

DEVOLUTION TALKS with SECRETARY of STATE

Monday, 8th March, 1982 at 4.00 p.m.

p.a.
MR 16/3

A meeting took place at Stormont between the Secretary of State, Rt. Hon. James Prior, M.P.; Sir Ewart Bell; Mr. Wyatt; Mr. Blatherwick; Mr. Shepherd and Mr. Boys-Smith and the Ulster Unionist Council representatives:- Mr. James Molyneaux, M.P.; Sir George Clark, Bart., D.L.; Mr. Harold McCusker, M.P.; Mr. Wm. Ross, M.P.; Cllr. Wm. Bleakes; and Cllr. Raymond Ferguson.

The Secretary of State welcomed the U.U.C. delegation. And said he proposed to deal with the Timetable and Anglo-Irish relations. He stressed that he was not saying anything to one party and something else to another. His Cabinet colleagues agreed that he continue to prepare proposals and go back to them with a draft White Paper. He hoped to publish a White Paper before Easter. He said it was not necessary to have Legislation. The '73 Act under which the Assembly and Executive were set up would be used and the White Paper would deal with modifications such as the Committee system; 70 per cent. weighted majority; rolling devolution and the scheme whereby powers could be clawed back by the Secretary of State without the whole Assembly collapsing.

Mr. Molyneaux pointed out that a Ministerial Order would be needed to fix an election date. The Secretary of State commented that using the '73 Act modified by White Paper proposals later implemented by Order in Council was not as tidy as having new legislation; but this could not be brought in before the summer recess.

The Secretary of State, in reply to Mr. McCusker, stated that the 1973 Act would be used and subsequent changes to that Act would be shown in the White Paper.

Councillor Bleakes enquired if the Irish Dimension would be excluded. The Secretary of State said that he would deal with that later.

The Secretary of State read from the draft paper, proposals for devolving powers. If there was a 70 per cent. vote in favour of devolving power and the Secretary of State was convinced there was "cross-community" support the Government would put that before Parliament and if Parliament agreed an Order would be laid accordingly.

The Secretary of State stated that the Government would not accept any lower figure than 70 per cent. They had to be assured that there was "cross-community" support, assured that there was R.C. involvement, as they represented over 35 per cent. of the population, hence the figure of 70 per cent.

In other words if the Secretary of State was not satisfied that the weighted majority of 70 per cent. contained sufficiently large R.C. involvement he would be unable to recommend the formation of that department to the Parliament.

Mr. Ross immediately pointed out that this was blatant sectarianism.

Mr. Molyneux then challenged the Secretary of State to concede that his (Mr. Molyneux's) speech to last conference was accurate when he warned that Government and Parliament would not restore devolved government in a form Unionists could accept. The Secretary of State replied that he would only restore devolved government in a form in which there was "cross-community" support. He went on to point out that no "Unionist/Independent/Loyalist" grouping of 70 per cent. would be recognised as having "cross-community" support.

A lengthy discussion followed. The delegation suggested the likelihood that as in previous occasions the minority might decide to boycott the Assembly because of outside factors, e.g., some action of the army as happened in 1972. The Secretary of State stated that if in his consideration such a breakdown took place, then the powers would revert to the Secretary of State. Hence the need for "claw-back" powers.

The Secretary of State said he did not envisage that such a situation would arise at the initial stage. He stated that after the election, the first duties of the Assembly would be to elect a Presiding Officer then prepare Standing Orders, elect six committees under P.R. with Chairman, Vice-Chairman and Rapporteur. On questioning, the Secretary of State denied that the addition of Rapporteurs was creating "jobs for the boys".

Despite the fact that the delegation went to considerable length to point out the impracticalities of the scheme suggested in the draft White Paper; the Secretary of State was adamant that the 70 per cent. weighted majority would have to contain an element of cross community support.

The Secretary of State conceded, however, that

Provided there was sufficient evidence of cross-community support he might be prepared to recommend a figure of 65 per cent. to the Government, but this suggested concession was only made after the most persistent questioning by the delegation.

The delegation left him in no doubt that this was totally unacceptable to the Ulster Unionist Party. Sir George Clark informed the Secretary of State that the foregoing would not be acceptable to the Executive Committee to whom he would be reporting on Friday.

Mr. McCusker enquired of the Secretary of State "was Westminster opting out?" The Secretary of State said Westminster was in a difficult position and went on to say that it was vital to keep up the momentum. He expressed concern that if the Ulster Unionists didn't take part it would be difficult to get anyone to take part.

This spurred Mr. Molyneux to enquire had the Secretary of State put these proposals to other parties, to which the Secretary of State and Mr. Blatherwick agreed that they had been read to all parties.

Dr. Paisley had made it clear that he did not like the 70 per cent. weighted majority. Mr. Molyneux suggested that they could not have understood what was read to them - hence their silence.

Sir George suggested to the Secretary of State that he reconsider his proposals in view of the fact that the Ulster Unionist Party would not accept the proposals for the devolving of powers as presented, to which Mr. Ross said in addition that we were also totally opposed to P.R. because it would perpetuate political instability.

Anglo-Irish Affairs

The Secretary of State then went on to say that he proposed to deal with that part of the White Paper which dealt with Anglo-Irish Affairs.

The Secretary of State said the Government's policy on Anglo-Irish Affairs was well known and was in the interest of the U.K. as a whole, as well as a benefit to the security policy.

The Secretary of State read the following passage from his draft White Paper:-

"The Anglo-Irish Council is a matter between the Westminster and Dublin Governments. A parliamentary tier would be set up between the Republic and U.K. in which representatives from Westminster; Dail; European Parliament and the political parties from the Assembly would participate. The White Paper states that recognition must be made of both political and cultural identities when evolving a system of government and therefore no system can be stable unless account is taken of:-

1. The two political and cultural identities.
2. That the minority have equal rights.
3. That the minority acknowledge the rights of the majority.
4. Right to pursue political objectives by democratic means."

The Secretary of State expressed concern at the inaccuracy of the report of the foregoing in the Irish Times and hoped that this explanation would put the record straight.

The Secretary of State was questioned on the wisdom of including such arrangements in the White Paper when he had already stated that the Anglo-Irish Council and its affairs were entirely between Westminster and Dublin and that raising this issue in the White Paper was detrimental to his initiative. On further questioning the Secretary of State admitted

it was included because the SDLP had so demanded.

The Secretary of State quoted from the communique issued after the last Anglo-Irish Summit.

Sir George Clark stated that this was a first step back to Sunningdale and went on to say that this appeared to him to be a strange way to conduct the affairs of the United Kingdom. He told the Secretary of State that the draft White Paper would not have his support as it appeared the Secretary of State had not made any attempt to understand the majority position and he warned the Secretary of State that he would fight against it as it appeared that Ulster was to be eroded into the Irish Republic.

Mr. McCusker said that no one could object to "extra-Assembly activity" provided that the object of this activity was not to allow politicians from the Irish Republic to discuss the affairs of Northern Ireland. He pointed out to the Secretary of State that they were obviously not going to discuss "Lowestoft" or "croft farming" but in all probability how best they could advance the cause of Irish unity. The Secretary of State revealed that it was included to narrow the area of disagreement with the SDLP.

Councillor Ferguson warned the Secretary of State that the combination of the 70 per cent. weighted majority and the Anglo-Irish relationship would give the Ulster Independence Party a lift. The effect of these two proposals were worse than Sunningdale.

As the meeting had gone on for 2 $\frac{1}{4}$ hours it was agreed to adjourn the discussion.