



## An Chartlann Náisiúnta National Archives

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## COMMON ISSUES AND PROPOSITIONS

### AN ULSTER UNIONIST APPRAISAL

1 The Ulster Unionist Party welcomes the valuable debates and discussions that have taken place both in Plenary session and in the margins of the Conference. This has given an opportunity for a wide variety of major and fundamental issues of concern to all parties to be aired in a manner that has not been possible for 16 years.

2 We recognise that the views attributed to the Conference, as expressed in the "Common Issues and Propositions" document, issued to delegates at the close of proceedings on Wednesday 26th June, 1991, are not necessarily exhaustive. That is to say, some aspects of important issues were only briefly touched upon or not at all, and will not be precluded from further negotiations.

In addition, we challenge the accuracy of some of the views attributed to the Conference, but recognise that "Common Issues" document does not reflect the specific view of any Party on every subject, and that the paper was merely to assist delegates in the task of preparing further papers of their own.

### 3 Constitutional Status and Guarantee

We believe that there was unanimous agreement that Northern Ireland is a part of the United Kingdom. We favour the Secretary of State's own phrase in the House of Commons of 5th July, 1990.

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that -

"Northern Ireland is part of the United Kingdom in National and International law."

The Alliance Party of Northern Ireland in its statement of Principles of April, 1970, stated,

"We support the constitutional position of Northern Ireland as an integral part of the United Kingdom...The Union is in the best economic and social interest of all citizens of the state. It also implies British standards of democracy and social justice....We are firmly committed to the principle of devolved Government."

Her Majesty's Government, together with the two Unionist parties and the Alliance Party accept and support the constitutional position of Northern Ireland.

The SDLP, on the other hand, states in clause 2.4 of its Constitution that it wishes,

"To promote the cause of Irish unity based on the consent of the majority of people in Northern Ireland"

That party also states its objective at 2.1 as

"To contest elections in Northern Ireland with a view to forming a Government".

The SDLP accepts, for the timebeing, the constitutional position of Northern Ireland as part of the United Kingdom. It will, by definition, if it involves itself in any form of administration in Northern Ireland, underline this acceptance by helping to govern the Province as part of the United Kingdom. The SDLP aspires to the removal of Northern Ireland from the United Kingdom by consent and its incorporation into an Irish Republic

independent from the United Kingdom.

We accept the right of Irish Nationalists within Northern Ireland and the Irish Republic to aspire to a United Ireland based upon the consent of a majority in Northern Ireland, and recognise that the SDLP both by its Constitution and by its attendance at this Conference is prepared in turn to accept the position of Northern Ireland within the United Kingdom for the meantime.

We recognise, and deal with more fully in paragraph nine, that some nationalists reject constitutional politics as a method of change and, along with other terrorists, have forfeited the right to a place at this table.

#### 1. Nature of the Northern Ireland Community

Dealing with communal identities is frequently difficult and much discussion took place as to how many identities there are within Northern Ireland. We recognise the contagion of the British Isles and suggest that there are many sub-entities and no clear cut distinction between the identities already delineated.

The Alliance Party, in its Presentation, stated that the name Maginnis encapsulated the blurring of racial lines on the island of Ireland. And even though they spoilt the names of Ken Maginnis of our Party, Martin McGuinness of Sinn Féin and Alban Maginness of the SDLP incorrectly, the point was well taken.

Nevertheless, the SDLP was correct in devoting considerable

to the concept of Irish Identity. They summed up Irishness as the feeling of being a part of the, 'wider Irish family on the island of Ireland'. A similar and equally strong case could be made, however, that all of us, both in the United Kingdom and in the Irish Republic, are part of the larger Irish family within this archipelago.

The movement for Home Rule, for example, was commenced by Isaac Butt, a former member of Grand Orange Lodge of Ireland, who wished no more for Ireland than a system of government similar to the old Stormont system for the entire island. His successor, Charles Stewart Parnell, half Anglo-Irish and half American, gained control of the movement through the Home Rule Confederation of Great Britain, and the entire nationalist movement during the last three decades of the nineteenth century was dependent upon support from the Irish in Great Britain.

