

ULSTER UNIONIST PARTY

A PRACTICAL APPROACH TO PROBLEM-SOLVING
IN
NORTHERN IRELAND

Tuesday 21 February, 1995

INTRODUCTION

The Ulster Unionist Parliamentary Party at Westminster has been anxious to ensure that Government, acting in co-operation with the Government of the Irish Republic, adheres strictly to the fundamental principles of democracy when it seeks to advance the political process within and pertaining to Northern Ireland.

In pursuit of this objective, Ulster Unionists have shown willing to co-operate throughout the various stages of negotiation and dialogue which Government has initiated, particularly during the lifetime of this Parliament. The failure of Government to fully avail of this opportunity is a matter of regret.

While the Downing Street Declaration of 15 December, 1993, was not couched exclusively in terms with which Ulster Unionists could feel totally comfortable, it was accepted by them on the basis of its unequivocal endorsement of the democratic principle of consent.

That the consent of its people would be paramount, in respect of any decisions about the future constitutional status and the government of Northern Ireland, has been the basis of all Ulster Unionist representations to and discussions with Government.

LOST OPPORTUNITIES

It would now appear that the Government believes it can create a divide between the greater number of people in Northern Ireland and the Unionist leadership, and hopes to use a referendum to deliver Northern Ireland's affairs into the hands of All-Ireland political institutions. Obviously nothing has been learnt during the past 23 years when similar tactics only served to arouse fear and to increase political instability.

Recent indications are that, despite repeated assurances to the contrary, by the Prime Minister and the Secretary of State for Northern Ireland, the Framework Document will prove to be totally inadequate as a basis for future negotiation.

Elements of the Document appear to have been systematical^y leaked to the Dublin Press in order to undermine the credible, constructive and pro-active role of the Ulster Unionist Party in its attempt to give a lead in finding an equitable solution to the complex problems facing Northern Ireland. The opportunity for Unionists to react positively to the Framework Document has been drastically limited by these leaks.

The Document apparently fails to properly reflect the vital difference between the concept of cross-frontier (cross-border)

institutions, voluntarily agreed between Northern Ireland and the Irish Republic, and that of All-Ireland institutions with executive powers, agreed by the two governments and imposed by diktat.

It will not matter to what extent such All-Ireland bodies may be claimed to be accountable to a devolved Assembly in Belfast if that Assembly does not have ultimate responsibility in the matter.

If the Framework Document is not to become a major part of the problem instead of a basis for a solution, the two governments must pull back from their stubborn insistence on the imposition of structures over the heads of Northern Ireland's elected representatives.

It is a shame that neither government appears to have learnt from the 1985 Anglo-Irish Agreement debacle. The community in Northern Ireland may, as a result, be destined to have to withstand yet another 10 years of uncertainty and inevitable violence.

THE BASIC PROBLEM

The lack of trust among the various political elements is the crux of the problem.

It has led the Irish Republic government to seek to have Unionist politicians caged so that they may only function within tightly drawn parameters. Thus, the principle of consent by the people of Northern Ireland through the democratic process, as enshrined in the Downing Street Declaration, will be greatly diminished.

This means that the Framework Document, like the 1985 Anglo-Irish Agreement, is bound to inhibit co-operation rather than provide the freedom for Unionists to be pro-active as they were during the 1992 Talks Process and in the context of the Downing Street Declaration.

What is clearly being ignored is that it was the Ulster Unionists who, in 1992, made sacrifices in order to keep the Talks alive; who tabled substantive proposals, including one which addressed cross-frontier relationships, when no other party did so; who moved to Strand 2 in order to re-assure the S.D.L.P. and who honoured a promise to go to Dublin to discuss relationships.

No party has been more consistent in its opposition to terrorist violence or done more to sustain the democratic process than the Ulster Unionist Party. It is Provisional IRA/Sinn Fein which chooses to exclude itself from the process of normal democratic politics by maintaining its terrorist organisation and weapons

intact. Yet Government now appears to be prepared to threaten Ulster Unionists with the terrorists' guns by challenging.... "Do the Unionists not want Peace?"

Ulster Unionists will not allow themselves to be subjected to this type of blatant humiliation and innuendo or to be intimidated into working to a strictly Nationalist agenda just because IRA/Sinn Fein are able to exercise a veto on democracy through the barrel of a rifle!

Conversely, the avowal that the Unionist tradition would be cherished by the Irish Republic has never been borne out in practice; almost every comment emanating from Dublin seemingly designed to be offensive. Simply contrast the manner in which Unionists are bombarded with constant criticism while the S.D.L.P. is never subjected to even the mildest rebuke from Dublin. One remembers that Albert Reynolds' idea of the supreme insult was to refer to John Bruton as "John Unionist"!

