Government of the Republic of Ireland', 1 February 1974.

²² London: PRO, CJ 4/798, 'Record of a Conversation between the Secretary of State for Northern Ireland and Dr Garret FitzGerald, Foreign Minister of the Republic of Ireland', 17 January 1974.

Commission was not a prerequisite for ratifying Sunningdale.²³ This was unacceptable to Faulkner, as he required progress on the fugitive offender issue in order to win round Protestant opinion in the North. Action on this was needed before Sunningdale could be ratified. Furthermore, Faulkner put the Irish on notice that any proposals involving an all-Ireland court would create considerable difficulties in Northern Ireland. His answer, then, was for more effective extradition arrangements to be put in place.²⁴

On security cooperation more generally the Northern Ireland executive was united in its desire to see Dublin take more action against terrorists, especially along the North-South border. Faulkner stated that 21 members of the security forces had been killed within 10 miles of the border since January 1973, that rockets were being fired from the Republic into the North, and that there were 200 IRA suspects on the run in the South. What was needed, he argued was closer cooperation between security forces, including a flow of intelligence information and even joint operations in certain areas.²⁵ Faulkner was backed up by Gerry Fitt, the SDLP leader. Fitt argued that the continued violence in the North was leading to a 'sense of despair' in the Province and that recent events had 'cast doubts on the goodwill of the Republic and on the effectiveness of cooperation between the security forces North and South'.²⁶

It was a sign of the changing relationship between the executive parties that Fitt should be so vocal in his criticism of the Republic. Unsurprisingly, though, the Irish delegation rejected these criticisms. Cosgrave defended the Republic's record on policing the border and tackling IRA activity in the South.²⁷ Meanwhile, FitzGerald attacked the conduct of the British Army. Indeed FitzGerald claimed that the conduct of the British Army in the North 'could create political problems and make it difficult for

²³ Belfast: PRONI, OE/1/28, 'Meeting between representatives of the Northern Ireland Executive and the Government of the Republic of Ireland', 1 February 1974.

²⁴ Dublin: NAI, DT 2005/7/626, 'Record of the talks at Hillsborough House, Co. Down', 1 February 1974.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

the Republic to cooperate fully'.²⁸ It was an extraordinary contradiction that FitzGerald should be arguing that the activities of the British Army in Northern Ireland could make it difficult for the Republic to cooperate on security issues, while the SDLP were arguing that the population of the North blamed their feelings of insecurity on the inaction of the Republic. Where the SDLP had problems with British Army activity they were quick to raise these with the Northern Ireland Secretary.²⁹ But at Hillsborough the SDLP wanted to secure action by the Republic against IRA activity in the South; a point on which they were in full agreement with Faulkner.³⁰

Finally the Hillsborough meeting addressed the issue of the Council of Ireland. Both delegations had drawn up a range of functions which the Council could be given. Notably the Irish government's list was larger than the executive's. It was agreed that further work on defining the scope of the powers of the Council was required and that officials from the North and South should report back with recommendations within 21 days.³¹

By this stage Faulkner was having doubts about the Council of Ireland scheme as agreed at Sunningdale. Just days after the Hillsborough meeting Faulkner wrote to Cosgrave. Having repeated his demand for Dublin to take action on the status issue and on fugitive offenders before Sunningdale could be ratified, Faulkner then went on to address the Council of Ireland. Faulkner stated that he was having difficulty in selling to his own party the idea of a two-tier Council of Ireland. Although he recognised that he had agreed to a two-tier system at Sunningdale, to people in Northern Ireland this smacked too much of 'an all-Ireland government and parliament in embryo'.³² Faulkner

²⁸ Belfast: PRONI, OE/1/28, 'Meeting between representatives of the Northern Ireland Executive and the Government of the Republic of Ireland', 1 February 1974.

²⁹ London: PRO, CJ 4/798, telegram 'Personal for Ambassador' from Frank Cooper to Sir Arthur Galsworthy, 15 January 1974.

³⁰ Belfast: PRONI, OE/1/28, 'Meeting between representatives of the Northern Ireland Executive and the Government of the Republic of Ireland', 1 February 1974.

³¹ Belfast: PRONI, OE/1/28, 'Meeting between representatives of the Northern Ireland Executive and the Government of the Republic of Ireland', 1 February 1974.

³² Belfast: PRONI, OE/1/28, letter from Brian Faulkner to Liam Cosgrave, 6 February 1974.

went on to say that ‘the notion of the second tier may prejudice acceptance of the whole scheme at this stage’ and asked that this be considered further.³³ Indeed, Faulkner did not just suggest that Protestant opposition to a two-tier Council would jeopardise the Sunningdale Agreement. It may also bring down the power-sharing executive in Belfast.³⁴

Cosgrave rejected Faulkner’s proposal. The Taoiseach argued that the concept of a Consultative Assembly predated Sunningdale and to remove it now would undermine the credibility of the entire Agreement. In addition, the structure agreed at Sunningdale was vital to the Council’s acceptability in the Republic. Given the emphasis that the coalition placed on the Council of Ireland and the necessity of it being able to evolve into an all-Ireland Parliament, Cosgrave rather disingenuously went on to tell Faulkner that,

...In view of its minimal functions, and in particular the absence of any financial or legislative powers, the Assembly lacks the features that would make it, in any real sense, a parliament in embryo. It is, as its title implies, a consultative body.³⁵

Rather than revisit the structure of the Council, Cosgrave instead urged the speedy ratification of Sunningdale. Cosgrave was confident that the working groups established at Hillsborough to examine the powers and functions of the Council could quickly draw up a report.³⁶ While Faulkner urged delay and the revisiting of the structures of the Council of Ireland, Cosgrave was urging rapid progress towards ratification. This was increasingly to become the pattern in Faulkner’s relationship with Cosgrave over the coming months.

Throughout all this the British government had largely taken the role of spectator. Heath’s main concern at Sunningdale had been to get agreement on security cooperation and to deal with the issue of extradition and fugitive offenders. This had been referred to

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ Belfast: PRONI, OE/1/35, letter from Liam Cosgrave to Brian Faulkner, 13 February 1974. Underlining is Cosgrave’s.

³⁶ *Ibid.*

the Common Law Enforcement Commission. However, as he watched events unfold, the Northern Ireland Secretary, Francis Pym, had been unimpressed by the performance of the Irish government. Summarising developments since Sunningdale, Pym stated that ‘Dublin’s recent efforts to give some support to Mr Faulkner have been inept’ and that ‘there is a growing feeling ... that the Irish Government are retreating from the position which they adopted in the Sunningdale communiqué’.³⁷ Pym recognised the domestic pressures on the coalition. But he also believed that Dublin would need to do better if the ratification of Sunningdale was to be achieved and the Council of Ireland established.³⁸ In this respect Pym’s view was similar to that of Faulkner. Ground had been lost as a result of events in the Republic and it was incumbent upon the Irish government to take corrective action if they wanted to see Sunningdale ratified.

Otherwise, the main issue between London and Dublin was the Irish case at Strasbourg. Pym reported to his colleagues on the cabinet subcommittee on Northern Ireland that the Commission on Human Rights would want to examine British Army and RUC witnesses. The British government was keen to protect the anonymity and ensure the security of those being called to testify. Therefore Pym recommended that the British government make it clear to the Commission that this part of the case should not be heard in Strasbourg, but rather some other, more secure, venue.³⁹ By this stage some British ministers wanted to link making progress on establishing the Council of Ireland with the settlement of the Strasbourg case. Heath ruled this out. Similarly the government rejected making another attempt to seek a friendly settlement as the political price demanded by Dublin would be too high. Instead, Pym’s proposal of demanding an alternative venue for the hearing of the British witnesses was agreed upon as this would lead to delay. Such a delay could of itself be valuable, as ‘in the meantime substantial

³⁷ London: PRO, CAB 134/3796, NI (74) 3, ‘Political Developments: Note by the Secretary of State for Northern Ireland’, 6 February 1974.

³⁸ *Ibid.*

³⁹ London: PRO, CAB 134/3796, NI (74) 5, ‘Strasbourg Hearings: Note by the Secretary of State for Northern Ireland’, 6 February 1974.

progress might have been made in giving effect to the Sunningdale Declaration, and thereafter the prospects of disposing of the case by means of a settlement might be enhanced'.⁴⁰

The resentment of the British government to the continuation of the case at Strasbourg was clear. This was reflected in the treatment that the British planned to give to the Irish Attorney General on a planned visit to the UK. Costello was due to visit London to investigate the working of the Director of Public Prosecutions, as the Irish had announced that they were to implement a similar system. But the British planned to snub Costello by refusing to offer him official hospitality or to have him received by appropriate ministers as expected by the protocol for receiving any European Community minister. Sir Arthur Galsworthy fully endorsed this treatment of Costello and agreed that it would help get across exactly how the British felt over the Strasbourg case. That said, Galsworthy did believe that Costello should be received by the Lord Chancellor if he could spare the time. Lord Hailsham was known to be a forthright politician, especially on Northern Ireland, and Galsworthy believed that he would get the point across to Costello, while also not giving the Irish Attorney General the opportunity to gain sympathy through claims that he had been ostracised by the British. This was necessary due to the range of issues on security cooperation in which the British were still hoping to make progress on.⁴¹

The damage done to Faulkner's position in the first weeks of 1974 led him to increasingly favour taking progress towards ratifying the Sunningdale Agreement slowly. In the political sphere, Faulkner's only significant gain at Sunningdale had been the status declaration. This had been undermined by the Boland case and the Irish government's defence to it. As the Common Law Enforcement Commission had yet to report on security cooperation, Faulkner had been left in the position where he had made

⁴⁰ London: PRO, CAB 134/3796, NI (74) 1st Meeting, 8 February 1974.

⁴¹ London: PRO, CJ 4/798, telegram 'Visit by the Irish Attorney-General', from Sir Arthur Galsworthy to the FCO, 5 February 1974.

a significant concession on the Council of Ireland and had nothing in return. He therefore needed action by Dublin in order to be able to sell the Agreement to an increasingly polarised unionist community. This had resulted in Faulkner demanding a package of measures including a status declaration and action on security cooperation from Dublin. More than that, Faulkner was also beginning to intimate that even this may not be enough and that the structures agreed for the Council of Ireland may need to be renegotiated.

Dublin's response, however, was to instead press for the speedy ratification of the Agreement. This led to them proposing an unrealistically early date for Sunningdale II. Watching from the side-lines, the British government was unimpressed by the Irish government's performance, believing that Dublin continued to underestimate just how precarious Faulkner's position was. And it was up to Dublin to take the necessary corrective action. The Sunningdale process was intended to transform the relationship between the two parts of Ireland. Dublin did not seem to realise that it was no longer the demander of concessions from London. Rather the Irish government was now in the process of creating a new systemic relationship with the Northern executive through the structure of a Council of Ireland. It was therefore necessary for Dublin to be alive to the reaction to its actions in the North.

However, it was to be an event in Britain that was to again transform the situation in Northern Ireland. The Heath government was in its dying days. As industrial unrest swept Britain, Heath called a general election for 28 February 1974. The result was inconclusive, but Heath's Conservative Party lost its overall majority in the House of Commons. After failing to get the support of either the Liberals or the Ulster Unionists, Heath resigned and the Labour leader Harold Wilson returned as Prime Minister at the head of a minority government. However, while the general election was inconclusive in Britain, in Northern Ireland the verdict was clear. Anti-Sunningdale candidates won

eleven of the twelve Northern Irish seats in the House of Commons, with only SDLP leader Gerry Fitt elected on a platform supporting the Agreement. Pressure on the Northern executive, and especially on Faulkner's Unionists, was mounting, as the new Northern Ireland Secretary, Merlyn Rees, sought to maintain the line on the Sunningdale Agreement.

Chapter 15: The British General Election

The British general election of 28 February 1974 further damaged the political process in Northern Ireland as opponents of Sunningdale and power-sharing triumphed over the executive parties. As a result, the response from the Faulkner Unionists, SDLP, and the new British government was to press Dublin for action in the security sphere and to work towards greater cooperation with the security forces in Northern Ireland. In addition, Faulkner began to argue for the renegotiation of the agreement on the Council of Ireland as he now claimed the structure agreed at Sunningdale was unacceptable even to a majority of his remaining supporters. Dublin's response was initially to reject both the calls for further security action and the watering down of the Council of Ireland. On security, the Irish were to be helped by the Common Law Enforcement Commission which reported to the British and Irish governments in late April 1974. Meanwhile, on the Council of Ireland the coalition did start to consider the 'staged' establishment of the Council's structures, although this fell far short of the changes Faulkner had in mind.

Brian Faulkner's replacement as Unionist leader, Harry West, had led the party into an electoral pact with the other main 'loyalist' parties. Under the umbrella of the United Ulster Unionist Council (UUUC), West's Unionists, Ian Paisley's Democratic Unionists, and Bill Craig's Vanguard Unionists, won 51 per cent of the vote in the British general election of 28 February 1974 and eleven out of Northern Ireland's twelve seats in the House of Commons. No such pact had been agreed upon by the executive parties. Gerry Fitt, returned as MP for West Belfast, was the sole pro-Sunningdale candidate to secure election.¹ Although the election did not affect the arithmetic in the Northern Ireland Assembly, the general election was effectively a referendum on power-

¹ Fionnuala McKenna, 'Westminster General Election (NI) – Thursday 28 February 1974', *CAIN Web Service*, <<http://cain.ulst.ac.uk/issues/politics/election/rw1974a.htm>> [accessed 3 December 2010].

sharing and Sunningdale and gave the UUUC electoral legitimacy for their campaign against the Council of Ireland and the Northern Ireland executive.²

The result of the election led the pro-Assembly Unionists, SDLP and the new British government all to advocate security action by Dublin. On 4 March 1974 Faulkner's pro-Assembly Unionists met to discuss the implications of the general election result. In the statement released following their meeting, the pro-Assembly Unionists reaffirmed their commitment to power-sharing, while emphasising their determination to see Northern Ireland remain part of the United Kingdom. They went on to admit that the election results reflected the 'deep fears' of the Protestant majority that 'the Council of Ireland could represent a first step towards a United Ireland'.³ Action was therefore required by Dublin on fugitive offenders and to tackle terrorism generally. Most importantly, though, the group now stated that there could be 'no discussion or co-operation between North and South' until the issue over Dublin's recognition of the constitutional status of Northern Ireland was resolved.⁴

It was not just the Faulkner Unionists that believed it was necessary for the status question to be finally cleared up. In a meeting with the Irish official Sean Donlon on 6 March 1974 the SDLP executive members also argued that it was time for Cosgrave to make a statement clarifying the Irish government's position on the status issue. However, given how far events had moved in Northern Ireland, 'they did not think that it will have much of a sweetening effect'.⁵ Further action was therefore required. For their part, the SDLP ministers underlined their commitment to Sunningdale and made it clear that they would not be prepared to continue in the executive unless the Council of Ireland was established. They were also convinced of Faulkner's genuine desire to see Sunningdale implemented and believed that Dublin needed to make some concession to

² Martin Melaugh, 'A Chronology of the Conflict – 1974', 28 February 1974, *CAIN Web Service*, <<http://cain.ulst.ac.uk/othelem/chron/ch74.htm#28274>> [accessed 3 December 2010].

³ Dublin: NAI, DT 2005/7/627, 'Statement by Mr Brian Faulkner', 4 March 1974.