If we move to the 20th century and the founding of the State, it should be remembered that Tom Clarke was brought up on the Isle of Wight, James Connolly was born in Edinburgh, whereas Michael Davitt spend his formative years in Lancashire. Patrick Pearse's father was English as was Thomas MacDonagh's mother. Cathal Brugha was baptized Charlie Burgess and this later became a further tradition within Irish nationalism most recently seen when John Stephenson, a former Lance Corporal in the British Army from Camden Town, emerged as Chief of Staff of the Provisional IRA.

We would suggest that whereas there may be a quantitative difference between the nationalists in Northern Ireland and the

ish in Great Britain, that there is no qualitative difference. That is to say, the position of Irish nationalists is similar because each exists within the British state, and many, both here and in Great Britain, play a vital role in the workings of the United Kingdom.

If there was a qualitative difference, thousands of young Irish people would not have left the Irish Republic each year to live in England 'beneath the jackboot of the oppressor'. Similarly, since the Irish Free State became the Irish Republic, there has been no evidence of the hundreds of thousands of Irish people living in the United Kingdom flooding back home.

The British dimension to Irish Nationalism has historically been more important than the Ulster dimension and the British element of the Irish identity was elegantly and effectively described by Seamus Mallon earlier this week.

In any case, it would be incorrect to assert that all Irish 'nationalists' throughout the centuries have desired independence for the island of Ireland. Professor Rose from the University of Strathclyde discovered in his study, the research for which was undertaken at the end of 1967, - immediately before the outbreak of the current troubles - that within Northern Ireland 33% of so-called nationalists actively supported the Union, 34% actively opposed it and 32% expressed no view. And more recently Father McGrath in a study of political attitudes in the Republic of Ireland found that a majority of the citizens of the Irish Republic were opposed to Irish unity. His findings have subsequently been borne out by surveys undertaken on behalf of

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As Ulster Unionists have often been described as people who have an identity crisis it might be useful to set out what we believe to be our essential Britishness.

Great stress was made on the fact that we have severely criticised the United Kingdom Government and Parliament for decisions they have taken with regard to Northern Ireland. We have no difficulty in justifying this. To be British is to be able to differ and disagree with our legislators and our government. We see no conflict between being Scottish/British, English/British, Welsh/British or Irish/British. The United Kingdom is a coming together of different nations under the Crown. We feel a sense of belonging to a wider nation, including Great Britain. We identify with a culture and ethos which is not exclusive to this part of Ireland, but which has traditionally had a broad international outlook. Unionists do not have a single view of the Britishness - there is considerable diversity within our community - and why not? We identify with the Head of State as being the personification of the British Nation, and the Guardian of our right, upholder of the Constitution, and defender of the faith.

We take great Pride in our Queen, her wider family, our armed forces, and the symbols of the nation, which include the symbol of Ireland. We never sought partition of this island, and wanted to share the wider nation with those who reside in the Republic.

We have a common history and have faced shared adversity.

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One obvious example of this was the sacrifices of our young men in the World Wars. In addition, we are mindful that over one thousand citizens of this city died during the Blitz in April/May 1941; German bombs like terrorist bullets of today did not distinguish Protestant from Catholic or the political proclivities of the families huddled in bomb shelters.

We see the British nation as including Irish nationalists as one of the many differing elements which gives the United Kingdom its strength and diversity. There should be no impediment to participation in the nation's affairs as a result of colour, creed, class, gender or aspiration.

### 5 Local Institutions

There is overwhelming dissatisfaction with the present method of governing Northern Ireland. Reference was made to the "powerless state" of local politicians. All of us know the difficulties associated with day to day complaints made by constituents, and the undemocratic and highly centralised method of administering Northern Ireland. Ulster Unionists fully endorse the call for greater local political involvement in the governance of Northern Ireland, and we see the best method of doing so as being the creation, by Parliament, of a locally elected Assembly with administrative and legislative responsibilities.

