



The Constitution Unit



Nations and Regions: The Dynamics of Devolution

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- **Assembly election finally called at third attempt**
- **But anticipated unionist-republican deal breaks down**
- **Poll shows most deep communal polarisation**
- **Little likelihood of power-sharing executive following election**
- **Review of Belfast agreement to get under way**

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1. Summary Robin Wilson

In more optimistic, post-Belfast-agreement, times, Seamus Heaney wrote lyrically of the ‘rhyme’ of ‘hope and history’. More like ‘hype and history’, said the wags, after the latest, much-flagged ‘historic’ day in Northern Ireland collapsed in failure to end the year-long suspension of devolution arising from the mistrust between most Ulster Protestants and the IRA.

A ‘choreography’ of statements and events involving the Ulster Unionist leader, David Trimble, the Sinn Féin president, Gerry Adams, the IRA, the Independent International Commission on Decommissioning, and the governments in London and Dublin was meant to roll out on October 21st, to renew power-sharing embracing republicans after a twice-postponed assembly election.

Downing Street announced the election date of November 26th, and there were further warm words from Mr Adams, echoed by the IRA. But the cold steel put ‘beyond use’ by the latter was shrouded in uncertainty, with a lacklustre report by the IICD head, John de Chastelain. Despite a dozen prior meetings having taken place between Messrs Trimble and Adams, the former declared himself unsatisfied with the scenario as it unfolded. Tony Blair and his counterpart, Bertie Ahern—the latter having been much less chipper about a deal than Downing Street—found themselves limiting the damage rather than trumpeting their achievement.

The hard-line Democratic Unionist Party was left able to present Mr Trimble as a credulous patsy. SF was allowed to take over representation of Northern Ireland’s Catholics without a vote being cast. The SDLP was enraged, while the non-sectarian parties were marginalised once again.

The government had insisted all along that an election without a deal allowing renewed devolution would be pointless. The *Irish Times*’ London editor cynically suggested that the prime minister had ensured, by insisting the election would still go ahead, that if it was a mess it would be ‘the people’s mess’.

The UUP leader tacked to his ‘no’ camp to present a nominally united front to anxious Protestant voters: a ‘charter’ for all candidates moved the party into a ‘non-agreement’ position. The SDLP went beyond the agreement to compete with the more nationalistic SF, demanding a vote (however unwinnable) on a united Ireland in the next assembly term. There was little prospect of sufficient ‘unionist’ MLAs being willing to elect a first and deputy first minister and so see a new grand-coalition executive formed.

The long-anticipated review of the agreement, slated for December by the two governments, loomed instead.

2. The ‘peace process’ Rick Wilford and Robin Wilson

2.1 Overview

They were comments that may come back to haunt him. The Northern Ireland secretary, Paul Murphy, was addressing those few Labour members exercised by the politics of the region at the party conference in October.

After almost a year of suspension of the devolved institutions, due to the absence of trust between the representatives of moderate Protestant opinion and the political voice of republican paramilitarism, Mr Murphy warned that an election—strongly pressed by the republican movement and the anti-agreement Democratic Unionist Party—would be no ‘panacea’ for the deadlock. And he said: ‘Without actions and words from the IRA, that can build trust and cement confidence, we risk either more direct rule or an election to a dysfunctional assembly and renewed cold storage for politics in Northern Ireland.’¹

It is unlikely the Northern Ireland secretary would have used the words ‘cold storage’ if he did not think a deal between the Ulster Unionist leader, David Trimble, and the Sinn Féin president, Gerry Adams—at that time ensconced in intense negotiations (see political parties and elections section)—was likely. But, whether because the republican gesture was in the end inadequate or Mr Trimble’s response ungenerous—or both—the putative pre-electoral deal which Tony Blair hoped to descend upon Belfast once more to endorse proved too fragile to withstand the light of day on October 21st, when, in a complex sequence of statements and events, it was to be revealed to a public hitherto kept in the dark.

And it was not just the public. The other parties, including the pro-agreement SDLP and the centre parties (the Alliance and the Women’s Coalition), as well as the ‘loyalist’ Progressive Unionist Party, were all effectively excluded from the dozen or so UUP-SF bilaterals seeking to bridge the gap over stances on the intergovernmental joint declaration published by Mr Blair and the taoiseach, Bertie Ahern, in May (see May 2003 report). In the most remarkable snub of all, the same parties were not invited to key discussions at Downing Street involving the premiers and the US president’s envoy, Richard Haass, on October 13th.²

In his speech in Belfast after the suspension of the institutions—precipitated by revelations of a huge IRA spying operation at Stormont—Mr Blair sheepishly admitted that he had not given as much attention to the SDLP, as well as Alliance and the Women’s Coalition, because the party’s ‘reasonableness meant they counted for less’. This didn’t stop him, however, from compounding the error, despite the obvious signal sent out that those who were the source of what he then called ‘the problems holding up the implementation of the Agreement’ would continue perversely to be rewarded for being so.³

Yet how could power-sharing—the *sine qua non* of effective devolution in Northern Ireland—thrive if, in Catholic eyes, the only party that was taken seriously was SF, still feared as a partner by most Protestants because of its Leninist character and its refusal to come clean about the IRA? Why should Catholics vote any more for the SDLP, whose own ‘problem’, as Mr Blair confided to the party leader, Mark Durkan, was that ‘you don’t have guns’?⁴ And would not Protestant support for the beleaguered Mr Trimble drain further below the critical level at any further rendezvous with the electorate, if he could be portrayed, however disingenuously, by his (self-excluded) DUP and internal UUP opponents as the man there simply to make up the Protestant numbers, in talks with the real focus of prime-ministerial attention—the republican movement?

And why should what Mr Blair had implied a year earlier to be the ‘problem’ parties, SF and the UUP, be the solution? Messrs Adams and Trimble were certainly under pressure to appear reasonable, so as not to lose the ever-present ‘blame game’ in the eyes of the international community. But appearing to be reasonable, and being reasonable, are not the same thing. It was thus no surprise that Mr Adams did not, in the end, offer as much as Mr Trimble believed was necessary and that the latter did not, in the end, react with magnanimity.