⁴ *Ibid.*

⁵ Dublin: NAI, DT 2005/7/627, memorandum 'Visit to Belfast 6.3.1974' by Sean Donlon, 7 March 1974.

help Faulkner maintain his position. Paddy Devlin and Austin Currie believed that action by the Irish government to clamp down on IRA activity on the border and more overt security cooperation between the North and South was necessary. On the other hand, John Hume believed that Dublin should make a significant gesture both to test Faulkner's intentions and as a sign of good will to the new British government. What Hume had in mind was that Dublin should pre-empt the Common Law Enforcement Commission and make a move towards resolving the obstacles to the extradition of fugitive offenders to the North. In return, Dublin and the SDLP would expect a quick move towards ratification of the Sunningdale Agreement.⁶

In London, too, the view of the new Labour government was that Dublin should take action on security. On 7 March 1974 FitzGerald had his first meeting with the new Northern Ireland Secretary, Merlyn Rees. At this meeting, FitzGerald pressed for the early ratification of Sunningdale. Dublin was concerned, according to FitzGerald, with Faulkner's 'constant reinterpretation of the meaning of the Sunningdale Agreement'.⁷ This 'reinterpretation' was Faulkner's constant insistence, since he lost the leadership of the Unionist Party, that the Republic take security action against the IRA as one of his three conditions that needed to be met before he would consider moving to ratify Sunningdale. Such security action had not been a part of the Agreement and Faulkner's subsequent insistence on it was a matter of irritation to FitzGerald.⁸

FitzGerald had pressed this same case with the previous British government to no avail. He was to receive little sympathy for the idea from the new Northern Ireland Secretary. Rees stated that his 'main objective at the moment was to steady the Unionist

⁶ *Ibid.*

⁷ London: PRO, CJ 4/798, 'Record of a Meeting between the Secretary of State for Northern Ireland and Dr Garret FitzGerald', 7 March 1974.

⁸ *Ibid.*

boat'.⁹ Faulkner and his party were anxious at the damage done by the Boland case and the Irish Supreme Court's judgement that the Sunningdale agreement 'was purely a statement of policy without any legal substance'.¹⁰ The British government was eager to ensure that the remaining pro-Assembly Unionists did not desert Faulkner and return to the Unionist Party fold. According to Rees, this required a clear declaration on status from the Irish government, 'plus effective action and public relations on the security point'.¹¹ For Rees the short-term shoring up of Faulkner's position was more important than moving quickly to the ratification of Sunningdale. In order to achieve this, Rees endorsed Faulkner's calls for security action from Dublin.

Nevertheless, FitzGerald continued to argue that Sunningdale should be ratified without delay. And again FitzGerald argued that 'it would be intolerable if the Sunningdale Agreement could not be confirmed until arrangements had been made on the extradition of fugitive offenders'.¹² According to FitzGerald, Sunningdale was a 'package' agreement and for the Irish government to unilaterally take action on security, fugitive offenders and extradition in advance of the ratification of the Agreement would weaken Dublin's position and 'let Mr Faulkner off the hook' on the various concessions he had made.¹³ FitzGerald maintained that the Irish government had not defaulted on any undertakings made at Sunningdale. He went on to say that the Irish government wanted a package, but 'feared that, if they gave in on this or that item in advance of a package, they would find their position whittled away with nothing in return'.¹⁴

Here FitzGerald was stretching the point. Faulkner had been forced out of the Unionist Party and had seen the UUUC win eleven of Northern Ireland's Westminster

⁹ Dublin: NAI, DT 2005/7/627, 'Summary of meeting in London on 7 March 1974 between Dr Garret FitzGerald, Minister for Foreign Affairs and Mr Merlyn Rees, Secretary of State for Northern Ireland', 7 March 1974.

¹⁰ London: PRO, CJ 4/798, 'Record of a Meeting between the Secretary of State for Northern Ireland and Dr Garrett FitzGerald', 7 March 1974.

¹¹ *Ibid.*

¹² *Ibid.*

¹³ London: PRO, CJ 4/798, 'Record of a Meeting between the Secretary of State for Northern Ireland and Dr Garrett FitzGerald', 7 March 1974.

¹⁴ *Ibid.*

seats. With this level of Protestant hostility he had felt it necessary to issue three preconditions that the Irish had to meet prior to the ratification of Sunningdale. Firstly, and most importantly, Faulkner required reassurances on the status issue. The Irish government had indeed made a statement on the status of Northern Ireland at Sunningdale. Yet this was almost immediately undermined and Faulkner was still waiting for Dublin's statement clarifying their position on status following the conclusion of the Boland case. Secondly, action on extradition and fugitive offenders was part of the Sunningdale package. Agreement had not been reached on this at Sunningdale, resulting in the creation of the Common Law Enforcement Commission. However, FitzGerald was arguing that Sunningdale should be ratified with this issue unresolved. Finally, this left Faulkner's demand for action by Dublin on IRA activity in the Republic. Although this was not a central part of the Agreement, movement towards greater security cooperation between Northern Ireland and the Republic was.¹⁵ Indeed, this was not just demanded by Faulkner. It was an issue that even the SDLP had been pressing the Irish government on. In return for all this the Irish government would have the Council of Ireland, aimed at harmonising policy in both parts of Ireland, and the right to a say on a range of issues including policing, civil service reform, and human rights issues in the North.

Still Dublin continued to press for the speedy ratification of Sunningdale. On 21 March 1974 Cosgrave wrote to Harold Wilson proposing that the ratification conference should be held on Wednesday 10 April 1974. Cosgrave claimed that any outstanding issues could readily be solved once that date had been agreed upon, especially as the Irish government had finally made its statement clarifying its position on the status of

¹⁵ Fionnuala McKenna, 'The Sunningdale Agreement (December 1973)', pas. 12-17, *CAIN Web Service* <<http://cain.ulst.ac.uk/events/sunningdale/agreement/htm>> [accessed 3 December 2010].

Northern Ireland following the conclusion of the Boland case.¹⁶ Galsworthy suspected the 10 April date was FitzGerald's idea. The Irish, for domestic political reasons, needed the Council to be established soon. According to Galsworthy, this was due to the extravagant hopes the coalition had encouraged to be built up around it. In addition, FitzGerald believed that once the Council was established and functioning, the Protestant majority in the North would be won round. Yet, Galsworthy believed that FitzGerald was naïve to believe that the outstanding issues could be resolved simply by setting the date for Sunningdale II. Furthermore, the Ambassador was convinced that 'few of the [Irish] ministers directly concerned here fully understand Mr Faulkner's difficulties even yet, and still harbour the belief that a combined heave from London and Dublin can get him to the winning post'.¹⁷

Wilson agreed with Galsworthy's analysis and refused to be bounced into an early ratification conference by the Irish government. In his reply to Cosgrave, the Prime Minister said that he too was eager to see the Sunningdale Agreement ratified and brought into force. However, Wilson went on to argue that the timing of the second conference would have to be 'carefully considered in the light of the political situation in the North'. Wilson feared that 'if we press ahead too soon we shall risk losing much of what has so far been achieved'.¹⁸ Rather than consider dates immediately, Wilson decided to delay, telling Cosgrave that Faulkner was to visit London the following week and it would be better for British ministers to discuss the matter with Faulkner then.¹⁹ And to reinforce the British position, as Wilson's reply was being transmitted to Cosgrave, Merlyn Rees met with the Irish Ambassador to London. In the course of that meeting, Rees told O'Sullivan that while the British government had no desire to unduly

¹⁶ Dublin: NAI, DT 2005/7/628, 'Personal Message from Mr Liam Cosgrave TD to the Right Hon. Harold Wilson, MP', 21 March 1974; and DT 2005/7/627, letter from Garret FitzGerald to Merlyn Rees, 11 March 1974.

¹⁷ London: PRO, CJ 4/798, telegram from Sir Arthur Galsworthy to the FCO, 27 March 1974.

¹⁸ London: PRO, CJ 4/798, telegram from James Callaghan to Sir Arthur Galsworthy, 28 March 1974.

¹⁹ *Ibid.*

delay ratification of Sunningdale, it was essential that further action be taken by Dublin on the security front. Rees warned O'Sullivan that ratification was unlikely before May 1974.²⁰

The divide separating the British and Irish approaches became apparent in the inter-governmental meeting at Downing Street on 5 April 1974. During the meeting, Cosgrave again pressed for the early ratification of Sunningdale. While he admitted the Boland case and the need to reassure Faulkner on status had delayed ratification, he went on to state that a 'number of points raised since the Sunningdale meeting were not really relevant'.²¹ Wilson, however, argued that 'the recent British General Election had caused problems in Ulster, and had led to a reversal of the earlier encouraging trend'.²² Indeed, Wilson was concerned that Faulkner's agreeing to ratify Sunningdale could create a Protestant backlash that would break-up the power-sharing executive. What was required, therefore, was to boost the morale of Faulkner and his supporters by implementing security measures which would give the necessary cover to allow them to proceed to ratify the agreement.²³

Ministers skirmished on this latter point for some time. In fact, Irish ministers proved more robust in opposing the demands for action on security as a prerequisite for ratification than hitherto. FitzGerald argued that Faulkner's increasing demands since the beginning of the year were motivated by a skewed 'Northern mythology'. This he defined as 'the belief that all the problems of the Province could be related to the border, and that all the bombing which occurred emanated from the South'.²⁴ The British government needed to help in demolishing this myth. In addition, Cosgrave listed the

²⁰ Dublin: NAI, DT 2005/7/628, 'Report from Ambassador, London, on his meeting with Mr. Merlyn Rees, Secretary of State for Northern Ireland', 28 March 1974.

²¹ London: PRO, PREM 16/145, 'Record of a conversation between the Prime Minister and the Taoiseach at 11.00am on Friday 5 April 1974 at 10 Downing Street', 5 April 1974.

²² *Ibid.*

²³ Dublin: NAI, DT 2005/7/658, Record of Meeting between Liam Cosgrave and Harold Wilson, 5 April 1974.

²⁴ London: PRO, PREM 16/145, 'Record of a conversation between the Prime Minister and Mr Cosgrave on Friday 5 April 1974 at 11.40am', 5 April 1974.

measures the Irish government had already taken to increase the size of its security forces. He also pointed out that meetings had taken place between police officials from North and South. Finally, Cosgrave claimed that the level of violence in the border was exaggerated in comparison to the levels of violence prevailing in other parts of Northern Ireland.²⁵ In the end, however, neither government was able to persuade the other to make any concessions. The Irish left still demanding early ratification and the British pushing for security action from Dublin.

During the meeting Rees intimated that Faulkner now wanted to dilute the agreement on the Council of Ireland in order to make it more palatable to his supporters. The Irish, especially FitzGerald, were opposed to this. Cosgrave argued 'that they had made an agreement and everybody should carry it out'.²⁶ However, Cosgrave was already aware that Faulkner was now advocating the dilution of the Council of Ireland proposals. In two letters to Cosgrave, one dated 31 March 1974 and the second dated 3 April 1974, Faulkner outlined his new position on the Council of Ireland. While declaring his own support for the structure agreed at Sunningdale and recognising the Catholic community's attachment to it, Faulkner argued the scheme did not carry sufficient support generally and that he doubted whether he could even carry his own Assembly party in support of it. He went on to say that 'if we cannot now find the means to secure for the Council of Ireland concept a broader basis of acceptability, then the power-sharing experiment is doomed'.²⁷ This was the same point Wilson was to make in his meeting with Cosgrave on 5 April. Faulkner therefore set out the four alternative courses that he believed were open. First was to press on with Sunningdale as agreed. This he argued was no longer politically practical. Second was to delay implementing Sunningdale in the hope that it would become more widely accepted. Here Faulkner

²⁵ London: PRO, PREM 16/145, 'Record of a conversation between the Prime Minister and the Taoiseach at 11.00am on Friday 5 April 1974 at 10 Downing Street', 5 April 1974.

²⁶ Dublin: NAI, DT 2005/7/658, Record of Meeting between Liam Cosgrave and Harold Wilson, 5 April 1974.

²⁷ Dublin: NAI, DT 2005/7/628, letter from Brian Faulkner to Liam Cosgrave, 31 March 1974.

argued that it was likely that the pressure from Northern Protestants would increase rather than diminish. Thirdly was to accept a Council of Ireland could not be made acceptable and so the scheme should be dropped entirely. This was unacceptable to the nationalists in Northern Ireland and to Dublin. Faulkner therefore preferred the fourth option. This was to accept the structure as agreed upon at Sunningdale as the ideal, but to also recognise that it could only be achieved in phased stages, with each stage only being completed as the Council received increased public support.²⁸

In a meeting with Merlyn Rees on 8 April 1974, Faulkner set out how he foresaw a phased implementation of the Council of Ireland coming about. Initially, the Council would consist only of an equal number of ministers from the Northern Ireland executive and from the Irish government. It would have no executive functions, no headquarters and no secretariat. There would also be no Consultative Assembly. As confidence increased, the Council of Ireland would evolve until it eventually had the structure set out at Sunningdale.²⁹ Faulkner's proposal amounted, initially at least, to nothing more than formalising a bilateral relationship between Belfast and Dublin and calling it a Council of Ireland. While this might satisfy some Unionists, it would be unacceptable to the SDLP and Dublin. Yet Faulkner argued that this was necessary as he had only agreed to the setting up of a Council of Ireland in exchange for a binding declaration from the Irish government on status. The status declaration had been eroded by the Boland case and by 'unhelpful glosses' from Irish ministers. Moreover, the Irish government refused for domestic political reasons to agree to extradition or to take security action against the IRA. 'Mr Faulkner had not, therefore, received anything substantial which would enable him to "sell" Sunningdale'.³⁰ For Faulkner the fate of the entire Sunningdale package rested on renegotiating the structures of the Council of Ireland.

²⁸ Dublin: NAI, DT 2005/7/629, letter from Brian Faulkner to Liam Cosgrave, 3 April 1974.

²⁹ London: PRO, PREM 16/145, Minute of conversation between Merlyn Rees and Brian Faulkner, 8 April 1974.

³⁰ *Ibid.*

In the aftermath of the British general election the Irish government had asked the IDU to review the situation in Northern Ireland and to make recommendations on the way forward. Having considered a number of alternative courses the IDU concluded ‘the best course of action is to press ahead with early ratification and implementation of the Sunningdale package’, a course of action that the Irish government had stuck closely to.³¹ However, the Irish government were prepared to show some flexibility on the Council of Ireland. Firstly, Dublin was willing to consider reducing the scope of the Council of Ireland’s executive functions, at least initially. Secondly, they were prepared to see the Council having a smaller secretariat than originally envisaged, which would grow as the Council did. Finally, the Irish government was prepared to see the creation of the Consultative Assembly of the Council deferred for a year.³²

While this showed movement in the Irish government’s position on the Council of Ireland, it was still some distance from the staged implementation proposed by Faulkner. However, the view in Dublin was that if these ‘suggested elements of flexibility’ were insufficient to meet the needs of the pro-Assembly Unionists then it was likely that the SDLP would withdraw from the executive and direct rule would be reintroduced by the British.³³ Therefore the Irish government believed it was demonstrating a willingness to move on the Council of Ireland only so far as the SDLP would allow them, although it is highly unlikely that the coalition would have wished to move much further than this in any event.³⁴

In fact it appeared the SDLP was willing to move further towards Faulkner’s position than the Irish government. In a meeting with Irish ministers on 29 April 1974, an SDLP delegation stated that they ‘now intended to go all out for ratification of Sunningdale in its entirety, without further delay’. However, in order to achieve this,

³¹ Dublin: NAI, DT 2005/7/629, ‘Sunningdale: Alternative courses of action following results of recent Westminster general election’, April 1974.

³² *Ibid.*

³³ *Ibid.*

³⁴ *Ibid.*

‘they would be prepared to consider a phased implementation of the Agreement’.³⁵ The SDLP delegation had not yet decided exactly what a phased implementation would consist of, although they were now actively considering this. In pressing for ratification, the SDLP made clear that they understood the potential consequences. But if ratification was unacceptable to Faulkner and his supporters, then the SDLP would withdraw from the executive as they ‘preferred to leave with some vestige of dignity’.³⁶

In London, too, the conclusion had been reached that the introduction of the Council of Ireland would have to be phased. Stanley Orme, the junior Northern Ireland minister, sounded out the Irish Labour Senator, Brendan Halligan on what Dublin’s reaction would be to a programme that would involve the introduction of the Council of Ministers, ratification of Sunningdale, with the creation of the Consultative Assembly delayed until a later date. To Orme’s surprise, Halligan said the Irish government recognised Faulkner’s position and would agree to such an approach provided ‘the Consultative Assembly would be set up within a reasonable period’.³⁷ According to Halligan, Orme became quite excited about this approach, although it was not made clear that the Irish position was to delay the creation of the Consultative Assembly for only one year. Orme pressed Halligan on whether the SDLP would accept such a proposal. Halligan confirmed they would, concluding that ‘In the last analysis they would accept a phased introduction of the Council of Ireland rather than no introduction. And so would we.’³⁸

While it appeared that the parties were edging in the same direction on the Council of Ireland, matters were complicated for the British government at the end of April 1974 when they received the report of the Common Law Enforcement

³⁵ Dublin: NAI, DT 2005/7/629, ‘Summary report of meeting between Sunningdale Ministers and SDLP delegation, 29th April, 1974’, 30 April 1974.

