

# NATIONAL ARCHIVES

## IRELAND



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OUP Document

Devolution and the Northern Ireland Assembly: The Way Forward

The following are the main points in the document

- The entire Northern Ireland community would benefit from the introduction of local democratic control over the administration of Northern Ireland - direct rule is subject to justifiable criticism.
- The UK Government in its attempts to provide for devolution has stressed two principles
  - (a) cross community support
  - (b) the wish of the majority to maintain the union
- The conflict between these two principles bar devolution of legislative and executive powers on the Stormont model
- The conflict between these two principles lies ultimately in the identity of the two communities and their constitutional aspirations.
- There is no immediate prospect of devolved power on legislative and executive lines.
- The objective of those who desire devolution must be to obtain control of such powers not inconsistent with the two communities continuing to maintain their diverse constitutional policies.
- The present Northern Ireland Assembly with rolling devolution failed to recognise the basic problem of the two communities.
- Without the SDLP, cross community support would never be available. SDLP has absolute veto on the progress of the Assembly. Their abstentionist policy gave an opportunity to Sinn Fein to seriously undermine the SDLP claim to represent the minority community and made it impossible for them to enter the Assembly in its present form.
- OUP considers Forum will fail to provide any basis for significant change in British constitutional policy towards Northern Ireland. It will then be necessary for Minority

representatives to consider participation in democratic institutions in Northern Ireland on basis that any realisation of their unity aspiration would be so long term that they should be prepared in foreseeable future to serve their electorate within Northern Ireland and to combat PSF on ground. In these circumstances every effort should be made to provide for a devolved administration in Northern Ireland in which majority and minority representatives can participate without prejudice to their positions on the Constitutional Question. OUP feels this can best be done on basis devolved administration and functional powers which are enjoyed at local Government level in other parts of UK.

- The OUP is proposing a policy where reconciliation and participation of all sections of the Community can be attempted from the bottom up and not imposed from the top down.

- The parties in the Forum have all publicly declared their support for the principle that there can be no change in the constitutional status of the territory of Northern Ireland as an integral part of the UK without the consent of the majority of the people of Northern Ireland.
- Successive British Governments also agree. The real guarantee is the determination in the hearts and the minds of Unionists.
- It is difficult to see why some nationalists ask for a withdrawal of the guarantee. The answer appears to lie in their long-term political strategy.
- Technically (because of dangers in the Republic) it would be unwise for nationalists to drop the policy of unity by consent. But they do not subscribe to the logical corollary - the right of Unionists to refuse that consent.
- Constitutional nationalists seem to behave upon the basis that every form of pressure short of direct force is valid in order to obtain Unionist consent. Such measures include:
  - (a) Northern Ireland is an economic millstone;
  - (b) alleged oppression of the minority;
  - (c) exploitation for propaganda of emergency legislation.
- The strategic objective of nationalists in seeking to withdraw the guarantee is twofold.
  - 1) It is intended to pressurise the Unionists leading to a UDI, which would be unviable, and
  - 2) intended to place the British Government in a position where it could claim that it did not break the union but was seeking to act as an honest broker.
- The Forum is an integral part of this strategy - a charter of Republican reasonableness and a blueprint for political structures that would accommodate Unionists in a way the Republic has never

been able to do in the past and would have been inconsistent with the ethos and the constitution of the State.

- It now appears probable this strategy is about to fail
  - no apparent prospect of the British welching on the guarantee;
  - no hope of Unionists falling into the trap of UDI;
  - little likelihood that that Forum can produce a blueprint for pluralism in the teeth of opposition from the Church and partitionist republicanism.
- Time now ripe for the two communities to realise it is up to Northern Ireland politicians to solve within Northern Ireland.
- Mutual recognition of each others' hopes and fears. Only rights and not aspirations can be guaranteed.
- It is the responsibility of the majority to persuade the minority that the Province is also theirs.
- The OUP believes this process can only be begun by attempting to work together in those areas where participation is possible in the hope that solutions which presently seem impossible may ultimately be attempted.
- In this context proposals are submitted for administrative devolution allied with the Bill of Rights.
- Areas mentioned are Housing and the Environment, Education and Health.
- Powers transferred to Stormont in 1970 following the McRory Report would be transferred to the Assembly operating on a committee basis.
- Weighted majority could be considered.
- "Although resolutely opposed to an Irish dimension in the form of a constitutional institution, Unionists would not object to an Irish dimension in the form of State recognition of the

legitimacy of the fostering of distinctly Irish cultural activities in Northern Ireland nor to State funding for such activities in proportion to the degree of public participation or interest in them."