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The Alliance Party of Northern Ireland

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A.I. Section
Embassy London
Westminster

X- BOX
File

MR. Hurley

MR. M. G. Conarty

For information

P.M.E 19/9.

Re Kynner

As requested (en
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included with 'Box')

Alliance Proposals

For

Box 2019

Political Progress

Secretary to the
Government
To rec. hl.

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INTRODUCTION

The events of the last few weeks should give cause for reflection. There was an unmistakable feeling of déjà vu about the events surrounding the attempted arrest of Martin Galvin and the consequent return to street violence in both Republican and Loyalist areas. After fifteen years we are obliged to ask ourselves if we are any further on. In fact it would not be unreasonable to conclude that, despite the significant change in the level and nature of violence, we are worse off. The community is much more polarised than it has ever been, the economy is facing serious difficulties with unemployment rising daily and there has been a significant shift towards political extremism. The gravity of the situation should demonstrate the imperative need for those politicians who believe in the democratic process to engage in a meaningful dialogue to ascertain what progress can be made.

Nationalists have outlined their views in the Forum Report. The Official Unionist Party has published "The Way Forward" providing some insight as to how that Party views the current political stalemate. Although the Alliance Party would find itself in fundamental disagreement with major aspects of both these documents, we also equally recognise that there is much in both statements that merits more detailed and constructive consideration by all who genuinely seek a peaceful resolution of our problems.

However, the dilemma is that, despite the proliferation of proposals and related ideas that exists for the purpose of discussion, there is little sign that any such discussion will take place. Unfortunately we, as Northern Ireland politicians, have a tendency to talk at one another instead of to one another. In the hope that this may change in the not too distant future the Alliance Party would like to set out our thoughts on how progress might be made and at the same time we would earnestly appeal to the Northern Ireland political parties of both the Unionist and Nationalist traditions who oppose violence to consider how we might together explore the possibilities for progress. Alliance is under no illusion about the obstacles that lie in the path of achieving agreement but we believe most strongly that at the very least we owe it to the people of Northern Ireland to make a serious attempt to bridge the gulf that exists between us.

THE PROBLEM

With over 2,000 people dead and many thousands more injured since the onset of the current troubles it is understandable that some people should see the problem as essentially one of security and would consider that the remedy is to be found in adopting harsher security measures. Such a view is an erroneous one. It ignores the clear evidence of the early seventies that short cut, counter productive security measures like internment, curfews, search and seizure operations in fact led to increased violence and also brought the rule of law itself into disrepute.

But more importantly it fails totally to understand that the security problems that we face, including those of recent weeks, are a manifestation of our more fundamental political problems. They are merely the symptoms of the illness not the cause of it.

The Northern Ireland problem should not be perceived in terms of security measures. It is more concerned with concepts such as status, identity, and alienation. Past, and indeed even more recent, history will bear this out. After the Northern Ireland State was founded successive Unionist Governments used questionable methods to entrench their position which resulted in the traditional minority feeling that they were being treated as second class citizens within their own country. It was not surprising that they failed to identify with the institutions of state and consequently the process of alienation that took place resulted in the collapse of the system. In 1974 there was a role reversal. When the Sunningdale Agreement was being implemented members of the traditional majority, although they were prepared to accept the Power Sharing Executive, feared that the Council of Ireland was an attempt to pressurise them into a United Ireland. They too felt alienated from the structures of government and as a consequence those structures also collapsed as a result of the UWC Strike.

The task facing politicians is to devise structures of government which both sections of the community can identify with and support.

If we are prepared to learn from the mistakes of the past we could create institutions which in themselves would provide the vehicle for uniting the people of Northern Ireland instead of dividing them as they have done in the past. In this way we would eradicate the conditions in which the men of violence thrive, and which they have so successfully exploited to create the security problems from which we have all suffered.

THE SOLUTION

There is much glib talk about 'the solution to Northern Ireland Problem'. Unfortunately the use of such phraseology implies that there is a magic constitutional formula which will solve all our problems and that all we have to do is to stumble upon it. There is no such instant solution, as those of us who have been involved in such a search know only too well. What in fact we should be striving for is an honourable accommodation between both traditions which recognises the legitimate rights, fears and aspirations of both. What we are seeking is not some novel, ingenious, radical set of proposals but more a political package which would be acceptable to both sides of our divided community. "Acceptable" is the key word, for if we are to produce a fair and workable framework it will not be something which both sides will automatically enthusiastically endorse as the answer to all our prayers. In fact if one side felt like this about it it would probably be inherently defective and would more than likely be opposed by the other side.

