

CONFIDENTIAL

Note for the Record.

cc P.S. Chairman
Dr. Oliver
Mr. Blackburn
F&E Copy MW.

Meeting with UUUC negotiators 29 Aug. 1975.

Present: Chairman Mr Craig
 Dr Oliver Capt Ardill
 Dr Hayes Rev Beattie

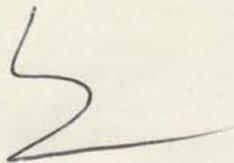
1. The Chairman thanked the delegates for their efforts in the talks up to date and for involving himself and his office in the process. He was anxious to help but could promise no easy or immediate solutions. There would need to be several meetings with each group and with both together over the next week. He had met SDLP and had been impressed by their sincerity in seeking an agreement in the Convention. As a preliminary, he asked the delegates to report on the progress of the talks. He then prepared to go through the UUUC policy document seeking clarification and expansion to consider some other possible options, and the possibility of some interim solution if a permanent solution were not found possible.
2. Mr Craig reported that the talks had reached an impasse - the parties were talking only for the sake of talking and to avoid the appearance of an open breakdown. They had been considering how best to wind down the talks in a seemly way. The SDLP had insisted on power-sharing in government and had refused to talk about anything else. This UUUC could not and would not concede. The proposal for a US type Presidential system had been introduced only to protract the talks and not in any hope of it being adopted. He himself thought it impractical - SDLP thought a power sharing element could be introduced by electing the executive cabinet at large by PR. UUUC would not have power sharing under this guise either. The one faint glimmer of hope lay in para. 8(111) of the UUUC policy paper which considered Voluntary coalition government in time of emergency or crisis. The sooner they could get down to seeing whether they could provide sufficient non institutional assurance to encourage SDLP to consider this possibility the better.
3. A discussion ensued on the US Presidential System. Mr Craig saw serious objections - it was very different from the British parliamentary system to which they were committed and to which people were accustomed. Since they would not concede institutionalised power sharing in this system either the minority would be in a worse position with a permanently loyalist executive and a permanently loyalist majority in the legislature. The legislature, devoid of any executive function could become quite irresponsible and could create intolerable tension with the Executive making strong government, which the country needed, virtually impossible. The US system was developed for a large country and would not suit the smaller scale of NI. Dr Oliver argued that in a separate legislature all members would be equal and their status would increase. He agreed the country needed strong government but thought a president endorsed by the majority of the country would give this. In addition Congressional type committees would be a strong counter to the strength of the Executive which could thus be held to account. Dr Hayes outlined the interlocking nature of the US constitution and conceded the difficulty of accepting any one element of this. The type of strong committees being suggested by UUUC might fit more easily into a Congressional system than as an appendige to the Westminster parliamentary system. It was agreed to look again at the system in the light of a descriptive paper to be prepared by the Secretariat. Mr Craig was particularly interested in the ability of the President to exercise a veto.