Moreover, the increasingly byzantine ‘process’ had taken the wider public entirely for granted. Not only were the negotiations secret; even the ‘choreography’ wasn’t all to enter the public domain. Crucially, the ‘decommissioning’ element by the IRA was not to be subject to public gaze. And while the subsequent focus was on the inability of the head of the Independent International Commission on Decommissioning, John de Chastelain, to break confidence with the IRA on the quantity of weapons put ‘completely beyond use’, no one knew any longer what being put ‘beyond use’ meant—in particular whether ‘completely’ meant *irreversibly* disabled or rendered *irretrievable*.

The Northern Ireland Arms Decommissioning Act of 1996 had allowed of two methods of decommissioning: a physical handover of weapons or their verifiable destruction. The act defined ‘destruction’ as ‘making permanently inaccessible or permanently unusable’. So far, so clear. But the IRA dismissed all talk of decommissioning as ‘surrender’; the loyalists were no more interested (and that hasn’t changed but they play no significant political role). In August 2001, however, the IRA were eventually to agree a decommissioning ‘scheme’ with the IICD, established by the act, by which IRA arms might be put ‘completely beyond use’.

Cognoscenti of IRA language—which republicans take very seriously indeed—will know that whereas the 1993 joint declaration between London and Dublin, at the outset of the ‘peace process’, insisted that there had to be a ‘permanent end to the use of, or support for, paramilitary violence’ before republicans could join formal political talks, the 1994 IRA ceasefire was defined instead as ‘complete’ by its authors. While some pooh-poohed any quibbling about the words used, the significance of the

semantics became clear in February 1996 when the IRA declared that its ‘complete cessation of military operations’ was over.

The ‘scheme’ agreed with the IICD in August 2001 confusingly uses both the words ‘permanent’ and ‘complete’ as if these were interchangeable, but all references by the IRA to the subject have used only the C-word and the commission itself no longer refers even to the ‘destruction’ of weapons, never mind their ‘decommissioning’, accepting instead the ‘beyond use’ formula. Moreover, the IRA insisted on confidentiality, for which the legislation did not provide, in agreeing to the scheme.

So were the arms which Gen de Chastelain observed over several hours being put ‘beyond use’ in October destroyed? Were dumps sealed in concrete? Whatever the case, he wasn’t saying.

It was all so much simpler in Macedonia, when the prior power-sharing government established after the break-up of Yugoslavia was expanded to include representatives of former ethnic-Albanian paramilitaries after the Ohrid accord of 2001. It was agreed that weapons would simply be handed over to NATO in the glare of the cameras. Even though there was much argument as to the number of arms in the paramilitaries’ hands—with the latter claiming far fewer than their Slav Macedonian opponents—the transparency of the episode brought that argument, and the wider decommissioning issue, to a close. The Macedonian power-sharing government may be incompetent and unpopular, but the involvement in it of former paramilitaries is not now at issue.

In the aftermath of the *débauche* of October 21st, a *Belfast Telegraph* poll (see public attitudes section) indicated that Protestants remained overwhelmingly unpersuaded. Sixty-three believed the IRA would only disarm in the event of a united Ireland and 79 per cent wanted the Belfast agreement renegotiated or abandoned. Yet while most Protestants would not support another grand-coalition power-sharing executive being formed post-election as things stood, in the event of a radical move by the IRA opinion could change dramatically.⁵

How had Mr Trimble failed to secure a more robust understanding, after seeing Mr Adams a dozen times? The UUP leader blamed his republican interlocutor for continuing to maintain the legal fiction that he could not speak for the IRA but was only an intermediary. (In fact, it became accepted by all at the time of Mr Blair’s megaphone diplomacy with Mr Adams earlier in the year over the joint declaration that the latter was the voice of the IRA everyone knew him to be.)

But Mr Trimble has a tendency—characteristic of many Protestants—to assume that Catholics should think the same way as he does, despite manifest differences in communal political socialisation (confirmed again by the divergences in the poll). There is no doubting he made plain to Mr Adams that any further ‘decommissioning’ had to be ‘transparent’ and that the UUP leader assumed he had no conciliatory responsibilities of his own. It is equally clear, however, that his assumption that Mr Adams would and should accept his arguments was wrong.

The upshot of the affair was the announcement of an election, to be held in the depth of winter on November 26th, in the least propitious climate imaginable—and the prime minister quickly made clear that, despite what Mr Murphy had said at the party conference, the election would go ahead without prior agreement.

Whatever the precise outcome, there was little prospect there would be a majority in the *soi-disant* ‘unionist’ bloc of new assembly members in favour of the election of a first and deputy first minister by the ‘parallel consent’ procedure—indeed there wasn’t such a majority in the old assembly from the time power was devolved in December 1999, and the mood in the Protestant community is much more bitter now. Never mind the possibility that SF, rather than the SDLP, might be putting forward the candidate for deputy first minister this time around.

With little chance of any new power-sharing government being formed and everyone anticipating the review of the agreement due anyway in December, parties and voters were incentivised to retreat to communal enclaves. The DUP and SF urged electors to maximise their ‘mandates’ for yet further ‘negotiations’.

It was bad news for Mr Trimble—who was privately insisting the weekend before that fateful Tuesday that the government was not committed to an election—and for the SDLP and centre parties. Having always said an ‘election to nothing’ was pointless, the former first minister now faced considerable difficulty in mobilising middling Protestant opinion—never very politically engaged at the best of times. He tacked accordingly towards his ‘no’ camp, so as to present a nominally united face to the (Protestant) electorate, agreeing a series of 10 principles which managed nowhere to refer to the existence of the Belfast agreement. These effectively made his party a ‘non-agreement’, rather than ‘pro-agreement’, contender.⁶

The SDLP, despite brave talk of a ‘Stalingrad’ battle against the advance of SF, had been electorally shafted by Mr Blair—and, indeed, by Mr Ahern—who had signalled in the clearest manner possible that SF was now deemed the party to speak for Northern Ireland’s Catholics, even before a vote had been cast. The party’s old sage and former deputy leader, Séamus Mallon, issued a coded call for cross-community transfers to preserve the moderate middle. A day later, however, at the launch of his manifesto, Mr Durkan went beyond the agreement in calling wildly for a referendum on a united Ireland during the next assembly. The agreement specifies that such a referendum would only be called by the Northern Ireland secretary when a pro-unification majority looked likely, and the latest Life and Times Survey data showed a 55-22 majority the other way.⁷

In this charged context, the policy-focused Alliance and Women’s Coalition had little chance of focusing electors on the ‘bread and butter’ issues or the (unimpressive) record of the outgoing coalition parties. It was, in sum, a shoddy spectacle. ‘Democracy’ had triumphed—but in form rather than substance.

