

Submission to the Panel of Parties

Friday, September 13, 2013

Dear Dr. Haass,

The Facebook site “New Flag for Northern Ireland” advocates another approach to the Flags Debate between Unionists and Nationalists via the creation of an official, internationally recognised regional flag for Northern Ireland – or equivalent to a United States “state flag”.

The exact status of what many people regard as the Northern Ireland flag, a red on white St. George’s Cross defaced with a crowned six-pointed star (representing the six counties of Northern Ireland) bearing the ancient Red Hand of Ulster, is largely unclear and very poorly understood by the community at large – yet alone people across the UK, Ireland and around the world, who can perceive it to be a “loyalist/sectarian” symbol and who refrain from flying it in fear of causing offence.

The design of this flag, still regularly seen at sporting competitions such as football, golf, the Commonwealth Games, etc., as well as Loyal Order marches and adorning lampposts, began as an armorial banner created in 1953 and derived from the Coat of Arms granted to the new devolved Northern Ireland Parliament in 1923.

However the Northern Ireland Assembly at Stormont, nor any Government building in NI, does not and cannot fly this flag any more.

The existing "Ulster Flag"/"Red Hand Flag"/"Ulster Banner/Northern Ireland flag" hasn't apparently been a recognised symbol since 1972 following the abolition of the old Northern Ireland Parliament, when the Direct Rule ministers were advised that it would be "improper" for it to be continued to be used in an official capacity, as technically it was the banner of an institution, unlike its Welsh Scottish and English counterparts, and not the Province.

Since that date, again unlike the three regional flags of England, Scotland and Wales, according to Westminster guidelines only the Union Flag can be flown from government buildings in Northern Ireland, and official advice issued from London states that the Ulster flag and the Cross of St. Patrick (the red diagonal saltire which represents Ireland/Northern Ireland in the Union Flag) have no official status and under the Flags Regulations are not permitted to be flown from government buildings. ^[see note]

This makes Northern Ireland the "odd-one-out" of the four UK constituent nations, which all have officially recognised regional flags which can fly across all public buildings and are important unifying symbols for their respective communities.

It also means that the Union Flag is the sole flag of Northern Ireland – which is not only an anathema to Nationalist/Republicans but leaves Northern Ireland unique in the UK.

Whilst the old "Ulster Banner" is still used in a de facto capacity to represent Northern Ireland for sports events such as Northern Ireland football matches, by unionist controlled local councils, and by some NGOs, and as well popularly in unionist/loyalist areas, its endorsement by the Northern Ireland Assembly as our "actual" de jure regional flag will probably never occur, as it is seen by Nationalists as representing the “old” Northern Ireland prior to the Troubles – and many unionists are happy for this quasi-existence to continue.

Since 2010 our site, though many individuals who follow it have called for this independently before, has tried to raise awareness of this issue. Many times we are accused of being “republican” by loyalists by advocating a new Northern Ireland flag, as they claim that the flag is still official despite repeated evidence from Westminster and Northern Ireland Office sources.

If you do indeed raise the option of a new regional flag as a way forward, I strongly suspect the unionist representatives will still claim it is the Northern Ireland flag, or ignore it completely.

Indeed, when we first started, the worry was “would Nationalists accept a new Northern Ireland flag”, but rather it has become “would Unionists accept a new Northern Ireland flag”?

Despite this, we do feel that we have a perfect opportunity to attempt to create a fresh new flag for Northern Ireland to fill this void - a flag that a large proportion of the Northern Irish community - from both sides of the traditional divide - can be proud to stand behind.

We note that this was this very first thing that the post-Apartheid government of South Africa did, by blending elements of both communities’ flags into a single design to help bring the communities together under a common symbol.

Over the years we have heard half-hearted suggestions coming from certain politicians advocating some new but horridly bland and corporate designs to adorn our flag poles; other politicians cling only to the Union Jack or Tricolour as if there were absolutely no alternative regional flags such as those for Scotland, England, Wales, Cornwall, Devon, Connaught, Leinster, Munster etc.

We can do better than that, and create a design that is more realistic and more creative than a map of Northern Ireland on a plain background!

