

AS

LEVEL

NORTHERN IRELAND GOVERNMENT AND POLITICS **FOR CCEA AS LEVEL**



**COLOURPOINT
EDUCATIONAL**

Lesley Veronica

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**COLOURPOINT
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Author Preface and Acknowledgements

This text has been written specifically to assist teachers and students to meet the requirements of CCEA's Government and Politics AS Unit 1, 'The Government and Politics of Northern Ireland'. Within the introduction, the book will look at the historical background leading up to 1998, (although this will not be the specific focus of examination questions), and the remaining four sections match the topics listed in the relevant section of CCEA's specification: The Northern Ireland Assembly (which has been divided into two distinct sections, The Four Agreements and The Northern Ireland Assembly); The Executive Committee; and The Northern Ireland Political Parties.

I would like to express my appreciation to my close colleagues and dear friends, Dennis Norman and John Martin, whose support in my early and developing career was an invaluable base for this project. I also wish to acknowledge the help provided by my editor, Michelle Griffin, whose suggestions were always cogent and the execution of which have undoubtedly made this book better. Finally I want to thank my family whose unerring patience and support is the bedrock upon which all of my achievements rest. A special thanks should go to my husband Paul who is a constant encouragement, and without whom I may well have given up several times along the way.

Lesley Veronica
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Abbreviations

AIA	Anglo-Irish Agreement
APNI	Alliance Party NI
CLMC	Combined Loyalist Military Command
CRM	Civil Rights Movement
CVSNI	Commission for Victims and Survivors NI
DETI	Department of Enterprise, Trade and Investment
DSD	Department for Social Development
DUP	Democratic Unionist Party
ECHR	European Convention on Human Rights
EEC	European Economic Community (now EU)
EU	European Union
FARC	Revolutionary Armed Forces of Columbia
GAA	Gaelic Athletic Association
GFA	Good Friday Agreement
HCA	Hillsborough Castle Agreement
HET	Historical Enquiries Team
IGC	Intergovernmental Conference
INLA	Irish National Liberation Army
IRA	Irish Republican Army
LVF	Loyalist Volunteer Force
MLA	Member of the Legislative Assembly
NI	Northern Ireland
NICRA	Northern Ireland Civil Rights Association
NIO	Northern Ireland Office
NMSC	North South Ministerial Council
OFMdFM	Office of the First Minister and deputy First Minister (now the Executive Office)
PfG	Programme for Government
PIRA	Provisional IRA

PSNI	Police Service of Northern Ireland
PUP	Progressive Unionist Party
RHC	Red Hand Commando
RHI	Renewable Heat Incentive
RoI	Republic of Ireland
RUC	Royal Ulster Constabulary
SDLP	Social Democratic and Labour Party
SHA	Stormont House Agreement
STV	single transferable vote
TUV	Traditional Unionist Voice
UCUNF	Ulster Conservatives and Unionists: New Force
UDA	Ulster Defence association
UDR	Ulster Defence Regiment
UFF	Ulster Freedom Fighters
UKIP	United Kingdom Independence Party
UKUP	United Kingdom Unionist Party
UUP	Ulster Unionist Party
UVF	Ulster Volunteer Force
UWC	Ulster Workers' Council
WCNI	Womens' Coalition NI

Introduction

In 1998, the Belfast Agreement – more commonly referred to as the Good Friday Agreement (GFA)¹ – established the political institutions for Northern Ireland (NI). Since then there have been many changes in both the operation of the institutions and in the priorities of the political parties. There have been three subsequent agreements to update the arrangements originally laid down by the Good Friday Agreement – St Andrews, Hillsborough and Stormont House – all of which have extended or clarified certain aspects of the original agreement in an attempt to make the political institutions more workable. Students need to have a brief but clear knowledge of these subsequent agreements and how they have impacted devolution.

Currently Sinn Féin and the Democratic Unionist Party (DUP) are the dominant political parties, with both the Ulster Unionist Party (UUP) and the Social Democratic Labour Party (SDLP) struggling to regain their previously dominant positions, and new political parties, and issues are coming to the fore. Other changes, such as the reduction of government departments in the Executive and the setting up of an opposition, also need to be accounted for. Given the changing political environment and procedural changes in the operation of devolution a new book outlining the current arrangements seemed timely and necessary for students to be able to tackle the subject area with confidence.

This book is designed to build upon the firm foundation set by Margery McMahon's *Government and Politics of Northern Ireland* (2002; revised 2008), aimed at NI A level Politics students to address NI-specific political institutions. Rapid changes since 2008 have necessitated a more current account to help students and teachers preparing for the CCEA Government and Politics AS Unit 1, 'The Government and Politics of Northern Ireland'. The significant changes brought about by the St Andrew's Agreement in 2008 resulted in the first full Assembly and Executive, so knowledge of the period following 2008 is essential if students are to analyse the performance of the institutions. This post-2008 focus is likewise reflected in the specification, and although there is a need for some knowledge of the period before 2008, this is at a minimum. This book aims, therefore, to provide students with an account that is as up-to-date as possible and which best meets the needs of the current specification. It has three key sections: an overview of the historical background leading up to 1998, upon which the more concrete

and procedural knowledge will sit; a content guidance section focusing on knowledge directly relevant to the specification; and an exam guidance section. The contents of these latter two are briefly summarised below.

