

The SDLP Analysis of the Nature of the Problem

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(i) Introduction

1. This paper sets out the SDLP's analysis of the nature of the Northern Ireland problem from its historical origins to the realities to which those origins give rise today.
2. In our view - and we have said so many times in public - it is essential that before we seek solutions to the Northern Ireland problem we ensure that we understand what the nature of that problem is and, just as importantly, that to the greatest extent possible we understand each other's perception of what it is. The analysis should be followed by the setting out of the requirements or criteria which, based on the analysis, would be necessary in any realistic attempt to resolve the problem. Only then should we - or indeed can we - move on to a discussion of the institutions and structures which could be devised to give expression to those requirements.
3. This approach is no more than common sense. It has been sixteen years since we last sat around a table for discussions such as these. Much has changed in the interim. It is owed to our communities and to the peoples of Ireland and Britain to make maximum use of the opportunity that has been presented to us by these talks.

(ii) Origins

4. The origins of the Northern Ireland problem lie directly in the wider historical relationship between the two islands of Ireland and Britain. For centuries this was a relationship characterised by conflict and instability; over recent decades it has evolved into a more positive interaction.

5. The Northern Ireland conflict is the last negative legacy of the ancient quarrel between the peoples of Ireland and Britain. It is clear that the ultimate resolution of that conflict can only come about within the context and framework of the wider Anglo-Irish process. That is the enduring lesson of the last seventy years.

6. It is equally a lesson of the last seventy years that once a relationship of mutual respect has been established, the Irish and British peoples have shown themselves capable of working together to heal old wounds and hurts. There is every reason to believe, therefore, that if in this current process we can succeed in establishing a new basis of mutual trust between the two traditions on the island of Ireland, then the healing process on this island also would be both rapid and irreversible.

(iii) Identities

7. The SDLP believes that in its contemporary manifestation the Northern Ireland problem is in essence a conflict between two identities - or, more precisely, the failure to devise political structures which accommodate the differences between, and allow full and mutual expression to, those two identities.

8. The Nationalist community in Northern Ireland sees its identity as essentially Irish and part of the wider Irish family on the island of Ireland. Its vision and aspiration are the creation of a new and tolerant society that unites and accommodates all traditions in a new Ireland, where Nationalists and Unionists can co-exist in harmony and mutual respect. Some Irish Nationalists have not always found it easy to accommodate this central aspect of the problem. The New Ireland Forum commented "for historical reasons, Irish nationalism may have tended to define itself in terms of

separation from Britain and opposition to British domination of Ireland". In fact, the experience of other newly independent countries reveals it is common for new states to emphasise their singularity.

9. However, the mainstream of Irish nationalism today seeks a more comprehensive understanding of its identity. The Forum report in this regard noted that "the tragedy of Northern Ireland and the suffering of the people there has stimulated a new consciousness of the urgent need for accommodation... The new Ireland must be a society within which, subject only to public order, all cultural, political and religious belief can be freely expressed and practised. Fundamental to such a society are freedom of conscience, social and communal harmony, reconciliation and the cherishing of the diversity of all traditions ... The implementation of these principles calls for deepening and broadening of the sense of Irish identity."
10. From the inception of Northern Ireland until the signing of the Anglo-Irish Agreement in 1985, the Nationalist identity was denied political expression and validity, and Nationalists were excluded from effective participation in the institutions of Government. The particular significance of the Anglo-Irish Agreement was the acknowledgement - first signposted at Sunningdale - by the British Government of the legitimacy and validity of the Irish identity of Northern Nationalists, and that any way forward in Northern Ireland had to incorporate a formal "Irish dimension". For the Nationalist community that dimension must be a fundamental element of whatever new arrangements might emerge from the current process.
11. The Unionist community, on the other hand, perceives itself as British. The majority of Unionists are also Protestant and, as such, are strengthened in their allegiance to the British Crown by the latter's essential Protestantism. They regard the Nationalist

aspiration to a united Ireland as representing a fundamental threat to their own sense of identity; furthermore, they see the Nationalist ethos as pervasively Catholic and incapable of tolerance and respect of the Unionist heritage, tradition, rights and civil liberties. At the same time, it can also be said that many Unionists feel some affinity for aspects of Irish life and culture and would regard themselves also as Irish. To protect their identity, the primary means that they have used or sought to use has been the exclusive exercise of power.

