

Nally, Dermot

by Patrick Maume

Nally, Dermot (1927–2009), civil servant, was born in Dublin on 10 December 1927, son of W. F. Nally, a civil servant who retired as secretary of the Department of Lands; he had at least one brother and one sister. Educated in Dublin at CBS Synge Street and Belvedere College, he won a science scholarship to UCD, but his scientific career was curtailed after he was severely injured in a hiking accident. He subsequently graduated BA from the University of London with first-class honours in English language and literature, winning a studentship in modern languages, which enabled him to proceed to an MA from the same institution. These linguistic skills underlay his later reputation as a great legislative draughtsman with a flair for precision and conciseness.

Nally took on an ESB clerical job in 1947, but joined the Office of Public Works later that year. In 1952 he joined the Department of Local Government, eventually rising to the rank of principal officer. Rapidly recognised as a departmental high-flier, he served on a commission to reform Seanad Éireann electoral law in 1958–9, and drafted almost single-handedly the highly complex Housing Act, 1966; in the early 1970s he regularly delivered wide-ranging talks on the shape of government housing policy. Nally was a director of the planning agency An Foras Forbartha (1972–4) and a member of the executive board of the Institute of Public Administration (IPA), which developed his contacts with leading government advisers outside his own department.

On 15 January 1973, on the recommendation of Minister for Local Government Robert Molloy, Nally was transferred to the Department of the Taoiseach as assistant secretary (reporting directly to Taoiseach Jack Lynch (qv)); he was appointed deputy secretary to the department in 1978. Over the remainder of his career he worked with ten governments, reporting directly to five taoisigh, whose beliefs, personalities and styles of government were often in sharp contrast: Lynch, Liam Cosgrave (b. 1920), Charles Haughey (qv), Garret FitzGerald (1926–2011) and Albert Reynolds (1932–2014). He reported directly to the taoiseach of the day on a wide range of matters, notably Northern Ireland, the state of the economy, and European affairs. (Nally was profoundly enthusiastic about European unity, and attended all but one of the European summits held during his twenty years' service in the department.) He also served on the cabinet's highly confidential security committee, and was note-taker at all meetings between taoisigh and other heads of government, becoming a familiar figure to his counterparts at such international meetings. From its establishment by John Boland (qv) in 1984, Nally also chaired the Top Level Appointments Committee with conspicuous integrity.

Whoever his political masters might be, he saw it as his duty to give dispassionate advice, keep their confidences and avoid betraying personal reactions. (There were occasional exceptions to this; observers noted his shock when Lynch was indiscreet at a 1979 press conference, or when FitzGerald harangued Margaret Thatcher on British responsibility for the plight of Northern Ireland nationalists. When in 1992 British negotiators proposed to discard several months' work and start again with a new document, Nally privately raged to Albert Reynolds that the taoiseach was being treated as if he were the leader of a third world country.)

Several profilers described Nally as 'the perfect civil servant' (e.g., *Ir. Times*, 19 December 1992): quiet, guarded, well organised and hardworking. Given his deep and prolonged involvement in sensitive negotiations relying on the utmost confidentiality, he was a strong advocate of cabinet confidentiality and staunchly defended the controversial 1992 supreme court ruling in connection with the beef tribunal (at which he was called to give evidence), which established that ministers could not be asked to testify about cabinet proceedings; he believed that breaching confidentiality would make the state ungovernable, and held strong opinions about the need for the taoiseach's prerogative as a means of securing decisive and effective government. (Some newspaper stories about Nally's retirement claim that he kept a diary; it is not clear whether this was in fact the case or when, if ever, it may become available to researchers.) He did, however, give interviews to academic researchers during his retirement.

As both Cosgrave and Lynch had relied heavily on Nally, Haughey regarded him with considerable suspicion at first, while Nally recalled Haughey's initial attitude to Northern Ireland as being in many respects naïve, both in the intensity of its republicanism and his failure to recognise how others might react to his words and actions. He thought that Haughey had required significant re-education by his civil servants. In 1980, on the retirement of the outgoing secretary of the Department of the Taoiseach, Haughey split the job in two, appointing Nally as secretary to the government (he also became a civil service commissioner) and Noel Whelan as secretary of the department; this unusual decision apparently reflected Haughey's residual suspicion of Nally. Nally's duties included drawing up the cabinet's agenda, recording its decisions, and accompanying the taoiseach to meetings with foreign heads of government. He built up a respectful relationship with Margaret Thatcher, who saw him as the constant figure in her negotiations with successive taoisigh, although in a 1984 meeting with FitzGerald she accused Nally (who was present) of smuggling the term 'totality of relationships between these islands' into the communiqué issued after the Haughey–Thatcher Dublin Castle summit of May 1980. This was allowed to pass by the Irish negotiators, who wished to conceal from Thatcher the extent to which they had developed a shared agenda with their British civil service counterparts. Nally, however, thought Edward Heath was the most able of the British prime ministers whom he had encountered.

Although Haughey's attitude softened as he grew more aware of Nally's qualities, Nally had much more scope under FitzGerald, with whom he had established a rapport when FitzGerald was Cosgrave's foreign minister (1973–7). FitzGerald took the unusual step of praising Nally by name in his memoirs, breaking the convention that cabinet ministers writing their memoirs do not discuss the role of named civil servants in decision formation. While respecting FitzGerald personally, however, Nally privately thought that he undermined the effectiveness of his cabinets by the rambling, unfocused and unprioritised manner in which he conducted their discussions; this contrasted sharply with Haughey's clear and decisive handling of his ministers (private information).