The content guidance section is designed to clearly illustrate the required knowledge for this topic and is divided into four chapters that rigidly follow the needs of the specification. Each chapter is set out in a direct, student-friendly format with a clear building-block approach, starting with key roles, procedures and functions, then developing this with practical analysis of how things work in practice. In this way, analysis and evidence are built into each of the relevant chapters, helping students to identify the difference between knowledge and understanding and evaluation, and providing some examples for the points they wish to make.

Chapter 1 will focus on the four agreements since 1998 – Good Friday, St Andrews, Hillsborough and Stormont House – which effectively function as the ‘constitution’ for NI. Students should be aware that these documents dictate how NI government is supposed to operate. Chapters 2 and 3 will analyse and explore the operation of the Executive Committee and Assembly respectively, giving opportunities to explore how the two institutions interrelate. Chapter 4 will focus on the policies and development of the political parties and offer tentative conclusions as to why some parties are enjoying electoral success and others are not. In each of the chapters, key terms and concepts will be highlighted as appropriate, in order to enable students to build their political terminology as they progress through the book.

The final section will specifically address exam requirements and provide guidance on both exam preparation and how to approach individual questions. It will include insights into common mistakes and how to avoid them.

Terminology

One of the key elements to studying a new discipline is learning language specific to that subject. Within this book are three aids for the acquisition of relevant political vocabulary: a guide to the abbreviations used, both within this book and in NI political life; a subject-specific glossary of terms; and relevant information boxes interwoven throughout the text, which place key terms alongside the appropriate context, enabling students to gradually increase their knowledge as they progress through the unit.

Students are encouraged to remember that they are studying, and therefore writing about, an academic subject, and to endeavour from the start to keep their writing precise and formal and to avoid using slang or

colloquialisms, which may not be appropriate for a more developed academic study. In the context of NI politics, there are a few specific issues which need to be addressed, such as the use of the terms Catholic/Protestant, unionist/nationalist; when and how to use abbreviations; and how to reference political leaders and groups. Although it is still not unusual for the NI conflict to be treated as religious-based and the terms Catholic/Protestant are often used colloquially to mean nationalist/unionist, political scientists do not endorse this approach. There are a number of theories regarding the nature of the divided society in NI and the dominant approach taken by political scientists is that NI is an example of an ethno-nationalist conflict made worse by the fact that the ethno-nationalist divisions also correspond with religious divisions. For this reason, more precise language should be used and, rather than referring to the two main communities as ‘Catholic’ and ‘Protestant’, the political terms ‘nationalist’ and ‘unionist’ are preferred.

In addition, it is important to recognise, where possible, the existence of other communities or identities. One of the criticisms that has been made of the agreements since 1998 is that they ‘lock in’ sectarianism by structuring the government around a power-sharing Executive based on two main political groups.² Sectarianism has been identified as one of the long-standing political and social problems in NI and could roughly be described as the tendency for citizens to identify with one of two main groups and to be unwilling to take seriously the views or beliefs of the other. At its worst this manifests itself in violence and public disorder but, in a lower scale, has resulted in segregated housing and education, particularly in more urban parts of NI. These groups are variously regarded as Catholic/Protestant or unionist/nationalist, and sectarianism is attributed with being a key cause in violent attacks and continued hostility between the two sides of the community. As time has moved on, these two main groups continue to dominate the political landscape, however, there is increasing evidence of disruption to this pattern. The Green Party, for example, is beginning to gather momentum, and increasingly NI is starting to see political issues which fall completely outside the norm of nationalist/unionist politics. Like the Marriage (Same Sex Couples) Act 2013 – more commonly referred to as the ‘Equal Marriage Act’ – which, if applied to NI, would extend the right to marry to same sex couples. Therefore, while the political institutions continue to be dominated by unionist and nationalist parties, due attention does need to be given to other identities and groups.

With regard to the First Minister and deputy First Minister, it is important to recognise that the lower case ‘d’ at the start of ‘deputy’ is deliberate and

reflects the fact that this is a joint Head of Executive role – a dyarchy – and that the two hold coequal powers. As elsewhere, abbreviations should be used correctly, with the full word being used on first usage and the abbreviations or acronyms thereafter. Students are advised to avoid abbreviating words such as ‘parliament’ or ‘government’, no matter how tempting this may be, especially in the context of an exam, as it is never acceptable in formal writing.

Background

The devolution of some political power from Westminster to NI in 1998 (and in the series of agreements post 1998) is impossible to examine without making reference to the history of NI from 1920–98. However, the decision to include only a brief overview is a deliberate attempt to reinforce the fact that, while it is important for students to understand the historical background to the current political situation and arrangements, it is not a requirement of the specification that they should have a thorough knowledge of the pre-1998 era. What follows is, therefore, the briefest of scene-setting histories designed to establish the situation as it was at the signing of the Good Friday Agreement in 1998.