We believe that a local Assembly has to have certain attributes if it is to be successful. Some of these are listed below:-



- i The Structure must be workable and durable, and not capable of being held to ransom by a few cranks or malcontents.
- ii It should bring to Northern Ireland a political openness and accessibility which is sorely lacking today.

Ulster Unionists have a number of proposals to table at this Conference, and we are anxious to share these with the other Parties and with Her Majesty's Government. We hope that this will be the next step.

The guiding principle of our proposals is that each party will have a role commensurate with its support in the community. (we would, however, wish to point out that those parties or individuals who espouse violence forfeit their rights in this regard).

Participation of all Party representatives ensures that the interests of their respective electorates are not threatened. We envisage the involvement of all major constitutional parties at the highest level in any Assembly. Experience has shown that the 1973 and 1982 models of devolution are inherently unworkable.

#### 6 Relationship between Northern Ireland and the rest of the United Kingdom

The practical expression of this relationship is the participation of the constitutional parties of Northern Ireland in the Parliament of the United Kingdom. Here, however, as we expressed to the Conference, lies a cause of deep anxiety to Unionists. Northern Ireland legislation is dealt within a most disadvantageous way in Parliament as a result of the Order in

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Council system, and contributes to bad Government and to uncertainty over the position of Northern Ireland within the United Kingdom. Great frustration is caused to our Members of Parliament and it is also a fundamental violation of the rights of the people of Northern Ireland. We strongly suggest that Her Majesty's Government should rectify this by the methods set out in our Party's Presentation; namely, by ensuring that legislation on non-transferred matters should be handled in a similar manner to that affecting other regions of the United Kingdom, and that a Select Committee be established to monitor the operation of the Northern Ireland Office on the same basis as other Departmental Select Committees.

### 1 External Relationships

#### (i) Irish Republic

Unionists wish to see relationships with the Irish Republic regularised and normalised. This will require a decision by the people of the Irish Republic to repudiate their claim over Northern Ireland in the 1937 Constitution, and upon this decision rests the basis for a new relationship between the peoples of the British Isles.

A recognition by the representatives of constitutional nationalism of the right of Northern Ireland to exist will help build up trust between the two traditions within this Province. But such a recognition will be less than complete without a similar declaration by the Irish Republic that Northern Ireland has legitimacy. It may be that the wording contained in the

Ireland (Confirmation of Agreement) Act, 1925 would be of value. This Act which transferred powers from the Council of Ireland to the Parliament and Government of Northern Ireland recognised the necessity,

"to avoid any causes of friction which might mar or retard the further growth of friendly relations between the said governments and peoples,"

and spoke of being,

"united in amity...and being resolved mutually to aid one another in a spirit of neighbourly comradeship..."

With the barrier of the territorial claim out of the way, the road is open for a new all embracing agreement to deal with the "totality of Relationships" throughout the British Isles. Links could be forged at Governmental, Parliamentary and regional levels.

In particular, we would refer to our proposal for a new "wider, all embracing British/Irish Agreement, co-extensive to the entire territory of both nations in the British Islands." As our Party Leader pointed out during questioning by Eddie McGrady, such an Agreement would ameliorate the position of Irish people within Great Britain, who do not currently fall within the ambit of the Anglo-Irish Diktat. The right of the Government of the Irish Republic to represent the rights of its citizens resident within Great Britain with the Government of the United Kingdom is an essential element in the improvement of relationships between the United Kingdom and the Irish Republic. And, needless to say, the corollary would also be essential. As a manifestation of

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our commitment to this process Unionists would fully participate at Parliamentary and regional level, and we have prepared a comprehensive paper on the legal, security, political and structural expression of these relationships within and between the British Islands.

(ii) European Community.

