

10 October 1997

PEACE IN IRELAND

Freedom, Justice, Democracy, Equality.

Principles and Requirements.

A Sinn Féin submission to Strand One of the peace talks

Peace in Ireland.

Introduction A Failed Political Entity

This process, in which we are engaged, has the difficult task of redefining the totality of relationships between the people of this island and with our nearest neighbour. It is about leaving behind relationships which have not worked and a status quo which has proven disastrous to all our interests. We seek to slam shut the door on past failures and begin anew by building new relationships based on equality and mutual respect.

As Irish republicans we will be advocating and arguing for the creation of an Irish national democracy as the best means of achieving this.

The failure of British policy and partition was given graphic expression only three months ago when in July the RUC were employed to force an Orange march through the Garvaghy Road. The demand of the Orange Order to walk through a nationalist area, and the RUC battering a route through residents for the Orange Order to engage in this triumphalist display, epitomises all that is wrong with this statelet.

These events, along with the RUC's enthusiastic use of plastic bullets against nationalists, underpins the widespread sense among nationalists that the northern state is beyond redemption, is corrupt, and that there can be no internal settlement based upon this failed structure.

The reality is that the six counties is a gerrymandered statelet which was fashioned by sectarian power and privilege and in which wholesale suppression and discrimination was and is practised. The six county state has never been able to afford its citizens the justice and equality fundamental to a peaceful and democratic society. The consequence has been a cycle of repression, conflict and resistance.

Unionists cannot be solely held responsible for this. Britain's policy created a sectarian state. Since the collapse of Stormont the British government has failed to effectively tackle economic and structural political discrimination against Catholics and the continuing cultural discrimination which denies Irish children their right to be taught through the medium of Irish. It is British policy which today labels nationalists as inferior and second class.

The excesses of the British state in defence of the northern statelet have been well documented.

Every major human rights agency in the world, from Amnesty International to Helsinki Watch, have accused Britain of torture, summary execution and extensive violations of human rights. London holds the distinction of having been found guilty before the European Court of Human Rights more often than any other signatory since 1950. The British governments role in the north has

perhaps best been summed up by human rights lawyer, anti-apartheid campaigner and current South African Minister Kadar Asmal who remarked: *"The British government has shown scant regard for international opinion and international and domestic legal standards.....My contention is that the United Kingdom is behaving and has behaved in the north in the same way that colonial powers exerted their sovereignty in the old fashioned empires"*.

This then is the reality of the northern statelet. Over 75 years on a life support of oppression, injustice and inequality. It is a history of failure. The failure of a unionist one-party state which rejected basic principles of democracy, justice and equality. The failure of British governments to recognise their central role in creating conflict and division by bolstering partition and underpinning the unionist veto. It is a measure too of the failure of nationalists and republicans throughout this island, including successive Irish governments, to develop a strategy to effectively bring about democratic change.

There can be no going back to the past. There can be no internal settlement. The days of second class citizenship, of unionist domination are gone. We must collectively think beyond these failed political structures and construct a new Ireland which can accommodate and celebrate the diversity of the people of this island - new constitutional and political structures to which we can all give allegiance.

Irish republicans believe that any new dispensation must be constructed on this basis.

Equality should now be at the heart of the British government's decision making and it must underpin our deliberations. It cannot be simply an illusion. It must be a fact. We need a wholehearted commitment to ensuring political, social and cultural rights to freedom from discrimination for all citizens, on parity of esteem and on just and equal treatment for the identity, ethos and aspirations for all our people.

The responsibility for this rests primarily with the British government - a government which has placed human rights at the top of its international agenda.

As we seek to restructure relationships this equality ethos needs to map out how we can ensure equality in employment; in economic investment; for the Irish language and culture; in education and for political representatives. It must tackle the difficult issue of cultural symbols, of flags and emblems and of policing.

Equality is not a threat to unionists. It means civil and political rights for unionists as well as nationalists and republicans. Whether it is the right to march, or the right to worship or the right to vote or the right to seek their consent - these are civil and religious and political rights which must be guaranteed and protected.