A set of political proposals which places undue emphasis on the views and aspirations of one party to the quarrel is not a recipe for political progress. It would in fact represent a triumph of one side over the other and be doomed to failure before it even got off the ground.

In recognising that the path to agreement is fraught with many difficulties, the Alliance Party would like to present its own views as to what we consider are the important ingredients of any political package.

ALLIANCE PROPOSALS

Given the tragically divided nature of our community, it is essential that the Institutions of Government are able to command the support of the majority of both sections of that community. We would suggest the following elements as part of a negotiated settlement.

1. - A devolved system of Government within the United Kingdom based upon Partnership.
2. - The creation of a political right of appeal.
3. - The enactment of a Bill of Rights for Northern Ireland.
4. - A sensible and practical expression of the Irish Dimension.

1. DEVOLVED GOVERNMENT

We would like to see agreement upon the establishment of a Committee System of Government based upon the principle of proportionality. Ministers/Chairmen of Committees would be directly elected by the Assembly using proportional representation. The Executive of such an Assembly would therefore proportionally reflect the views of those parties of both traditions who oppose violence.

Such a system would protect the rights of both majority and minority alike. The right of the majority of people in Northern Ireland to determine the Constitutional future of the province would not be undermined in any way while at the same time the right of a minority to be involved at the top level of decision making in Government would be guaranteed. Having an aspiration for a different constitutional arrangement is not, nor should it ever be, a barrier to participation in government provided such aspirations are pursued democratically and peacefully. That is what democracy is all about. The advantages of a system of proportional government by committee are:-

It gives more power and responsibility to substantial minorities and involves such minorities in a real way in the administration and decision making in this province.

It is a system which gives no in-built guarantee based on religious or political aspirations but is based on the ballot box and upon the wishes of the electorate in the proportion in which such wishes are expressed.

It does in a very real sense also guarantee the rights of a majority and the ability of that majority to make legislative and policy decisions, while not threatening the interests of a minority

By involving in real responsibility all major parties, it has the potential of harnessing the efforts and support of all those, whatever their aspirations, who are democrats and abide by the ballot box.

It reflects in a very true way, the view of the electorate.

By involving all major parties it makes available for governing this province the best talents from all sections of our community.

2. POLITICAL RIGHT OF APPEAL

The essence of a Right of Appeal is that at the instance of an aggrieved minority within an Assembly, an issue can be put to and decided by a higher body. Alliance proposes therefore that at the instance of a substantial minority of opinion in the legislature (1/3rd plus one indicated by Petition to the Speaker) any issue (defined in the Petition referred to above) can be appealed from the Assembly to Westminster - meaning the Government as it has ultimate responsibility for Northern Ireland affairs - subject to approval by Parliament. Once the appeal is certified as in order by the Speaker it would be his duty (within a specified time) to refer it to the Secretary of State for Northern Ireland who would be responsible for seeing that a decision is taken (within a time limit) in relation to it. The powers of the Government on appeal would be as follows:

- (a) For actions in prospect, whether involving a proposed piece of legislation (primary or subordinate) or some other proposed act, the Government will be able to issue a direction prohibiting the action etc. or requiring a particular course of action (including the reversal of a previous action),

subject to an affirmative resolution of Parliament within a specified period.

- (b) for legislation (whether primary or subordinate) already made, the Government will be able to make an annulment Order following an affirmative resolution of Parliament. In case of urgency the Order can be made without asking Parliament first, but subject to affirmative resolution within a specified period:
- (c) for other actions already taken, as for omissions, the Government will be able, if the devolved legislature decline to put the matter right, to resume responsibility for the devolved subject in question to the minimum extent necessary for the required place, task or period - with power to require and direct the use of the administration's staff and facilities for the purpose. The Government will do this by Order, subject to affirmative resolution of Parliament.

It would of course be hoped that intervention by way of appeal at the instance of a minority would be rare... As indicated above, action by the Government would in all cases require the assent of Parliament. Finally for the avoidance of doubt, it is proposed that the appeal system, being of a political character, would be without prejudice to Rights which may be available to challenge the legality of action or inaction on the part of the devolved legislature or administration.

3. BILL OF RIGHTS

Alliance would also like to see the enactment of a Bill of Rights enforceable through the Courts and based upon the principles of the European Convention on Human Rights. Although we would like to see the introduction of a Bill of Rights for the United Kingdom as a whole, this in itself should not determine whether or not there should be a Bill of Rights for Northern Ireland.