1920–1972

The Government of Ireland Act 1920 (Fourth Home Rule Bill) was an attempt to bring an end to the Anglo-Irish War, which was raging across Ireland at the time and bringing the British government more and more criticism both from within the British Isles and further afield. In an attempt to settle the ‘Ulster question’, it advocated a temporary partition of Ireland by establishing two Home Rule style parliaments: one in the new Northern Ireland to govern the northernmost six counties; and one in the South to establish a similar twenty-six-county dominion parliament. Although most northern unionists were happy with the act, southern unionists felt abandoned, whilst northern nationalists lived in hope for an end to what was seen as the absurdity of partition.

James Craig, enjoying a burgeoning Westminster career as a junior finance minister, reluctantly agreed to leave his London political life and return to NI to become the first NI prime minister. Elections were held and the first devolved Northern Irish government was set up. From the start, this was a government and state under pressure. A sizeable minority refused to recognise the state, hoping that it would be short lived, and were encouraged in this belief by the addition of a Boundary Commission to the 1921

Anglo-Irish Treaty, signed to end the war between the Irish Republican Army (IRA) and the British state.³ The Boundary Commission was a device used by British Prime Minister David Lloyd George to deal with the 'Ulster question' during the treaty negotiations, and made provision for a border poll (to check how many people in NI wanted to remain part of Britain) to be held following the enactment of the treaty. The 1925 report which resulted from this recommended minor changes but, by mutual agreement, the Irish Free State and the NI government agreed to leave things as they were. However, the threat of the Boundary Commission, and the fear that it would lead to the loss of Fermanagh and Tyrone, caused considerable unionist anxiety in the interim and did not help the volatile situation in the new NI state. There was a pervasive sense of threat as successive unionist governments overestimated the influence of the Free State and believed all too readily its ostensibly all-Ireland rhetoric. This was exacerbated by the fear that the British government, even when Conservative, could not be trusted to stand up for unionist rights. These fears, accompanied by a long-standing ethnic division between nationalists and unionists in NI, and increasing violence in the north, led to a disastrous start for this new state, which was steeped in political violence and division from the start.

The unionist government, feeling insecure and threatened, and in reaction to concerns about the perceived nationalist threat, implemented a series of policies designed to strengthen their already dominant political position. For example, they abolished the use of proportional representation for local council elections in 1922, and for parliament itself in 1929. The implementation of a proportional voting system was seen as a way to ensure the fairest possible distribution of seats in the new NI parliament, and was therefore a way of safeguarding minority rights. However, it had always been difficult for unionists to accept, as it was regarded as un-British and unnecessary. Another measure used to bolster the unionist majority was the gerrymandering of electoral boundaries to create constituencies which would be more likely to return unionist MPs.⁴ Likewise, in 1928 a company vote was introduced, whereby company owners received up to an additional six votes for each branch of their limited company. This disproportionately benefitted unionists since few nationalists owned limited companies. These measures not only increased the likelihood that unionists would remain in control, they were also an attempt to create a political system similar to the Westminster model.

Measures such as these ultimately led to a low-key but consistent discrimination against nationalists in housing allocation, employment and

voting, with widespread statistical evidence supporting these allegations. However it is also worth noting that in nationalist-dominated councils there was also evidence of discrimination against unionists – an unfortunate indication that the entire NI system was guilty of discriminatory practices and suspicion, rather than just one part of it.⁵

In the 1960s came a civil rights campaign, heavily influenced by similar campaigns in America and elsewhere. With a focus on nationalist rights, it drew attention to areas in need of reform, using slogans such as ‘One man one vote’ in reference to the need for voting rights, and ‘One family one house’ in reference to alleged discrimination in the allocation of housing. Unionists suspected that republicans were using the civil rights movement to mobilise against the NI state, which resulted in a very different response to civil rights between the mainstream unionist and nationalist parts of the community. The British government was eventually forced to intervene, as civil rights marches increasingly came under attack, and eventually the movement gave rise to a crisis of legitimacy for the NI parliament in Stormont. The October 1968 civil rights riots sparked republican interest and republicans saw in this movement an opportunity for a fresh attempt to end partition. In this way, civil rights, political violence and the collapse of Stormont became intertwined.

The inability of the Stormont Executive to effectively deal with the escalating civil disorder, together with the attention of the world’s media, put a question mark over the ability of the local assembly to deal effectively with the escalating political problem. The conflict (or what has euphemistically been called the ‘Troubles’) is generally regarded as having started in 1969, and by 1971 the situation was to become even more worrying.⁶

In August of that year, British Prime Minister Brian Faulkner introduced internment without trial, beginning with Operation Demetrius.⁷ It was a drastic move, designed to try to deal with the security situation by arresting people (both republicans and loyalists) under suspicion of terrorism, and detaining them without trial. Such a policy is highly controversial in a democracy, since it breaks the rule of law but Faulkner had hoped that, having been used successfully in the late 1950s, internment would help to quell the growing violence. Instead it fuelled an already volatile situation and increased nationalist resentment towards the British state. The worsening security situation revived speculation that direct rule from Westminster was becoming more, rather than less likely.