We freely acknowledge that northern protestants have fears and that there is a huge gulf of distrust and misunderstanding and suspicion between republicans and unionists. I know that bridging that gulf will not be easy but republicans want to try.

What we seek are political conditions in which for the first time the people of this island can reach a democratic accommodation, in which the consent and agreement of both nationalists and unionists can be achieved, and in which a process of national reconciliation and healing can begin. Unionist participation in this is essential.

Republicans recognise that there will be no peace in Ireland if unionists are not a part of shaping that peace. Our wish is to reach an accommodation with unionism: We do not wish unionists to suffer as nationalists have suffered in this statelet. We want to remove injustice and inequality for all the people of Ireland.

Inequality and social exclusion are the enemies of peace. We need a partnership, based on equality, which will empower and improve the quality of life of citizens by being open, inclusive and democratic.

Marginalising and demonising and refusing to talk to others reinforces intolerance and prejudice and intransigence.

The imperative now must be to intensify our work towards a democratic peace settlement. This will not be easy. Our starting point however needs to recognise that what has gone before has failed all of us. We need a new beginning based on democracy, justice and equality for all citizens. These are the foundations for a lasting peace.

Peace in Ireland
Freedom, Justice, Democracy and Equality
Principles and Requirements

Preamble

The peace process brought into being by the Irish Peace Initiative in the summer of 1993 - despite many set-backs - has provided an historic opportunity to transform Irish politics and the relationship between the peoples of Ireland and Britain. It is time to put in place the essence of peace, freedom, justice, democracy and equality. It is time to remove the causes of conflict and to put behind us the failures of the past.

Those failures are self evident in the divisions and conflict which have resulted from the partition of Ireland and the policy of maintaining the union pursued by successive British governments. This policy found legislative and constitutional expression, primarily in the Act of Union of 1800 and the Government of Ireland Act 1920. These political settlements were imposed by British governments. Subsequent constitutional legislation has the effect of reinforcing this situation and in the interim no substantial relief from this has been provided by other agreements.

Sinn Féin is an Irish republican party. We hold that peace in Ireland is dependent on the creation of a national political consensus among the people of Ireland based on agreements which are for the people of Ireland alone to determine.

We hold that this is best expressed in the form of a national representative democracy in a sovereign, independent unitary Irish state.

We hold that the Irish republican analysis is supported by the overwhelming body of political and historical evidence, and that this is shared by a clear majority of popular opinion in Ireland.

We will be bringing our analysis to the negotiations table. We will be seeking the maximum consensus in the negotiations.

Accordingly our approach to the preparation of this document - Principles and Requirements - draws heavily on the Report of the New Ireland Forum, 1984, and the draft report of the Forum for Peace and Reconciliation, 1996, as well as Sinn Féin positions.

We look forward to a constructive dialogue with all the participants in the negotiations. Our objectives are to remove the causes of conflict, to set aside the failures of the past, to reach agreements which will provide lasting peace and stability for the people of Ireland and to normalise the relationships between the peoples of Ireland and Britain.

Principles and Requirements

Sinn Féin proposes the following Principles and requirements as necessary elements of a new democratic accommodation and settlement - and the process of achieving them - acceptable to all of the people of Ireland.

1. The essential principles of a durable peace and political stability are freedom, justice, democracy and equality. By general consensus the status quo has failed. What is required is a national political consensus on these matters which is best expressed in the form of a national representative democracy.
2. A fundamental criterion of any new structures and processes must be that they will provide lasting peace and stability. A crisis management approach will not produce a durable solution. Partition has failed. The absence of a lasting and satisfactory settlement of relationships between the peoples of both islands has contributed to continuing tragedy and suffering. The first principle must be the right to lasting peace and stability based on justice.
3. It must be recognised that the new Ireland can come about only through agreement and must have a democratic basis. Agreement means that the political arrangements for a new and sovereign Ireland would have to be freely negotiated and agreed to by the people of Ireland.
4. Britain's policy of maintaining the union between Britain and the six-counties is a direct impediment to and interference with the right of the people of Ireland alone to determine their development. It is a direct barrier to reaching the necessary democratic agreements by the people of Ireland alone.

