

INTRODUCTION

Northern Ireland faces a difficult period following the general election. The Peace Process has lost momentum. The IRA/SF is trying to further destabilise the situation and seize the initiative, with a familiar combination of promising a cease-fire while using violence to provoke loyalists. The loyalist cease-fire will continue to crumble and the Loyalist leadership will eventually be compelled to end their cease-fire officially, especially if the government allows itself to be manoeuvred into conflict with the Orange Order. IRA/SF are well aware of the opportunities to create major civil disorder this summer and they will use their influence in so-called residents groups to prevent local solutions.

Disorder would quickly damage the authority and credibility of the new Labour government, as it did in 1974.

Yet the majority of the public in the Province wishes peace. They tasted it recently and they want it to continue. Probably for the first time in our lifetime there is a willingness among the two communities to compromise and reach a settlement.

That public, and we constitutional pro-union politicians, have been particularly encouraged by the excellent speech in Belfast by the new British Prime Minister, Tony Blair. He must be equally encouraged by its warm reception. He then expressed the clear need and present opportunity to move towards a new settlement in Ulster; leaving in the past either any aspirations to a united republican Ireland or any hankering to restore a protestant hegemony. He appealed to constitutional democrats of both the Unionist and the nationalist sides to work towards a settlement involving both sides in the future peaceful government of Northern Ireland, recognising both its historic and present deep ties with Britain and its natural links and affinities with its Irish Neighbour.

We wish to respond to that appeal with positive and constructive proposals towards such a peaceful settlement.

The new Labour government should build on the favourable reception to the Prime Minister's speech in Belfast by initiating the process towards an elected Assembly in the Province as we propose below. That would embrace and represent democratic loyalists and republicans alike, while marginalising the extremists minorities. Through proportionality the SDLP and Alliance would chair key committees as well as the unionist parties.



Politicians there would be involved in the basic issues of jobs, education and health which most concern the local people.

Such devolution would be in line with Labour's mandated policies toward the rest of the United Kingdom. It would mitigate the present democratic deficit in Northern Ireland, where the current political vacuum fosters extremism and terrorism.

The following text sets out the basic objective of an context for establishment of an **elected Administrative Assembly by the end of 1997.**

2. The Assembly

2.1 The Assembly would replace the current Talks Forum. It would be a **single body elected by proportional representation.** While the single transferable vote system is familiar to NI voters consideration should be given to the added member system proposed for Scotland and Wales. There would be 72 or 90 members comprising 4 or 5 representatives from each of the 18 Westminster constituencies, if STV or 36/45 directed elected and 36 by party lists if the added member system is used. The Assembly would be elected for a four year fixed period.

2.2 **Departments would be administered through executive committees,** as were proposed for the abortive Welsh assembly in the late seventies, each with a Chairman and a Deputy Chairman. The existing Departments are:

1. Economic Development
2. Environment
3. Agriculture
4. Education
5. Health and Social Security
6. Finance and Personal

The existing power to transfer functions between Departments should be retained. In addition to the usual non executive Committees, (Public Accounts, Procedure, Privileges) there would be a **Liaison Committee,** this would be of major importance in political terms as it would deal with external relations, and a Legislation Committee to determine legislative priorities.



2.3 The Chairmanships and Deputy Chairmanships of the Committees should be split proportionately, relative to the electoral strength of the parties elected to the Assembly. This would be done by the d'Hondt system used in the European parliament which gives parties a right to choose posts in a rota determined by their strength. It would probably mean that the six departmental Chairmanships would be split as follows:

Ulster Unionist	3
DUP	1
SDLP	2

(See Appendix B)

Sub-committees should be chaired by a Deputy Chairman to the Departmental Committee who was of a different political party from the Chairman.

2.4 Under the above system the SDLP would be guaranteed a number of major posts and we expect that Unionists would arrange their choices to ensure that an Alliance representative would chair the Liaison Committee.

