

SUMMARY RECORD OF A PLENARY MEETING
HELD AT PARLIAMENT BUILDINGS ON THE MORNING OF 19 MAY 1992

Those present:

<u>Government Team</u>	<u>Alliance Party</u>	<u>UUP</u>
Secretary of State (part)	Dr Alderdice	Mr Molyneaux
Mr Hanley	Mr Close	Mr Empey
PUS	Mr Morrow	Mr Donaldson
Mr Fell (part)		(part)
Mr Thomas	Mrs Bell (part)	
Mr Bell	Mr Ford	Mr Cunningham
Mr Hill	Mr McBride	(part)
Mr Maccabe	Mr McGarry	Mrs Bradford
<u>Talks Secretariat</u>	<u>SDLP</u>	<u>UDUP</u>
Mr Smith	Mr Hume	Mr Robinson
	Mr McGrady	Mr Campbell
<u>Also Present</u>	Mr Haughey	Mr Vitty
Mr Ferguson (part)	Mr Maginness	Mr Dodds
Mr Fittall (part)	Mr Gallagher	Mr Wilson (part)
Mr Beeton	Mr Feeley	Mr Gibson (part)

The meeting began at 12.14 and concluded at 13.06.

2. The Government Team invited the UUP delegation to continue the questioning of the Alliance Party proposals.

3. The UUP delegation began by stating its general reflections of the Alliance proposals and by complimenting the Alliance delegation on its presentation and clarification of their paper. In referring to an earlier point by the Alliance delegation, that all structures were vulnerable under a democracy, they pointed out that the allocation of portfolios in the 1974 Executive had been done by party, rather than by name, and on a basis which implied the allocations would be perpetual. They suggested that any new arrangements should not be subject to domination by one particular section and agreed with the Alliance Party that there should be no cantonisation into District or Regional Councils. Turning to the need for the executive to command 70% in the Assembly, the UUP

referred to an earlier point made by the SDLP delegation about what would happen if some of the 70% decided to withdraw. The UUP delegation drew comparisons with the SDLP not taking up its seats in the 1973 power-sharing executive which resulted in the Assembly being wound up. A similar result could happen to the Alliance proposals. However, the UUP realised that the Alliance proposals were not finalised. They believed that the three positions of the Alliance, the UDUP and the UUP were not that far apart.

4. The UUP delegation then began some detailed questioning of the Alliance Party proposals. Asked whether they accepted that the 1973 operation was not vulnerable to the people, the Alliance delegation responded that it must have been vulnerable as it only lasted six months, but it would have been better if that vulnerability had been capable of being expressed through the Assembly, rather than on the streets. As the Alliance delegation understood it, the SDLP had argued against their proposals because the institutions would be vulnerable to the decisions of elected members withdrawing. That was the politics of despair. The vulnerability of the 1974 Executive was due, they said, because the structure itself had not been agreed amongst the parties but had been imposed. The Alliance delegation noted that there was increasing references being made to the 1973 administration. They could see the similarities but there were major differences in their proposals which meant that any Assembly now would be set up with the agreement of all concerned, whereas last time it had been imposed, in the hope of agreement.

5. The UUP delegation said that the key element in the proposals was the working of the executive, which created a very difficult problem to resolve; it required a political coalition between parties who would be warring at the polls. The parties concerned were diametrically opposed in their attitudes to the constitutional structure and this would therefore put a strain on them in the coalition and lead to a break-up. The Alliance Party responded by saying they were putting forward their model in the hope of overall agreement between the parties and therefore discussion may not be so heated. This has worked in local councils where coalitions have been formed - people would behave responsibly, they suggested, when they had to take decisions in areas where there was already

extensive common ground. The UUP delegation asked how the common ground would be harnessed. The Alliance responded that, curiously, they hoped that as time went on the disparities between the parties would grow. They said so much was agreed between the parties at council level at the moment because the areas of discussion were of such little importance. In the future, budget distribution for hospitals or agriculture would lead to debate and therefore divisions along more healthy, social and economic policy lines. The UUP delegation commented that this was a good line to come from the Alliance Party!