12. From a Unionist perspective, therefore, whatever may emerge from the current process will have to be such as to guarantee their sense of identity and to assuage their fears in terms of the perceived threat posed by Irish Nationalism to their ethos and way of life.

13. The problem of identities and their expression has been greatly exacerbated by the violence which has plagued Northern Ireland, particularly during the last two decades and from which both communities have suffered so deeply. For its part, the SDLP wishes to avail of this opportunity to repeat, as it has done many times before, its unequivocal and total denunciation of violence, from whatever source, as a means of achieving political ends. We have many problems in Northern Ireland. Our task in trying to resolve them is made immeasurably more difficult by the actions of those few who choose for their tools the weapons of destruction and death - at this time of such precious opportunity, we appeal once more for an unconditional and permanent end to campaigns of violence waged on all sides.

(iv) Current realities

14. The foregoing represents and outline of the historical basis of the Northern Ireland conflict and the essential core elements which underpin it today. The remainder of

the paper looks in more detail at the implications of those elements in terms of the realities which they have given rise to. We begin with the political realities, moving on to human rights realities and concluding with a look at some social and economic realities. We will be tabling more detailed papers on these issues as the negotiations proceed.

Political realities

(iv)(A) Political reality (1): The political process alone can lay the foundations for political progress

15. The people of Northern Ireland are deeply divided. The only consequence of violence is a more deeply divided people. We, by contrast, believe that the political process is the only means through which the commitment to peace and justice that exists in both communities can be channelled to create the conditions for an agreed future, which protects the identities and promotes the interests of both communities and traditions.

(iv)(B) Political reality (2): The problem must be addressed and resolved within the context of the three central relationships

16. As we made clear earlier in this paper, the Unionist and Nationalist traditions define themselves in terms of aspirations and loyalties which transcend the confines of Northern Ireland. There is, therefore, widespread acceptance - including among Unionist politicians - that the Northern Ireland conflict must be addressed and can only be resolved in the context of the totality of Anglo-Irish relations. At the heart of these are the three central relationships - within Northern Ireland, within the island of Ireland and between Britain and Ireland.

17. These relationships are inter-locking and inter-dependent. No single relationship can be addressed in isolation from the others. This inter-action and inter-dependency must be reflected in any institutions which may be devised to give expression to those relationships. While all three relationships are crucial to the overall totality, it is, in the view of the SDLP, that set of relationships within the island of Ireland which goes most centrally to the heart of the problem and we elaborate on the reasons why in the next section.

18. The complexity of the mosaic of inter-relationships is highlighted by the fact that each of the two communities in Northern Ireland constitutes at once a majority and a minority within the island of Ireland. Against that background, it is clear that the majoritarian forms of democracy which work adequately in relatively cohesive societies are hardly applicable in the particular circumstances of Northern Ireland.

19. The keys, therefore, are accommodation of differences, and consent. The reality is that government which does not accommodate fundamental differences of aspiration among a divided people will not have the consent of those excluded and is ultimately bad government. That is why we have agreed that whatever comes out of this current process must enjoy consent across all three relationships. That is the only way that old fears and mutual mistrust can finally be laid to rest.

(iv)(C) Political reality (3): The two traditions must aim to reach agreement on how best to share the island of Ireland

20. In the discussions the SDLP held with Sinn Fein in 1988, we stated "it seems to us to reveal a deep misunderstanding of the Ulster Protestant tradition to suggest that it is largely the British influence and not

their own reasons that make [the Unionist tradition] wish to live apart from the rest of the people of Ireland." We also stated: "the harsh reality is that whether or not [Unionists] have the academic right to a veto on Irish unity, they have it as a matter of fact based on numbers, geography and history and they have it in the exact same way as Greek or Turkish Cypriots have a factual veto on the exercise of self-determination on the island of Cyprus."