2.2 Poor choreography

The failure of the UUP and SF to clinch the deal London and Dublin had sought to broker on October 21st—a date flagged by Downing Street as Northern Ireland’s ‘most significant day’ since Good Friday 1998—has left a pall of uncertainty hanging over the election and its aftermath. The criteria set by the two governments, *viz* that the election had to take place in a ‘positive and constructive atmosphere’ *and* lead inexorably to the formation of an executive, complete with a first and deputy first minister in place, seem unlikely to be met. Instead of the election turning on an (albeit tacit) pro-/anti-agreement axis, the battle lines in what is likely to be a bitter contest will be the familiar ones: UUP *versus* DUP, SDLP *v* SF and the wider unionist-nationalist party competition.

Hence, no new political order founded upon an immediate ‘settlement’ beckons. Indeed, there is every likelihood that the outcome will not see the restoration of devolution but new negotiations—probably on a multi- rather than all-party basis—and the review of the agreement, as stipulated in the accord itself.⁸ In effect, the poll will resemble that held in 1996 rather than 1998, in the sense that it will be an election ‘to process’ rather than to government.⁹

Post-election, devolution will remain suspended unless and until the Northern Ireland secretary decides otherwise. Mr Murphy is not obliged to renew devolution in the wake of the election: rather, he will reflect on the results and judge whether they offer the probability that an administration can be formed that will be stable and robust. As the votes are counted¹⁰ and seats declared won on November 27th and 28th, Mr Murphy will form his judgment and decide whether any fruitful purpose is served by convening the assembly.

Should he decide against that option, the review of the agreement *could* still proceed—the assembly does not have to be sitting to enable that to happen. But the maintenance of direct rule, the obvious effect of continuing suspension, might lead some parties, including the DUP and SF, to boycott any proposed review process, though for different reasons.

Thus, to look to the future is to peer through a glass darkly, one rendered even more obscure by the fact that the DUP has not disclosed the alternative arrangement it favours. As far as London, Dublin, Washington, SF, the SDLP and the UUP leadership are concerned, however, there is no alternative to the agreement, complemented by the joint declaration. Yet divisions within the UUP, and the prospect that dissidents like Jeffrey Donaldson and David Burnside will be elected to the assembly, mean that the party’s bloc of nascent MLAs will be less pliant than that elected in 1998.

Such uncertainties and difficulties are not the harbinger of a return to the enormities of the past: there is, dissident republicans aside,¹¹ no appetite for a resumption of overt inter-communal conflict. But the pressure on the ‘mainstream’ republican movement to comply with what most—Protestants and Catholics alike—seek, *viz* transparent and unambiguous decommissioning, seems at the time of writing to be resistible.

The survey period was dominated by the project of restoring devolution. As the autumn unfolded, a series of face-to-face meetings between Mr Trimble and Mr Adams culminated in what appeared to be another ‘D-day’ in the ‘peace process’. The stage was set on October 21st for a carefully choreographed series of steps to unfold, paving the way for an election to government. Those deemed the key players—London, Dublin, the UUP, SF, the IRA and the IICD—were scheduled, in turn, to play their part in rehabilitating the devolution project.

Shortly after 7am Downing St announced, *via* a call on a mobile phone to a BBC Northern Ireland journalist, that the election would take place on November 26th. This was the first in a series of pre-arranged steps, to be followed in turn by: a speech by Mr Adams; a statement from the IRA endorsing Mr Adams’ speech; an announcement by the head of the IICD, Gen de Chastelain, that a further stockpile of the IRA’s arsenal had been put ‘beyond use’; this then to be confirmed by a second IRA statement. Next, Mr Trimble was to say that the preceding steps had created the trust necessary to enable him to commit his party to executive formation. Finally, having arrived in Northern Ireland, the two premiers were to set their seal on the deal and commit themselves to the ‘full implementation’ of the agreement and the joint declaration. All went well until the de Chastelain statement.

The clearly exhausted general appeared at Hillsborough Castle in front of the cameras, an unusual event in itself, to confirm that the IRA’s third act of putting weapons ‘beyond use’ had taken place and provided some information about the nature and extent of the arms involved.¹² This was the crux. Everything hung on his words, more precisely on the detail he would convey to an expectant audience—chief among whom was Mr Trimble, who awaited developments at his party’s HQ.

Having confirmed that a third event had taken place, Gen de Chastelain conveyed in general terms the nature of the weapons put ‘beyond use’ and said that in total the amount was larger than before. But it was the general nature of his statement that was to prove problematic. Pressed by the assembled journalists to disclose more detail he was not forthcoming, given he had entered into a side agreement with the IRA’s interlocutor that respected the confidentiality of the process.¹³ Thus, while his statement had some breadth, it lacked the depth and transparency to satisfy Mr Trimble.

The UUP leader appeared in front of the cameras shortly afterwards to announce, in a tone of mounting anger, that he was ‘putting the sequence on hold’.¹⁴ The ‘choreography’ had come to a juddering halt. The subsequent appearance of Messrs

Blair and Ahern at the Hillsborough press conference thus became an exercise in damage limitation rather than the celebration planned.

Whether the unravelling of the orchestrated events was the outcome of a misunderstanding or deceit (or both) remains unclear. With the key negotiations having been private bilateral talks between the UUP leader and the SF president, no third party was present to explain subsequently how matters ended up, as one journalist put it, ‘more like Dunkirk than D-day’. And while this bilateralism suggested a new phase in a key political relationship, all other regional parties were excluded—entirely at odds with the agreement’s ‘inclusive’ philosophy. Any doubt about the planned election was, however, dispelled when, the following day, Mr Murphy announced in the Commons that the order setting the election date had been laid.¹⁵

Though intense behind-the-scenes efforts continued to resuscitate the process, they were to fail. By October 28th it was clear that the election would be fought without any assurance that devolution would be restored. Nominations closed on November 4th, revealing that 256 candidates would contest the 108 seats—to what, at the time of writing, will be a virtual assembly.