6. The UUP delegation asked if it was assumed that there was common ground on economic and social needs, did the Alliance Party envisage all the parties meeting together prior to the coalition being formed to draw up a 4/5 year programme. The Alliance responded by saying that ideally it would be better for the parties to work together before the election and have an agreed programme worked through, although if this was not possible it could happen post-election, but some agreed programme would be necessary. The UUP delegation asked if, despite the difficulty of parties having diverse opinions on the constitution, they had common ownership of a social programme, would this not give reflection to their identities? The Alliance Party delegation agreed.

7. The UUP then asked if the Ministers within the Alliance model could only make decisions on a consensus basis as in the SDLP model. The Alliance Party said they envisaged the outline programme being hammered out, post-election, but that day-to-day Ministers were not going to agree with everything. They would have to argue the case for money for their own departments. The UUP delegation quoted Harold MacMillan referring to the biggest problem in politics being "events". As events in Northern Ireland over a 5-year period were likely to be quite considerable, they wondered how the Alliance proposals would stand up in terms of durability and workability. The Alliance Party said that if people took the view of "I like it - yes" or "I don't like it - no" then there would be problems. However, if they were prepared to bite their lips and discuss issues through and try to find a solution and were committed to sorting out their problems, then their proposals would work. They drew comparison to the talks process itself and how the parties had come together with parameters now enshrined in the 26 March statement.

8. As regards the vote of proposed confidence and its potential to produce instability, the Alliance Party pointed out that they had not proposed an annual vote, only that it should not occur more often than once a year and indeed might only happen once every four years. The UUP then wondered what would happen if the Executive was considered to be performing badly by the majority of the Assembly who were unable to do anything about it. The Alliance Party said that if deep-seated disenchantment grew then so be it - when the time came for a change it would take place. There needed to be, they said, a balance between an opportunity to gauge acceptability and the risk that it would be used frivolously. Finally, the UUP delegation, indicating its opposition to any dual mandate, asked how parties would be able to cope with voting at the House of Commons on some areas of legislation and then taking a different line in the Northern Ireland Assembly. The Alliance Party said that every party should follow through its political philosophy.

9. The DUP delegation felt that the Alliance proposals broadly conformed with the Common Themes and almost all of the Common Principles. The skeleton of their proposals was, they deemed, reasonably acceptable unlike that of the SDLP's though they acknowledged the SDLP's was more innovative. The greatest problem lay with the formation and operation of the Executive. They sought clarification of the Executive's role in respect of legislation. The Alliance Party said that the Executive would bring forward legislative proposals; the Assembly, as the legislature, would have the final say. Committees would scrutinise the legislation and might be able to initiate some legislation.

10. On establishing that the 70% vote suggested in the Alliance proposals referred to those members actually attending the Assembly, the DUP delegation suggested that the only difference between this and the Catherwood proposals was the level of percentages. The Alliance Party replied that there was a fundamental difference in that Catherwood timetabled a change in the percentage support required of the Executive. On questioning why the Alliance Party saw a need to have the Secretary of State involved in the future government, they replied he was there for non-transferred matters and to make legal appointments with regards to the Executive rather

than actually make nominations. He could thus choose not to appoint those who support violence should they come forward. The DUP delegation then asked what, in the conduct of politics in Northern Ireland since 1973, suggested that a power-sharing Executive, with the Secretary of State playing a role, had led the Alliance Party to believe that such a model would be acceptable now. The Alliance Party felt that a big difference between now and the preceding years was that all four parties were actually sat round a table discussing major issues and working together. With regard to the 70% required in the Assembly, the Alliance Party believed that if the arrangement in previous years had had widespread support in the Assembly then it might have worked - the 70% guaranteed that not only would there be a place for minorities but it would secure the position of the major parties as well. Following a question by the DUP delegation, the Alliance Party said that when it came to a referendum they believed that if all four parties were wholeheartly behind the proposed system then there would be little problem in achieving a large percentage of popular support. They acknowledged, though, there was a possible risk that a future election might not result in agreement on an Executive which could command 70% support. They had contemplated alternatives such as enabling the legislature to continue while HMG appointed Ministers or possible default arrangements, but had concluded that these would weaken the proposed system.

11. This completed the detailed questioning of the Alliance paper and it was agreed to adjourn.

Talks Secretariat