21. We stand behind this analysis. It must be clear to everyone that the arrangements to date for sharing the island among the two traditions have manifestly failed to bring peace and stability.
22. A major factor in this failure has been Unionist distrust of the rest of the people of the island. That was the reason why they rejected Home Rule with all the consequences of that rejection. That was why they excluded the Nationalist population from any say whatsoever at any level under Stormont. That exclusion, in the end, brought Stormont down and was the beginning of the present phase of the crisis. That was why they opposed power-sharing and the Sunningdale Agreement and that is why they are opposed to the Anglo-Irish Agreement.
23. It therefore seems logical to us that until that relationship is settled, to Unionist satisfaction as well as to everyone else's, there can be no progress towards a satisfactory resolution of the conflict.
24. The lesson to be drawn is a clear and simple one - we need to reach a new level of political consensus which allows the positive interaction of the Unionist and Nationalist viewpoints in a new, enriching and sustaining arrangement.

(iv)(D) Political reality (4): The Anglo-Irish Agreement represents an irreversible breakthrough in understanding and tackling the underlying causes of Anglo-Irish conflict

25. Notwithstanding difficult beginnings, considerable progress has already been achieved with respect to one strand of these relationships. Since 1980, relations between the two Governments have been developing to a point where there now exists - the Anglo-Irish Agreement - a permanent mechanism for consultation and interaction.
26. The abiding reality, recognised by the Anglo-Irish Agreement, is the right of the Irish Government to involvement in the affairs of Northern Ireland. This right is explicitly embodied in the Agreement which has been lodged formally with the United Nations on behalf of both Britain and Ireland.
27. The Agreement encompasses the hard won wisdom of both Governments regarding the necessity of seeing the Northern Ireland situation in the context of overall Anglo-Irish relations. The Agreement also symbolises and attempts to make real the acceptance by both Governments of the need for a joint approach to achieving lasting political progress.
28. The Agreement has had major implications for both communities in Northern Ireland. For Nationalists, the Agreement has gone some way in promoting a sense of fair and just treatment and a diminution of their sense of isolation. The impact of this overall recognition of the equal validity of the nationalist tradition is pervasive, and in a sense constitutes the main achievement of the Agreement. The Agreement has however also registered important tangible progress in areas such as fair employment legislation, the status of the Irish language, the repeal of the Flats and Emblems Act and the establishment of the International Fund for Ireland.

29. For Unionists, the Agreement required a reevaluation of their relationships with the British Government, because it represented the formal recognition by the British Government of the validity of the Irish Government's involvement in the affairs of Northern Ireland. In this way, it is acknowledged that the political union of Northern Ireland with Britain is different from, say, the participation of Yorkshire in the Union. Nonetheless, the Agreement (Article 1) does make clear that any change in the status of Northern Ireland would only come about with the consent of a majority of the people of Northern Ireland.
30. In addition, Article 1 of the Agreement represents the commitment of the British Government to introduce legislation in support of a united Ireland if that is the wish of a majority in Northern Ireland. This declaration has been developed and elaborated in subsequent statements by British politicians. On 9 November 1990, Mr Brooke stated that "the British Government has no selfish strategic or economic interest in Northern Ireland" and that "it is not the aspiration to a sovereign, united Ireland against which we set our face, but its violent expression."
31. These developments, taken together, mean that the task of Irish nationalism must be to seek to persuade the Unionist tradition in Northern Ireland that their interest lies in reaching an encompassing and mutually enriching accommodation with political nationalism on the island. The SDLP has, throughout the twenty one years of its existence, believed that such an accommodation, endorsed by both Governments, offers the best and indeed the only prospect for achieving lasting progress.
32. The politics of exclusion have clearly failed the people of Northern Ireland. A major objective for the SDLP will continue to be to seek ways to convince all

nationalists that only a policy based on dialogue and consensus can ever succeed. The SDLP will continue efforts to convince supporters of violence that their approach is itself wrong and cannot be justified or defended. We will argue further that the approach is also entirely futile and counterproductive given the realities of the situation.