The collapse of the prospective deal was a boon to anti-agreement unionists, inside and outside the UUP, and weakened Mr Trimble’s hand in dealing with his internal critics. The *Belfast Telegraph* poll was a further boost, allowing the DUP to claim it had won the argument—forgetting Catholic opinion, that is—for ‘renegotiation’.

Had October 21st gone to plan, the UUP leader’s political clout would have been enhanced and, among other things, this would have enabled him to block the candidacies of a number of his opponents. Now, however, he had no alternative but to endorse Messrs Donaldson and Burnside who, along with Rev Martin Smyth, had resigned the party whip at Westminster in May as a signal of their opposition to the joint declaration. Their opposition to the declaration remains undiminished though, of course, its full implementation and that of the agreement itself have been further delayed.

For the DUP, the failure of the most recent phase of negotiations is testimony to the incompetence of Mr Trimble and the duplicity of ‘Sinn Féin / IRA’. It sees the election turning on the question of which party is to be trusted in representing the interests of unionists in what it believes will be a fresh round of negotiations designed to achieve a new agreement, one that it insists must be acceptable to both nationalists and unionists—though it has yet to make any overtures to the former. As the election campaign got under way no fresh light was shed on its likely negotiating position—other, that is, than its unrelenting opposition to the 1998 agreement and the 2003 declaration and its commitment to a fundamental reform of the institutional architecture created by the accord.

For its part, the UUP has not endorsed the joint declaration in full. A statement released by its executive in early October, issued in part as an inducement to Mr Donaldson *et al* to retake the whip, concluded that it ‘does not provide a satisfactory basis for progress’ and called for ‘radical change’ to its terms. The party opposed the proposed run-down of the army’s presence without reciprocity from the republican movement, and indicated its ‘complete rejection’ of the proposals for what it perceives as ‘an effective amnesty’ for IRA ‘on the runs’.¹⁶

While Mr Donaldson and his supporters, along with the assembled ranks of other anti-agreement unionists, have rejected the joint declaration, the UUP’s objections to aspects of it are echoed by SF, albeit not on the same grounds. In particular, as Mr Adams made clear during his speech on the morning of October 21st, the creation of the International Monitoring Commission (IMC) is utterly resisted, since its provenance lies outwith the agreement.¹⁷

The IMC’s remit is to oversee both security ‘normalisation’, as set out in transparent and timetabled terms in the joint declaration, and the IRA’s compliance with the ‘acts of completion’ itemised therein. The fact that the commission¹⁸ is empowered to recommend sanctions against any infraction of the agreement’s obligation that its signatories practise exclusively peaceful and democratic means was anathema to SF.

From its perspective, the imposition of any sanction, whether a mere fine or, ultimately, exclusion from government, would offend two of SF’s operating principles: first, that it should not be held accountable for the actions / inactions of the IRA and, secondly, that it has the legitimate right to represent the interests of those its MLAs are elected to represent. Moreover, the power to apply any sanction rests with the secretary of state, a constant irritant to the republican leadership because it underlines the constitutional fact of UK sovereignty over Northern Ireland. That the IMC—or, more precisely, its UK members—also has authority to recommend penalties against parties that fail to uphold the institutions of the agreement, in effect to penalise those republicans label as ‘rejectionist unionists’, does not compensate for what SF regards as unwarranted interference with the agreement.

SF’s rejection of the IMC could yet cause grave problems if and when Mr Murphy or his successor seeks to implement any sanctions against its MLAs in a future devolved context. Indeed, it is not difficult to envisage a situation in which SF refuses to comply with any form of censure, no matter how minimal, effectively challenging the authority of the secretary of state. Given that the joint declaration also indicates the preparedness of the UK government to dispense with its power unilaterally to suspend the devolved institutions, how such a confrontation would be resolved is unclear.

Such problems lie ahead, all other things being equal. In the interim, there is the election to be fought which Mr Blair believes will pave the way to negotiations intended ‘to create the conditions which will enable a working Executive to be formed’.¹⁹ Perhaps—but not without the transparent decommissioning of the IRA’s

arsenal sought not just by unionists, but also by London, Dublin and Washington and most Catholics in Northern Ireland.

As far as the UUP-SF relationship is concerned, the fall-out from the failure of October 21st has been relatively muted by Northern Ireland standards.²⁰ While there was some initial finger-pointing, Mr Adams spoke of his 'disappointment' rather than anger with the UUP leader for having 'walked away'.²¹ The IRA issued a statement insisting it had 'honoured its commitments' while 'others have not fulfilled theirs'. Despite the setback, it did not break-off contact with the IICD. It did, however, indicate that any further move on arms would depend on the UUP and the two governments fulfilling what were deemed to be their commitments: 'Until they do so, there can be little prospect of progress on the issues they profess concern about.'²²

The SF leadership has restated its commitment to the agreement and dished the DUP's ambition to renegotiate it. Speaking at the launch of his party's billboard campaign, Martin McGuinness insisted there would be no such renegotiation: 'That is not going to happen.'²³ A few days later, Mr Adams reiterated the message. Acknowledging the anger in republican circles over the events of October 21st, he said: 'We are committed to this process and we do not intend to walk away from it.' He continued: 'There cannot and will not be any renegotiation of the Good Friday Agreement. There can be no new agreement.' Mr Adams was also at pains to stress the significance of the relationship forged with the UUP:

This intense dialogue between the UUP and Sinn Féin has been a hugely important development in itself. Notwithstanding the present difficulties ... this must be protected. The task facing us has undoubtedly been made much more difficult by the position adopted by the UUP. But a dialogue, a genuine dialogue with them is key to future political progress. So, we will return to this in the wake of the election.²⁴

The 'full implementation' of the agreement is of course understood by the SF leadership to imply a transition to a united Ireland; indeed, its political strategy sees the agreement as the means to that end. There seems little doubt that it is also committed to the ending of paramilitarism: according to Mr McGuinness, 'paramilitary activity must be out of the equation for good'.²⁵ This remark echoed Mr Adams' speech of October 21st in which he said (repeating a provision in the agreement) that SF was 'opposed to the use or the threat of force for any political purpose'.