4. Mr Craig then outlined the Committee System prepared by UUUC. They had not worked out all the details and had given SDLP only an outline - largely because SDLP had refused further discussion. The Committees were a genuine attempt to strengthen parliamentary control of the Executive and to give the opposition a responsible and honourable part in the work of administration. The Committees were intended to have real power to send for persons - including Ministers, and papers - including generally cabinet papers. Exceptions would be made in the interests of security, commercial confidentiality a good government, but exceptions should be rare. The membership of the Committees would be equally shared with the opposition. They realised the risk that an irresponsible opposition could not only embarrass the government but damage the country. The Committees would be so strong as to make life difficult for Ministers and civil servants and would complicate administration - they were prepared to pay this price. There would have to be some safeguard so that Committees could not totally stultify the work of government. They had not worked out how to allocate chairmanships, but thought that the opposition should have a favoured position - getting probably 3/5 of available posts and some especially sensitive ones where they might feel their people were affected by departmental activities. There would be a membership of about eight. It was hoped the Chairman would be full time with proper support and dignity and would develop a special relationship with the Minister and departmental officers. Research back-up for the Committees would be provided by expanding the library and providing expert advice. The Chairman would be a Privy Councillor and given information on that basis. They appreciated that SDLP were not simply looking for jobs, but that their people required them to be associated with the running of the Country in an honourable and prestigious way. The Committees would have an important role in the legislative process particularly in an adapted first reading process which would enable comment at an early stage on the principles of legislation. They would also monitor the performance of their department in the discharge of its executive functions and would take over part of the role of PAC in relation to the department. There would also be standing and occasional committees. The Estimates Committee would concern itself with the whole PES process forecasting public expenditure over the whole field for five years ahead. It might well include the Chairmen of the other Committees. They had not yet worked out the details of procedures, quorum, casting votes etc. and would like help on this.
5. On the question of an interim solution, Mr Craig referred to para. 8(iii) of UUUC Policy document. This had been intended to set out the conditions in which coalition governments are usually formed in the parliamentary system, but SDLP had shown some interest in it. They were implacably opposed to forced coalition - a voluntary coalition was a different thing. They fully accepted that even if new structures of government were agreed, there would be a very difficult couple of years as the new government faced up to irreconcilables on both sides. They accepted that such a government would require to have the support of all sections of the community and they were prepared to consider every means of attracting the support and participation of the minority - even to the extent of considering offering places in a coalition government to people prepared to declare their unequivocal support for the new institutions. He would himself be prepared to think in terms of a fixed life of 7 years for the first parliament under the new system. There could be no question of power sharing being imposed by statute, or of artificial devices entrenching the power of any group. They might arrive at a gentleman's agreement based on mutual trust, provided some way short of statutory provision could be found to reassure the SDLP that an arrangement agreed upon in a time of national crises could not be arbitrarily repudiated by the loyalists. This was an area on which they would appreciate help. The Prime Minister would need to retain the right to hire and fire Ministers, and no party could have a right to retain office.

5. (Cont'd.)

Even if a voluntary coalition could be arrived at, the ^{proposals} ~~principals~~ for Committees outlined above would be pursued and should be statutory provided for so that the opposition had their share of chairmanships etc. as of right. Mr Beattie said a coalition government could only be formed on the basis of an agreed social, economic and security policy. Anyone who would publicly endorse the agreed policy would be regarded as capable of being included in a voluntary coalition.

6. Mr Craig was concerned at the mechanics by which such an arrangement, if agreed, might be brought into being. Civil government soon was the great necessity. The first six months would be crucial, and the method of securing public endorsement for a legitimisation of the arrangements of vital importance. The Chairman agreed to consider some ways in which such a system might be set up which might at the same time reconcile the basic UUUC demand that there should be no enforced power sharing with the need of the SDLP for adequate guarantees. Capt Ardill said they would be against an interim or temporary arrangement. Their followers would press for a system which would provide an end to uncertainty and fairly stable government for the foreseeable future. Economic development, especially foreign investment would be adversely affected by the uncertainty of a temporary solution. UUUC would insist on the return of Home Affairs powers to a NI government.
7. UUUC complained at the failure of SDLP negotiators to put forward positive proposals of their own. They felt they were making all the running. SDLP had asked them to state their objections to power sharing in principle. They thought the onus should be on SDLP to show how power sharing would work in practice. They would be willing to comment on specific proposals. Mr Beattie said they should prefer to talk about two or three different issues. The Chairman agreed to urge the SDLP to produce proposals.
8. It was agreed to meet again on Monday 1st Sept. at 2pm.
9. The meeting lasted $1\frac{3}{4}$ hours and was conducted throughout in a friendly and constructive manner. The UUUC delegates seemed sincerely concerned to try to secure an acceptable agreement, and were conscious of the pressure on the SDLP as well as the demands of their own supporters.



M N HAYES
1/9/75.