In January 1972 came ‘Bloody Sunday’ when, during a civil rights march in Derry/Londonderry, the British army shot twenty-eight civilians, fourteen

of whom died (thirteen immediately and one later).⁸ In response, British Prime Minister Edward Heath, called for periodic border polls, all security matters to be transferred to Westminster and internment without trial to be phased out. When the Stormont Executive refused to cooperate, the UK government shut it down and instituted direct rule. On 30 March 1972, fifty-one years of self-rule was wrapped up in a thirty-hour debate in the House of Commons.

1972–1998

The following timeline shows the political responses to the situation in NI between the ending of Stormont rule in 1972 and the 1998 Good Friday Agreement. The focus is primarily on the actions taken by the UK government, so that the political road from 1972 to the signing of the Good Friday Agreement in 1998 can be clearly tracked. The more important or significant developments have been highlighted in bold and explained more fully, with a focus on political developments and attempts to resolve the NI situation. This has necessitated leaving out other significant events, specifically the numerous attacks by various militarised groups and the impact this had on all of the victims. This is in no way to diminish this aspect of the conflict, however, in the interest of meeting the specification needs as succinctly as possible, it was deemed inappropriate to go into detail on this aspect. Further information can be obtained from a number of sources detailed at the end of this book.

1973 The Sunningdale Agreement: Signed at Sunningdale Park in Berkshire in March 1973, this provided a blueprint for a 78-seat NI power-sharing Assembly with a Council of Ireland. The Council of Ireland was to be made up of representatives from the Irish parliament, Dáil Éireann (the Dáil) and the NI Executive. The agreement was to replace the suspended Stormont government, but was unable to command the level of support needed. The Social Democratic and Labour Party (SDLP), Alliance Party (APNI) and more moderate members of the Ulster Unionist Party (UUP) supported it, but many other UUP members were opposed, particularly to the Council of Ireland, which they saw as a dangerous institution that could lead to a united Ireland. The agreement contained many of the elements that would later be seen as an essential part of any future solution, for example, power sharing, an Irish dimension, guarantees for minority rights and

proportional representation. It is generally accepted that it was too soon for a power-sharing Executive with an Irish dimension to be acceptable to unionists, particularly in the context of an ongoing IRA campaign. The activities of the IRA in this era, with 1972 and 1973 seeing particularly high levels of security force deaths, did not predispose the unionist community to support attempts at power sharing, and the Sunningdale Executive collapsed as a result of the Ulster Workers' Council strike in May 1974.⁹

1975–6 Criminalisation, Ulsterisation, Normalisation: 'Criminalisation' was a policy introduced by the British government in 1975 that aimed to represent the IRA as a criminal gang in order to undermine them. In practical terms, this resulted in the removal of the controversial Special Category status given to paramilitary prisoners and the building of a new conventional prison – the Maze prison, also commonly referred to as the 'H-blocks' due to the shape of its wings – to house these prisoners. 'Ulsterisation' made the Royal Ulster Constabulary (RUC) and the Ulster Defence Regiment (UDR)¹⁰ primarily responsible for the security of NI, and in this way the role of the British army was to be reduced. 'Normalisation' was an attempt to present life in NI as normal as possible and resulted in the fast rebuilding of bombed buildings and speedy clean-up operations following terrorist attacks. This was all at considerable expense to the British government, yet the approach not only failed to resolve the security situation, it was to set the scene for the later hunger strikes, as it was during this era that the 'blanket protest' began.¹¹

1979 The Atkins Initiative: Secretary of State Humphrey Atkins set up talks between the SDLP, the Democratic Unionist Party (DUP) and the Alliance Party to try and establish how devolution could be achieved in NI. The UUP refused to attend as they objected to the proposed discussion of an Irish dimension. The talks resulted in a UK government suggestion that devolution could go ahead with either a power-sharing Executive or majority rule. Nationalists and the Alliance Party rejected the majority rule option and unionists rejected power-sharing so it did not result in a new initiative. However, it did lay the groundwork for James Prior's attempt at devolution, which followed.