We recognise the significance of the European Community in the affairs of both the Irish Republic and the United Kingdom. Whether one likes it or not the power and influence of the Community has grown dramatically during the two decades in which the United Kingdom has been a member. Irrespective of future developments, it is unlikely that the nature of European Community involvement in the affairs of both the United Kingdom and the Irish Republic will diminish.

The reality of the Irish Republic's membership of the Community has seen it turn its back upon the narrow parochial nationalism which saw its birth, and espouse a recognition of the strength of divergence and of its role within the wider world. Ulster Unionists will continue to recognise the European dimension by participation in the Parliament of the United Kingdom and through the efforts of our MEP Mr Jim Nicholson at Brussels and Strasbourg.

3 Restoration of Public Order

We note that there is an acceptance by the Conference that no political accommodation in itself will succeed in eliminating terrorism. We are anxious to see the whole law abiding community

play its part in fighting terrorism from whichever quarter. Unionists wish to point out that our electors feel that they have to bear an enormous burden in providing the bulk of the manpower that makes up the security forces, and that this has exposed the Unionist community to violent sectarian pogrom for two decades. We express a tremendous gratitude to those who serve in the security forces.

Whilst recognising that Northern Ireland nationalists have registered concern about the security forces, we believe that the army, the Royal Ulster Constabulary and the Ulster Defence Regiment do a professional job in very difficult circumstances.

We note the increase in minority membership of the RUC and register particular support for the large numbers of Roman Catholics who serve the community within the ranks of the various security organisations. It is our firm belief that the less than total support for the RUC and the UDR by members of the SDLP reduces the potential for greater involvement in the security forces by young men and women from the minority community. Any political solution to the conflict within Northern Ireland has as an essential ingredient complete, but not unquestioning, support for the forces of law and order.

The Ulster Unionist Party endorses the value of local input into security measures and arrangements, but such must be effective and not merely be a token involvement in the decision making process.

### 2 Individual Rights

We do not wish to see emergency legislation on the statute



book a day longer than is necessary, but see no alternative at present. A political accommodation could help at the margins to draw support away from terrorists.

It is important to recognise that we are not involved in a peace conference. Such a conference would of necessity include all combatants and we see no value in negotiating either with the Provisional IRA or with their Loyalist counterparts.

But we do accept that a move toward political accommodation and stability could help set the pre-conditions whereby peace could be achieved, but only if accompanied by effective security policies; vigorously implemented.

It is our belief that a Bill of Rights would be of value in the protection of the individual. We shall shortly table a major paper on such a Bill. While recognising the constraints of the current security situation, we also believe that the freedom of the community is only as secure as the freedom of each individual within it.

We do not accept that machinery to deal with individual rights would be exclusively to correct minority grievances. Very few of the problems faced by our citizens within Northern Ireland can distinguish a Protestant from a Catholic or a Unionist from a Nationalist.

### 11 Endorsement

A major objection to the Anglo-Irish Agreement is that the people of Northern Ireland did not have an opportunity to endorse



or reject proposals. We would point out, however, that the 1986 by-elections came close to this and returned results which are well known. We, along with the other parties at the table, believe that a electoral verdict on any agreement within Northern Ireland is essential.

Unanimity was not forthcoming on the issue of endorsement of the package by the people of the Irish Republic.

The arguments placed before the Conference by the representatives of the SDLP were listened to carefully by ourselves. We accept the efficacy of a democratic endorsement of proposals by the citizens of the Irish Republic which could have the effect of further marginalising the Provisional IRA and their supporters.

We would point out, however, that an amendment to the Irish Constitution will be an integral part of this package, and as such an amendment under the provisions of that Constitution must be placed before the electorate of the Irish Republic. We believe that this will serve as a referendum in the other portion of our island.

We quote Article 48.2 below.

"Every proposal for an amendment of this constitution shall be initiated in Dail Eireann as a Bill, and shall upon having been passed or deemed to have been passed by both houses of the Oireachtas, be submitted by Referendum to the decision of the people in accordance with the law for the time being in force relating to the Referendum."