2.5 It would be the responsibility of the Liaison Committee to carry out an audit of the benefits for each of the main Departments of establishing consultative links through the Liaison Committee with appropriate departments in the Irish Republic. This will supersede the function of the Maryfield Secretariat with respect to Departmental cross-border activities. The Committee should also have a responsibility for liaison with Parliament generally, HMG and the European Union on behalf of specific Northern Ireland interests.

2.6 These links could take the form of agreed joint programmes or co-operative work that would then be processed through the respective Departments, north and south, or it may involve the establishment of a cross border body to discharge a specific remit given to it by the Assembly in the north and the Dail in the south. Establishing clear lines of authority and accountability, political and financial is essential, as is achieving the maximum transparency.

2.7 It is recognised that such an Irish dimension is necessary if the vast majority of nationalists in Ulster are to support this proposed structure. Equally such an Irish dimension will not be acceptable to Unionists unless there is constitutional stability. The latter will require changes to the Irish constitution.



2.8 The co-operative nature of these links should be underlined by recognising that for both Northern Ireland and the Republic of Ireland the economic, social and cultural links east/west across the Irish Sea are actually greater than the north/south interactions within the island of Ireland. This can be recognised by creating the **Council of the Isles** suggested by the Ulster Unionist party. The **proposed Scottish and Welsh assemblies** would also participate in this. This wider context would make a vital contribution to diminishing the starkness of the confrontation between unionist and nationalist in Ireland.

2.10 The above proposals could be put to **the electorates of both countries in separate referendums, north and south**. If these referendums were held at about the same time the results could completely undermine the Republican movement's ideology and marginalise extremist opposition.

3. The Timetable

3.1 The decision on a new assembly is within the competence of the government. Decisions on the wider context need some co-operation from the Irish government. Quite apart from delays arising from the Irish elections such co-operation may take some time. Ideally the government should be in a position to **announce its plans before the summer**. Given the assumption that PIRA/SF seek to provoke confrontation, **David Trimble must have the prospect of progress to maintain stability within the Unionist community and as proof that the Paisley style of politics is not a worthwhile option**.

3.2 Consideration could be given to splitting the above plans into a number of related packages in order to achieve rapid progress. Although it would be necessary for the government to provide assurance that it was going to address all the relevant issues.

3.3 The object must be to **legislate this year in order to have a new beginning promised for 1998**. The current Forum's activities would transfer to the new Administrative Assembly opening the opportunity to turn talk into action.

4. The road blocks

4.1 The NIO and the Civil Service

Major opposition will come from the NIO and the NI Civil Service. The Northern Ireland Civil Service has exercised a power and patronage far beyond any other Department in the United Kingdom, without substantial scrutiny of policy or action. For them to agree and participate in a fundamental transfer of their freedom to act is a major hurdle to overcome. Experience shows that this obstacle can only be overcome by consistent and persistent pressure from the highest level in London.

4.2 The Constitutional Nationalists

Many democratic nationalists, typically represented by John Hume, are strongly committed to the existing peace process. But this has failed to progress partly because it has given Sinn Fein and the Republic a veto on progress towards a settlement. The new NI Assembly does involve the constitutional Nationalists, particularly the SDLP in a central role, but excludes those refusing to participate in the democratic process or to accept the Mitchell peace principles. It would be necessary to attract the support of constitutional nationalists for the Assembly. That should be possible since it offers them rapid participation in a democratic political and administrative system dealing with the bread and butter issues which concern all sides in Northern Ireland, and they may, in the light of recent election results, be re-thinking their relationship with Sinn Fein.

4.3 Dublin and Washington

Their goodwill towards the new Assembly would be most valuable. It should be secured on the basis that it would democratise the politics of the North, ensuring the participation of the constitutional nationalists and offering the hope of peace based on the involvement of the democratic majority of both communities and the marginalisation of the extremist minorities.

In practice those elements in the Irish government and administration who have used the difficulties in Northern Ireland to "get their foot in the door" and who want to gradually enhance their influence within Northern Ireland will be reluctant to help a settlement which will render them redundant. It will be necessary to distinguish between the former and more far-sighted elements in the Republic who will help positively.