This process could allow for a public competition, along the lines of those which have been undertaken in places like Australia and New Zealand (even although they decided to retain their current designs), to get the wider community involved in the discussion over our symbolism and get them creating a new flag with some meaning!

Submissions to our site have used any symbolic aspects that represent our shared ancient heritage and heraldry, as well as using new creative ideas, though the most popular ideas always include the St. Patrick’s Cross (used in the PSNI cap badge in 2002) and the Red Hand of Ulster.

We would oppose the appointment of anonymous consultants to come up with a design that would be “imposed” on the community, rather than a dynamic engaging process that gets community buy-in to the end result.

Looking at the much discussed and more familiar debates – i.e. both flags or no flags - neither are satisfactory for both communities. Whilst both the Union Flag and the Tricolour were designed as “inclusive symbols”, they were inclusive subject to their perspectives and ideologies – the union or secession, and will continue to retain that symbolism.

Flying of the Tricolour alongside the Union Flag is unlikely to be a realistic or acceptable option, as legally this would signify “joint sovereignty”, and as other examples from around the world such as New Caledonia have demonstrated, likely to be a more divisive option than a common flag. It is proper that both national flags must be accorded respect, with their use handled sensitively and not to be used to shove the “other side’s” faces into it.

However these are national flags – they are not unique to Northern Ireland.

We feel that the creation of a new, official regional flag for Northern Ireland, that enjoys the confidence and inspires pride from right across the political spectrum and all classes of people, can be waved at sporting matches and used to brand us around the world in our tourism industry, is another way forward in this bitter debate and one that has only been explored seriously by a few media commentators and politicians (such as Lord Kilclooney).

Such a flag could fly 365 days from all government and local government buildings across Northern Ireland, enjoying widespread support.

It is important that in any agreement on the flying of national and regional flags that all government, local government and sporting organisations (such as football, rugby, the GAA, etc) are encouraged sign up to adoption of a common policy, perhaps set out in statute, otherwise the current piecemeal arrangements will continue to promote division rather than unity, whether perceived or real, and could run the risk of the inclusive nature of the new design being “hijacked” by one side or the other. It is also important to get international recognition for the new symbol.

Whilst a new flag will not solve the underlying community issues here by itself, it can be one of many steps to reaching that destination.

A new regional flag for Northern Ireland could, 15 years after the Good Friday Agreement, give us a sense of national pride and a sense of our own local identity.

ENDS

Note: The question of the legal status of the Ulster Banner or St. Patrick’s Cross is outlined in the Parliamentary document “**The Union Flag and Flags of the United Kingdom**”, published 3rd June 2008, by the Parliament and Constitution Centre, and written by Kevin Williams and Jennifer Walpole.

It states on Page 9, in Section F-5: “*The Ulster flag and the Cross of St. Patrick have no official status and under the Flags Regulations are not permitted to be flown from Government Buildings*”

“Government buildings” is noted in the document as being distinct from Stormont “Parliament Buildings”.

<http://www.parliament.uk/documents/commons/lib/research/briefings/snpc-04474.pdf>

This is supported by an answer to a Parliamentary Question asked by the MP Andrew Rosindell in 14 May 2007 to the then Secretary of State, Peter Hain, as recorded in Hansard

Andrew Rosindell MP: *To ask the Secretary of State for Northern Ireland what the Government’s policy is on the use of (a) the Ulster flag, (b) the Cross of St. Patrick, (c) the Union flag, (d) the European Union flag and (e) the Irish Republic flag on government buildings in Northern Ireland. [135038]*

Mr. Hain MP: *The Flags Regulations (Northern Ireland) 2000 regulates the flying of the Union flag from Government buildings on specified days in Northern Ireland. It also permits the European flag to be flown, in conjunction with the Union Flag, on Europe Day at Government buildings that have more than one flagpole. Under the Regulations the flag of the Republic of Ireland could be flown, alongside the Union flag, from a Government building on the occasion of a visit of the Head of State of the Republic of Ireland to that building, provided that the building had more than one flag pole and that the Union flag was flown in prominence. **The Ulster flag and the Cross of St. Patrick have no official status and under the Flags Regulations are not permitted to be flown from government buildings.***

<http://www.publications.parliament.uk/pa/cm200607/cmhansrd/cm070514/text/70514w0005.htm>