³⁶ *Ibid.*

³⁷ Dublin: NAI, DT 2005/7/629, ‘Memorandum on Visit to Northern Ireland Office, 30th April 1974’ by Brendan Halligan, 2 May 1974.

³⁸ *Ibid.*

Commission. The Commission had split equally on British-Irish lines on the question of extradition. The British members recommended improved extradition procedures and the Irish argued that this was impossible due to constitutional issues in the Republic. As a compromise solution the Commission proposed the concept of 'extra-territoriality'. The courts in the North and South would have their jurisdiction extended so they could hear cases where terrorist acts were committed in the other part of Ireland. According to Rees, this was seen in Northern Ireland as a 'typical Southern evasion'.³⁹ Indeed, the Commission's compromise gave Dublin another defence against calls for greater security action.

When FitzGerald met Rees on 25 April 1974 the discussion was dominated by the Law Enforcement Commission's report. FitzGerald told Rees that the Irish government were in a position to move quickly on the report and were happy to see it published immediately. He added that the Irish government already had a draft Bill ready for introduction in the Dáil in order to give effect to the report's recommendations.⁴⁰ However, the British were not prepared to move so quickly. Rees argued that the Report would raise considerable public discussion over the central recommendation of 'extra-territoriality', especially as most British lawyers would argue that there was no legal obstacle to extradition. To this, 'Dr FitzGerald affected great surprise and disappointment', and argued that it was precisely because the British and Irish lawyers had been unable to agree on extradition that they had recommended extra-territoriality.⁴¹ Rees then went on to argue that he would have to consult with the Northern Ireland executive, something which could not be taken for granted as the Faulkner Unionists may reject the report. In addition, Rees would have to consult his cabinet colleagues and then consider how to publish the report in the UK. By the end of the meeting, with Rees

³⁹ Merlyn Rees, *Northern Ireland*, p. 63.

⁴⁰ Dublin: NAI, DT 2005/7/629, 'Report of Meeting on 25th April 1974 between the Minister for Foreign Affairs and the Secretary of State for Northern Ireland', 25 April 1974.

⁴¹ London: PRO, CJ 4/798, telegram from Oatley, NIO, to British embassy in Dublin, 26 April 1974.

adamant that publication and action on the report could not be taken immediately, 'Dr FitzGerald, with a display of innocent bewilderment and good humoured protest, reluctantly accepted that the points raised by the Secretary of State had to be taken properly into account'.⁴²

The British general election caused another significant deterioration in the political situation in Northern Ireland. Faulkner's position had been further weakened and when the Irish government was finally able to make a statement clarifying its position on the status of Northern Ireland it failed to have any effect. This led the pro-Assembly Unionists, the SDLP, and the new British government all to press Dublin for action on security issues. Dublin refused and, indeed, became more robust in its arguments against taking such action. At the end of April 1974 the Irish government was greatly assisted by the Common Law Enforcement Commission's report, as the recommendations on extra-territoriality removed the pressure for action on extradition and policing the border. This was unwelcome to the British government and the pro-Assembly Unionists as the Commission's compromise recommendations were politically difficult to accept.

It was not just on security action that Faulkner wanted to see movement from Dublin as he also began to press for the staged introduction of the Council of Ireland. While the Irish government began to show some willingness to accept this, it appeared that some progress was possible. But reaching agreement on exactly what the phased introduction of the Council of Ireland would look like was to take considerable time.

In the background to all this, the election of the Labour government in London introduced a new element to Anglo-Irish relations. Within weeks of the general election the British press began to speculate that the new government was preparing to withdraw from Northern Ireland. This was the cause of great concern in Dublin. By the end of

⁴² *Ibid.*

March 1974 the Irish had already raised their concerns with the British. Yet despite British reassurances, the Irish remained suspicious. Alarmed at the prospect of a British withdrawal from Northern Ireland, the Irish once again turned to the United States for support.

Chapter 16: Withdrawal

As the parties to Sunningdale haggled over its implementation, in the month following the British general election a new concern emerged for the Irish government. The Irish became increasingly concerned over the rumours circulating in London that the new British government was considering withdrawing from Northern Ireland. This would have effectively ended the peace process in Northern Ireland and Dublin's new relationship with the North. Indeed, it was generally agreed that it would also lead to a full-scale civil war in the Province that would likely spread into the Republic. As a result, for the first time since Bloody Sunday, the Irish government once again sought the intervention of the US government in the political sphere of the Northern Irish Troubles. And this time the State Department was alarmed enough to raise its concerns with the British government.

In their contacts with the Irish government while in opposition, Harold Wilson and Merlyn Rees had repeatedly emphasised the pressure they were under from Labour Party members and from the British public to commit to withdraw from Northern Ireland in order to prevent British troops from being killed and to save British taxpayer's money.¹ During his meeting with Cosgrave in July 1973, Rees stated that if Whitelaw's initiative was to fail the British public would demand withdrawal from Northern Ireland. The consequences of this would be catastrophic.² Rees's purpose seemed to be to paint a bleak picture for the Irish so that they would encourage the SDLP to cooperate in forming a power-sharing executive with the Unionists. Whether this was how the Irish government interpreted Rees is unclear.

¹ Dublin: NAI, DT 204/21/467, letter from D. O'Sullivan to H. McCann, 12 July 1973; and 'Note of Meeting between the Taoiseach and Messrs, Merlyn Rees and Stanley Orme, MPs', 16 July 1973.

² Dublin: NAI, DT 204/21/467, 'Note of Meeting between the Taoiseach and Messrs Merlyn Rees and Stanley Orme, MPs', 16 July 1973.

Following the general election, when Rees and FitzGerald met in London on 7 March 1974, Rees ‘declared that the aim [of the Labour government] was to withdraw British troops in the long run’.³ This was not a change of policy. The previous Conservative government would also have shared such an ambition, but the levels of violence in Northern Ireland rendered this impossible. Indeed, FitzGerald did not react to this comment from Rees. However, in the weeks following this meeting, the British press began to speculate over a possible British pull-out from Northern Ireland should the executive collapse. In his meeting with Rees on 28 March 1974, Donal O’Sullivan expressed concern over such speculation. Rees told the Irish Ambassador that he would be happy to reduce troop numbers in Northern Ireland, but that ‘In view of the realities of the situation, withdrawal would be unthinkable until the position in the North changes. Premature withdrawal would expose the Government to serious criticism abroad and would be damaging from the point of view of the Irish vote here’.⁴

According to Rees, then, a British withdrawal from Northern Ireland would have serious international and domestic implications. Yet despite such reassurances, Irish concern over a possible British pull-out actually had some basis. Although the Irish were unaware of it, on 10 April 1974 the British cabinet decided to investigate the implications of a complete withdrawal from Northern Ireland.⁵ This did not mark a shift in British policy away from support of Sunningdale to preparation for withdrawal. Rather it demonstrated the confusion within the government over Northern Ireland and the failure to get to grips with the situation they had inherited. Indeed, the cabinet was divided even on investigating the implications of withdrawal. Significantly, the Prime Minister,

³ London: PRO, CJ 4/798, ‘Record of a Meeting between the Secretary of State for Northern Ireland and Dr Garrett FitzGerald’, 7 March 1974.

⁴ Dublin: NAI, DT 2005/7/628, ‘Report from Ambassador, London, on his meeting with Mr. Merlyn Rees, Secretary of State for Northern Ireland’, 28 March 1974.

⁵ Brendan O’Leary, ‘Northern Ireland’, in Anthony Seldon and Kevin Hickson (eds), *New Labour, Old Labour: The Wilson and Callaghan Governments, 1974-79* (London: Routledge, 2004), p. 242; and Tony Benn, *Against the Tide: Diaries 1973-76* (London: Arrow Books, 1989), 137-8.

Harold Wilson, and Home Secretary, Roy Jenkins, were in favour.⁶ However, a number of cabinet ministers, including the Northern Ireland Secretary himself, were opposed to such a move.⁷ Tony Benn, the Secretary of State for Industry, believed ‘the cabinet would divide on Catholic-Protestant lines’ over a policy of withdrawal.⁸

In public the British government’s views on withdrawal seemed contradictory and merely fuelled speculation. On 16 April 1974, Rees stated in a BBC interview that ‘a bloodbath might ensue if Britain withdrew from Northern Ireland “in a fit of pique”’.⁹ Rees had gone on to say that the violence precipitated by a withdrawal would not be confined to Northern Ireland, but would spread into the Republic and into Britain. He reiterated his support for power-sharing and the executive.¹⁰ Yet a week later the Defence Secretary, Roy Mason, caused serious concern in both parts of Ireland when he said in a speech that pressure was growing in Britain to pull-out the troops and withdraw from Northern Ireland.¹¹ The Ministry of Defence rushed to clarify Mason’s remarks, emphasising that no date had been set for withdrawal and that British policy remained unchanged.¹² This was followed by a statement from the Prime Minister that the Army would remain in Northern Ireland ‘in whatever strength the fulfilment of that task requires’.¹³ Wilson went on to state that the British would continue to work to confirm the power-sharing arrangements in Belfast and to implement the Sunningdale Agreement.¹⁴

⁶ Bernard Donoughue, *Downing Street Diary: With Harold Wilson in No. 10* (London: Pimlico, 2006), p. 124; and O’Leary, ‘Northern Ireland’, p. 242.

⁷ Merlyn Rees, *Northern Ireland*, p. 349; and O’Leary, ‘Northern Ireland’, p. 242.

⁸ Benn, *Diaries*, p. 138.

⁹ London: PRO, PREM 16/145, ‘Summary of Political Events in Northern Ireland for the period 5-18 April 1974’, undated.

¹⁰ *Ibid.*

¹¹ London: PRO, PREM 16/145, ‘Summary of Political Events in Northern Ireland for the period 18-25 April 1974’, undated.

¹² *Ibid.*

¹³ London: PRO, PREM 16/145, Press Notice on behalf of the Prime Minister, 25 April 1974; and Michael Hatfield, ‘Tories see Mason speech on Ulster as bad blunder’, *The Times*, 26 April 1974, p. 1.

¹⁴ *Ibid.*

Despite the denials of a change in policy, the Irish government took Mason's speech to be an example of 'kite-flying' by the British to gauge reaction to the idea of withdrawal.¹⁵ Brendan O'Leary has argued that it was unlikely that the British government was testing public reaction to the idea of withdrawal given the rebuke Mason received from Wilson.¹⁶ Indeed, Mason's gaffe may have been a reflection of inter-departmental wrangling within the British government. Mason had proposed the removal of three battalions from Northern Ireland to relieve some strain from the Ministry of Defence's budget. The Cabinet subcommittee on Northern Ireland had rejected the immediate withdrawal advocated by Mason and instead agreed to the withdrawal of one battalion immediately, and two others as the security situation allowed. Mason's statement was more likely an unsubtle attempt to gain public support for troop withdrawal in order to get his own way.¹⁷

Just two days after Mason's speech, the first of the British government's research papers on the consequences of withdrawal was completed. The FCO had been asked to 'consider the international legal and other repercussions of a decision to disengage entirely, severing all Constitutional links between Northern Ireland and the rest of the United Kingdom'.¹⁸ According to this report, produced by the FCO official Bill Harding, the most important factor would be the impact on Britain's standing as 'an ally, borrower, and political and trading partner'.¹⁹ As most foreigners viewed Northern Ireland as a lingering colonial problem, withdrawal itself would not necessarily lead to international condemnation. However, the effects of withdrawal would. Withdrawal was likely to cause an upsurge in violence that could result in an Ireland-wide civil war that would bring the UK back into the conflict. It could also strain Britain's relations with the

¹⁵ Dublin: NAI, DT 2005/7/629, 'Sunningdale: Alternative courses of action following results of recent Westminster general election', April 1974.

¹⁶ O'Leary, 'Northern Ireland', p. 243.

¹⁷ London: PRO, CAB 134/3778, IRN (74) 1st Meeting, 1 April 1974; PREM 16/145, letter from Merlyn Rees to Roy Mason, 16 April 1974; and PREM 16/145, memorandum 'Northern Ireland Force Levels', from Roy Mason to Harold Wilson, 25 April 1974.

¹⁸ London: PRO, PREM 16/145, letter from G. W. Harding, to H. F. T. Smith, 26 April 1974.

¹⁹ *Ibid.*

United States and lead to covert intervention by unfriendly governments such as the Soviet Union and Libya. This led Harding to conclude that,

Britain would in these circumstances appear to foreigners significantly less attractive as an ally, as a political and economic partner (e.g. Member or Associate of EEC or of Free Trade Area), as a place to invest in or a country to lend money to, or as a country with a claim to international influence, permanent membership of the Security Council etc. etc.²⁰

Such a conclusion would hardly come as a surprise to British ministers. The previous month when Donal O’Sullivan had raised Irish concerns with Merlyn Rees, Rees had dismissed the idea partly on the basis of the extensive international condemnation it would cause. Yet there were still those in the British government, including Wilson, flirting with the idea of withdrawal.²¹

The Irish government’s review of its Northern Ireland policy in the wake of the British general election, conducted by the IDU, dwelled on the possibility of a British withdrawal. Judging the first weeks of the Labour government in London, the IDU concluded that events supported the view that the new British government had ‘a very much colder approach than hitherto to the concept of their “duty” to Northern Ireland’.²² Should the peace initiative in Northern Ireland fail, the IDU believed the view in the UK would be that,

...Britain has by now used her “best endeavours” in regard to Ireland (sending Whitelaw; providing for power-sharing; organising Sunningdale; and committing the Army for five years). If this does not work then Britain can honourably withdraw, having done its duty fully to no avail in the face of the intractability of the Irish...²³

If the power-sharing executive fell and the Sunningdale Agreement fail, the Irish believed that the British would reinstate direct rule as an interim measure. Meanwhile a

²⁰ *Ibid.*

²¹ Dublin: NAI, DT 2005/7/628, ‘Report from Ambassador, London, on his meeting with Mr. Merlyn Rees, Secretary of State for Northern Ireland’, 28 March 1974.

²² Dublin: NAI, DT 2005/7/629, ‘Sunningdale: Alternative courses of action following results of recent Westminster general election’, April 1974.

²³ *Ibid.*

constitutional conference would be convened to consider a whole range of options for Northern Ireland, from complete integration into the UK to reunification with the South. However, it was believed that the British,

...would favour a solution in which it withdrew from Ireland, sooner or later, or minimised its involvement. The [Constitutional] Conference might be the occasion for, or even be preceded by, a British declaration of intent to withdraw since all British interests favour this course of action.²⁴

From the Irish government's perspective, then, the failure of the Northern Irish peace initiative would have serious consequences. Having seen its endeavours to bring peace to Northern Ireland thwarted, the British would likely proceed to withdrawal. In both Britain and the Republic the expected result of this would be bloodshed on an unprecedented scale in Northern Ireland that could spill out into the Republic and the British mainland. This contributed to the Irish government's determination to have Sunningdale ratified as quickly as possible in order to prevent the political collapse that could lead to a British withdrawal.²⁵

Irish concern over British withdrawal from Northern Ireland led them to raise the issue with the US government. Significantly the US embassy in London then quickly raised these concerns with the British. An Irish government source, suspected to be Garret FitzGerald, had told John Moore, the US Ambassador to Dublin, that the Irish government was much more concerned about the position in Northern Ireland than their public statements indicated. In the event of the fall of the Northern executive, the fear in Dublin was that the British would find it difficult to reintroduce direct rule and nearly impossible to rescue the Sunningdale Agreement. This could precipitate a British withdrawal from Northern Ireland that would leave the Protestants and Catholics to fight it out amongst themselves. Given the nature of the Irish government's concerns, the US State Department sought to assess what the intentions of the British government were,

²⁴ *Ibid.*

²⁵ *Ibid.*

whether they would involve a complete withdrawal from Northern Ireland, possibly necessitating UN intervention, or, conversely, a substantial reinforcement of Northern Ireland, that could potentially impact NATO interests. This led US officials in London to raise the matter with the British Foreign Office.²⁶

In response, the FCO sought to reassure the Americans. The idea of a British withdrawal had been circulating thanks to speculative newspaper articles in the British press. This had been compounded by the announcement of the reduction in troop strength in Northern Ireland. In fact the purpose of the reduction in the Army presence in Northern Ireland was to allow for a 'smoother rotation of troops' that would better space out tours of duty in Northern Ireland. In addition to this, on the general point of a British withdrawal, the FCO official Bill Harding told the US embassy in London that he,

...could not foresee the circumstances in which any British Government would decide to withdraw the main presence of British troops in Northern Ireland, so long as there was a serious risk that by doing so they would precipitate full-scale civil war, with all the communal bloodshed and consequent international indignation, not to say possible foreign intervention, that might involve.²⁷

The Americans were reassured by Harding's comprehensive rejection of the idea of a British pull-out from Northern Ireland.²⁸ Harding was aware that the government was looking in to the implications of withdrawal as it was he who was to produce the Foreign Office analysis of the impact it would have on Britain's international standing.²⁹ He, at least, was convinced by his own arguments against withdrawal.