There exists an inextricable link between Britain's policy of maintaining the union and the division and conflict we are attempting to resolve.

Britain's policy of maintaining the union should be changed to one of ending the union so as to create viable conditions in which the people of Ireland can find agreement on the exercise of national self-determination without external interference or impediment. In the Downing St. Declaration the British Government agree that it is for the people of the island of Ireland alone to exercise their right to self-determination. The British Government, without qualification, should act upon that position and encourage, facilitate and enable the agreements which are for the people of Ireland alone to determine.

5. A democratic agreement, in effect a national political consensus, is for the people of Ireland alone to determine. This is an issue of national self-

determination. National self-determination is universally accepted to mean a nation's right to exercise the freedom to determine its own political, social, economic and cultural development without external interference or impediment and without partial or total disruption of the national unity or territorial integrity. Agreement on how the principle of national self-determination is to be exercised is a matter for the people of Ireland alone to determine.

Britain must help to create the conditions which will allow the negotiations process to flourish. The British Government have a duty to develop the negotiations process so as to give effect to the essential principles of a durable peace and political stability and thus promote reconciliation between Britain and Ireland and between two major traditions in Ireland.

6. The issue of consent and its application is an important matter in the attempt to secure agreements which are for the Irish people alone to determine. Consent must be universally applied to the people of Ireland. Universal application of consent precludes any sectional approach.

Agreement requires the consent freely given of nationalists and unionists alike. The concept of consent needs to be a positive enabling factor, proactively pursued in the search to secure the required agreements.

It must not be abused in an attempt to ward off or prevent agreement. Whether in the form of a veto to a minority section of the people of Ireland, as a camouflage of a British government policy objective to maintain the union, or as a coercive measure used against nationalists to further deny national and democratic rights.

Consent is the product of democratic agreements. It can only be achieved in Ireland through the exercise of the principle of national self-determination.

7. An essential requirement of an approach based exclusively on dialogue, negotiation and non-coercion will be the building of a true process of trust and reconciliation. In this, equality of treatment is of the essence. While the clear evidence is that political independence is the surest way to guarantee equality, it is nonetheless incumbent upon the British Government, which currently has the direct responsibility, to bring about equality of treatment if trust and reconciliation are to be achieved. Equality - political, social, economic and cultural - is a fundamental right. These issues are issues of rights which do not require any negotiations. The British Government should, independently of the process of negotiation, outline a programmatic approach on issues of equality.

The validity of both the nationalist and unionist identities in Ireland and the democratic rights of every citizen on this island must be accepted and upheld.

The building of a true process of trust and reconciliation must take particular account of, and be sensitive to, the position of those who have suffered directly from violence and injustice - from whatever source. In building trust and reconciliation, appropriate and timely action will also be important on the various issues relating to those who have been imprisoned in the context of the conflict. All such prisoners must be released.

8. A new beginning, if it is to lead to a comprehensive, lasting resolution of the conflict must adequately address the totality of the three central relationships currently involved - within the six-counties, within the island of Ireland and between the people of these islands.
9. It will be essential that the commitment of the Irish and British Governments "to remove the causes of conflict, to overcome the legacy of history and to heal the divisions which have resulted" is met and that they will work in close partnership and collaboration. In addition to their shared functions, each Government will have important separate roles in the process also. Above all both governments must fully honour their commitment to foster agreement and reconciliation leading to a new democratic political accommodation encompassing all the relationships involved.
10. Lasting stability can be found only in the context of new structures in which no tradition will be able to dominate the other, in which there will be equal rights and opportunities for all, and in which there will be provision for formal and effective guarantees for the protection of individual human rights and of the communal and cultural rights of both nationalists and unionists.
11. Civil and religious liberties and rights must be guaranteed and there can be no discrimination or preference in laws or administrative practices, on grounds of religious belief or affiliation; government and administration must be sensitive to minority beliefs and attitudes and seek consensus.
12. New arrangements must provide structures and institutions including security structures with which both nationalists and unionists can identify on the basis of political consensus; such arrangements should strengthen stability and security for all the people of Ireland.
13. New arrangements must ensure the maintenance of economic and social standards and facilitate integrated economic development.