(iv)(E) Political reality (5): Changes in Europe and beyond have profound implications for Northern Ireland

33. New factors and new understandings are constantly entering into the political calculus for tackling the problems within Northern Ireland and within the wider relationships of the two islands of Ireland and Britain. In this regard, changes in the relationship between the two countries which have been occurring in the context of the European Community are of particular significance. The EC is undergoing a vibrant debate as to the form and substance of political authority which, whatever the eventual outcome, will profoundly affect the nature of life in these islands and in the Community at large in the twenty first century. We are all aware of the discussion regarding the degree to which the evolving Community will require the pooling of sovereignty by the member States so as to meet the common tasks. Clearly these developments have the most profound implications for our relationships on this island.

34. The brief history of the European Community has been an abiding lesson in conflict resolution and in the settling of ancient quarrels. In this regard, it is surely significant that Franco-German reconciliation needed to find a wider forum to bring about the more lasting changes in their respective approaches. The sheer intensity and enormity of the historical pressures towards division were transformed in the broader context of the original Community.

35. It is also significant that the Community came into being in limited areas which went to the heart of the relationship between the founding countries. They began with their common ground. They began with coal and steel, the critical products for waging war in Europe and sovereignty was pooled in these areas.
36. The lesson of the European experience is obvious. If countries and peoples that slaughtered one another in millions, twice in this century alone, can lay aside their past, can build institutions which respect their differences, which allow them to work their common ground together and to grow together at their own speed towards a unity that respects their diversity and evolves through patient agreements, surely we on this small island can do likewise.
37. Indeed, as it is, both parts of this island have already voted for that European process and have agreed to the pooling of sovereignty and new relations with Greeks, French, Germans, Spanish, Dutch and Danes. The lessons for us as we seek to establish new relationships with one another are clear.
38. The current European debate is to a large extent about how to avoid a handed down system of government, where power is bestowed almost as some form of arbitrary favour on smaller units. Instead, in the new approach evolving in the Community, the interaction of the regional unit and of the new European level institutions is crucial in sustaining and developing both forms of organisation in a mutually enriching and empowering relationship. Again, the message for us in Northern Ireland is a compelling and irrefutable one.
39. The same themes of accommodation and consensus are evident in the searches for new political structures in Eastern Europe, the Middle East, South Africa and elsewhere. We cannot insulate ourselves from the

changes taking place beyond our shores and indeed that we are about in these negotiations is part of that wider search for more enduring and just structures of government.

Human Rights Realities: Legal, Security and Policing Issues

40. The Northern Ireland problem has had the most profound implications for the whole issue of human rights, particularly in the legal, security and policing areas. Much of the analysis of the New Ireland Forum in this regard remains as valid today as it was in 1984. The following extract from paragraph 4.4 of the Report defines the problem particularly well, in our view:

"Law and order in democratic countries and, in particular, the introduction of emergency measures depend on a basic consensus about society itself and its institutions. Present security policy has arisen from the absence of political consensus. In Northern Ireland extraordinary security actions have taken place that call into question the effectiveness of the normal safeguards of the legal process. This has led to harassment of the civilian population by use of abnormally wide powers of arrest and detention, exercised not for the purpose of bringing suspects before a court of justice and making them amenable to a process of law but for the purpose of gathering information and unjustifiably invading the privacy of a person's life; eg between 1978 and 1982 more than 22,000 people were arrested and interrogated, the vast majority being released without charge. This has the consequence that the availability of the legal remedy of habeas corpus in Northern Ireland is in practice extremely limited. It has also at different periods led to the use of internment without trial combined with inhuman interrogation methods that have been found to be in breach of the European Convention on Human Rights; the

trial and conviction of people on evidence of paid informers; the use of plastic bullets; and killings by some members of the security forces in doubtful circumstances. The various measures were introduced on the basis that they were essential to defeat terrorism and violent subversion, but they have failed to address the causes of violence and have often produced further violence".