He also stated, in a much-pored-over passage: 'Implementation by the two governments and the parties of their commitments under the Agreement provides the context in which Irish republicans and unionists will, as equals, *pursue their objectives peacefully, thus providing full and final closure of the conflict.*'²⁶ He went on: 'Actions and the lack of actions on the ground speak louder than words and I

believe that everyone—including the two governments and the unionists—can now move forward with confidence.’²⁷

While welcomed, not least by Mr Trimble, Mr Adams’ reference to ‘full and final closure’ did however sit uneasily with Gen de Chastelain’s response to a question at his press conference on October 21st. Asked when the process of putting IRA arms ‘beyond use’ would conclude he answered: ‘It takes as long as it takes.’ Such an open-ended future does not dovetail with the idea of ‘closure’. Nor does Mr Adams’ response to a question on the same evening. Asked why the IRA would not allow more visibility, he declared: ‘One man’s transparency is another man’s humiliation.’²⁸

While few outside of republican circles anticipated that the path to decommissioning would be anything other than serpentine, none will accept it being endless. It is not just the opacity of putting beyond arms ‘beyond use’ that is at issue, but also its duration. Moreover, Mr Adams’ speech on October 21st did not make overt reference to the ‘acts of completion’ set out in paragraph 13 of the joint declaration and nor did the IRA’s statements, at the time or since. This even though such acts were at the heart of Mr Blair’s Belfast speech and it was the failure of republicans to sign up to the concrete commitments in §13, to end specified paramilitary activities, that prevented agreement in the spring.

These contradictions are more apparent than real, however. A closer look at the key Adams remarks (in fact only a modified version of the IRA statement of May 2000) reveals that responsibility for providing the ‘context’ for ‘closure’ is placed on others and the latter is projected some way into the future.

A benign reading would be that Mr Adams, having so long berated any ‘revisionism’ by others in Ireland, has turned revisionist himself. In this scenario, he has made the equivalent of the socialist transition from Marx to Bernstein, so that now ‘the end is nothing; the movement is everything’.

But the second instalment of his autobiography,²⁹ just published, reaffirms the fundamentalist position that ‘the people of Ireland have a right to be free of the British connection’ and contends: ‘In the absence of any alternative, armed actions represent a form of struggle against the British Administration and in pursuance of national independence.’ Conversely, ‘a successful peace process means bringing an end to physical force republicanism’. It is thus clear that SF is not opposed to force *per se* and that an end to the IRA will only come about when ‘national independence’ is secured.

2.3 Conclusion

All, however, is not lost. There is a working relationship between SF and the UUP, albeit currently under considerable strain. But Mr Trimble’s electoral lead over his party’s chief unionist rival is under real threat. For the relationship to be renewed,

republicans need the UUP leader at least to maintain a marginal lead in terms of seats won on November 26th—a fact that the DUP has sought to press to its advantage during the early stages of the campaign.

As for the SDLP, while privately conceding that it may lose up to three seats,³⁰ its commitment to the agreement is undiminished. While appearing, like other and smaller pro-agreement parties, as little more than a spear carrier in the latest episode of the political drama that is Northern Ireland, in the wake of the election the SDLP's role will be critical.

Post-election, the task confronting Mr Murphy and his political development minister, the recently widowed John Spellar, will be immense. But their colleagues have not been idle over the past quarter and their 'low politics' agenda will be crammed over the next few months, especially if suspension continues for the foreseeable future.

¹ *Belfast Telegraph*, October 2nd 2003

² *Irish Times*, October 14th 2003

³ Tony Blair's speech in Belfast, Downing Street, October 17th 2002

⁴ interview in *Fortnight* 407, October 2002

⁵ *Belfast Telegraph*, November 13th 2003

⁶ *Belfast Telegraph*, November 4th 2003

⁷ available at http://www.ark.ac.uk/nilt/2002/Political_Attitudes/NIRELAND.html

⁸ *The Agreement* (1998), p26

⁹ See Elliott, Sydney (1997), 'The Northern Ireland Forum / Entry to Negotiations Election 1996', *Irish Political Studies* 12, pp 111-122.

¹⁰ The election uses the single-transferable-vote method of proportional representation.

¹¹ Following a car bomb in Co Fermanagh in October, the chief constable, Hugh Orde, said that the threat from dissident republicans 'remains high' (BBC News Online, October 13th 2003).

¹² The full text of Gen de Chastelain's statement is available at BBC News Online, October 21st 2003. He did indicate that the weapons included 'light, medium and heavy ordnance and associated munitions, automatic weapons, ammunition, explosives and explosive materiel'.

¹³ At Hillsborough, one of de Chastelain's IICD colleagues, Andrew Sens, did expand a little on the general's statement, when he remarked—from the floor—that 'the material put beyond use this morning could have caused death or destruction on a huge scale had it been put to use' (*ibid*).

¹⁴ UUP press release, October 22nd 2003

¹⁵ HC Debates, col 644, October 22nd 2003

¹⁶ UUP press release, October 6th 2003

¹⁷ The text is available on SF's website, www.sinnfein.org.ie.

¹⁸ The membership of the IMC was unveiled in September and included nominees of the governments in London, Dublin and Washington, *viz* Lord Alderdice and John Grieve (both UK), Joe Brosnan (Republic of Ireland) and Richard Kerr (USA). The legislation establishing the commission, the Northern Ireland (Monitoring Commission etc) Act, received royal assent on September 18th and awaits ratification by the Dáil, although its members held their first meeting in shadow form in Belfast on October 12th.

¹⁹ BBC News Online, October 28th 2003

²⁰ On the morning of October 21st, the author had a private conversation with a leading member of the SF negotiating team during which it was confided that SF was not certain which way Mr Trimble 'would jump' following Gen de Chastelain's statement. The remark, made after Mr Adams' speech, was an early signal that the day could, as it turned out, end in tears.