More generally, British officials believed that Irish concern could prove beneficial. Fear of British withdrawal could make the Irish more willing to cooperate over security issues and less demanding over the Council of Ireland.³⁰ But the greater significance of this American intervention was not lost on the British officials.

²⁶ London: PRO, FCO 87/368, minute by Bill Harding of meeting with First Secretary Gleysteen, US Embassy in London, 19 April 1974.

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ London: PRO, PREM 16/145, letter from G. W. Harding, to H. F. T. Smith, 26 April 1974.

³⁰ London: PRO, FCO 87/368, letter from Sir Geoffrey Arthur to Richard A. Sykes, 19 April 1974.

Informing the British embassy in Washington of the events in London, the FCO's Deputy Secretary Sir Geoffrey Arthur pointed out that 'this is the first time we have heard that the Americans are getting worried about Northern Ireland and are beginning to give serious thought to future contingencies there'.³¹

At the height of the Congressional Irish Caucus agitation in the wake of Bloody Sunday the US government had refused to bow to pressure to call for a British withdrawal from Northern Ireland. The Nixon administration had argued that a unilateral British withdrawal would lead to greater bloodshed in Northern Ireland. This view was shared by the British and Irish governments. Nothing had changed in this regard. Now, however, there was the possibility that the British government may ignore this consideration and withdraw anyway. This was a cause of concern in Washington. As US officials pointed out in their meeting with Harding, withdrawal could lead to a civil war consuming the whole island of Ireland and involving the UK. This could result in international intervention. Alternatively the British may choose to do the opposite and greatly increase its troop commitment to the Province. This would impact NATO. In either eventuality the US interest would be affected and this was enough to prompt the US embassy in London to seek assurances from the British.

However the seeking of assurances on British policy towards Northern Ireland by US embassy officials in London was not a prelude to a change in US policy. A State Department brief, prepared for a meeting between Deputy Secretary of State Kenneth Rush and Garret FitzGerald in early May 1974, recognised that for the Irish government the greatest concern was that the British may 'cave to growing exasperation in the UK' and withdraw from Northern Ireland.³² This would destroy Sunningdale and lead to large-scale communal violence in Northern Ireland. The brief warned that FitzGerald

³¹ *Ibid.*

³² College Park, MD: NACP, RG 59, A1 5573, Records Relating to Ireland, 1962-1975, Box 4 'ORG - 3 - Visit (General) - 1974', briefing memorandum by Stephen P. Dawkins, Mr. Dutton, and Mr McCarthy, 7 May 1974.

may raise this prospect with Rush. If he did, FitzGerald was likely to suggest that a UN peacekeeping force would be required. Yet, the US position remained unchanged. Indeed, the brief stated that ‘Should Sunningdale fail, and a bloodbath appear imminent, we would be reluctant to support a UN force since it would probably be ineffective’.³³ All Rush should do is state that Sunningdale seemed ‘to represent a realistic compromise’ and to promise to continue to closely follow events in Northern Ireland, but to confirm that the US continued to believe that intervention would be unhelpful.³⁴

Over the coming weeks the State Department did indeed pay close attention to events in Northern Ireland. Reports from the US embassies in London and Dublin and consulate in Belfast suggested that the ‘British were carefully weighing things and some [State Department officials] thought that the Labour Government was seriously considering pulling out of Northern Ireland’.³⁵ Stephen Dawkins, the Irish Desk Officer in the State Department, put this view to David Walker of the British embassy in Washington. Walker pointed to the various statements made by British ministers in the previous weeks that reaffirmed the commitment of British troops to Northern Ireland for as long as was necessary. Yet Dawkins remained unconvinced. In particular he could not understand why it had taken Merlyn Rees a week to share the contents of the Common Law Enforcement Commission’s report with the pro-Assembly Unionists and Alliance Party. This humiliated both parties. According to one State Department report ‘some in Northern Ireland believed that such “insensitivity” was not accidental but deliberately calculated to undermine Northern Ireland support for the Union’.³⁶ In fact, rather than an attempt to humiliate Faulkner and undermine the union, Rees’s delay in sharing the report with the executive was due to domestic political difficulties caused by

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ London: PRO, FCO 87/368, memorandum ‘American views on Northern Ireland’, by David Walker, 21 May 1974.

³⁶ *Ibid.*

the report.³⁷ But with the constant speculation of a British withdrawal, compounded by gaffes such as that by Roy Mason, more sinister implications were being read into events that had innocent explanations.

The election of a Labour government in London and the speculation over its desire to withdraw from Northern Ireland had reignited the Irish government's suspicions of Britain's long-term commitment to Northern Ireland. Just weeks after the Labour government had taken office the Irish Ambassador to London felt moved to express his concerns to Merlyn Rees. More than this, the Irish government turned to Washington. Significantly, the US government responded quickly, raising the issue with British officials in both London and Washington. Despite British reassurances they, like the Irish, remained convinced that London was considering pulling-out of Northern Ireland.

Indeed, there was a basis to the speculation. The British cabinet had instructed officials to investigate the implications of a British withdrawal. Yet the government was not drawing up secret plans for a British withdrawal from Northern Ireland and the cabinet was divided on the issue. Publicly the government continued to deny that they had any plans to withdraw, but such assurances were undermined by gaffes such as that by Roy Mason. However, the events of May 1974 were going to test the commitment of the British government to Northern Ireland. Those who feared the British would withdraw from the Province should the power-sharing executive collapse were about to discover if their fears had any foundation.

³⁷ Belfast: PRONI, OE/2/19, 'Minutes of Executive Meeting', 7 May 1974.

Chapter 17: The UWC Strike

By May 1974 all the parties to the Sunningdale Agreement recognised that progress needed to be made towards ratification. This led to two major concessions, one by the Irish government and the other from the British. On the security front, the British government recognised that it had to choose whether or not to accept the Common Law Enforcement Commission's report. To reject it would mean that no progress had been made on security issues and may also lead to the fall of the power-sharing executive. The British therefore, reluctantly, accepted the report's recommendations. More significant, however, was the concession made by the Irish government on the Council of Ireland. Recognising that the whole political process could be brought down by the failure to resolve this issue, Dublin left it to the executive parties to agree the structures of the Council. The Northern Irish parties began to work on this, but agreement came too late. The Protestant backlash had begun.

On 1 May 1974, Faulkner circulated a memorandum to his executive colleagues. In it he posed the question as to whether the British and Irish governments had done enough on status, security cooperation, fugitive offenders and ending internment to give the executive parties sufficient cover to ratify Sunningdale. If the parties were satisfied, Faulkner's next question was how the executive should proceed to the next stage, 'bearing particularly in mind the state of public and Assembly opinion'.¹ The difficulty of what the executive had to achieve was summed up in the minute of their discussions. On the one hand it was stated that 'The SDLP must be enabled to demonstrate that they are not selling out' and on the other hand that 'The Assembly Unionists must be able to show that they are not bringing it all in by stealth'.² In the end it was decided that the

¹ Belfast: PRONI, OE/2/19, 'Sunningdale Agreement. Executive Memorandum by the Chief Minister', 1 May 1974.

² Belfast: PRONI, OE/2/19, fuller minute of the Executive Meeting, 7 May 1974.

executive should appoint a subcommittee to negotiate on the remaining areas of dispute. While this subcommittee was to report as a 'matter of urgency', it in fact made painfully slow progress as the political situation in the Province deteriorated rapidly.³

Just days after Faulkner sent his memorandum to his executive colleagues he received another letter from Cosgrave on his proposed phasing-in of the Council of Ireland. Cosgrave's letter contained a major concession. The Taoiseach restated the importance to the Irish government of making progress on establishing the Council of Ireland. But he also stated that 'It would, however, be wrong to under-estimate the degree to which any move forward depends on agreement by the parties in the Northern Ireland Executive and their attitude to the sort of proposals you have in mind'.⁴ Cosgrave was recommending that the executive parties should between them come to agreement on how to proceed with establishing the Council of Ireland, with the implication that whatever the executive agreed would be acceptable to Dublin.

Dublin's main concern was the SDLP. Any agreement reached by the executive parties would necessarily have the support of the SDLP. This was the barometer of acceptability for the Irish government. After the Northern Ireland executive had appointed its subcommittee to negotiate the way forward, the Irish government's 'Sunningdale Ministers' met to discuss the situation. It was agreed that the Irish government should convey their views on the way forward to the SDLP so that they could be considered as the executive parties carried on their discussions. But the Irish ministers were concerned that they should not restrict the SDLP's room for manoeuvre in the talks.⁵ Achieving the establishment of a comprehensive and powerful Council of Ireland had been central to Irish ambitions since the publication of Whitelaw's Green Paper in October 1972. Having taken the initiative in formulating the structure of the Council and having then achieved agreement on this at Sunningdale, Cosgrave's

³ Belfast: PRONI, OE/2/19, 'Minutes of Executive Meeting', 7 May 1974.

⁴ Belfast: PRONI, OE/1/35, letter from Liam Cosgrave to Brian Faulkner, 3 May 1974.

⁵ Dublin: NAI, DT 2005/7/630, 'Meeting of Sunningdale Ministers', 8 May 1974.

government now conceded that the political situation in Northern Ireland required that the agreement on the Council needed to be renegotiated. Furthermore, Dublin was not to be a party to these negotiations. Instead the SDLP had the responsibility of judging what would constitute acceptable structures and powers for the Council of Ireland.⁶

With the future of the Council of Ireland now in the hands of the Northern Ireland executive, the Common Law Enforcement issue remained to be resolved between the British and Irish governments. In his letter to Faulkner, Cosgrave had somewhat mischievously added that the Irish government was ready to be helpful to the pro-Assembly Unionists by quickly acting to implement the Common Law Enforcement Commission's recommendations, when it was clear that the British government had considerable reservations.⁷ Indeed, Rees had delayed sharing the contents of the report with the executive parties and it was not until 10 May 1974 that he and the Attorney General, Samuel Silkin, met with the executive to explain in detail the contents of the report.⁸ Even this meeting only resulted from the leaking of the report to the SDLP, which the British suspected was Garret FitzGerald's doing, forcing Rees to give copies to Faulkner's Unionists.⁹

Cosgrave had gone some way to make the report more palatable to both the British government and pro-Assembly Unionists. He had agreed that a security conference should be held to discuss cooperation between the British and Irish governments and the Northern Ireland executive on tackling terrorism.¹⁰ Meanwhile it now appeared that the British government was prepared to fudge the issue. In briefing the executive, Silkin argued that the various solutions that had been proposed need not necessarily be alternatives. While hardly a ringing endorsement of the report's

⁶ *Ibid.*

⁷ Belfast: PRONI, OE/1/35, letter from Liam Cosgrave to Brian Faulkner, 3 May 1974.

⁸ Belfast: PRONI, OE/2/19, 'Minutes of Executive Meeting', 7 May 1974.

⁹ London: PRO, CJ 4/798, 'Secretary of State's telephone conversation with Dr Garret FitzGerald', 2 May 1974.

¹⁰ Belfast: PRONI, OE/1/35, letter from Liam Cosgrave to Brian Faulkner, 3 May 1974

recommendations, Silkin conceded that the proposed 'extra-territorial arrangements were not useless'.¹¹ Rather the British government would introduce the recommendations on extra-territoriality while also seeking to reach agreement with Dublin on a new extradition law, the constitutionality of which could then be subsequently tested in the Irish courts.¹²

It had been clear from the negotiations at Sunningdale that the British would struggle to get the agreement on extradition that they wanted from the Irish. Setting up the Common Law Enforcement Commission had merely delayed resolving this issue. The Commission had rejected the preferred options of both the British and Irish governments, ruling out an all-Ireland court and judging that new extradition arrangements would be unconstitutional in the Republic. Now it was for the British government and the Faulkner Unionists to decide whether agreement could be reached on the extension of jurisdiction recommended by the Commission.

Both were reluctant to do so. The senior Northern Irish civil servant, Ken Bloomfield, summed up the options available to Faulkner on the Commission's recommendations. Just because the British jurists believed their Irish counterparts to be bad lawyers did not mean that the latter would be any more likely to change their position. Any extradition agreement would be subject to constitutional challenge in the Republic and any test case would probably be protracted. In addition, there was an emotional response in the Republic against the thought of 'handing men over to British justice'.¹³ Consequently, Bloomfield argued, there were two possible options. The first was to break over the issue which would lead to the failure of the entire Sunningdale package and would precipitate the collapse of the executive. Secondly, Faulkner could use the issue as a bargaining chip to extract further concessions from Cosgrave. On this

¹¹ Belfast: PRONI, OE/1/24, 'Note of a Meeting between the Northern Ireland Administration and the Secretary of State for Northern Ireland, and the Attorney General', 10 May 1974.

¹² *Ibid.*

¹³ Belfast: PRONI, OE/1/11, 'Report on the Law Enforcement Commission', by Ken Bloomfield, 8 May 1974.

latter point, however, Bloomfield believed there was little to be gained as it appeared that the Taoiseach was increasingly coming to the view that anything acceptable to the Northern executive would be acceptable to Dublin.¹⁴

Therefore by mid-May 1974 the executive parties were continuing their negotiations on the Council of Ireland, while the British government and Faulkner Unionists were faced with the decision of whether or not to accept the Common Law Enforcement report. However, on 14 May 1974 the Northern Ireland Assembly was to debate a motion tabled by the UUUC parties that denounced power-sharing and the Council of Ireland. The Ulster Workers' Council (UWC), a Protestant trades union group that had been established following the disastrous showing of the pro-Sunningdale parties at the British general election in February 1974, announced that if the motion was rejected then it would call a general strike to begin the following day. The motion was rejected by 44 votes to 28. As promised, on 15 May 1974 the UWC's general strike began, enforced by Protestant paramilitaries.¹⁵

Much has been written about the British government's handling of the strike and whether more determined action could have broken the strike and saved the executive and the Sunningdale Agreement. In his memoirs, Garret FitzGerald argued that prompt action by the British Army to remove barricades and end the overt intimidation of the population would have broken the strike. He also attacked the discrimination in employment that allowed the Province's electricity supply to be predominantly in the hands of the Protestant community, although it is notable that his representations to the British government over employment discrimination had concerned only the police force and civil service and not electricity workers.¹⁶

¹⁴ *Ibid.*

¹⁵ Faulkner, *Memoirs of a Statesman*, pp. 260-77; Rees, *Northern Ireland*, pp. 65-90; Martin Melaugh and Fionnuala McKenna, 'Ulster Workers' Council Strike – Chronology of the Strike', *CAIN Web Service*, <<http://cain.ulst.ac.uk/events/uwc/chr.htm>> [accessed 9 December 2010].

¹⁶ FitzGerald, *All in a Life*, p. 243.