Unionists are amazed that United Kingdom ministers continue to be duped by successive Irish governments. They should know, by now, how profligate Dublin can be with words. The Irish Republic's predisposition to be ambiguous in its use of the English language is amply illustrated in the contradiction between Articles 2 and 3 of its Constitution and Article 1 of the Anglo-Irish Agreement.

FRAMEWORK OBJECTIVES

The Document, as leaked, seems to define the structures and the specific direction within which final decisions must be made. It appears to prejudice the negotiating position of Ulster Unionists even before they reach the table.

This indicates a bias in favour of demands by Dublin and the S.D.L.P., when it should simply have concentrated on producing:-

- (a) a concise definition of the problems which were already identified at the 1992 Talks,
- (b) a grouping of those problems in categories for resolution and
- (c) a detailed formula for dealing with each group of problems.

Ulster Unionists would have been more than willing to co-operate and actively assist in this task.

AN ALTERNATIVE WAY FORWARD

The Framework Document, in its present complex and controversial form, should be shelved. It should be replaced, immediately, by a preliminary version (Framework 1) based on the three criteria listed above, which should be published as soon as possible.

Framework 1 would create a basis for Northern Ireland political parties, without fear or prejudice, to enter into bi-lateral talks with both H.M. Government and the Government of the Irish Republic and also into tri-lateral talks where both Governments would be present. It would identify where talks between any two or more Northern Ireland parties or some form of multi-party dialogue would be considered necessary or helpful.

This "Talks" phase should be properly pre-planned, intense and time-limited...say to a maximum of 6 months. It would accommodate dialogue at every level required and should culminate in the development, by the two governments, of a document (Framework 2) which would contain the substantive agreements reached by the parties in talks based on Framework 1.

It is expected that those agreements would cover all aspects of the problem.

The two governments' current plan is deficient insofar as it is totally theoretical and offers no scope for the development of those practical "CONFIDENCE BUILDING MEASURES" which will be necessary if real TRUST is to develop. Ultimately, it would be better to ask people to vote on tangible results which they can measure, rather than on complicated ideas which they may fail to fully understand or simply distrust.

Hence, it would be too soon, at this stage, to consider going to the people to seek endorsement through a referendum. Instead, the practical out-workings of what has been agreed in Framework 2 should be put to the test almost immediately...say by mid-October of this year.

The benefit of this approach would be that it could provide the basis for a practical out-working of what had been agreed. It would not ignore, but would set aside for a limited period, some of the more complex and contentious issues which are incapable of resolution until a greater degree of trust can be established among the various political elements.

CONFIDENCE BUILDING MEASURES

The Government should immediately arrange elections to a fixed-period 2-year "Interim Assembly". It would be during this two year period that the agreements arrived at would be implemented,

tried, tested and developed.

One has to assume at this stage:-

- i. that an Assembly would be established on some sort of a 'responsibility sharing' basis with membership, chairs and vice-chairs being allocated pro-rata with the number of seats won by each party.
- ii. that the smooth transfer of responsibility from the direct-rule system to any devolved system would require a very carefully thought-out transitional process. The old and new systems should, therefore, be allowed to run in partnership for the life of the interim assembly with Ministers leading for the 1st year and Chairpersons for the 2nd year.
- iii. that twenty three years of direct rule has resulted in a deficit in terms of people with certain business and professional skills being actively involved in politics. All members should not, therefore, be directly elected to the Assembly. Rather, some sort of list system should be employed.

On the basis of an earlier concept that five representatives per Westminster constituency would be elected to a Northern Ireland Assembly, it should be possible to arrange that three will be elected directly and the equivalent of two per constituency be appointed pro-rata from party lists.

Working in such a partnership-based Assembly should help to concentrate minds on the responsibility members will have for the welfare of the community as a whole, and would allow time and opportunity for each party, in the context of creating a stable Northern Ireland, to develop sensible and practical means for implementing the commitments made at Framework 2 stage.

THE REFERENDUM

At the end of the 2-year transition the entire community would then be asked to endorse a process which it could evaluate in a very real sense and, in the event of a "Yes" vote, the "Interim" Assembly could then continue for another two years in substantive form before a further election was due.

Nothing would have had to be agreed in a vacuum. The presently missing element of TRUST would have been given an opportunity to become established in a tangible form...something which will never happen in the course of any combative talks process.