²¹ SF press release, November 9th 2003

²² BBC News Online, 29 October 2003

²³ SF press release, October 29th 2003

²⁴ SF press release, November 9th 2003

²⁵ BBC News Online, November 3rd 2003

²⁶ (our emphasis)

²⁷ SF press release, October 21st 2003

²⁸ BBC News Online, October 22nd 2003

²⁹ Adams, Gerry (2003), *Hope and History: Making Peace in Ireland*, Dingle, Co Kerry: Brandon Books

³⁰ private conversation with a leading SDLP strategist

3. Devolved government Robin Wilson

3.1 Does it matter?

Direct rule may for the moment be the acceptable sub-optimal arrangement it became in the 70s and 80s, but some evidence that it remains *faute de mieux* emerged during the quarter. And this despite continuing efforts by Northern Ireland Office ministers to present themselves as in a state of constant activity (see public policies section).

The Simon Community, for instance, complained that the number of homeless people in Northern Ireland was rising. And it put this down to ‘a lack of political drive’ to tackle the problem since direct rule had been established.¹

The British Medical Association, too, not only wanted devolution back but with stronger powers. The chair of its Northern Ireland council, Dr Brian Patterson, said the health service was crying out for change and ‘a locally devolved empowered structure’ was ‘more likely to deliver a solution than direct rule’. He had found the assembly health committee to be ‘excellent’.²

Similarly, the draft budget (see finance section) was criticised by the former finance minister, Seán Farren. While welcoming the increases in expenditure signalled by his direct-rule successor, Dr Farren said he would have favoured larger commitments still to health and education, with a view to protecting ‘the poorest and most vulnerable in our society’. He said this was best done by ‘local ministers accountable to a functioning assembly’.³

In similar vein, the *Belfast Telegraph* linked the challenge of shocking new data on the extent of poverty and social exclusion in Northern Ireland⁴ to constitutional arrangements. The paper editorialised: ‘Although direct rule Ministers are striving to address such issues, they will be the first to agree that they are no substitute for an Assembly. Locally elected representatives, with their roots in the community, are better placed to identify with the people on bread and butter issues.’⁵

But the comfortable and affluent in Northern Ireland may not feel so exercised. A retired senior government official, who now has a number of directorships, expressed his amazement to the author that his current private-sector colleagues never referred to events on the hill at Stormont, with which he had until recently been so intimately associated.

3.2 Programme for Government

The key devolution vehicle for ‘making a difference’—in substantive and governance terms—to the sceptical and alienated citizenry of Northern Ireland was the Programme for Government. And the first two PFGs⁶ did get one very important thing

right. They ensured that policy was considered in a citizen-centred, ‘joined-up’ way, with the programme being organised around overall governmental priorities, rather than departmental services. These priorities, established *de novo* by the devolved executive, marked a break from direct rule, whereas a more conventional approach might have succumbed to the inertia dictated by embedded departmental stances.

Over time, however, this innovative approach experienced slippage: with the absence of a clear political steer from the ruling parties, a more technocratic style crept in. In PfGI, unlike in Scotland and Wales, the architecture of Public Service Agreements (PSAs) was adopted wholesale, with no understanding of its originating political context in London. Moreover, in PfGII, a Blairite language of ‘delivery’ and ‘reform’ of taken-for-granted *services*—as against a focus on new public *policies*—was increasingly in evidence. The wood was being lost in the trees.

Suspension added a further twist. Direct-rule ministers, while anxious to be seen to be grasping *inherited* nettles—such as on community relations (see below) and acute hospitals (see May 2003 report)—were highly reluctant to send out any signal that could be interpreted as implying direct rule was here to stay. They were thus determined to stay within the policy mandates bequeathed to them.

So even though PfGIII⁷ had been drafted pre-suspension—and had, notably, dropped the *Making a Difference* title in favour of a *Reinvestment and Reform* strapline—what followed in December 2002 was a rather slimmer document from the direct rulers,⁸ even though it was compiled by the same officials in the Economic Policy Unit of the Office of the First Minister and Deputy First Minister who had been responsible for the programme. While Wales was establishing ‘clear red water’ from Westminster, the former Welsh Secretary, Mr Murphy, was promising in his foreword no larger ambition than ‘the delivery of high quality public services to all the people of Northern Ireland’ while the return of devolution was awaited.

With that horizon repeatedly receding in 2003, the same process was begun again, with an *ersatz* draft programme published in October.⁹ Again, the Northern Ireland secretary indicated that the ‘core of this document has a focus on improving service delivery’. The goal was still ‘the restoration of devolution as soon as agreement can be reached with local politicians’, yet a speech at the launch by the junior NIO Minister Ian Pearson could have been written in No 10, with its ‘focus’ on ‘reform and modernisation’.¹⁰ While the document, like its predecessor, did reflect the input of progressive officials, in commitments on tackling sectarianism and poverty, a sense of marking time remained. Much of the paper comprised the draft budget (see finance section).

3.3 Community relations

The consultation on the future of ‘community relations’ finally got under way after a year of inertia in February, with the publication by the OFMDFM of *A Shared Future*

(see February 2003 report). The deadline for responses, extended to the end of September, expired during the quarter. All, and they are substantial, have been placed on the dedicated web site.¹¹

A distillation of the responses by two academics and a speech by the Northern Ireland secretary were to have been presented to a major conference in late October. But the announcement of the election led to the event being postponed. As with the ‘hard choices’ on revenue-raising (see finance section), however, coherent decisions on this vexed issue—defining the very divisions between the parties themselves—may be more likely under continued direct rule than devolution, however preferable the latter may otherwise be.

David Ford, leader of the liberal Alliance Party, which had constantly criticised the devolved PfG for its weakness on addressing sectarianism, used the occasion of a visit to Edinburgh to challenge the ethno-nationalist parties on the issue. Commending the efforts of the Scottish Executive in this regard, albeit facing a less severe challenge, Mr Ford said: ‘All this work in Scotland should put politicians in Northern Ireland to shame.’¹²

¹ *Irish News*, August 28th 2003

² *Belfast Telegraph*, October 2nd 2003

³ *Irish News*, October 7th 2003

⁴ Hillyard, Paddy, Grace Kelly, Eithne McLaughlin, Demi Patsios and Mike Tomlinson (2003), *Bare Necessities: Poverty and Social Exclusion in Northern Ireland—Key Findings*, Belfast: Democratic Dialogue

⁵ *Belfast Telegraph*, October 13th 2003

⁶ Northern Ireland Executive (2001), *Making a Difference: Programme for Government 2001-2004*, Belfast: Office of the First Minister and Deputy First Minister; Northern Ireland Executive (2002), *Making a Difference: Programme for Government 2002-2005*, Belfast: OFMDFM

⁷ Northern Ireland Executive (2002), *Draft Programme for Government, September 2002* Belfast: OFMDFM

⁸ Economic Policy Unit (2002), *Building on Progress: Priorities and Plans for 2003-2006* Belfast: OFMDFM

⁹ Economic Policy Unit (2003), *Northern Ireland Draft Priorities and Budget 2004-2007* Belfast: OFMDFM

¹⁰ available at www.pfgbudgetni.gov.uk/speech.pdf

¹¹ www.asharedfutureni.gov.uk

¹² *Irish News*, September 30th 2003

4. The assembly **Robin Wilson**

Further evidence emerged during the quarter (see August 2003 report) that the prolonged suspension was leading to an erosion of assembly staff.