At the time, however, Sir Arthur Galsworthy noted that the start of the strike had the effect of bringing about a more realistic attitude towards the North in the Irish government. Reporting on a visit by Rees to Dublin that coincided with the Northern Ireland Assembly's vote on Sunningdale, Galsworthy stated that there was an,

...absence on the part of the Irish of the belief they have shown in so many previous discussions that all that was really lacking to achieve the full implementation of the Sunningdale Agreement was a real determination on our part to push it through. They showed no disposition to question our good faith, or suspicion that we were dragging our feet, and a more realistic appreciation of the political difficulties confronting not just the SDLP, on which they have hitherto been inclined primarily to dwell, but also Mr Faulkner in regard to the Council of Ireland.¹⁷

Dublin now recognised, according to Galsworthy, that insisting that Sunningdale was ratified as it stood would simply lead to the downfall of Faulkner and the power-sharing executive. Indeed, Galsworthy reported that the Irish government 'admitted they had no suggestions to put forward' on how to bridge the gap between what the Faulkner Unionists and SDLP needed from the Council of Ireland and that 'in the end they could only urge, a little lamely, that we should now take an active hand in the discussions between the Executive parties, "knock their heads together", and bring about agreement on some new (unspecified) formula', as Whitelaw had managed to do in the inter-party discussions that led to the formation of the power-sharing executive.¹⁸

While the Irish government could offer no suggestions as to how to get the Faulkner Unionists and the SDLP to agree on how to proceed on the Council of Ireland, they did repeat to Rees during this meeting what Cosgrave had already told Faulkner. Rees was told that the Irish government 'would go along with any solution that was agreed by all three parties forming the executive'.¹⁹ On security issues it also seemed that the two governments were coming closer together, agreeing to a security meeting

¹⁷ London: PRO, PREM 16/146, telegram 'Mr Rees' Visit to Dublin' from Sir Arthur Galsworthy to the FCO, 16 May 1974.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

between the Irish Justice Minister and Rees. In addition, the Irish consented to regular meetings between the Northern and Southern police chiefs and directors of public prosecution. That said, Irish ministers ruled out any attempt to alter the Republic's extradition laws along the lines advocated by the British, thus ending Silkin's hopes to fudge the issue sufficiently to give some political cover in Britain over the Common Law Enforcement report.²⁰

Although it was becoming apparent that the British government would reluctantly accept the recommendations of the Common Law Enforcement Commission, combined as it was with a security conference between British and Irish ministers, Rees was faced with the hardening of Unionist opinion on this issue on his return from Dublin. Reporting the details of his Dublin meetings to the Northern Ireland executive, Rees outlined some of the agreements on procedure that had already been made. On extradition, he was forced to state that 'Extradition proceedings, even if of no value for themselves, could form the first stage of extra territorial proceedings', which reduced the preferred British solution to nothing more than a procedural step on the way to the prosecution of a fugitive offender in the Republic rather than being returned to Northern Ireland.²¹

This was unlikely to satisfy the Faulkner Unionists. Faulkner himself argued that the terms of reference for the Law Enforcement Commission had been 'to find the most effective means' of resolving the fugitive offender issue and it was clear that the British members of the Commission clearly believed that this was by the Irish government amending their extradition laws. Faulkner was supported by the increasingly hawkish Environment Minister, Roy Bradford, who argued that if the Irish government and the SDLP wanted to be released from their Sunningdale commitment to extradition then this

²⁰ *Ibid.*

²¹ Belfast: PRONI, OE/1/24, 'Note of the Meeting of the Northern Ireland Administration and the Secretary of State for Northern Ireland', 17 May 1974.

should release the pro-Assembly Unionists from their commitments on the Council of Ireland.²²

As Rees was discussing the Law Enforcement report with the executive, a series of car bombs exploded in Dublin and Monaghan. Thirty-three people were killed and approximately 258 injured in these attacks by the Northern Irish Loyalist paramilitary group the Ulster Volunteer Force.²³ While the Irish assumed that Loyalist paramilitaries were responsible for the atrocities, according to Sir Arthur Galsworthy, Irish ministers believed that most popular hostility would be directed at the IRA as 'It's their bloody fault for starting it all'.²⁴ Galsworthy informed London that the bombings would alter the domestic Irish political atmosphere which would make it easier for Dublin to cooperate with the British forces on security matters. FitzGerald had already raised this with the British Ambassador, proposing that there should be coordination in security activity along the North-South border to avoid unnecessary duplication. According to Galsworthy, that FitzGerald 'should volunteer this to me himself represents an advance in the Irish attitude'.²⁵ However, Galsworthy also added that the Irish mood remained volatile and could be quickly reversed should there be a serious 'untoward' incident involving the Catholic population in Northern Ireland and the security forces there. Moreover, while FitzGerald had raised the prospect of closer cooperation on the deployment of security forces along the border, Irish opinion had not moved on the question of extradition, the issue on which the pro-Assembly Unionists attached so much importance.²⁶

Clearly the Irish government was not to be moved on extradition. Rees faced the choice of accepting the Common Law Enforcement report or rejecting it. Dublin had

²² *Ibid.*

²³ Martin Melaugh, 'A Chronology of the Conflict – 1974', 17 May 1974, *CAIN Web Service*, <<http://cain.ulst.ac.uk/othelem/chron/ch74.htm#May>> [accessed 10 January 2011].

²⁴ London: PRO, PREM 16/146, telegram 'Car bombs in Dublin and Monaghan: The Aftermath' from Sir Arthur Galsworthy to the FCO, 20 May 1974.

²⁵ *Ibid.*

²⁶ *Ibid.*

agreed to an early security meeting with the British and the reaction to the bombings in the Republic made cooperation between security forces more likely. Movement by the Irish on extradition had been a central ambition for the British government and the Faulkner Unionists at the Sunningdale conference. Yet this was politically unacceptable in Dublin. The decision facing both, as Ken Bloomfield had pointed out, was whether to agree to the recommendations on extra-territoriality or to break the whole agreement over this issue. Rees was unwilling to cause the collapse of the political process over the question of extradition. He informed the executive that he would announce the British government's acceptance of the recommendations of the Common Law Enforcement report to the House of Commons on 23 May 1974 and would promise the speedy introduction of legislation to give effect to them. Rees made it clear to the pro-Assembly Unionists that this was after all a matter for the British government to decide, and not the Northern Irish parties, as the UK government retained responsibility for security. He also asked that the executive 'as a matter of extreme urgency, deal with their part', and reach agreement on the Council of Ireland.²⁷

Within days the executive had reached agreement on the phased introduction of the Council of Ireland. This had nearly brought down the executive. SDLP backbenchers had at first balked at the significant concession they were being asked to make on what had been the central issue for their participation at Sunningdale.²⁸ The compromise reached within the executive was that the Council of Ministers would be established upon the ratification of Sunningdale, but that the remainder of the structures of the Council would not be established until there had been a test of public opinion in Northern Ireland. This meant that the Consultative Assembly and the secretariat would not come into being until after the next election to the Northern Ireland Assembly, that

²⁷ Belfast: PRONI, OE/2/24, 'Minutes of Executive Meeting', 20 May 1974.

²⁸ Belfast: PRONI, OE/2/26, 'Minutes of Executive Meeting', 22 May 1974.

was due to take place in 1977.²⁹ Rather than the powerful institution capable of evolving into an all-Ireland Parliament, the Council would instead, initially at least, be confined to the North-South intergovernmental body Faulkner had been pushing for.³⁰

Not only was this a major concession by the SDLP, it was also a major concession by the Irish government. Cosgrave had ceded to the Northern Ireland executive the responsibility for finding a compromise on the Council of Ireland. He was now bound by what the executive had announced. In his statement responding to this development, Cosgrave argued that the power-sharing executive was ‘an indispensable element in progress towards peace and reconciliation in Northern Ireland’ and that ensuring its continued existence was the most important consideration.³¹ He went on to state that he was disappointed that the executive had felt unable to implement all of the structures of the Council of Ireland immediately, but understood their reasoning against doing so. Instead he looked forward to working with the Northern executive through the Council of Ministers.³²

Cosgrave also immediately wrote to Harold Wilson to express his disappointment at the executive’s decision, pointing out that the executive’s agreement was a significant departure from Sunningdale. This had been announced without prior consultation with the Irish government. Cosgrave pointed to the quick acceptance that his government had given to the compromise as it was recognised that the survival of power-sharing was ‘the only basis on which progress towards peace can be maintained’.³³ Having uncomplainingly swallowed such a major departure from the Sunningdale Agreement, however, Cosgrave made it clear that if power-sharing collapsed the blame would lie squarely with the British government. Indeed, the bulk of Cosgrave’s letter to Wilson

²⁹ Dublin: NAI, DT 2005/7/630, Report on the statement by Brian Faulkner to the Northern Ireland Assembly, 22 May 1974.

³⁰ Belfast: PRONI, OE/2/26, ‘Minutes of Executive Meeting’, 22 May 1974.

³¹ Dublin: NAI, DT 2005/7/630, press statement ‘Sunningdale Agreement’ on behalf of Liam Cosgrave, 22 May 1974.

³² *Ibid.*

³³ London: PRO, PREM 16/147, ‘Personal Message’ from Liam Cosgrave to Harold Wilson, 23 May 1974.

concentrated on Irish concern that the British government was not doing enough to tackle the strike. Cosgrave told Wilson that the Irish government was shocked, nine days into the strike, that the British had taken no action to break the control the UWC had gained over the daily life of the Province. He therefore asked Wilson to 'take immediate action, with whatever forces prove necessary ... to end this intolerable situation in Northern Ireland and to guarantee ... the survival of the Executive'.³⁴ Finally, Cosgrave urged the immediate convening of Sunningdale II and that the first meeting of the Council of Ireland, in its amended format, should take place without delay.³⁵

Wilson replied two days later. He commended the bravery of the executive parties in reaching agreement on the phased introduction of Sunningdale. Wilson supported their compromise, stating that 'The price of moving too fast and too far would have been to postpone the setting up of a Council for many years, and would have put the whole fabric of the existing Northern Ireland constitution at risk'.³⁶ Having warned of the dangers of moving too fast, Wilson demonstrated that he was himself in no hurry to move towards holding Sunningdale II. The Prime Minister argued that considerable preparatory work would have to be undertaken before the ratification conference could be convened. As a first step towards this, Wilson urged that officials from London, Belfast and Dublin should meet shortly to begin preparing the necessary documents for such a conference.³⁷ As for the UWC strike, Wilson shared Cosgrave's concern at the damage being done to the authority of the executive. Yet, while Wilson agreed that the strike had to be brought to an end, he rejected Cosgrave's call to use the British Army to bring down the barricades.³⁸ There was no question of the British government attempting to break the strike through use of the security forces. For London, an armed

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ London: PRO, PREM 16/147, letter from Harold Wilson to Liam Cosgrave, 25 May 1974.

³⁷ *Ibid.*

³⁸ *Ibid.*

confrontation between the strikers and the Army could have potentially disastrous consequences for the stability of Northern Ireland.³⁹

At this point the diplomatic exchanges were overtaken by events in Northern Ireland. On Friday 24 May 1974 Wilson met with the three executive party leaders at Chequers. At this meeting Faulkner, Fitt and Napier had 'gained the clear impression that Mr Wilson was firm in his desire to do whatever was necessary, and within his capability, to stand by the Executive'.⁴⁰ In fact Wilson and the British cabinet had no proposals to consider other than the 'oil plan' that had been worked out by the Northern Ireland executive. This plan involved the Army securing 21 petrol stations across the Province to ensure the continued supply of fuel to essential users who would be provided with permits from the executive.⁴¹ Other than this, the only plan the British government had for dealing with the strike was a Prime Ministerial broadcast.

Wilson's broadcast, shown on the evening of Saturday 25 May 1974, was bad tempered, ill-judged and counter-productive. The Prime Minister condemned the undemocratic and sectarian nature of the UWC strike. He then went on to condemn the strikers for 'sponging' on the British taxpayer and relying on the protection of British troops while acting to bring down a political settlement that had been enacted by the British Parliament.⁴² In his 'spongers' speech, Wilson did nothing other than demonstrate the gulf that existed between what the British political establishment believed was the appropriate solution to the conflict in Northern Ireland and what the Protestant majority was willing to accept. This was further demonstrated by the leaking

³⁹ *Ibid.*

⁴⁰ Belfast: PRONI, OE/2/30, 'Minutes of Executive Meeting', 24 May 1974.

⁴¹ London: PRO, CAB 134/3778, IRN (74) 4th Meeting, 29 May 1974; and Bew and Gillespie, *A Chronology of the Troubles*, pp. 86-7.

⁴² Harold Wilson, *Final Term: The Labour Government 1974-76* (London: Weidenfeld and Nicolson and Michael Joseph, 1979), p. 77. Emphasis is Wilson's.

of the details of the oil plan, which was followed by an intensification of the strike by the UWC.⁴³

When the Northern Ireland executive met on the morning of 28 May 1974 the picture was bleak. Faulkner and his party now favoured opening a dialogue with the UWC. Rees refused, prompting the resignation of Faulkner and his Unionist colleagues.⁴⁴ With the collapse of the executive, Rees moved to prorogue the Northern Ireland Assembly and reintroduce direct rule from Westminster.⁴⁵ The peace process was over.

Only at the beginning of May 1974 did any sense of urgency enter into the deliberations on the implementation of Sunningdale. Dublin made a significant concession on the Council of Ireland in agreeing to abide by whatever compromise the executive produced. The executive, though, took too long to come to an agreement and the UWC strike had begun by the time they were able to announce the compromise that had been reached. Even this had nearly brought down the executive as SDLP backbenchers initially balked at the concessions they had been asked to accept. Meanwhile the British government and pro-Assembly Unionists were forced into the position of either accepting or rejecting the recommendations of the Common Law Enforcement Commission. After considerable dithering the British finally agreed, but again too late to have any impact.

Once the strike had begun, all Dublin could do was exhort the British government to take action. However the British refused to contemplate the use of force to break the strike and had no alternative ideas how to bring it to an end. With the lights about to go off, Faulkner advocated negotiation with the UWC leadership. Rees's refusal led Faulkner to resign and the executive to collapse. In the aftermath of the collapse of the peace process the British government had decide how best to proceed. The Irish were

⁴³ Rees, *Northern Ireland*, p. 84; and Faulkner, *Memoirs of a Statesman*, pp. 275-6.

⁴⁴ Belfast: PRONI, OE/2/32, 'Minutes of Executive Meeting', 28 May 1974.

⁴⁵ London: PRO, CAB 134/3778, IRN (74) 4th Meeting, 29 May 1974.

now to discover how committed the Wilson government was to maintaining Northern Ireland as part of the United Kingdom.

Chapter 18: Doomsday

After the collapse of the power-sharing executive a political vacuum was created in Northern Ireland's politics. The London-Belfast-Dublin relationship that had been responsible for bringing forward and implementing the peace process disappeared as the British reintroduced direct rule. As the British decided to leave it up to the Province's politicians to come up with an alternative solution, Dublin found itself excluded. Mistrust of British intentions again came to the fore as Dublin began to prepare for a possible British withdrawal. In this, having apparently lost influence in London, the Irish government once again sought the political intervention of the Nixon administration. Whereas in March 1974 the US government had responded to Irish concerns by seeking reassurances from the British over their intentions in Northern Ireland, this time the Nixon administration refused to get involved. However, the perception of how the US government would react to a British withdrawal was enough to influence British policy against such a course. By September 1974 the British were once again to confirm a place for the Irish government in Northern Ireland.

Congressional opinion, meanwhile, was largely unaware of the Irish government's fear of a British pull-out. Indeed, this period marked the end of the first stage of Congressional interest in Northern Ireland, with Irish Caucus agitation unfocussed and ineffective. Only after September 1974, with the formation of the Irish National Caucus (INC), a new lobbying organisation representing many Irish-American groups, was a new stage of concerted Congressional action to begin.

In the days after the fall of the Northern Ireland executive Rees and Orme met with the leaders of the Province's political parties. The former executive parties remained committed to the 1973 Constitution Act and the concept of power-sharing, although the SDLP naturally also placed considerable importance on the Irish dimension.

