

REFLECTIONS ON A CONVENTION

On the credit side, the Convention ran its full term of 6 months without walkout, break down or public altercation. In view of the stormy life of the Assembly, this is at least something.

Plenary Sessions were conducted with decorum and dignity and the services provided for members were in all cases adequate for the demands placed upon them.

That there was no widely acceptable agreement at the end is regrettable. How far a settlement would require to go to constitute the 'most widespread agreement' is a matter for political judgement. The Report has been produced and indicates wide areas of agreement and large areas of non-disagreement. There was widespread acceptance in the Convention of the desirability of a devolved form of government, with responsibility for internal security. There is little real disagreement on the mechanics of administration - or the desirability of extracting the greatest amount of support from the UK Treasury. Nearly all parties supported some form or other of Bill of Rights. The two questions dividing the Convention were the manner of forming a Northern Ireland Executive and the degree to which relationships with the Republic of Ireland should be institutionalised.

Having said that, there was little real dialogue in the Convention. The final proposals of parties, reflected in the draft reports, show little, if any, shift from the election manifestos. At all the set piece debates, party spokesmen reiterated their manifesto positions. There was some interchange between party delegations in the inter-party talks, but little mixing across the floor between back-benchers.

It is questionable whether a body composed of members elected on manifesto and organised in a parliamentary framework could have produced any greater degree of agreement. Neither the approach nor the format was conducive to compromise. Once members were elected in such numbers, it was obvious that some form of standing orders was required. The parliamentary model provided the most convenient precedent. The use of the Chamber, Hansard etc confirmed proceedings in this mould, and the insistence of constituents in pressing their problems on members compounded the confusion in roles.

While the Convention was in theory free to determine its own rules of procedure, there was in practice little likelihood of arriving at other than the parliamentary format. The UUUC parties in particular were suspicious of another Sunningdale, and had pledged themselves to open discussions and open agreements. Indeed it is debatable whether the freedom to devise its own rules was not an invitation to

the Convention to put itself in a strait-jacket. The acrimony which was generated in the rules committee pervaded and survived the plenary sessions and brought controversial crunch issues up at a very early stage. The Convention would probably have accepted a set of rules either statutorily prescribed or drawn up by the Chairman on statutory authority.

The Convention never got down to managing its business - the Business Committee acted in the spirit and tradition of a Whips' Committee and were content, in the main to arrange the business for the next sitting day. There was no attempt to decide a strategic approach to the task of the Convention.

In part this reluctance to be 'managed' was a reaction to what members rather suspiciously took to be attempts to direct the Convention through discussion papers and through newspaper comments about committee structures and foreign trips which were wrongly attributed to NIO. The result was a considerable suspicion, which took some time to wear off (if it did) that the Chairman, and particularly his office were in some way the agents of or influenced by S of S. It is ironic that the SDLP who fought the draft rules on the principle ground that they curtailed the powers of the Chairman to arrange things were the first to react in the Business Committee to firm proposals from the Chairman's office.

The suggestion that the Convention might be virtually open-ended and protracted was also counter-productive. Members got the impression that they were to be kept talking for the sake of talking. The reaction to this was a desire on all sides to finish quickly - UUUC because they believed the electoral strength gave them a mandate to put through their proposals virtually unaltered - and they were anxious to get these to Westminster; SDLP and UPNI because they regarded the whole thing as a charade which should be ended as quickly as possible.

The result of this reaction to against being managed was the refusal of the members to get involved in Committee work. This meant that subjects requiring close technical scrutiny such as financial arrangements and human rights were treated in a very superficial manner, which became evident when UUUC were attempting to draft a report. In the event, major topics were considered only in the most superficial way, involving little more than re-statements of party manifestos.

Not only were parties reluctant to be managed, but party management was itself poor. This was true of all parties - and was particularly true of UUUC where a coalition of three parties and a couple of independents (even before the incipient fission of Vanguard) made policy formation an unpredictable and unpermanent process. Another manifestation of the weakness was the inability or unwillingness of parties

to utilise the services of outside experts. Although generous funds were allocated, these were not taken up. Such experts as were engaged were poorly briefed and under-used. There is little evidence of their contribution having been carried through into draft reports.

The terms of reference of the Convention, while wide, were interpreted by the two main groups in disparate ways which made agreement, or rapprochement, virtually impossible. The SDLP relied on the White Paper/Discussion paper parameters of power sharing and an Irish Dimension, while UUUC relied on the Act. For either to have yielded would have been to cede what each regarded as their strongest position.

The inter-party talks were promising for a time, but in contrast to the over-formalised procedures in the plenary sessions, these appeared to be entirely unstructured. Despite offers of help, there was no official involvement. Meetings were badly arranged, apparently without agendas and no minutes were kept. The meetings were unchaired. The result was an absence of systematic approach to the problems under consideration, and widely divergent views of the conclusions to be drawn.

A possible approach for the inter-party talks, as for the Convention as a whole, would have been to try to establish broad areas of agreement on subsidiary issues while holding the two main questions in suspension. However, the parties disdained the foothills and aspired to the pinnacles. They made a rapid dash to the North face of the Eiger, and not surprisingly, stuck there.

The elected members tended to regard the Convention as a closed shop, and to regard themselves as completely adequate channels for public opinion. They resisted any suggestion to canvass the opinion of community groups, trade unions or other interest groups. No arrangements were made to give such groups a hearing by the Convention. On the other hand, however, there was little public interest in making submissions to the Convention. Apart from a few messages of congratulation and some from the lunatic fringe of politics, the number of worthwhile submissions was minimal. Only two stand out, both on Human Rights, from NICRA and UCCL.

An important sub-theme which ran through all the discussions and debates was the attempts of the main parties to wrong-foot each other. Having decided from the beginning that the Convention was destined to fail, at least to the extent of failing to find 'the most widespread agreement', each of the main parties concentrated on tactical ploys designed to ensure that the blame for ultimate collapse would be attributed to the other.

There are therefore, grave doubts as to whether the Convention was a useful forum either for consideration of complex constitutional issues or for working out a simpler political deal which might later be enshrined in constitutional forms. The very representative nature of the body was itself a drawback, with members feeling the necessity to report back at every stage. This, while it underlines the lack of flexibility in the Convention, of course begs the question whether a non-representational body could deliver any sort of agreement at all which would be accepted in the country.

5.

MNH

14.11.75