The *Belfast Telegraph* revealed in late September that the staff associated with the institution had fallen by nearly half, from 395 pre-suspension to 201, as the anniversary of the suspension approached. The reduction was due to redeployments and non-replacements. A report from the Assembly Commission, the body responsible for the management of the assembly, said senior posts were vacant but they would not be filled before devolution was restored.¹

The paper also reported that suspension had saved the exchequer more than £15 million by the end of August 2003. The savings were jumped upon by the anti-agreement DUP, but they fed into a broader public unease about the cost of the devolved enterprise.² Just as well Stormont had already been available when powers were transferred.

Assembly civil servants seconded to other positions were told at a meeting at Stormont in early October—at the height of the talks between Messrs Trimble and Adams—that they should be prepared for a restoration of devolution. Official sources told the BBC that this was a matter of being ready for all eventualities.³ It was not, in any event, to be.

¹ *Belfast Telegraph*, September 26th 2003

² *Belfast Telegraph*, September 24th & 26th 2003

³ BBC News online, October 7th 2003

5. The media Greg McLaughlin

5.1 Introduction

This quarter the main focus is on just one day—the day when what BBC Northern Ireland called ‘a carefully choreographed bit of political sophistication’ went wrong, forcing an uncomfortable shift in what had been a heavily-briefed media agenda. The report concludes with a brief look at the first major poll of the election campaign (see public attitudes section) and a round-up of other interesting issues.

5.2 The undone deal

‘Side deals, sub deals and pseudo deals’: that was how the SDLP leader, Mr Durkan, described the groundwork prepared between the UUP, SF and the two governments to break the latest impasse (*Hearts and Minds*, BBC Northern Ireland, November 6th 2003). It serves as a possible explanation of why the putative deal ultimately failed on October 21st, confounding the hype about yet another ‘historic’ moment in Northern Ireland.

The headlines in the Belfast dailies that morning had promised nothing but certainty: ‘Done Deal: Provos poised for move on weapons’ (*News Letter*); ‘Provos move first in “sequence” for deal’ (*Irish News*). Local political correspondents at least warned that things could still go wrong. Ciaran McKeown (*News Letter*) noted that the upbeat briefings had been given ‘before the details of one remaining “hurdle” had been worked out’—decommissioning. The *Irish News* had been cautioned that ‘last minute hitches were still possible’ by ‘sources close to both sides’. And the BBC’s Ireland correspondent, Mark Simpson, warned as late as lunchtime that ‘there’s no guarantee that this story is going to have a happy ending’ (BBC1, *One O’Clock News*).

The UK government announced at around 7.30am that the election would take place on November 26th—the first step in the scheduled sequence. There followed the much anticipated and keenly analysed statement from Mr Adams, in which he committed the republican movement to a ‘full and final closure of the conflict’ in the context of full implementation of the agreement. Television followed up with prolonged studio-based analysis, discussion and debate, with predictable argument and nit-picking over the semantics.

Perhaps the most interesting journalistic input was from BBC Northern Ireland’s political correspondent, Martina Purdy. SF would have been delighted with the way she highlighted the statement’s political significance. ‘I think what Gerry Adams is setting out to do today is to look to the future,’ she said, suggesting he was moving away from the republican instinct to stay rooted in history. She picked up on a key feature most media neglected—Mr Adams’ attempt to reach out to unionists, referring to the deprivation suffered by working-class Protestants. And then, remarkably, Ms

Purdy endorsed the most significant message of all: ‘I think what this statement does is that it shows the IRA is embracing the [agreement]’, whereas before SF would always deny that the IRA had ever signed up to it or was bound by its terms and conditions (BBC 1, *Newsline Special*). Such an enthusiastic analysis of anything Mr Adams said would have been unthinkable ten years ago.

The SF president’s statement and its subsequent endorsement by the IRA were the warm-up acts for ‘the most significant step of all’ in the day’s choreography: Gen de Chastelain’s report on the IRA’s third act of ‘decommissioning’ (BBC1, *One O’Clock News*). Political correspondents and pundits agreed that the spin he put on it would be crucial in persuading sceptical Protestants. But the general’s presentation was more emulsion than gloss. Apart from looking very tired and speaking rather tentatively, he was also bound by the IRA’s request for confidentiality on the extent and nature of what had taken place.

As exasperated journalists attempted in vain to tease out more from the general than he felt able to give, it was becoming clear that the deal was in jeopardy (‘General’s call to arms goes off like damp squib’, *News Letter*, October 22nd 2003). The BBC news anchor, Noel Thompson, turned to his guest, Rick Wilford, with this: ‘Rick, we’ve been speculating all day in the newsroom, as we journalists do, that David Trimble could come out now and say there’s no deal here. Is that a *remote* possibility?’ (*Newsline Special*). It was the first serious ‘slippage’ in the pre-briefed coverage and it turned out to be the most accurate piece of speculation all day.

Mr Trimble’s terse rejection put the two prime ministers on the defensive as they faced the media afterwards. The front page of the *Irish News* the next day featured a two-frame cartoon by Ian Knox. It portrayed Mr Trimble as a trapeze artist, flying off the ropes and into the open arms of Gen de Chastelain; but the general was positioned over a trap-door, through which the two men disappeared head-first. What was supposed to have been a showpiece of political ‘choreography’ had instead become an unedifying spectacle and an embarrassment all round (‘Sound of backfiring as wheel comes off deal’, *News Letter*, October 22nd 2003; ‘Pale imitation of an historic day’, *Irish News*, ditto).