However, the loyalist parties of the UUUC all rejected the Constitution Act and Bill Craig, leader of the Vanguard Unionists, pushed for an independent Ulster. Following these meetings Rees concluded that the ‘common thread running through [the discussions] was “let Ulstermen work it out”’.¹ Indeed, Rees began to talk of the development of an ‘Ulster nationalism’. The UWC strike was more than a Protestant backlash, Rees felt, with the UWC representing the expression of an Ulster nationalism felt by a large part of the Province’s population.²

A possible consequence in the growth of Ulster nationalism could have been an independent Ulster. And Harold Wilson was contemplating this. Just two days after the UWC strike had brought down the power-sharing executive, Wilson informed his private secretary, Robert Armstrong, that it was time to look again at this ‘Doomsday scenario’. According to Wilson, ‘Doomsday’ could potentially be precipitated by a resumption of the UWC strike or a rejection by the Protestant community of any alternative political initiative the government may propose. The timescale for such a withdrawal could be as little as four months. What the Prime Minister had in mind was for Northern Ireland to become independent of the UK with dominion status. This would allow the Protestant majority to remain subjects of the Queen. Constitutional guarantees would be made to the minority on power-sharing. British military commitments would be greatly scaled down, perhaps with only a small force remaining and with final decisions on deployment remaining at Westminster. Finally, Wilson wanted to see financial support to Northern Ireland phased out over just three to five years.³

Such a comprehensive proposal shows how far Wilson’s thinking had developed. Wilson even went so far as to ask leading members of the SDLP what they thought about a solution that would involve independence for Northern Ireland coupled with guarantees

¹ London: PRO, PREM 16/148, memorandum ‘Meetings today in Northern Ireland, by Martin Reid, 30 May 1974.

² Rees, *Northern Ireland*, pp. 90-1.

³ London: PRO, PREM 16/148, memorandum from Harold Wilson to R. T. Armstrong, 30 May 1974.

on power-sharing. Both Gerry Fitt and John Hume reacted with alarm to this proposal. They pointed out that if Protestant extremists were to get sole control they could easily change the constitution to remove any safeguards protecting the minority. It would be highly unlikely that the British would send in troops to restore these.⁴

However, there were still formidable obstacles in the way of the government coming anywhere near to adopting withdrawal as a policy, no-matter the Prime Minister's inclination. All the analyses of the ramifications of withdrawal produced within the British government predicted disastrous consequences for both Britain and Northern Ireland. As early as 26 April 1974 ministers had received the report from FCO official Bill Harding on the damaging consequences to Britain's international standing should it withdraw from Northern Ireland (see Chapter 16).⁵ This was now confirmed by the British embassy in Washington. According to the embassy's analysis, if Britain withdrew from Northern Ireland, 'American opinion, following Southern Irish opinion, would be highly critical and saddened, and even our friends in the Administration would find little to say in our defence, even in private'.⁶ In any UN resolution the United States would be likely to support the Republic of Ireland against the UK. In short, withdrawal would cause considerable damage to Anglo-American relations.⁷

Most importantly, though, withdrawal was opposed by the Northern Ireland Secretary. For all that Wilson was flirting with withdrawal he did little to lead his government in that direction, preferring instead to leave policy formation to Rees. Following the collapse of the Northern Ireland executive, Rees told his colleagues that all options, including 'the immediate unilateral abandonment of our constitutional responsibility for Northern Ireland', had been considered.⁸ However, Rees rejected this.

⁴ London: PRO, PREM 16/148, 'Note for the Record', 5 June 1974.

⁵ London: PRO, PREM 16/145, letter from G. W. Harding, to H. F. T. Smith, 26 April 1974.

⁶ London: PRO, PREM 16/148, telegram 'Northern Ireland: Forecast of American Attitudes to Alternative Policies', Sir Peter Ramsbotham to FCO, 3 June 1974.

⁷ *Ibid.*

⁸ London: CAB 134/3778, IRN (74) 5th Meeting, 12 June 1974.

Instead he supported the re-establishment of power-sharing as the aim of British policy. In order to achieve this Rees proposed the creation of a constitutional convention with elections to it held in the autumn of 1974. It would be for the convention to negotiate and bring forward proposals on an acceptable basis for the devolution of power to Northern Ireland.⁹ Therefore, Rees's reaction to the Ulster nationalism he believed was expressed by the UWC was for the Province's parties to sort things out for themselves without the intervention of London and Dublin.¹⁰ But any solution would maintain Northern Ireland within the UK.

Moreover, while Wilson was flirting with withdrawal in private, in public he ruled it out. Wilson told the House of Commons the view of his government was that,

...as long as Westminster has the constitutional responsibility for the lives and the security of our fellow United Kingdom citizens, as long as the troops have a role to fulfil in protecting those lives and that security, there can be no abdication ... of that responsibility.¹¹

Any wiggle-room left in Wilson's statement was closed down when he went on to say that, 'On the issue of withdrawal, therefore, I conclude that there is no easy solution through the withdrawal of troops unless the House is prepared to risk a holocaust'.¹² Having concluded that a British withdrawal from Northern Ireland would precipitate a holocaust, it could hardly then be adopted as government policy.

The responsibility for producing a new political settlement for Northern Ireland was therefore placed in the hands of the Province's politicians. This marked a significant disengagement by the British government. Analysing the British government's proposals the Nixon administration concluded that the main loser was the Irish government. Dublin's 'policy of pressuring the British to lever the Northern Ireland Protestants into granting concessions to the SDLP has failed', argued the State Department's Executive

⁹ *Ibid.*

¹⁰ Rees, *Northern Ireland*, p. 91.

¹¹ HC Debates, 'Northern Ireland', vol. 874, c. 1051, 4 June 1974.

¹² *Ibid.*

Secretary, George S. Springsteen, because the ‘Protestants were forced to give too much and as a consequence they brought down the government’.¹³ Springsteen also added that many in Britain would see the Wilson government’s proposals as opening the way to withdrawal. If Northern Ireland’s politicians could not come to agreement between themselves, then Britain may decide to rid itself of the problem. That could ‘trigger the doomsday situation long desired by both Catholic and Protestant extremists with their blind faith in violence and “final” solutions’.¹⁴ In all this, US interests were best served by continuing to refuse to intervene in the conflict.¹⁵

It is hard to disagree with the US conclusion that the Irish were the main losers in the British government’s new approach to Northern Ireland. Prior to the UWC strike there had been constant contact between London, Belfast, and Dublin on the development of the political initiative and the implementation of Sunningdale. Following the collapse of the executive all this changed. Rees’s new initiative was designed to remove London and Dublin from the scene to allow the Northern Irish parties to negotiate amongst themselves. Yet, with the resumption of direct rule the governance of the Province fell to the Northern Ireland Secretary as did the supervision of the constitutional convention. Dublin was the only party denied a role.

Rees told FitzGerald of his plans for the constitutional convention during a meeting on 14 June 1974. The Northern Ireland Secretary told FitzGerald that ‘there was absolutely no prospect of forming a new power-sharing Executive on the basis of the present Assembly’.¹⁶ He therefore planned to tell Parliament in July that he intended to hold fresh elections to a constitutional convention. FitzGerald immediately expressed strong opposition to Rees’s plan. Everybody believed fresh elections in the autumn to be

¹³ College Park, MD: NPMS, White House Central Files, Staff Member and Office Files, National Security Council, Box 694, Folder ‘Ireland Vol. I’, memorandum ‘New British White Paper on Northern Ireland’, from George S. Springsteen to Major General Brent Scowcroft, 8 July 1974.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ Dublin: NAI, DT 2005/7/631, draft minute of discussion between Garret FitzGerald and Merlyn Rees on 14 June 1974, by Sean Donlon, 16 June 1974.

inevitable, argued FitzGerald, but there was no need to announce these in July. This would only cause the Northern Irish parties to immediately begin campaigning which would further polarise opinion in the Province.¹⁷

Cosgrave shared FitzGerald's reservations and felt moved to write to Wilson. Cosgrave argued that the announcement of elections should be 'postponed as long as possible to give time for political opinion in Northern Ireland to develop along more moderate lines'.¹⁸ In addition, the Taoiseach attempted to reinsert the Irish government back into the political process, arguing that if the new British proposals were to deviate in any way from the Sunningdale Agreement then the Irish government should be consulted prior to their publication. The Irish government, Cosgrave stated, was prepared to participate in such consultations at any time.¹⁹

In the absence of a role in the developing situation in Northern Ireland and mistrustful of the Labour government's intentions the Irish government was left to speculate over future British policy. In the immediate aftermath of the collapse of power-sharing, the Irish government's IDU considered the four options it believed were open to the British. Of these, the full integration of Northern Ireland into the United Kingdom and repartition of the Province were both ruled out as unacceptable to the nationalist minority and to Dublin. Direct rule was also ruled out as a solution, although it was accepted that this was the only option in the short-term. The fourth option was withdrawal. This, the Irish believed, would commend itself to the British government as it would end the killing of British soldiers, it would save the government £400 million a year in direct subsidies, not including the savings of no longer having the Army deployed

¹⁷ *Ibid.*

¹⁸ London: PRO, PREM 16/149, 'Personal Message from Mr Liam Cosgrave, TD, Taoiseach for the Rt. Hon. Harold Wilson, MP, Prime Minister', 3 July 1974.

¹⁹ *Ibid.*

in the Province, and it would resolve the growing disenchantment in Britain with the conflict.²⁰

That said, there were a number of counter arguments. The British would not want to surrender a part of the UK. Nor would they like leaving a chaotic situation in the neighbouring island, especially as this was a major export market. In addition, there was likely to be significant damage to Britain's international reputation. The Irish government would call for a UN peacekeeping force, causing considerable embarrassment to the British. Moreover, Anglo-American relations would be damaged. Finally, there was also the prospect of the outbreak of violence in British cities that had large Irish populations.²¹

Nevertheless, the IDU believed that a majority of people in Northern Ireland would vote for independence. The Protestant community would support an independent Ulster in order to restore majority rule, while the minority would support it as a first step on the road to a united Ireland. For the Irish government the best that could be hoped for would be for the majority to coalesce around the old Unionist Party under a new leader. This would allow it to reach an accommodation with the SDLP. However, in all this there was no role for Dublin. The IDU argued that the SDLP, in the short-term at least, had abandoned the all-Ireland dimension to solving the conflict. As a result, 'There seems no way in which an all-Ireland dimension can, in the short-term, be re-injected directly from Dublin'.²² Progress therefore depended on re-instating power-sharing. If this failed, the IDU developed a scenario whereby the British would call fresh elections in Northern Ireland during which the financial and security consequences of a British withdrawal would be made explicit. If the elections produced no majority in favour of power-sharing then the British would call a constitutional convention at which it would

²⁰ Dublin: NAI, DT 2005/7/606, 'Policy on Northern Ireland. Discussion Paper', June 1974.

²¹ *Ibid.*

²² *Ibid*

be made clear they were withdrawing, with Northern Ireland either becoming an independent state or loosely federated with the UK.²³

Faced with this conclusion, Cosgrave instructed the IDU to produce a second paper assessing the consequences of British withdrawal. If the British did decide to withdraw, the IDU believed the decision would be taken around the time of the convention elections. Without knowing how withdrawal would come about it was not possible for Dublin to develop firm policy. However, the IDU did make three observations. Firstly, any withdrawal of British forces was likely to lead to violence in the North. The Irish security forces were so small that it would be impossible to intervene to save the lives or property of the Catholic minority, and any promise that they could do so 'would encourage false hope and could cost lives'.²⁴ The only way in which the Republic could successfully intervene would be if the government embarked upon a major expansion of the Irish security forces – although it warned that if such a build-up became known in the North it could precipitate the very violence they were trying to avoid. Secondly, the financial implications of a British withdrawal could cripple the Republic. Any attempt to financially support the North would be enormous; equivalent to increasing the Republic's total budget by a third. It was also estimated that up to 50,000 refugees could flee across the border to the South, costing the Irish government an estimated £200,000 a day. In addition, a build-up of the Irish Army would require the defence budget to increase by £2,000 for every man recruited. Finally, the IDU underlined the fact that a British withdrawal would not automatically lead to the reunification of Ireland, as some nationalists believed, but instead would likely lead to an independent state dominated by the Protestant majority. Irish intervention would have to be limited by these considerations.²⁵

²³ *Ibid.*

²⁴ Dublin: NAI, DT 2005/7/658, 'Policy on Northern Ireland: Discussion Paper No. 2. British withdrawal from Northern Ireland', June 1974.

²⁵ *Ibid.*

Therefore the Irish government was effectively frozen out of the political process in Northern Ireland following the UWC strike. The IDU recognised that the Irish government had no immediate role to play and that there was no way that Dublin could 're-inject' itself into the political process. In addition, the Irish could not prevent the British from withdrawing and, despite the disastrous consequences it would have for the Republic, was unable to prepare for a British pull-out lest they precipitated the very violence they wanted to avoid. Irish interest therefore rested on Britain staying in Northern Ireland, hopefully with the restoration of power-sharing. However, they believed that Rees's decision to announce fresh elections in July 1974 would only polarise the situation further, making the formation of a new power-sharing arrangement less likely, and a British withdrawal more likely.

Yet, in all the contacts between British and Irish officials and politicians, the Wilson government repeatedly restated that they had no intention of withdrawing. On 15 July 1974, Harold Wilson met Fianna Fáil leader Jack Lynch at Downing Street. During the course of this meeting, Lynch asked Wilson if he 'would not be glad to get rid of the whole problem by withdrawal of the British forces at a future date'. Wilson again ruled out withdrawal, replying that, 'This was not something which a responsible British Government could do, in spite of the unpopularity of the Irish issue'.²⁶ Days later, in a meeting in Dublin, Stan Orme told FitzGerald that following the collapse of the executive the British government had considered all possible options. An independent Northern Ireland had been ruled out 'because it would be impossible to guarantee the minority's rights and impossible not to have Britain and the South involved'.²⁷ Orme went on to say that the British government had concluded that there were only two options open, either permanent direct rule or an attempt to find a new basis for power-

²⁶ London: PREM 16/149, 'Record of a conversation between the Prime Minister and Mr Jack Lynch', 15 July 1974.

²⁷ Dublin: NAI, DT 2005/7633, 'Report on meeting between the Minister for Foreign Affairs, Dr Garret FitzGerald, TD, and Mr Stanley Orme, Minister of State at the Northern Ireland Office', 18 July 1974.

sharing. In opting for the election of a constitutional convention, the British had opted for the latter course.²⁸

The Irish, though, were unconvinced. Considering the possibility of a British withdrawal, Donal O'Sullivan argued that there were many factors that would prevent the British from pulling-out, including the violence it would precipitate in the North and the damaging reaction in Europe and in the United States. However, the personality of Harold Wilson also had to be taken into account as he 'is much more interested in short-term electoral advantage and his own personal popularity than in issues of principle such as withdrawal from Northern Ireland'.²⁹ In addition, the SDLP were convinced that the Labour government wanted to withdraw from Northern Ireland.³⁰ This was, in part, as a result of the Labour Party's 'neuroses about the 12 Northern Ireland seats in the House of Commons', which, given the Wilson government did not have a majority in the Commons and that a second general election was looming, were of considerable importance given the tight electoral arithmetic.³¹ Such speculation resulted in the IDU being instructed to produce further papers, including one detailing the effects of increasing the Irish defence forces in preparation for a possible British pull-out.³²

However, when the two leaders met on 11 September 1974, Wilson went out of his way to reassure Cosgrave. Wilson stated that it would be unacceptable to the British government if the constitutional convention produced recommendations that did not include agreement on the principle of power-sharing and an Irish dimension. Furthermore, there could be no return to majority rule and the old Stormont. If the

²⁸ *Ibid.*

²⁹ Dublin: NAI, DT 2005/7/658, letter from Donal O'Sullivan to Mr O'Broin, 7 June 1974.

³⁰ Dublin: NAI, DT 2005/7/633, 'Meeting at Iveagh House between Government and SDLP delegations', 20 August 1974.

³¹ Dublin: NAI, DT 2005/7/659, 'Withdrawal from Northern Ireland – British intentions', 9 September 1974.

