

NATIONAL ARCHIVES

IRELAND



Reference Code:	2010/53/925
Creation Date(s):	1 August 1980
Extent and medium:	3 pages
Creator(s):	Department of the Taoiseach
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The Alliance Party of Northern Ireland

POLICY DOCUMENT OUTLINING THE DETAILED REACTION
OF THE ALLIANCE PARTY TO THE GOVERNMENT PUBLICATION ENTITLED
"THE GOVERNMENT OF NORTHERN IRELAND
- PROPOSALS FOR FURTHER DISCUSSION (JULY 1980)"

THIS DOCUMENT WAS SUBMITTED TO THE
SECRETARY OF STATE RT HON HUMPHREY ATKINS ON FRIDAY 1 AUGUST 1980

GENERAL APPROACH

- 1 We commend the background assessment and interpretation of the parameters within which a solution must be found contained in paragraphs 1 to 45 inclusive. Many of the arguments match those put forward by the Alliance delegation at the Conference earlier this year.
- 2 In particular we commend -
 - (a) the repetition in para 3 and again in para 40 of the necessity for acceptability to both sides of the community and to HMG and the emphasis on the unlikelihood of the essential alternation of parties in government if the Westminster style were to be adopted.
 - (b) the reiteration of the principle that Northern Ireland cannot be separated from the rest of the UK without the consent of a majority of its people and the absence of any proposal for any new all Ireland institution which would clearly be counterproductive to acceptance in the majority community (paras 18 to 22 inclusive).
 - (c) the acceptance by HMG of the crucial importance of identification of both sections of the community with any political institutions set up in Northern Ireland. (Para 15 - "New institutions of government which the minority community cannot accept as its institutions will not bring stability and so will not be worth having" and para 41 - "Unless the minority community feels able to accept and identify with the institutions of government in Northern Ireland there is little prospect of political stability in the province").
 - (d) the recognition by HMG that not only the political circumstances of Northern Ireland but also the lack of great ideological difference on socio-economic grounds among the main Northern Ireland parties and the strong managerial element in the task of a devolved administration justify a system of government markedly different from the Westminster model.
- 3 These firm statements lead naturally towards the first alternative course laid down in para 46 for proportional formation of an Executive from those parties with sufficient electoral support. Alliance is prepared to carry on negotiations and discussions with HMG on detailed ways in which this principle can be implemented.
- 4 These same statements do not lead naturally towards the alternative approach set out in paras 53 to 59 inclusive. This approach does not in our view conform to the principles laid down in the government's own paper and indeed the following quotations from the paper itself are tantamount to ruling out an approach to

devolved government in Northern Ireland which allows for a "majority rule" Executive whatever the "safeguards" - "New institutions of government which the minority community cannot accept as its institutions will not bring stability and so will not be worth having" - (para 15). "If as the government is disposed to believe, adoption of a system which ensured that the minority community had places on the Executive would crucially affect the attitude of the minority towards acceptance of the political institutions of Northern Ireland then that constitutes a powerful reason why the majority community should put aside its misgivings - understandable though these are - and accept a system of a proportionally constituted Executive". (Para 49).

Alliance is totally opposed to the second alternative which does not meet the need for full participation in and identification with new institutions by all sections of the community.

DETAILED PROPOSALS

The Outer Framework

- 1 Para 25 - We agree, although some further thought should be given to the question of numbers. Under the PR (STV) system we think it is best to have constituencies of at least 6 members. If and when the number of Westminster constituencies is increased to 17 this would require an Assembly of approximately 102 members.
- 2 Para 26 - We agree.
- 3 Para 27 - We agree.
- 4 Para 28 - We agree.
- 5 Para 29 - We accept the case for the Assembly to have an advisory and consultative role on matters reserved to the Secretary of State. We see no need for a separate advisory council. Provided the Executive is based on proportionality as we think it must, then the Executive should be the body consulted on reserved matters.
- 6 Para 30 - We agree.
- 7 Para 31 - We agree subject to a strengthening of the committee role as indicated below.
- 8 Para 32 - We see these committees as better chaired by Executive members themselves and having a positive role in day to day government rather than having separate chairmen and necessarily a rather more negative and subsidiary role. We think the departmental committees should have some power to be involved in important Executive decisions rather than giving each Executive member total individual responsibility for such decisions. This would have a very important function in reducing the risk of individual Executive members finding themselves in conflict with the majority within the Assembly. For the same reason we favour committees with membership proportionally representative of the Assembly as a whole.
- 9 Para 33 - The existing safeguards and remedies against discrimination on religious or political grounds need extended in two major respects in our view -
 - (a) The enactment of a Bill of Rights for Northern Ireland enforceable in the Courts as detailed in the Alliance submission to the Conference.
 - (b) Right of appeal to the House of Commons on any matter within the competence of the Assembly by resolution supported by at least one-third of the Assembly members plus one.

Responsibility Shared Within The Executive

- 1 Para 46 - We agree that the Executive should be formed on the principle of proportionality.
- 2 Para 47 - We would prefer not to have a separate direct election for Executive members. It is important that the Executive should be drawn from and have a direct and clear basis within the Assembly. Proportionality ensures a clear link with electoral support in any case.
- 3 Para 48 - This is our preferred method for forming an Executive.
- 4 Para 49 - We agree completely.
- 5 Paras 50-52 inclusive. We agree that the system could not work if a majority or indeed a large and determined minority were opposed to the very essence of the system and were intent on destroying it. This is true of any system of government. Initial acceptance of the system is necessary and if it is found to work satisfactorily then out of such acceptance would emerge active support.

Strains within the system can to some degree be reduced by maximising the provision for overt dissent on the floor of the Assembly. This is one of the reasons for the Alliance proposal to avoid a full-scale cabinet system operating on the basis of collective responsibility. In our view collective responsibility is an unnecessary concept in a devolved legislature with limited powers and its absence would reduce the risk of minority members of the Executive finding themselves mere prisoners of the majority.

CONCLUSION

We agree with the government view that it is not desirable to continue indefinitely with the system of "direct rule" (para 63). We also agree that the quid pro quo for acceptance by the minority community of the majority right to decide on maintenance or otherwise of UK membership should be a positive role for the minority community in arrangements for the government of Northern Ireland (para 20).

To Alliance this means a proportional share in a partnership administration. If an election to a new Assembly were to return a majority determined not to operate such an administration then HMG could permit the Assembly to operate initially on an advisory basis with the opportunity for a progressive transfer of powers if and when a basis of partnership could be agreed on a broad enough basis within the Assembly (para 64).

The Alliance Party remains available for any further discussions which the Secretary of State may initiate.

OLIVER NAPIER
ALLIANCE PARTY LEADER