41. Since 1984, there has undoubtedly been some progress in some of these areas. But the basis analysis remains valid and will do so as long as the key issue of political consensus remains unresolved.
42. Every society is entitled to introduce special emergency measures to protect itself in times of perceived acute danger. In a cohesive society the definition - flowing from the basic consensus within itself - of what constitutes acute danger is essentially self-evident. The problem in a divided society like Northern Ireland is profoundly more complex; indeed it is the very division within itself which constitutes to the greatest extent the "acute danger", with all the consequences that flow from that. One of these consequences is that the emergency becomes the norm. This is why emergency legislation has been at the heart of the Northern Ireland legal structure since partition. Clearly such a situation is ultimately unsustainable. Again, the lesson is clear: a basis for political consensus must be found.
43. The abuses of human rights on the part of the paramilitaries have been direct and horrific throughout the past twenty years. Over recent months these organisations have set new lows in the despicable nature of their crimes. Their murders display a level of callousness and viciousness which indicate a comprehensive erosion of basic human values. It is also clear that a pervasive element of gangsterism has

entered into the activities of many of the paramilitaries - protection rackets, gambling, drugs etc.

44. The unpalatable reality must however be faced that, as the Forum Report points out, the activities of the security forces themselves often contribute to the problem. Too many people in Northern Ireland have experienced the reality of the power of the state primarily through arbitrary, often gratuitously intimidating and insulting, searches of their person or property. For many years, the British authorities have accepted that there can be no solution in security terms alone to the violence in Northern Ireland. It is then one of the bitter ironies of the Northern situation that the activities of the security forces have in fact at times contributed to the perpetuation of the violence they seek to prevent.

45. The policing issue is of crucial significance. Impartial policing which commands support and confidence is essential to the well-being of any society. Despite the many reforms which have taken place within the police service in Northern Ireland, it is still the case that the present service does not command the necessary support and confidence that exists in a normal society within large sections of the community. Fundamental changes in policing will be crucial in any new wider arrangements which may emerge from the current process.

The Social and Economic Realities

46. The following section of the paper outlines some of the social and economic realities confronting Northern Ireland, which, though to a large extent flowing from the political realities, have their own profound impact and consequences.

(iv)(F) Human costs

47. The cycle of violence in Northern Ireland since 1969 is the longest running and most serious civil disturbance in Western Europe since the end of the Second World War. Nearly three thousand people have died - in percentage terms, a figure greater than the total killed in the American civil war. More than thirty thousand people have been injured. Over thirty two thousand shooting incidents, almost nine thousand explosions and fourteen thousand armed robberies occurred in the period 1970 to 1988. No one can calculate the cost in human misery inflicted on the victims of violence and their families. No less victims are those in both communities who have been caught up in all forms of violence, their lives and the lives of their families blighted by imprisonment and injustice.

(iv)(G) Economic costs: Direct

48. The monetary cost of the physical destruction and extra security since 1969 is enormous. The Report of the New Ireland Forum estimated that up to 1982 the combined cost of the violence arising from the Northern Ireland crisis to both the UK and Ireland was over ST£11 billion. The Irish Government calculates that the additional costs of security from 1969 to end-1989 (in the latter year's prices) was IR£2.5 billion. The British Ministry of defence estimates the cost of maintaining the army in Northern Ireland at ST£200 million (approx) per year. Over three thousand five hundred awards attributable to terrorist offences have been made since 1985 alone. For this year alone, the overall cost of the Government's compensation scheme will amount to ST£39 million. The current annual cost of the prison service is ST£135m. - much of this cost is directly due to prisoners incarcerated as a result of the "troubles" who are in general detained in high security and very costly detention facilities.

Excluding the cost of maintaining the Army here, the Government's law and order bill for the current year is estimated to be ST£762m; this represents an annual charge of ST£482 for every man, woman and child living in Northern Ireland.

