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# Alliance

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THE REQUIREMENTS FOR A SOLUTION

AN ALLIANCE PAPER

28 JUNE 1991

## THE REQUIREMENTS FOR A SOLUTION TO OUR PROBLEMS

In our initial presentation of the Alliance Analysis of the Problem and its origins we outlined some fundamental principles which inform our approach. These principles express very concisely what are, for us, the minimum necessary requirements for a solution to our difficulties.

We have of course detailed structural proposals to put at a later stage, which would give life to these ideas, but it is our understanding that at this point what is being requested is an account of the requirements for a solution.

We note also the valuable discussions which have taken place with the other parties during the past two weeks and we are encouraged by the degree of common ground which has been established.

## A COMMUNITY GOVERNMENT

Our first principle expressed the conviction that, despite the obvious divisions, the people of Northern Ireland now form a community. Like any other such community, these people have the right to determine their own future, and participate directly in their own governance. We also expressed the view that a Provincial Government is necessary to provide a common focus of identity, and an opportunity to share in self-government.

Uncertainty and ambiguity provokes anxiety and gives encouragement to those who thrive on fear. Any solution must therefore remove these uncertainties. It is necessary for there to be a clear statement of the right of the Northern Ireland community to self-determination, and a clear acknowledgement that the wish of that community is to remain within the United Kingdom.

Given that there are, as in every community, distinct identities, and particularly since at least some of those distinctions have, in Northern Ireland, been pushed to the point of division, it is necessary to create common institutions and instruments of government in which all can participate and with which all can identify. We take the view that an elected Assembly, with legislative as well as executive functions in an extensive range of areas (giving significant socio-economic autonomy), including relationships with the Republic of Ireland is the minimum necessary to provide this unifying factor.

## EVERYONE INVOLVED AND PROTECTED

Our second principle presented our primary objective to be the protection and the valuing of minorities.

There are a number of ways in which this can be achieved.

Firstly of course all elected representatives can press the case for their people on the floor of an Assembly, or in the Committees which would be necessary to oversee the work of Departments. All elections to the Assembly, and to the membership and chairmanship of any committees of the Assembly must be on a proportionate basis.

The prospect of being involved in government must be open to any constitutional politician from any part of the community. In many societies including, one could argue, the rest of the United Kingdom, the expedient of the 'simple majority' creates the prospect of changing, and indeed alternating government. This is the principle upon which the whole Westminster system is constructed, right down to the arrangement of seating in the House of Commons. In Northern Ireland during the period 1922-1972, this system created not one single change in the political profile of government. Elections were so meaningless that on many occasions they were not even contested in some seats. In order to ensure that elections are meaningful such arrangements must be modified. Modifications such as weighted majorities have been mentioned in this regard, and we believe that, applied in the formation of the government, could fulfil the necessary requirements.

All of these proposals deal with the positive aspect of involvement of minorities (and majorities), but there is also a need for protections. We believe that protections may be needed for groups and individuals.

The best machinery would be the establishment, entrenchment and enforcement of a Bill of Rights, justiciable through our own courts.

Political protection of groups could be achieved by the creation of a Political Right of Appeal, whereby a certain proportion of members of the Assembly could appeal to a higher authority for arbitration.

## LAW AND ORDER

"We firmly believe that without universal respect for the law of the land and the authorities appointed to enforce it, there can be no measureable progress....." We have been struck by how this principle has commanded widespread respect at the conference. The major problem remains, 'How are we to achieve such respect.'

Some of the requirements mentioned above will help, but it is also necessary to deal directly with the control and execution of security policy. This is a matter of such extreme contention that Alliance has in the past regarded it with caution. We are impressed not only with its importance, but also with the fact that during our discussions thus far it has been possible to speak about it in a calm and thoughtful way. It has also been clear that we all see a significant input into security policy as being necessary for the self-respect, and community respect of a regional administration.

Many other aspects of the administration of justice, (for example prisons, probation service, law reform etc), could usefully be considered in a regional context and we would wish to fully explore the possibilities.

It may also be necessary to review the present functions and arrangements of the security forces, in order to give the sort of relatively 'fresh start' that may be needed in some minds. We will have constructive detailed proposals for this when the time comes to consider them.

The principle requirement may again be stated thus:

There is no future for the Northern Ireland community, no security for any family or individual, and no prospect of economic improvement without respect for the Rule of Law. At every level those who take positions of responsibility and represent all strands in our community, must have, and must exercise, confidence in the law and in those who administer it.

#### THE TOTALITY OF RELATIONS

Under the term 'External Relations' in the Secretary of State's document we have considered the requirements of relations with the rest of the United Kingdom (strand 1), the Republic of Ireland (largely strand 2), and the rest of the European Community (strand 1/2/3). We have already stated that there is a contribution to be made, and a price to be paid for peace in our community, by those who live outside of Northern Ireland, and here we indicate the requirements.

In relation with the rest of the United Kingdom, we would accept that there could usefully be some clarification of the lines of communications, the channels of influence, and the levels of accountability, between the new provincial government and the sovereign government, and between the Westminster MP's elected from Northern Ireland, and the elected representatives at Stormont.

Relations with the Government of the Republic of Ireland will require changes to Articles 2 & 3 of the constitution of the Republic, but given that prospect we would see it as important



that a direct, standing, government to government relationship, be established, and augmented by joint commissions on areas of shared economic interest (eg agriculture, energy, tourism etc.)

We have previously expressed the view that the totality of relations could usefully be fostered by the 'replacement' of the present bilateral Anglo-Irish Conference with a tri-partite council, and an associated tri-partite back-bench parliamentary tier, rather than the present bilateral inter-parliamentary body. We still view these as necessary developments.

The advent of 1992, and the present discussions on the evolution of the European Community, convince us that the time is right to grasp the opportunities offered by this broader framework. To see ourselves as all living within a larger border, rather than living on either sides of various geographical and political dividing lines, opens up the prospect of an increasing sense of shared experience. The economic necessity of representing our people will also help to bind us together as a Northern Ireland community, as has already been seen by the joint activities of the three MEP's. We regard as necessary the elaboration of a direct role for a new Assembly and Executive, through a Brussels Office, in representations and negotiations with the European Community structures.

#### PERMANENCE AND STABILITY

The permanence and stability of any agreed outcome would be considerably enhanced by its direct endorsement by the people.

Clearly the people of Northern Ireland have a primary interest, but the people of the Republic of Ireland also have a very real interest, and in any case they must express their view positively in a referendum, if there is to be any change, as we maintain there must be, in Articles 2 & 3 of the Republic's constitution. The construction of such a test of public opinion is not a simple matter and will require a good deal of thought and discussion, however the concept has merit.

END