- 1982 James Prior's 'Rolling Devolution':** James Prior succeeded Humphrey Atkins as secretary of state. In 1982, he suggested another attempt at devolution based on a 78-member assembly voted in by the single transferable vote system (STV). There was to be an Executive of 13 members. Elections were held, but the assembly never got off the ground, as nationalists refused to participate due to the lack of an Irish dimension. This was called 'rolling devolution' because the assembly was to have a consultative role only until power sharing could be agreed and then power would be devolved fully to NI, one department at a time.
- 1985 The Anglo-Irish Agreement:** This was, by far, the most significant development since the implementation of direct rule, coming only a few years after the 1981 hunger strikes.¹² These had marked a significant turning point in the conflict and resulted in a number of important outcomes, including the rise in support for Sinn Féin who, by the 1983 Westminster General Election, had gained 13.4 per cent of the vote as compared to the SDLP's 17.9 per cent. This was an indication of the growing polarisation between the two main sides of the community and enhanced the belief that something needed to be done to prevent further deterioration of the security situation. The second consequence was the growing European and American criticism of the British government and its handling of the hunger strikes, as well as the escalating security situation in NI. This critique caused the UK government considerable embarrassment, and Margaret Thatcher was aware that her cabinet needed to come up with a new attempt to deal with the situation. The third consequence was a growing friendship and commitment between the Republic of Ireland (RoI) and the UK as a result of their working together at the EEC (now EU). This had led to the development of a much friendlier and cooperative stance on NI.¹³ This last point was very significant, especially given the previously tense relationship between Britain and Ireland and their inability to see eye-to-eye on Northern Irish policy. Working together at the European level gave politicians and top civil servants of both jurisdictions a neutral space in which to discuss Northern Irish matters informally. This was to be a great help in moving the two countries to a joint approach, as happened with the Anglo-Irish Agreement.

The agreement was made up of thirteen articles in total and included provision for social justice measures, such as repeal of the 1954 Flags and Emblems (Display) Act (Northern Ireland). Its main content focused on stressing that unity would only be by consent of a majority in NI, but if a majority wanted unity the UK would not object. In practical terms, the setting up of North/South bodies in the form of the intergovernmental conference was a stealthy move. Infuriating to unionists, and of no real interest to nationalists, it established two very clear facts. Firstly, it established that unionists no longer had a veto over solutions in NI. Despite a long ‘Ulster says No’ campaign staged by unionists, and mainly aimed at the Intergovernmental Conference (IGC) the Conservative-led UK government held firm. Secondly it established the right of the British and Irish governments to act in the ‘best interest’ of NI over the heads of its citizens. Clearly, from 1985 onwards, some sort of an Irish dimension was a done deal. Both unionists and republicans disliked the Anglo-Irish Agreement, but there is no doubt that it set the stage for both groups reappraising their political stance, and eventually led to the Hume–Adams talks, which were an essential part of the road to peace.

- 1988** **John Hume and Gerry Adams talks:** SDLP leader John Hume initiated a series of talks with Sinn Féin leader Gerry Adams, hoping to persuade the IRA to give up arms.
- 1991** **Brooke Initiative:** In a speech in London in 1990, Peter Brooke (then secretary of state for Northern Ireland) stated that Britain had “no selfish strategic or economic interest” in NI and would not object to unification by consent. The following year he instigated a series of inter-party talks – later called the Brooke/Mayhew talks (in 1992, Sir Patrick Mayhew replaced Brooke as secretary of state) – attended by the UUP, the SDLP, the DUP and the Alliance Party. The purpose of the talks was to discuss the future of NI structured around three strands:
- Relationships within NI and how to achieve a devolved settlement
 - Relations between NI and the RoI
 - Relations between the British and Irish governments
 - These talks ended in mid-July, but they had opened the door

for subsequent talks and behind-the-scenes negotiations, which continued throughout 1991 and 1992

- 1993** **Joint Declaration on Peace:** Also known as the **Downing Street Declaration**, this was issued by British Prime Minister John Major in conjunction with Irish Taoiseach Albert Reynolds. It was a nine-point document that appealed to both republican and loyalist paramilitaries to call ceasefires in return for a chance to negotiate a peaceful settlement. It clearly stated that a united Ireland would only happen if and when a majority of Northern Irish citizens wanted it, but it also made clear that, if negotiations were not successful, the British and Irish governments would work together to find a solution to the NI question. Initially unionists and republicans were sceptical about this and regarded it with suspicion. However, it was well supported by all the main British political parties and by the American administration, then led by President Clinton.
- 1994** **Paramilitary ceasefires:** on 31 August 1994, the IRA declared a ‘complete’ ceasefire, with the Combined Loyalist Military Command (CLMC) – an umbrella group for the Ulster Volunteer Force (UVF), the Ulster Defence Association (UDA) and the Red Hand Commando – following suit on 13 October.
- 1995** **Framework Documents released:** The Framework Documents were joint publications from the British and Irish governments stressing their commitment to peace in NI and to the consent principle. They emphasised the importance of self-determination and the need to end hostility in NI through democratic and imaginative means.
- 1996** **Peace talks begin:** The IRA ceasefire ended on 9 February 1996, when the Provisional IRA detonated a bomb in Canary Wharf, London. As a result of this, Sinn Féin were excluded from the peace talks that began later that year.
- 1997** **Upheaval in the peace talks:** In July, the IRA ceasefire was reinstated and, as a result, Sinn Féin were admitted back to the talks in August. This, however, caused the United Kingdom

Unionist Party (UKUP) and Democratic Unionist Party (DUP) to leave the talks in protest.

1998 **Good Friday Agreement:** This was signed on 10 April and put forward to the electorate of both NI and the Irish Republic for consent. On 22 May a referendum on the agreement was held with 71 per cent of the population voting in favour. It should be noted that unionists were less enthusiastic about the agreement than nationalists with approximately only 58 per cent of unionists voting in favour.