(iv)(H) Economic costs: Indirect

49. During the period of the current troubles, the Northern Ireland economy has performed poorly. Unemployment is over twice the overall British rate. Manufacturing productivity is less than 80% of the rate in Britain as a whole. Furthermore, over the past twenty years, many of the staple industries crucial to the Northern Ireland economy have become obsolescent. While the level of grant aid available for new industry in Northern Ireland is high by British and European standards, industrial development has been hampered by low investment. The failure of Northern Ireland to attract multinational companies to locate in the area has been crucial in this context. Surveys have indicated that the main reservation of these companies about locating in the North is concern over political stability; they see the risk of investing in Northern Ireland as too great.
50. The tourism industry, for instance, has been severely hampered as a direct consequence of the continuing instability. While tourism has, internationally, been the major growth industry of the past two decades, real 1988 tourism revenue for Northern Ireland was only 83% of the 1967 figure. The number of "pure holiday visitors" in 1989 was only 14% of the total tourist figures for the year - a very small proportion in international terms. Revenue figures for the industry in the South were also depressed, although less seriously.

51. Any calculation of indirect costs must take account of the fact that Northern Ireland has not fared as well in its dealings with the European Community as it might have done. This is largely the consequence of our being represented by a Government whose priorities in many respects differ radically. In the agriculture sector, for example, the commonality of interests between North and South is clearly far greater than with Britain. A further graphic illustration of how Northern Ireland has failed to benefit fully from EC membership was the manner in which our case was handled in regard to the reform and enlargement of the Structural Funds.

(iv)(I) Economic costs - Deprivation and Marginalisation

52. One of the tragic legacies of a system of government which, for over 50 years, effectively denied one community an equality of social and economic opportunity has been the creation of severely marginalised and disadvantaged areas within the Nationalist community. The deprivation is, however, not confined to the Nationalist community alone; as a result of the contraction of Northern Ireland's traditional industrial base in the late 1960s/early 1970s, a generation of workers from the Unionist community was reduced to a similar status of socio-economic marginalisation. More recently, the decline of the man-made fibre, tobacco and engineering industries in parts of Northern Ireland have had further severe repercussions in Unionist areas.

53. It is scarcely surprising - although no less of a tragedy for that - that it is from these areas that the paramilitaries (and/or their political wings) draw some of their strongest support, with the sense of economic exclusion both contributing to and exacerbating the violence and instability. Moreover, the vicious circle of cause and effect has become so mutually re-inforcing that it is practically impossible to disentangle the tentacles of political alienation from those of economic

and social marginalisation. There has in the past been a tendency to regard these areas of urban deprivation as "no-go" zones - not just in security terms but also when it came to the provision of basic economic and social services. We must reject such an approach. The vicious circle of political alienation and economic deprivation must be broken. We must seek to give every citizen a sense of having an economic stake in this society; if they do not have such a sense, how can we expect them to identify with the structures of government?

54. We readily acknowledge that a significant amount of work has already been done in this area by the Government, by various community development groups and by the International Fund for Ireland. Economic regeneration schemes in many areas are giving a new sense of hope and optimism in areas which had previously been totally neglected. A few more years may have to elapse before we can fully assess the long-term economic results of these various urban and community renewal initiatives. One conclusion which has already been drawn from such schemes, however, is that the people of these disadvantaged areas clearly possess considerable skills and development potential and only require a fair opportunity for their talents to be deployed for the good of our society. In terms of natural justice, as well as the general interest, it is essential that they be given this opportunity. Failure to provide them with such an opportunity, will indirectly contribute to the problem, and we will all therefore have to share the blame for the perpetuation of that appalling cycle of economic deprivation and political alienation.

55. These economic costs are added to the wider costs resulting from political division in Ireland, an issue which has been well documented in the Forum Report and elsewhere. The effects of this division have been most evident in border areas where trade, commerce and infra-structural developments have been impeded and, at times, seriously distorted.

(v) Conclusion

56. The foregoing is by no means an exhaustive outline of the nature of the Northern Ireland problem; it serves, however, to identify the main elements as the SDLP sees them. We look forward to a dialogue with the other parties on our analysis and to a full exchange on how they perceive the situation. As we said at the beginning, such an exchange is essential if we are to move constructively, and with some prospect of success, to the even more difficult challenge of devising structures which will bring an equitable and enduring settlement.