14. The cultural and linguistic diversity of the people of all traditions north and south, must be preserved and fostered as a source of enrichment and vitality.
15. It is clear that the building of a new Ireland will require the participation and co-operation of all the people of Ireland. In particular it is essential that the people of the south must whole-heartedly commit themselves and the necessary resources to this objective.
16. The desire of nationalists is for a united Ireland in the form of a sovereign, independent Irish state to be achieved peacefully and by agreement. Such a form of unity would require a general and an explicit acknowledgement of a broader and more comprehensive Irish identity. Such a unity would, of course be different from both the existing Irish state and the existing arrangements in the six-counties because it would necessarily accommodate both traditions. Such unity would offer the best and most durable basis for peace and stability.
17. It is essential that any structures for a new Ireland recognise to the extent necessary the diversity as well as the unity of the people of Ireland and ensure constitutional stability.
89. It is essential to have unionist agreement and participation in devising and determining the structures of Irish unity and in formulating the guarantees they require. The best people to identify the interests of the unionist tradition are the unionist people themselves. It would thus be essential that they should negotiate their role in any arrangements which would embody Irish unity.
19. The achievement of agreement requires an effective process of negotiations involving the political parties as well as the two governments. Addressing all of the relationships involved, the task of the process will be to secure agreement and the maximum degree of consensus on the nature and form of future constitutional, political and institutional arrangements and structures. Having regard, inter alia, to practical and legal requirements the agreed outcome of this process and the agreed means by which it will have to be ratified are for the people of Ireland alone to determine. The role of the British Government will be to enable agreements.
20. An internal six-county arrangement cannot work. There has to be fundamental constitutional and political change. The partition of Ireland has failed. The political settlements imposed by the Act of Union 1800 and the Government of Ireland Act 1920, subsequently reinforced by the Northern

Ireland Constitution Act, 1973, have failed the people of Ireland and the peoples of these islands. They have failed the fundamental criteria of providing lasting peace and stability.

21. Participation in the negotiations is a right dependent only on the democratic mandate of the participants. The participation of duly mandated parties is not a privilege to be given or withheld.
22. The process of negotiations should be as transparent as possible so as to build public confidence in the process itself and to create a sense of public ownership.
23. The objective of the process of negotiations must be a new political dispensation, representing an honourable, democratic agreement between the two major traditions with which both can live and which is based on an agreement which is for the people of Ireland alone, to determine and for full respect for the concerns, rights and identities of all. There must be a rejection of any concept of victory or defeat.
24. Agreement on an overall settlement will require, inter alia, a democratic accommodation of the differing views of the two main traditions, which takes full account of the conflict of identities. The objective of such an accommodation is to ultimately resolve the conflict of political allegiances. In terms of specific constitutional legislation the required agreement and the two Governments must ensure that, in regard to the people of the six-counties the constitutional changes should be such as not to diminish in any way their existing citizenship rights and their birthright to be accepted as being British or Irish - or both - as appropriate and desired.
25. Agreed arrangements - especially constitutional arrangements - based on a new democratic accommodation must reflect as fully as possible the rights of both major traditions, and promote cooperation between them. They must even-handedly afford both traditions parity of esteem and equality of treatment in all spheres. They must enhance and facilitate the development of a truly pluralist ethos throughout the island of Ireland.
26. The consent of the governed is essential to the stability of any political arrangements. This is why the essential requirement is for a new democratic accommodation in the form of an agreement which is for the people of Ireland alone to determine. Institutions and structures forming part of new political arrangements must be accepted by both major traditions as essential elements of an overall settlement which is honourable and democratic, and must therefore enjoy widespread public support from within both traditions. In this context, and in the context of the totality of relations, it is widely