The purpose of this section is to set the scene for the development of devolution and to help explain how some of the key features of the new devolved institutions were devised. For example, the twin ideas of a power-sharing Executive and an Irish dimension had been mooted since 1973, but they emerged in one form or another in most of the serious attempts to resolve the issue. It is also fairly clear that the British government, while working to contain the situation when a solution seemed impossible, was always hoping for a return to devolution and was working towards that end.

From 1969 to 1998 there were 3,636 deaths as a direct result of the actions of the military wings of loyalism, republicanism and the British security forces. The Northern Ireland Office estimate that approximately 500,000 people in NI have been directly and adversely affected by the conflict. As it stands just under 500 people are currently living with life-altering physical injuries and, as the definition of ‘victim’ is still subject to political debate, some of these people do not receive pensions or the means to make up for their loss of income. WAVE trauma centre, working in conjunction with medical and other academics, have identified ongoing transgenerational issues as a result of the conflict, namely higher levels of drug and alcohol abuse, higher levels of suicide and lower life expectancy rates. The conflict in NI had a deeply traumatic effect on the entire community and many aspects of that are only now, tentatively being examined.

The agreements detailed in the next chapter were designed to provide the blueprint for a new political system that would move NI forward and away from those dark days of conflict.

Endnotes

- 1 The term Good Friday Agreement is the one used throughout this book. For clarity, students should be aware that if they come across the term ‘Belfast Agreement’ in their wider reading, it refers to the same document.

- 2 Taylor, Rupert, ed. *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*, (Routledge, 2009). This book was structured around a discussion between leading academic supporters of the consociational model used in NI and those who felt it was inappropriate precisely because it based the political system and institutions on the sectarian divisions that had caused the trouble in the first place. It is not the only account of this criticism of the Good Friday Agreement but it is one of the clearest.
- 3 This earlier organisation should not be confused with the more modern IRA, as the earlier movement was concerned with achieving independence from Britain and was considerably different to the organisation which emerged in the 1960s, focused on NI and the desire to end partition.
- 4 The term 'gerrymandering' was first used in an 1812 article in the *Boston Gazette* that criticised nineteenth-century governor of Massachusetts, Elbridge Gerry, and his redrawing of district boundaries in a way that guaranteed favourable election results. The article drew attention in particular to one boundary that resembled a salamander.
- 5 John McGarry and Brendan O'Leary in *Explaining Northern Ireland: Broken Images* (Wiley, 1995), attest that there was evidence of nationalist councils discriminating against unionists but that it was not on the same scale as unionist discrimination against nationalists, nor was it as frequently noted.
- 6 As is the case with many historical events, the precise starting date for the conflict is a matter for debate and is equally highly politicised. Some argue that it began in 1966 when a revised version of the Ulster Volunteer Force (UVF) emerged, carrying out three attacks on Catholics in Belfast and resulting in the deaths of three people, Matilda Gould, John Scullion and Peter Ward.
- 7 A detailed and analytical account of Operation Demetrius can be found in McCleery, Martin, *Operation Demetrius and its aftermath: A new history of the use of internment without trial in Northern Ireland 1971–75* (Manchester University Press, 2015).
- 8 The events of this day were subjected to two public inquiries, including one of the most extensive and expensive inquiries carried out in Britain, the 2010 Saville Inquiry, which took 12 years and cost £195 million.
- 9 This strike was not sanctioned by the main trade unions and was actively discouraged by numerous trade union officials who saw it as divisive and contrary to union guidelines.
- 10 A branch of the British army based in NI and mostly composed of part-time members drawn from the local, and predominantly Protestant, community. It was later renamed the Royal Irish Regiment (RIR). During the conflict, 264 members lost their lives.
- 11 Some republican prisoners, in response to the denial of Special Category status, refused to wear prison uniform or to adhere to normal prison discipline. By 1980 there were approximately 400 prisoners on the 'blanket protest' in both the Maze prison and Armagh women's jail.
- 12 On 1 March 1981, on the fifth anniversary of the ending of special category status, a string of selected IRA volunteer prisoners instituted a hunger strike in the Maze prison, demanding that political status for paramilitary prisoners be reinstated. By the time the strike had ended, on 3 October 1981, ten men had died as a result of the protest.
- 13 This has been noted in numerous studies such as that by Katy Hayward, *Irish Nationalism and European Integration: The official redefinition of the island of Ireland*, (Manchester University Press, 2009).



THE FOUR AGREEMENTS



1998–2014

The Four Agreements: The Constitutional Framework for Northern Ireland

This chapter will briefly outline the content of the four main agreements which, taken together, form the blueprint for the operation of devolution in NI. These four agreements – the Good Friday Agreement 1998; St Andrews 2007; Hillsborough 2010; and Stormont House 2014 – in conjunction with the Northern Ireland Act 1998, act as the constitution for the devolved institutions and lay out how the political system should work. By far the most important is the Good Friday Agreement, and it will therefore be assigned the greatest attention. For each agreement, the focus will be on how it came about and what specific change it brought to the political system. Where appropriate, there will be some brief discussion of the reaction of the various parties and political groups. It is important to have an understanding of these four agreements but it is not likely that questions in the exam would focus directly on the agreements or expect detailed knowledge of their contents. This chapter also presents some key political concepts which are necessary for all students to understand, and which form an important part of the political vocabulary and analysis of this unit. To this end, the chapter explores how NI was governed under direct rule and outlines a key political concept – the ‘democratic deficit’.