³² Dublin: NAI, DT 2005/7/659, 'Policy on Northern Ireland – Discussion Paper No. 3. Report of Inter-Departmental Committee on Implications of Substantially Increasing the Numbers in the Defence Forces', July 1974.

convention produced such recommendations, they 'would be told to go back and look at things again'.³³ Wilson also ruled out the possibility of an independent Ulster.³⁴

In the communiqué released following the meeting, the principles of power-sharing and the Irish dimension were re-affirmed. The British government even agreed to introduce legislation to give effect to the recommendations of the Common Law Enforcement Commission.³⁵ Despite the Irish government's fears of a British withdrawal and its effective exclusion since the UWC strike, Wilson had confirmed Dublin's role in any settlement for Northern Ireland. Yet suspicions lingered in Dublin. For example, in November 1974 the Irish government sought information through the FCO on the financial arrangements made by the British government for Cyprus, Aden and Kenya when granted their independence. The FCO's Irish desk concluded that the Irish were clearly looking at the viability of an independent Ulster. This was because,

...the Irish cannot bring themselves to accept at face value our repeated denials of any intention of withdrawing troops from Ulster so long as the security demands their presence. They prefer to believe the worst and may be looking for parallels between our Northern Ireland and former colonial policies to provide early warning of any move towards withdrawal.³⁶

However, the Irish government's fears of a British withdrawal had some basis. British frustration at the failure of power-sharing had led some, including the Prime Minister, to support the idea of withdrawal. And while Harold Wilson was in Downing Street the Irish were right to remain suspicious. Despite Wilson's bold rhetoric in public and his commitment to power-sharing and the Irish dimension made at his meeting with Cosgrave in September 1974, Wilson continued to revisit the question of withdrawal over the remainder of his premiership. For example, the elections to the constitutional

³³ Dublin: NAI, DT 2005/7/607, 'Meeting between Taoiseach and Prime Minister, Mr Wilson', 11 September 1974.

³⁴ *Ibid.*

³⁵ Dublin: NAI, DT 2005/7/607, 'Agreed Communiqué: Meeting between the Taoiseach, Mr Liam Cosgrave, TD, and the Prime Minister, The Right Hon. Harold Wilson, OBE, FRS, MP', 11 September 1974.

³⁶ London: PRO, FCO 87/312, memorandum 'Irish Contingency Planning', from J. B. Donnelly to Brian A. Major, 29 November 1974.

convention in May 1975 provided another opportunity for Wilson to prompt his government to consider withdrawal again. As the convention began its deliberations Rees was convinced that it would produce no satisfactory proposals and that the government therefore had to prepare for a prolonged period of direct rule.³⁷ This prompted Wilson to ask officials to prepare a document considering the consequences of dominion status for Northern Ireland, coupled with guarantees for power-sharing.³⁸ Again it was concluded that a British pull-out would have disastrous consequences, again Wilson refused to push for withdrawal, and again the government committed to remaining in Northern Ireland.³⁹ But all this did was fuel further speculation and prompt the Irish government into further contingency planning.⁴⁰

American Congressional opinion carried on unaware of the speculation over a possible British withdrawal from Northern Ireland. US Congressional interest in Northern Ireland had an inverse relationship with political progress in the Province. After agreement was reached at Sunningdale and the new power-sharing executive took office in Belfast, Northern Ireland all but disappeared as an issue of Congressional interest. Only after the collapse of the executive did Congressmen once again begin to take up the issue. And instead of appealing for a return to the principles of power-sharing and cooperation between the two parts of Ireland, Congressional action emerged from its hiatus all but unaltered by the developments in Northern Ireland.

Indeed, this period marked the end of the first stage of Congressional activity on Northern Ireland. Spurred initially by the introduction of internment, reaching a climax in the months following Bloody Sunday, and sustained by the Fort Worth Five case, Irish

³⁷ London: PRO, CAB 134/3921, IRN (75) 5th Meeting, 19 May 1975.

³⁸ London: PRO, CAB 134/3921, IRN (75) 7th Meeting, 24 September 1975.

³⁹ London: CAB 134/3921, IRN (75), 'Northern Ireland: Future Policy Options. Note by the Secretaries. Annex E: Dominion Status for Northern Ireland, 7 November 1975; and CAB 134/3921, IRN (75) 8th Meeting, 11 November 1975.

⁴⁰ Garret FitzGerald, 'The 1974-75 Threat of a British Withdrawal from Northern Ireland', *Irish Studies in International Affairs*, 17 (2006), p. 145; and Ronan Fanning, 'How Dublin Prepared for the Threat of NI Doomsday', *Sunday Independent*, 1 January 2006 <<http://www.independent.ie/national-news/how-dublin-prepared-for-the-threat-of-ni-doomsday-125154.html>> [accessed 20 June 2010].

Caucus activity in Northern Ireland faded as progress in inter-party talks led to power-sharing and Sunningdale. However, following the success of the UWC strike, and as Congressional and gubernatorial elections loomed, members of the Irish Caucus again began to agitate on Northern Ireland. This time, though, the effort was uncoordinated and unfocused. Only with the formation of the Irish National Caucus (INC) at the end of September 1974 did a second stage of coordinated action by the Congressional Irish Caucus begin.

In the months between the collapse of the Northern Ireland executive and the formation of the INC a smattering of resolutions were introduced into the House of Representatives. These were sponsored by the usual suspects; Congressmen, mainly representing districts in New York and Massachusetts, who had been active on Northern Ireland since the first resolutions were introduced in reaction to internment. Amongst them was the New York Congressman Hugh Carey, cosponsor of the Kennedy-Ribicoff-Carey resolution of October 1971. In 1974 Carey ran for the governorship of New York and was, as a result, under pressure from Irish-American groups to make clear his views on Northern Ireland. Carey responded to this pressure by cosponsoring a new resolution in the House of Representatives. Introducing the resolution, Carey melodramatically warned that ‘world peace will never be achieved unless the horrors that the Catholic minority face in Ireland are brought to an end’.⁴¹ The resolution called for the US government to raise the Northern Ireland issue at the UN to demand, *inter alia*, an inquiry ‘into the last best means of securing a lasting peace in Northern Ireland’.⁴² For Carey and the resolution’s other supporters, this could only happen when the British

⁴¹ New York, NY: St. John’s University, Rittenberg Law Library, Hugh L. Carey MS, Box 4, ‘Northern Ireland, 1973-4’, press release from Hugh Carey, 10 July 1974.

⁴² *Ibid.*

government and their Unionist allies ended discrimination against the Catholic minority and restored to them their full rights.⁴³

While such resolutions played well to the Irish-American lobby in an election year, it did nothing to influence US or British policy. In the months leading up to the formation of the INC, Northern Ireland could not command the same numbers of interested Congressman that it had in the time of the introduction of internment and Bloody Sunday. Congress was in any event distracted by the on-going Watergate crisis, which forced the resignation of President Nixon on 9 August 1974. This unfocussed and ineffectual activity led to irredentist Irish-American groups coming together under the INC umbrella on 28 September 1974 in an attempt to give direction and energy to the lobbying of Congress on Northern Ireland. In this the INC was successful, thus beginning the second stage of US Congressional interest in Northern Ireland.⁴⁴

In addition to the lack of Irish Caucus initiative during the first half of 1974 it was also becoming clear that a division was gradually appearing within the Caucus. Hitherto the Caucus had been unswervingly supportive of a militant republican line on Northern Ireland. While most Congressmen had been careful to always condemn violence in the North, they had continued to support Irish-American organisations, such as Noraid, that were closely associated with the Provisional IRA. As has been seen, Edward Kennedy's line on Northern Ireland had begun to moderate over the course of 1973. Now other Congressional colleagues appeared to be following him.

The State Department believed that a significant factor in the changing attitudes amongst some in the Irish Caucus was the personal diplomacy of John Hume and Garret FitzGerald. At the height of the Congressional agitation on Northern Ireland following the introduction of internment the State Department had sought to dissuade members of

⁴³ New York, NY: St. John's University, Rittenberg Law Library, Hugh L. Carey MS, Box 4, 'Northern Ireland, 1973-4', press release 'Wolff urges British to restore Magna Carta "Bill of Liberties" to minority in Northern Ireland', by Lester L. Wolff, 11 July 1974.

⁴⁴ Wilson, *Irish America and the Ulster Conflict*, p. 42.

the British, Irish and Stormont governments from travelling to the US to put their case, believing that such visits merely increased public and political excitement on the issue. Now it appeared that such visits were having the opposite effect. In April 1974, the SDLP's John Hume visited the US as part of an official trip organised in his position as the power-sharing executive's Minister of Commerce. At a meeting with Congressmen, Hume stressed that it was the SDLP that represented the minority in Northern Ireland and not the IRA. Hume then criticised US support for the IRA, especially as every poll in Ireland showed the minority did not support the men of violence. He also insisted that Noraid was a front organisation for the Provisionals. This last point was of particular interest to some Congressmen who had helped fundraise for Noraid. By the end of the meeting, New York Congressman Jonathan Bingham was convinced by Hume's moderate nationalism. He was joined by Missouri Senator Thomas Eagleton, who had briefly been the Democrat's Vice Presidential candidate in 1972, and Senator Edward Kennedy.⁴⁵

It was recognised in the State Department that US Congressmen had had more exposure to the views of the IRA than they had to the views of the SDLP. However, as a result of Hume's persuasive performance, it was concluded that 'further visits to Washington by Catholic leaders like Hume could very well result in recognition of [the] SDLP as legitimate spokesman for [the] Catholic minority in Northern Ireland, with [a] resultant decrease in American support for IRA terrorism'.⁴⁶ Such an opportunity was to present itself a month later with the visit of the Irish Foreign Minister to Washington. At a reception hosted in his honour, FitzGerald again urged Congressmen not to support IRA fundraising in the US. Following FitzGerald's remarks, the House Majority Leader, Tip O'Neill, told the State Department's Stephen Dawkins that 'that several

⁴⁵ NACP, General Records of the Department of State, RG 59, Electronic Telegrams, telegram 1974STATE087517, 'Visit of John Hume to Washington', from Secretary of State to US Embassy London, 29 April 1974 <<http://aad.archives.gov/aad/createpdf?rid=48816&dt=2474&dl=1345>> [accessed 22 December 2008].

⁴⁶ *Ibid.*

Congressmen, himself included, had been misled into lending their names to the wrong (Irish) cause by certain Hill staffers'.⁴⁷ In October 1973, O'Neill had co-hosted a reception in Congress's Rayburn Building with Congressman Silvio Conte in honour of the leading Provisional Ruairí Ó Brádaigh. That a senior member of the Provisionals should be fêted on Capitol Hill by members of the Irish Caucus was a matter of some embarrassment to the US government, especially as the State Department had neither a record of a visa being issued to Ó Brádaigh or of his entry into the United States.⁴⁸ O'Neill, who had also attended the meeting the previous month with John Hume, now made clear that his sympathies lay with the moderate nationalists and the Irish government and not with the 'bomb throwers'. And to excuse his apparent past support of the Provisionals, O'Neill blamed Conte for extending the invitation to Ó Brádaigh to the Capitol.⁴⁹

Yet not all Congressmen were persuaded to abandon their support for groups linked to the IRA. At the same reception Lester Wolff made clear that he would continue to raise funds for Noraid, telling Dawkins that the Noraid leadership had assured him that no money raised by them went to buy arms for the IRA. Wolff maintained this wilful self-deception even after Dawkins pointed out that Noraid's registered agent in Northern Ireland was Joe Cahill, a 'long-time IRA terrorist, currently in jail in the Republic of Ireland for his part in smuggling five tons of Soviet arms from Libya to Ireland'.⁵⁰ It was

⁴⁷ NACP, General Records of the Department of State, RG 59, Electronic Telegrams, telegram 1974STATE098060, 'Irish Foreign Minister Meets with Congress', from Secretary of State to US Embassy in Dublin, 10 May 1974

<<http://aad.archives.gov/aad/createpdf?rid=69927&dt=2474&dl=1345>> [accessed 22 December 2008].

⁴⁸ College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 5, Folder 'IRE-POL12-IRA-1973', 'US Support for the IRA' from William A. Buel Jr to Walter Stoessel, 20 November 1973.

⁴⁹ NACP, General Records of the Department of State, RG 59, Electronic Telegrams, telegram 1974STATE098060, 'Irish Foreign Minister Meets with Congress', from Secretary of State to US Embassy in Dublin, 10 May 1974

<<http://aad.archives.gov/aad/createpdf?rid=69927&dt=2474&dl=1345>> [accessed 22 December 2008].

⁵⁰ *Ibid.*

politicians of Wolff's ilk that were to form the basis of the INC's Congressional support following the Caucus's formation in September 1974.⁵¹

The fall of the power-sharing executive and the collapse of the Sunningdale Agreement created a political vacuum in Northern Ireland. With Rees's emphasis on letting Northern Ireland's politicians find their own solution, the Irish government found itself in the position that the Republic had been in prior to March 1972 and the British government's political initiative. On the side-lines and with no influence over events in Northern Ireland, the Irish government became obsessed with their fear of a British withdrawal. There was some basis to this fear, thanks to Wilson's flirtation with withdrawal, but the political cost was too high for any British government to bear. And by September 1974 the Irish government was at least to receive the reassurance that any political solution would require power-sharing and an 'Irish dimension'.

As Dublin found itself in its pre-March 1972 position it resorted to the pre-March 1972 tactic of appealing to Washington for help. While the Nixon administration shared the Irish government's analysis of the situation in Northern Ireland and the consequences of withdrawal, it was firm in its decision not to get involved. Conversely, the administration recognised that there was a domestic political benefit to have moderate nationalists from both parts of Ireland address the Irish Caucus as this tended to moderate Congressional opinion on Northern Ireland and reduce criticism of administration policy. Thus the State Department's concern over the 'extraordinary methods' used by the British and Irish governments to put forward their points of view on Northern Ireland in the wake of the introduction of internment were overturned.⁵²

⁵¹ Wilson, *Irish America and the Ulster Conflict*, pp. 99-105.

⁵² College Park, MD: NACP, State RG 59, A1 15573, Records Relating to Ireland, 1962-1975, Box 6, Folder 'IRE - NI - POL 18 - OCT to NOV 1971', telegram 'Northern Ireland Situation' from State Department to US Embassy in London, 17 August 1971.

Part IV – Conclusion

In the space of six months the Irish government was to travel from being at the heart of the politics of Northern Ireland to being back on the periphery. The Protestant backlash that the British had been continuously concerned at avoiding finally happened. According to the US government's analysis, this was the result of the Irish government and SDLP gaining too much at the expense of the unionists. Rees's plan for a Constitutional Convention and for Northern Ireland's politicians to produce their own framework on which to base devolved administration in Northern Ireland further marginalised Dublin. Yet, the British recognised that for any peace process to work the Irish government had to be involved. This was confirmed in the meeting between Wilson and Cosgrave in September 1974.

Although some basic principles of political agreement in Northern Ireland had been agreed and confirmed between London and Dublin the same was not true in the security sphere. From the outset of the Troubles the Irish had been reluctant to join in any overt security cooperation with the British. This had continued right up to the Sunningdale Agreement. Only very reluctantly, after it became apparent that there was to be no movement by Dublin on extradition, did the British agree to the recommendations of the Common Law Enforcement Commission. And, in the background, the case before the European Commission of Human Rights at Strasbourg continued on, a source of resentment for the British government.

Meanwhile the Nixon administration had continued to eschew a political role in the Troubles. Irish concern over a possible British withdrawal had prompted the Nixon administration to seek reassurances from the British government in March 1974. But after the collapse of the peace process, as a British withdrawal appeared more likely, the administration confirmed its policy of non-intervention. Yet, the British belief that the

US would react badly to any decision to withdraw from Northern Ireland was a contributing factor to the British not adopting such a policy.

The Nixon administration was to find an antidote to the republicanism of the Irish Caucus. Having attempted to prevent British and Irish lobbying of domestic opinion in the United States, fearing that this would merely prolong the Irish-American reaction and increase pressure on the administration's non-intervention policy, the State Department discovered that the visits of John Hume and Garret FitzGerald were to have some effect on Congressional opinion. By no means all members of the Irish Caucus were to be won over, however, with some Congressmen remaining staunch supporters of groups like Noraid. Nevertheless, future visits by individuals like Hume and FitzGerald were to be encouraged. In any event, this coincided with the reduction of Congressional activity on Northern Ireland. As the elections of November 1974 approach some members of the Irish Caucus again attempted to demonstrate their republican credentials in order to pick up Irish-American votes. But such activity was uncoordinated and ineffective. This was to begin to change after September 1974 and the coming together of Irish-American lobby groups under the umbrella of the INC.