It may be that Washington can use its influence on any nationalists who may be reluctant to see the process move forward without Sinn Fein.



While the above proposals are being worked out - a process which may take 6 months or so, the present inter party talks structures could be kept in being in case Sinn Fein meets the terms for entry into the democratic process, viz an end to violence and subscription to the Mitchell process. The continued presence of Senator Mitchell and his colleagues would help secure general support for these proposals and, of course, the mechanisms recommended in the Mitchell Report for the disarmament of paramilitaries would also need to be in place.

5 PIRA - Security

5.1 The reaction of the IRA to such a constitutional initiative might well be an immediate escalation of the violence since it does not give them the concessions contained in the Framework Proposals agreed between Dublin and London - which are unacceptable to the Unionist community. This means there must be a prepared response to a possible increase in violence.

5.2 A number of initiatives can be taken on security with a view to the eradication of terrorism:

- a) Dublin security capacity needs to be enhanced. Perhaps Washington could provide equipment and expertise Dublin would be reluctant to accept from London.
- b) Lessons from tackling the Italian Mafia could be followed, i.e. statutory witness encouragement and protection schemes, admissibility of intercepted communications etc.

Firm action by the London and Dublin governments against terrorism would demoralise the IRA and restrain the loyalist paramilitaries.

6 The media

The British media generally believe that the peace process is dead, although there may be one last attempt at revival after the election with a second tactical IRA cease-fire. After that, there is no reason to believe the media would not support a constitutional democratic initiative of the kind outlined above.



7. Summary of conclusions

A bold initiative to increase democratic participation in the government of Northern Ireland, thus marginalising extremists of all kinds, would be welcomed by most people in the UK. It would offer a positive framework within which constitutional loyalists and constitutional nationalists could work together. It would fill the present political vacuum which excites the hopes and fears on which terrorism breeds. As such it should not be opposed by Ireland or the USA, especially if the Mitchell principles are applied. It would focus the local politicians on the practical issues which most concern their communities. It should provide the basis for progress towards a lasting peaceful settlement.

APPENDIX A

Likely Assembly STV election result, based on 1997 poll

	UUP	DUP	Or Un	All	SDLP	SF
North Belfast	1	1	1	-	1	1
South Belfast	2		1	1	1	-
East Belfast	2	1	1	1	-	-
West Belfast	-	-	1	-	1	3
East Antrim	3	1	-	1	-	-
South Antrim	2	1	-	1	1	-
North Antrim	2	2	-	1	-	-
Upper Benn	2	1	-	-	1	1
Newry Armagh	2	-	-	-	2	1
North Down	2	1	1	1	-	-
South Down	2	-	-	-	3	-
Ferm/S. Tyrone	2	1	-	-	1	1
Foyle	-	1	-	-	3	1
East L'derry	3	1	-	-	1	-
Mid Ulster	1	1	-	-	1	2
Lagan Valley	3	1	-	1	-	-
Strangford	3	1	-	1	-	-
West Tyrone	1	1	-	-	2	1
total	33	15	5	8	18	11



APPENDIX B

Distribution of Departmental Chairmanships using d'Hondt system. This has been done on the assumption that SF excluded because of no cease-fire and no adherence to Mitchell principle.

First choice by UUP, say Dept of Economic Development
(UUP reduces to 17.5)

Second choice by SDLP, say Dept of Agriculture
(SDLP reduces to 9)

Third choice by UUP, say Dept of Environment
(UUP reduces to 11)

Fourth choice by DUP, say Dept of Education
(DUP reduces to 7.5)

Fifth choice by UUP, say Dept of Finance
(UUP reduces to 8.25)

Sixth choice by SDLP, say Dept of Health
(SDLP reduces to 6)

The same process can be used to distribution the Deputy Chairmanships and posts of the non-executive committees. Indeed a party may decide to choose the chair of one of the latter, such as the external relations committee ahead of a department.