There had been a number of attempted solutions to the NI conflict between 1972 and 1998 but, for one reason or another, all had failed. However by the mid-1990s, not only had the political environment shifted enough to allow for a new attempt at peace, but certain key individuals came to the fore at this time, dedicated to finding a lasting solution. One of these was the Conservative Prime Minister John Major, who began the process completed by Tony Blair’s Labour government.

Both Major and Blair understood what other British prime ministers had apparently failed to grasp – that, for peace to be achieved, they needed to

dedicate considerable time and resources to developing a lasting solution. They, like all parties involved, would have to be absolutely determined not to give up, that finding an acceptable solution must be made a priority.

Ultimately it was to be Blair's government – following Labour's landslide victory in the 1997 British general election – that was credited with bringing peace to NI, and Blair went on to have a career working in conflict resolution in the Middle East, largely on the basis of the experience he gained while negotiating the Good Friday Agreement. Like John Major, he displayed a focus, determination and willingness to try new solutions, all of which were needed to help achieve the settlement eventually signed in April 1998.

Bill Clinton's American administration was especially keen to support any attempt at a solution, and Clinton helped by offering the services of Senator George Mitchell as diplomat, who kept the momentum of the talks going at critical times, when it looked like things could grind to a halt. Mitchell has retained strong links with NI.

All of these individuals played a key role in the events that shaped the peace negotiations and the Good Friday Agreement itself, and are therefore worthy of mention.

What inspired the Good Friday Agreement?

As discussed, the Good Friday Agreement was largely a result of changing political circumstances, including a change in the relationship between the British and Irish governments. The SDLP promoted the idea that for there to be any chance of peace, Sinn Féin needed to be involved in dialogue, and a solution had to be found which would appeal to republicans as much as any other group in NI. This was difficult for the British government and unionist groups to accept, but ultimately a willingness to try was imperative for progress to be made.

By 1991, it was clear that, for all parties in NI, Britain and Ireland, it was no longer acceptable to simply manage the situation in NI. Rather, the situation had to end. Internationally, the end of the Cold War meant that there was no longer any strategic need for Britain to hold on to NI. While the Cold War had been ongoing, NI had provided an important base for NATO forces, should they be needed, and once it ended, those bases became less important and the strategic location of NI less significant. Meanwhile, the fall of apartheid in South Africa seemed to offer hope that even the most bitterly divided society could find peace.

In addition, there was growing criticism of the simply undemocratic nature of direct rule. Technically, NI may well have been "as British as

Finchley”, as noted by Margaret Thatcher in 1981, but when you stripped away the rhetoric and looked at how laws were actually made for NI, there was a significant difference between it and the rest of the UK. One of the main inspirations behind the Good Friday Agreement was the desire to end this ‘democratic deficit’.

The combination of a willingness by all the main political actors, including the British and Irish governments, a changing international situation, and a belief that the ‘temporary’ period of direct rule really needed to come to an end, all contributed to the development of the Good Friday Agreement.

Direct rule and the ‘democratic deficit’

The introduction outlined the attempted solutions to the NI conflict between 1972 and 1998. However, the detail of how NI was actually governed during this time was not examined. This section examines the arguments in favour of and against direct rule and considers why some academics and political commentators, such as Arthur Aughey and Duncan Morrow, would suggest that the methods for making laws for NI under direct rule were not sufficiently democratic, giving rise to the allegation of a democratic deficit.

The term ‘direct rule’ in NI’s case suggested that the region would be ruled in exactly the same way as the rest of the UK, so that the worst that could happen would be a lack of regional-specific laws. Indeed, there is still an argument, often used by the regions in the north of England and in Scotland, that laws made at Westminster fail to take into consideration the needs of the regions – indeed, this is one of the arguments being used in favour of devolution for both Wales and Scotland – and is one way that direct rule can be seen as an unsatisfactory form of democratic rule.

However, objections to NI direct rule are based on much more than this. Under direct rule, NI was governed in a uniquely different manner to the rest of Britain – a problem described as democratic deficit. Under direct rule, power was concentrated in the hands of the secretary of state for NI, a full British cabinet minister who ruled in conjunction with a number of junior ministers, each of whom represented mainland British constituencies. Essentially the role of Secretary of State is to exercise executive power – the power to suggest policies and maintain the day-to-day running of the province – along with drafting policy initiatives and keeping within required budgets.

The secretary of state, especially in his/her first few months in power, will, due to their higher level of local knowledge, rely heavily on the Head of the Civil Service in NI for advice and guidance on a range of matters, such as how to allocate resources and implement policy. The secretary of state

would frequently defer to their expertise, giving them a lot of hidden power. Sir Patrick Mayhew described his time as secretary of state (1992–97) as not unlike that of a colonial governor, with few restrictions on what he could do or suggest as policy for NI.