Despite his wide-ranging responsibilities, Nally is particularly remembered for his role in Anglo–Irish dealings with Northern Ireland. In 1973–4 he took a prominent role in the negotiations leading to the abortive Sunningdale agreement, and warned against over-expansive implementation of the proposed Council of Ireland. During the negotiations, Nally first developed the personal relationships with his British civil service counterparts that were to be crucial for subsequent negotiations. After the collapse of Sunningdale, Nally advised the Irish government to continue to pursue the long-term objective of securing power-sharing government in Northern Ireland. In a 1975 memorandum (responding to suggestions by FitzGerald that contingency plans should be made to negotiate for power-sharing in an independent Northern Ireland in the event of unilateral British withdrawal), Nally advised that the utmost care should be taken to avoid anything that might possibly encourage repartition or British withdrawal, since this would inevitably lead to immense suffering and the emergence of an independent, unionist-dominated enclave. (Nally believed eventual unification inevitable and wished for it, but thought as a pragmatist that it would be economically and politically unfeasible for the foreseeable future. Although he was a practising catholic, Nally also believed the influence of the catholic church in the Republic would have to be reduced before unification could become acceptable to Northern protestants.) He was believed by some to have been involved in the appointment of Sean Donlon as ambassador to the USA, which considerably advanced Irish government influence over Irish-American circles. In 1980 he played a major role in the preparation and execution of the Haughey–Thatcher summit at Dublin Castle and the subsequent development of study parties of British and Irish civil servants to explore Anglo–Irish relations.

In November 1981, a meeting between FitzGerald and Thatcher led to the creation of a steering committee on Anglo–Irish relations, chaired jointly by Nally and his counterpart, Robert Armstrong, the British cabinet secretary; the two had already achieved a long-standing rapport based on mutual respect. In 1984–5 they headed civil service teams that, during frequent meetings over a period of eighteen months, worked out the details of what became the Anglo–Irish agreement of November 1985. (For years afterwards, both teams met annually for a commemorative dinner, wearing ties marked 'N/A' (Nally/Armstrong).) Nally is believed to have drafted clause 1(a) of the agreement, which guaranteed that Northern Ireland would only join the

Irish Republic with the consent of a majority of its inhabitants, the first time an Irish government had accepted this position. After the conclusion of the agreement, the Nally–Armstrong channel continued to operate to secure the smooth working of the institutions. Nally regarded the 1985 agreement as his greatest achievement and key to the subsequent development of the peace process, although he saw it more in terms of better administration than the grandiose constitutional concepts advanced by FitzGerald.

Nally was deeply involved in 1991–2 in confidential discussions between Haughey and British Prime Minister John Major about the possibility of a joint Anglo–Irish declaration that might help to secure a paramilitary ceasefire and advance a peace process. When Albert Reynolds became taoiseach in February 1992, Nally was asked to delay his retirement and participate in the ongoing negotiations. After his official retirement late in 1992, Nally was retained on a consultancy basis by Reynolds to advise on the negotiations leading to the Downing Street declaration (November 1993); Nally was one of four principal drafters of the document. Thereafter, he served as president of the IPA, and worked on a range of special investigative bodies, including the steering group on Garda efficiency (1996–7) set up in response to the murder of Veronica Guerin (qv); a study group on public prosecutions (1998); and an inquiry (2002) into allegations that the Gardaí had failed to notify the RUC of information which could have prevented the 1998 Omagh bombing.

Nally underwent heart surgery in 2002. He died suddenly in St Vincent's University Hospital, Dublin, on 30 December 2009, after a fall. A keen golfer with a love for gardening, reading and music, he was survived by his wife Joan, four daughters and one son. Nally was one of the interviewees in the RTÉ documentary series *Haughey* (2005). In the RTÉ drama miniseries *Charlie* (2015), Nally was played by Risteard Cooper; this character should, however, be seen as a generic civil servant rather than a direct portrait of Nally, who was much more talented and generally formidable.

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*Ir. Times*, 25 Aug., 23 Feb., 26 Oct., 16 Dec. 1972; 6 Dec. 1973; 17 Jan. 1974; 1 July 1980; 4 Feb., 6 Nov. 1981; 29 May, 23 June, 30 Oct. 1982; 5 Jan. 1984; 15, 16, 25, 30 May, 18 Sept., 8, 30 Oct., 15 Nov. 1985; 13 Nov. 1986; 23 June 1990; 19 Dec. 1992; 31 Dec. 2009; 4 Jan. 2010; 27, 28 Dec. 2013; 24, 27, 29 Dec. 2014; Garret FitzGerald, *All in a life: an autobiography* (1991); *Cork Examiner*, 11 Sept. 1992; *Ir. Press*, 20 Dec. 1993; Fergus Finlay, *Snakes and ladders* (1998); Barry Desmond, *Finally and in conclusion: a political memoir* (2000); Stephen Collins, *The power game: Ireland under Fianna Fáil* (2001); *Strabane Chronicle*, 1 Jan. 2004; Frank Dunlop, *Yes, Taoiseach: Irish politics from behind closed doors* (2004); Ruairí Quinn, *Straight left: a journey in politics* (2005); *Sunday Independent*, 2 Jan. 2005;

3, 24 Jan. 2010; 4 Nov. 2012; *Ir. Independent*, 31 Dec. 2009; Albert Reynolds, *Albert Reynolds: my autobiography* (2009); Garret FitzGerald, *Just Garret: tales from the political frontline* (2010); *Daily Telegraph*, 11 Jan. 2010; *Belfast Newsletter*, 3 Jan. 2014; private information

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