Conclusion

Not only did the introduction of internment without trial have a significant impact in Northern Ireland, it also proved the catalyst to the development of the international dimension of the Troubles. In response to what it saw as the disastrous policies being pursued in Northern Ireland by the British, the Lynch government adopted an aggressive policy aimed at inserting itself into the conflict and having its right to be involved recognised by the Heath government. For its part, the British government, faced with increasingly violent conditions in Northern Ireland that its policies had failed to bring under control, began to look to the Republic for cooperation on security issues. Meanwhile, the Home Secretary, Reginald Maudling, moved towards acceptance of the Irish government's reform agenda for Northern Ireland. This amounted to the first, grudging, acceptance in London that the conflict in Northern Ireland was more than the domestic issue it had claimed it to be.

In its attempts to further internationalise the Troubles, Dublin had sought the intervention of the US government. The Nixon administration had no desire to get involved in the conflict and made this clear to both Dublin and London. However, the introduction of internment put the Northern Irish conflict on the Congressional agenda and led to the formation of the Irish Caucus. Prior to internment, Northern Ireland had received scant Congressional attention. Following the introduction of internment, Congressional activism developed rapidly and was to be a feature of the international dimension for the remainder of the Troubles.

Bloody Sunday proved another turning point as it discredited the British approach to Northern Ireland and demanded a new policy from the Heath government. From this point on, international interaction on Northern Ireland began to fall into two spheres, political and security. The political sphere included the British and Irish governments

and the Northern Irish parties. Despite the Heath government's political initiative closely reflecting the Irish government's agenda on Northern Ireland, recognition that the Irish government had a role to play came piecemeal and only reluctantly. Dublin was not given the status of equal by the British government. Indeed, even as the British conceded more and more ground to Dublin, London remained sensitive to the impact that this could have on Protestant opinion in Northern Ireland, a point it was believed Dublin failed to comprehend.

The Nixon administration had finally excluded itself from active political intervention following the presidential election of 1972. Yet, Irish Caucus agitation remained. As a result, British and Irish interaction with the Caucus continued. Initially it had been the British that had sought to persuade the Caucus into a more moderate position, leading to considerable British lobbying around the time of the Congressional hearings. Following the hearings, British lobbying continued, especially as the British attempted to engage with Senator Edward Kennedy. Conversely, Irish engagement with Kennedy and the Irish Caucus during the Lynch government was inconsistent, with the Irish government at pains to stress that it was not at odds with Kennedy, even where it clearly was. Towards the end of Lynch's first period as Taoiseach, Irish policy towards the Caucus, and Kennedy, had begun to stiffen. Yet, it was to be the activism of Garret FitzGerald and John Hume that began to influence some members of the Irish Caucus and to persuade them to eschew the 'physical force tradition' of republicanism and to instead support the moderate nationalism of Dublin and the SDLP. That said, considerable Caucus support for republicanism, and their Irish-American proxies, such as Noraid, remained. Meanwhile, confronted with this domestic agitation, the Nixon administration had attempted to shutdown British and Irish lobbying of American opinion in order to deprive the issue of oxygen and ease pressure on administration policy. This did not work. Instead, by early 1974, the State Department recognised that

the engagement of moderate nationalists like Hume and FitzGerald was the more effective way of mediating Congressional opposition to US government policy on Northern Ireland.

It was the continuing Irish-American support for the IRA that led to US involvement in the security sphere. Both London and Dublin were keen to see the US authorities crackdown on Irish-American fundraising for, and gunrunning to, the IRA. Wherever it arose, London provided evidence to the US government of Irish-American involvement, for example with the Armalite find that led to the Fort Worth Five case. Yet it was the lobbying of FitzGerald that was to lead to a comprehensive review by US authorities of the action that could be taken against American-based supporters of the IRA. This led to the creation of the watch-list advocated by Ambassador John Moore. However, the Nixon administration continued to be sensitive to Congressional reaction to any attempt to crackdown on US support for the IRA. While mid-level officials analysed the options available to the administration and advocated action, they were not prepared to embark on such action due to the anticipated adverse reaction on Capitol Hill. If such action was to be taken then it would require the commitment of senior administration politicians to expend the necessary political capital to tackle Irish Caucus attacks and to give the mid-level officials sufficient cover to take the necessary measures. This political will did not exist and Secretary Kissinger was to end State Department involvement in action against domestic supporters of the IRA just weeks after taking office.

While Dublin-Washington and London-Washington interaction on security issues existed, it proved much more difficult to develop London-Dublin cooperation on security matters. For both Conservative and Labour governments such cooperation was required in order to reassure the majority community in Northern Ireland and to fend off the feared Protestant backlash. Indeed, for Faulkner and his moderate Unionists, and even for the post-Sunningdale SDLP, cross-border security cooperation was vital. However,

for Dublin security cooperation was a sensitive issue and both the Lynch and Cosgrave governments were reluctant to embark on any wide scale security cooperation with the British. This detachment of the political and security spheres, with the British government and Faulkner Unionists conceding to the Irish on political cooperation but receiving no politically acceptable equivalent concessions on security from the Irish, caused considerable complications in the first months of 1974 and delayed the ratification of the Sunningdale Agreement.

All of these interactions took place in the bipolar Cold War World and in a Europe where increasing economic and political integration had led to British and Irish membership of the EEC. Considerable historical, cultural, ethnic, economic and political connections between the UK and Republic of Ireland existed before the outbreak of the Troubles. Increasing European integration was to further cement these. Yet it was not a change in the concept of sovereignty that was to impact the Troubles. As a model for regularising relations between states, the EEC's institutions became the basis for the Irish government's proposals for the structure of the Council of Ireland. More importantly, the economic integration that resulted from EEC membership deprived the British government of any economic weapon to use against Irish government activism on Northern Ireland. With a military response to Dublin's agitation unthinkable, and with no economic leverage, the British had no option but to engage with the Irish government through diplomatic channels on Northern Ireland, as attempts to ignore Dublin's involvement had failed to work.

Cold War considerations affected the role of the US. So long as the conflict in Northern Ireland did not significantly affect the ability of the UK to meet its NATO commitments, there was no US national interest at stake. It was therefore a matter of choice as to whether the US should become involved in any way, and the clear choice of the Nixon administration was to avoid intervention if at all possible. That said, the State

Department continued to monitor events in Northern Ireland, lest the impact on NATO or the meddling of Warsaw Pact countries necessitate US involvement. There was a domestic political cost to this, however, and the Nixon administration's perception of the probable reaction of the Irish Caucus to any course of action or inaction on Northern Ireland continued to influence administration policy.

Pressure on the Nixon administration from the Irish Caucus diminished as the peace process developed in Northern Ireland. Whitelaw's White Paper of March 1973 and the Sunningdale Agreement of December 1973 set out the principles on which a political solution in Northern Ireland should be based. The constitutional position of the Province was dependent on the wishes of the majority of the population. Northern Ireland would have a devolved assembly elected by proportional representation. Executive power would have to be shared between representatives of both communities. And, to reflect the political interest of the Irish government, the relationship between Belfast and Dublin was to be institutionalised. The feared Protestant backlash, manifested through the UWC strike, may have brought to an end this developing system of interaction, but the principles upon which it was based survived.

As the British government sought to pick up the pieces and salvage what it could following the UWC strike, the core principles of power-sharing and the North-South link were confirmed. While there were those in the British government willing to flirt with the idea of withdrawal, the catastrophic consequences of such a course made it politically impossible to adopt it as government policy. Instead Rees, who remained the primary policy-maker on Northern Ireland in the Labour government, opted for a Constitutional Convention. If the Convention recommended a solution that did not include power-sharing and a North-South link, then it would be sent back to think again. Despite such reassurances, the Irish government continued to be suspicious of Britain's long-term intentions.

In the years following the collapse of the power-sharing executive and Sunningdale Agreement, Anglo-Irish relations were often strained. Yet in the abortive attempts to kick-start a peace process in Northern Ireland, the central principles of power-sharing and the North-South link, contingent on the consent of the majority, continued as the basis of British government proposals. This was not only true of Rees's Constitutional Convention, but also the Atkins initiatives of 1980-81 and Jim Prior's proposals for rolling devolution.¹ More significant, though, was the Anglo-Irish Agreement, signed on 15 November 1985. This confirmed that the constitutional status of the North depended on the will of the majority and created an Intergovernmental Conference with a permanent secretariat staffed by British and Irish civil servants that gave the Irish government a consultative role over British policy in Northern Ireland. Moreover, the Anglo-Irish Agreement ensured that 'both power-sharing and an Irish dimension were minimal conditions for the devolution of power to any future administration in Northern Ireland'.²

Indeed, the Good Friday Agreement itself has been subject to comparison with Sunningdale. The Good Friday Agreement guaranteed power-sharing, although rather than the extensive inter-party talks presided over by Whitelaw, the complex D'Hondt mechanism was adopted for the allocation of ministerial posts.³ The North-South link was also provided for, although interestingly rather than the Council of Ireland based on the EEC model agreed at Sunningdale, the Good Friday Agreement created a North-South Ministerial Council similar to the compromise position adopted by the power-sharing executive parties in the midst of the UWC strike.⁴ Again a status declaration was

¹ B. Lynn, 'Atkins, Humphrey Edward Gregory', Cain Web Service <<http://cain.ulst.ac.uk/othelem/people/biography/apeople.htm#atkins>> [accessed 18 September 2011]; and B. Lynn, 'Prior ('Jim') James Michael Leathes', Cain Web Service <<http://cain.ulst.ac.uk/othelem/people/biography/ppeople.htm#prior>> [accessed 18 September 2011].

² Brendan O'Duffy, *British-Irish Relations and Northern Ireland: From Violent Politics to Conflict Regulation* (Dublin: Irish Academic Press, 2007). P. 128.

³ Tonge, 'From Sunningdale to the Good Friday Agreement', p. 52.

⁴ Belfast: PRONI, OE/2/26, 'Minutes of Executive Meeting', 22 May 1974; and Tonge, 'From Sunningdale to the Good Friday Agreement', pp. 52-4.

included, where it was confirmed that the constitutional future of the Province was in the hands of the people of Northern Ireland, although this time it was coupled with the alteration of the Irish Constitution that Faulkner had pressed for to delete the territorial claim to the North.⁵ Unlike Sunningdale, however, the Good Friday Agreement also institutionalised the international dimension of the conflict through the British-Irish Intergovernmental Conference.⁶

Of course, the main difference between the two agreements was that the parties representing the republican and loyalist paramilitaries were central players in the political process leading up to the Good Friday Agreement. The reasons for the IRA's decision to give up its war and enter a political process are multifaceted.⁷ Its consequence, though, was to radically alter the security sphere of the Troubles. No longer was it dependent on bartering between London, Belfast and Dublin and based on Dublin's criticisms that British policy was alienating the minority and London's criticism that Dublin's lack of action was aiding the terrorists. Rather, now, the resolution of the security dilemma was for direct negotiation with the paramilitaries' political representatives.

Another significant difference between Sunningdale and the Good Friday Agreement was the political activism of the US government. There is much debate over just how important the Clinton administration's role was in the peace process of the 1990s. Nevertheless, it was open political participation in the conflict. And the President was willing to take actions that infuriated the British government, such as with the granting of a visa to Gerry Adams to visit the US in February 1994.⁸ This was certainly a change to the conditions prevailing during the period leading up to the Sunningdale Agreement. Indeed, the Nixon and Ford administrations proved the most resistant to Irish-American calls for intervention in Northern Ireland. While Clinton was

⁵ Tonge, 'From Sunningdale to the Good Friday Agreement', pp. 51-3.

⁶ *Ibid.*, p. 54.

⁷ Richard English, *Armed Struggle: The History of the IRA* (London: Pan Macmillan, 2004), pp. 314-5.

⁸ Joseph O'Grady, 'An Irish Policy Born in the U.S.A.: Clinton's Break with the Past', *Foreign Affairs*, 75:3 (1996), pp. 4-5.

the most publicly active President in his Northern Irish interventions, ‘previous US presidents had been involved in Northern Irish politics to a degree that observers often forget’.⁹ While the Nixon administration merely flirted with intervention, the Carter administration gave way to Irish Caucus pressure to ban the sale of handguns to the RUC and lobbied the newly elected Thatcher government for a political initiative for Northern Ireland. This resulted in the Atkins proposals.¹⁰ Furthermore, pressure from the Reagan administration had played an important role in securing the Anglo-Irish Agreement.¹¹

An important factor in the evolution of the US approach on Northern Ireland was the growing split amongst the Irish-American political elites. As has been seen, by 1974 FitzGerald and Hume, and to a lesser extent the British government, had begun to have moderate success in persuading members of the Irish Caucus to change their allegiance from the republicanism of the IRA to the nationalism of the SDLP and the Irish government. Following the collapse of Sunningdale this split continued to develop and was solidified in 1977. On Saint Patrick’s Day of that year, Democratic Senators Edward Kennedy and Daniel Patrick Moynihan, House Speaker ‘Tip’ O’Neil, and New York Governor Hugh Carey, issued a joint appeal for peace in Northern Ireland. In this, the Four Horsemen, as they were to become known, called for all organisations responsible for the violence in Northern Ireland to renounce their campaigns and called on Irish-Americans to ‘renounce any action that promotes the current violence or provides support or encouragement for organisations engaged in violence’.¹² This was bitterly resented by Irish-American republicans who prevailed upon Congressman Mario Biaggi

⁹ English, *Armed Struggle*, p. 307.

¹⁰ Adrian Guelke, ‘The American Connection to the Northern Ireland Conflict’, *Irish Studies in International Affairs*, 1:4 (1984), pp. 33-5.

¹¹ John Dumbrell, ‘The United States and the Northern Irish Conflict 1969-94: from Indifference to Intervention’, *Irish Studies in International Affairs*, 6 (1995), p. 118.

¹² Washington, DC: Library of Congress, Manuscript Division, Daniel Patrick Moynihan MS, Box II, ‘329 – Friends of Ireland – Four Horsemen Appeal’.

to counter the Four Horsemen's stance, which he did by creating the Congressional Ad Hoc Committee on Northern Ireland to promote a republican approach to the Troubles.¹³

Irish-America was to have considerable influence over the Clinton administration.¹⁴ However, it was the moderate nationalist Irish-American groups that were to have influence over the Clinton administration, rather than the extremist successors to Biaggi.¹⁵ And as Adrian Guelke has pointed out, 'the growth of influence of the Irish-American lobby has not stemmed from a weakening of the American government's opposition to political violence, but rather from a moderation of Irish-American attitudes towards the conflict'.¹⁶ This was a process started in the period of the Sunningdale Agreement.

While often tense and ill-tempered and ultimately unable to bring an immediate end to Northern Ireland's Troubles, the interactions between the British, Irish and American governments in the period from the introduction of internment through to the aftermath of the collapse of power-sharing and Sunningdale, provided a framework for peace in Northern Ireland. As the violence continued to rack Northern Ireland and the death toll climb, every time an attempt at a political initiative was started the British and Irish governments, supported by the US, would reach for the principles thrashed out in the process that led up to Sunningdale. Again in the peace process of the 1990s these principles were central. This allowed for an agreement to be reached between all the parties to the conflict, including the paramilitaries, whereby the status of Northern Ireland was dependent on the will of the majority, where power-sharing was guaranteed, and where a political link between Belfast and Dublin was institutionalised. Thus Northern Ireland's armed struggle was transformed into a political struggle.

¹³ Wilson, *Irish America and the Ulster Conflict*, pp. 141-4.

¹⁴ O'Grady, 'An Irish Policy Born in the U.S.A.', pp. 6-7.

¹⁵ Guelke, 'The United States, Irish Americans and the Northern Ireland Peace Process', pp. 532-3.

¹⁶ *Ibid*, p. 536.

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