4. IRISH DIMENSION

Whether some political parties like it or not, there is an Irish Dimension. It exists because we both share one island. Our history is interlinked and we also share common problems - economic, agricultural and, not least of all, security. Democracy in both parts of Ireland is under constant threat from terrorism. The problem facing Northern Ireland politicians, therefore, is not to decide whether or not there should be an Irish Dimension but to consider how such a dimension can be given practical and sensible expression.

Alliance supports the development of closer co-operation between the Governments of the United Kingdom and the Republic of Ireland. The people of Northern Ireland have nothing to lose and indeed have everything to gain from positive co-operation on social, economic and security matters. This co-operation would not involve interference in the internal political and constitutional affairs of Northern Ireland as part of the United Kingdom.

Hopefully one of the benefits of this new relationship would be to bring to an end the historical legacy of bitterness, recrimination and mutual distrust that has existed between both countries down the ages and to see it replaced by a new spirit of friendship and reconciliation which should in fact exist between fellow member states of the E.E.C.

Alliance would also support the establishment of a Parliamentary Tier to the Anglo Irish Inter Governmental Council as a means of facilitating co-operation between both governments and involving direct representation from Northern Ireland.

C O N C L U S I O N

The Alliance Party would not claim to have a monopoly of wisdom as regards proposals for political progress. We are not wedded to any particular individual formula for government. We are most anxious to ensure that any system must fulfill certain criteria. It must uphold the right of the people of Northern Ireland to determine their own Constitutional future. It must guarantee the right of minority representatives who oppose violence to be fully involved at the top level of decision making in proportion to their elected strength. It must recognise the legitimacy and rights of both cultural traditions. It must be capable of gaining widespread acceptance throughout the community.

Any proposals which attempt to meet these criteria will receive our fullest consideration.

In publishing these proposals we are making our own contribution to the current debate. However, given the serious threat to democracy that does exist, it is essential that these and other parties' proposals are not just left to gather dust.

As political parties we have done enough talking at one another on television screens, during elections and through intermediaries whether Secretaries of State or Governments. It is now time to engage in meaningful dialogue with one another and we issue an open invitation to all bona fide political parties to begin that dialogue immediately. If we delay much longer we do so at our peril.

A P P E N D I X

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On page 6 of this document we propose a Committee System of Government based upon the principle of proportionality. Below we set out in detail how such a system of Government would work in practice.

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1. The Assembly would elect a Chief Executive from their number by alternative vote and then elect a panel of Chairmen and the membership of the Committees by means of separate PR (STV) elections. The objective would be to have every member involved in at least one committee.
2. The Chairman would allocate portfolios among themselves either by agreement or failing agreement by the method of "successive exclusions" (each portfolio allocated in descending order of importance by alternative vote with the person elected then standing aside for the process to be repeated and so on until all portfolios are allocated).
3. Each Chairman would act as the Minister in charge of his particular department and only he would have full access to the Permanent Secretary and his Civil Servants and the power to demand to see any departmental papers. However the Permanent Secretary and/or a senior deputy would attend all committee meetings and would speak when called upon and circulate papers upon the Chairman's direction.
4. The Chairmen themselves would form the Finance Committee under the Chairmanship of the Chief Executive.
5. Executive decisions, appointments etc., would have to be separated beforehand into three categories -
 - a. Those which are decided by the Chairman alone in consultation with his Permanent Secretary.
 - b. Those which may be decided as above but must be reported for retrospective approval to the next meeting of the Committee.
 - c. Those which must be brought before the Committee for decision albeit with a firm recommendation from Chairman.

6. Legislation (apart from private members' bills) would normally be brought before the committee in the first instance as a set of proposals drawn up by the Chairman and Permanent Secretary. The Committee would approve, reject or amend the proposals which would then be taken by the Chairman to the Finance Committee for budgetary approval and then drafted into the form of a bill.
7. The first reading of the bill and the second reading would be on the floor of the house. The Committee stage would be handled by the appropriate Executive Committee and then the bill would return to the floor of the house for the report stage.
8. Each Executive Committee would meet in private but would bring minutes of its meetings before the house which would allocate regular times for each committee. There would be total freedom to debate the minutes and a Chairman would have the opportunity of making it clear that he disagreed with certain committee decisions.
9. The house would have the power to instruct a committee to look again at any particular proposal.
10. The Chairman would be subject to questions from any members at question time.
11. If a Chairman felt it necessary to resign he would have to be replaced by a member of his own party.
12. A Chairman could only be dismissed if he lost a vote of confidence in his own Committee and failed to win the support of at least 25% of the Finance Committee