The secretary of state, like the prime minister in Britain, also had access to a wide range of patronage powers. This, too, was criticised. When Stormont was suspended in 1972, the local councils were stripped of their powers. Quangos (organisations that carried out some government functions) were set up to do work previously done by the councils, and the members of these were appointed directly by the secretary of state and the junior ministers. After the signing of the Anglo-Irish Treaty in 1985, Dublin was given limited say in the allocation of some quango posts, however, this was still a very undemocratic way for public posts to be allocated. Both the method of appointment for quangos and the lack of accountability for their decisions were central features of the democratic deficit.

KEY TERMS

Secretary of state – official title of any cabinet minister appointed by the prime minister. Therefore, the secretary of state for NI is the cabinet minister responsible for NI. Like any other cabinet minister, they are expected to make sure their department, in this case NI, is well-run, sticks to government budgets and is generally in keeping with government policy.

Executive power – the power to suggest laws and to come up with a programme for government.

Patronage – the power of appointment. It can include a large number of appointments. For example, the British prime minister can appoint cabinet members amongst other posts. It is a useful power as it can be used to reward loyalty, to gain support or to silence opponents.

Accountability – one of the key ways democracy is maintained is by making sure public officials are held accountable. There need to be methods in place to ensure that they are behaving appropriately, spending public money correctly and adhering to the rule of law.

Legislative power – the power to pass laws. Usually in a democracy this is a power belonging to an elected assembly or parliament.

The democratic deficit also applies to how laws for NI were made under direct rule. In fact, for most analysts, this is the focus of the complaint that direct rule is an unfair and undemocratic system. The first thing that needs to be understood is that the act that dealt with the suspension of Stormont in 1972 was called the Temporary Provisions Act and it was, as the name suggests, intended to be only a short-term measure with a new NI parliament set up as soon as possible. For the British government, direct rule was only supposed to last a short time. This partly explains why the arrangements for law making in NI were so unsatisfactory – they were only supposed to cover a few months until things settled down and a new arrangement could be worked out.

Under the Temporary Provisions Act, legislation for NI was passed through Orders in Council, a method usually reserved for passing statutory instruments or secondary legislation at Westminster. However, since Orders do not go through the same rigorous stages as a normal bill this is seen as a notoriously undemocratic method for passing laws. There is, for example, no line-by-line consideration of wording, and Orders are not subject to the usual debates, or back-and-forth scrutiny between the two Houses of Parliament. As a result, MPs cannot suggest amendments, and can only vote against or in favour of the Order (i.e. a straight vote).

During this time, NI legislation originated with the NI Office, essentially coming directly from the secretary of state who was acting on agreed government policy. As amendments could not be made, legislation for NI received less legislative scrutiny than that for Britain as a whole. Few MPs other than NI MPs attended the vote for the Orders in Council – which are also voted on late at night when attendance at the Commons is already low – and so these passed without challenge. The system was, in fact, akin to having the secretary of state rule by decree.

A further criticism of direct rule was the basic lack of accountability. One of the safeguards in a democratic system is the ability for the Executive to be held to account. In British politics there are several ways for this to happen: Prime Minister's Questions, written questions, select committee enquiries, debates, and Lords Questions. However, under direct rule, the main form of accountability was the monthly Question Time at Westminster. After the establishment of the NI Affairs Select Committee, which was only set up in 1993, things were marginally better. However, even taken together, these two opportunities for scrutiny could not be seen as enough to ensure adequate accountability.

However, it must be remembered that direct rule also has some positive points and there are arguments in favour as well as against. For many years

some unionists (DUP included) saw direct rule as a better option than power sharing. There was also a recent upsurge in calls for a return to direct rule following the Renewable Heat Incentive (RHI) scandal, and the resultant political impasse and general feeling of discontent at the inability of the Executive to come to a political agreement. Frustration amongst the electorate at frequent disruptions to the operation of politics, the inability of politicians from the bigger parties to set aside differences and work cooperatively, and the intractable problem of dealing with legacy issues has given support to the view that direct rule might be better.



LEARNING OPPORTUNITY

Students should write a page explaining what is meant by the term 'democratic deficit'. They should include information on who suggested laws, how they were passed and what type of scrutiny there was during direct rule.

Arguments in favour of direct rule for NI

1. It limits the scope for sectarianism to influence decisions – especially since, in 1985, the RoI was co-opted to act as guarantor of nationalist rights.
2. Direct rule ministers are accountable through ministerial Question Time and the NI Affairs Select Committee.
3. It guarantees a more stable government than devolution, with little scope for suspensions or inability to deal with issues because of lack of cooperation.
4. It guarantees a common set of standards across the UK, with regard to areas such as housing, health and education.
5. It is a way of making sure that NI is always governed (avoiding those periods of political inactivity that have sometimes occurred at Stormont during devolution).
6. It is seen by some in NI, specifically integrationist unionists, as a way to secure the union.