accepted that there can be no internal six-county settlement. The precise structuring of relationships in the context of the totality of relationships, and the securing of the endorsement and consent of both traditions will be a matter for the all-inclusive talks process. In this regard, institutions and structures will be needed which, while respecting both the requirements of identity and the diversity of the people of Ireland, would enable them to work together in all areas of common interest. Such structures would, of course, include institutional recognition of the special links that exist between the peoples of Ireland and Britain as part of the totality of relationships, while taking account of newly forged links with the rest of Europe. Such institutions must be democratically accountable and must in their functions be open and transparent.

27. The comprehensive, systematic, effective and entrenched protection of human rights - civil, political, economic and social - should underpin the establishment and operation of agreed institutions and structures. Human rights should be guaranteed, including, if necessary, internationally, on a basis of equivalence throughout all of Ireland, for example, by incorporation of the European Convention on Human Rights and Fundamental Freedoms and the enactment of a comprehensive Bill of Rights into domestic law, irrespective of the constitutional context and of any possible future changes to it. Critical issues in this regard, will be the administration of justice and policing - specifically, the development of changes and reforms which will secure the unequivocal support, participation and confidence of all sections of the community.
28. Particular attention must be paid to the protection of the rights and identity of any community which finds itself in a minority position. It should be the duty of the state in such a situation vigorously, imaginatively and sensitively to protect and promote the interests of such a community, while also upholding the equal rights of the majority tradition.
29. The achievement of greater and more equally-shared prosperity, the promotion of equality of opportunity and fair participation in the labour market, the eradication of discrimination, and the empowerment and inclusion of marginalised and deprived communities and groups, are not only vital in themselves, but also have the capacity to create a more stable social environment in which new political arrangements are more likely to take root and command public confidence. These goals should be, and must be, vigorously pursued.
30. Mutual understanding and contact between individuals, groups, communities, organisations and institutions have an important role in the elimination of barriers of suspicion, in the creation of mutual trust and in the building of confidence and should be further promoted and supported, including financially. Education will have a particularly significant function

in this regard. In the matter of schooling, parental choice should be respected and facilitated, including the preferences of those parents who choose integrated and Irish-medium education for their children. There is a need to extend and strengthen programmes that increase contact between pupils and teachers within the six-counties and between schools North and South and in Britain. In addition, greater emphasis must be devoted to exchange and mutual understanding programmes and to making the history and full cultural heritage of the people of the island in all their strands, and its relationship with Britain and with the rest of Europe, available in all schools throughout Ireland.

31. New arrangements should also incorporate a strong European dimension.
32. Each of the foregoing principles and requirements would apply and have equal validity in all constitutional situations and under all of the institutional frameworks, which may be envisaged.

Conclusion

A viable opportunity now exists "to remove the causes of conflict, to overcome the legacy of history and to heal the divisions which have resulted", to set aside the failures of the past and to build a democratic, just and equal society in Ireland which is fashioned by the people of Ireland alone to meet our needs.

Everyone shares a responsibility to bring about a real and lasting peace in Ireland.

Republicans have demonstrated the political will to face up to our responsibility in this. This is evident in the initiatives we have taken, both unilaterally and with others in Ireland to advance the search for peace. The courageous initiative taken by the leadership of the Irish Republican Army, on July 20, in restoring its cessation of August 31, 1994 is most significant.

Our long-standing position has been one of willingness to enter into dialogue with a view to removing the causes of conflict. Democratic, political and practical imperatives clearly require the involvement of all political views if a democratic resolution is to be sought and achieved.

Much difficult work lies ahead if the potential that currently exists is to be realised to the full.

Sinn Féin look forward to a constructive dialogue with the other participants in this process.