There was a marked difference in how the rival evening news bulletins reported the day’s events. UTV’s *Live at Six* put the blame squarely on republicans, basing its report entirely on what unionists had expected but had not got: ‘Unionist expectations that [Mr Adams] would talk about the war being over weren’t met ... [an IRA statement] authorising decommissioning but once again no “war is over” words ... the inventory [of weapons] unionists expected weren’t made public.’ BBC Northern Ireland’s *Newsline* was more balanced and nuanced. The ‘security editor’, Brian Rowan, gave equal credence to the republican perspective as to that of unionists, perhaps demonstrating why the IRA trusts him as a media contact.

His film report opened over pictures from an IRA propaganda video: ‘This is the day the IRA delivered on guns but it wasn’t good enough for David Trimble.’ And, in

contrast to the UTV report, Mr Rowan was much less selective in his reading of the two IRA statements, highlighting the significant line that the IRA would have further meetings with the IICD. In a studio discussion later, he said the IRA had always seen itself as part of a process set out under the agreement. Now that Mr Trimble had ‘put the brakes on’, the danger was that it would ‘dig its heels in’, feeding republican fears that unionism wanted surrender.

The headlines the next day, October 22nd, presented mixed verdicts. Some were dismissive and pessimistic (‘Peace deal falls apart’, *Guardian*; ‘What a farce’, *Mirror*), while others were more circumspect (‘Trimble halts process: landmark day ends in disarray’, *Irish News*; ‘Ulster: history is on hold—again’, *Independent*; ‘North deal in the balance’, *Irish Times*; ‘Deal at arms length’, *Irish Independent*). The Belfast papers were rather more optimistic in their editorial content.

The unionist-orientated *News Letter* took its cue from Mr Trimble for its headline ‘It can still be put right’, while its editorial hoped that the election would see a renewal of devolution in ‘a much more trusting, positive and creative manner’. The paper said this was the best option for ‘a community on a long pilgrimage out of a nightmare and into the calmer prospect of genuine democracy’.

The editorial in the nationalist-leaning *Irish News* also spoke in terms of a journey: ‘The road ahead may be rocky but we have the direction right.’ Exactly ten years earlier, the emergent ‘peace process’ had almost been destroyed by events such as the Shankill Road IRA bomb in Belfast and a UDA massacre at Greysteel in Co Derry. This contrasted with 2003 and the most peaceful summer since the ‘troubles’ had begun; the only thing missing was working political structures. Against this backdrop, the failure to reach a conclusive deal was hardly a disaster: confusion over decommissioning could be resolved in time. The paper conceded that the results of the election ‘may leave us all facing further dilemmas’ but suggested all were facing in the right direction.

Elsewhere in the *Irish News*, the columnist Brian Feeney put a considerable share of the blame on Mr Trimble and his negotiating capacities. In the end, however, SF would once again have to do something to ‘save Dave’ if it was to have anyone to negotiate with after the election. The historian Eamon Phoenix predicted that if the voters returned the DUP and SF as the leading parties, ‘the end result will be a final suspension and a growing conviction among nationalists and both governments that unionism is incapable of endorsing an inclusive future for all in the North’ (‘Unionism is now split wide open’).

5.3 The *Belfast Telegraph* poll

With all the parties moving into election mode, the *Belfast Telegraph* published the first major poll of the campaign, under the banner ‘It’s neck and neck: UUP, SDLP ahead in election race but DUP, Sinn Fein within striking distance’ (November 12th

2003). BBC Northern Ireland's political editor, Mark Devenport, discussed the poll on the radio programme *Talkback*, urging caution as to the (small) gaps between the parties the poll suggested. He pointed out that similar differentials had been predicted in previous assembly and Westminster elections and the results had been much closer (Radio Ulster, November 12th 2003).

The poll also asked questions about individual leadership, with Mr Adams identified as the most secure party leader within his own constituency (93 per cent approval), and about likely turnout, with 82 per cent of respondents saying they were likely or very likely to vote. Whether that translates into reality on a dark winter's day in November is another question.

Finally, it is worth highlighting two other media issues this quarter. The appearance of the leading Derry republican Martin McGuinness before the Bloody Sunday tribunal provoked huge media interest from Britain and abroad—and a protest from some of the relatives killed that day that the same media had shown little or no interest in the inquiry until then ('McGuinness sticks to "IRA code"', *Irish News*, November 5th 2003; 'IRA secrets safe as houses with Martin', *News Letter*, ditto).

Another focus of controversy was the BBC NI / RTE drama *Holy Cross* (BBC NI, November 9th 2003). This was a fictional portrayal of the Protestant protest outside a Catholic primary school in Ardoyne, one of Belfast's most problematic 'interface areas', in 2001 (see November 2001 report). The questions arising were familiar to those with a keen interest in how the conflict has been represented in film and television fiction over the past few decades. The producers promised a balanced account, but does that guarantee truth or accuracy—and is balance really necessary in fictional drama?

One key figure in trying to end the protest peacefully was the school chaplain, Fr Aidan Troy, but he was written out of the script. Not that he minded: he told RTE's Pat Kenny that he had not watched *Holy Cross* because he had feared it might spark renewed tensions between two socially deprived and vulnerable communities. Mr Kenny was broadcasting a special programme from Belfast on the work of the Springfield Intercommunity Development Project, which straddles one such interface. A refreshing, live discussion with the group was cut with pre-recorded walkabouts and it was amusing to listen to a pensioner from west Belfast address the mature Mr Kenny as 'son' at every turn (*Kenny Live*, RTE Radio 1, November 12th 2003).

6. Public attitudes and identity Lizanne Dowds

Public attitudes to devolution and the political process (or the lack of it) in Northern Ireland remain as divided as ever. The most recent poll, carried out by Millward Brown Ulster for the *Belfast Telegraph* and carried on 12th and 13th November, indicates an alarmingly deep divide between Protestant and Catholic views on recent events. While a narrow majority of 53 per cent of respondents viewed Mr Trimble's decision to pull out of the 'agreed sequence' in October as 'justified', the underlying picture is one of overwhelming support from Protestants (82 per cent) *versus* distinctly lacklustre support from Catholics (16 per cent).

Was Trimble's decision not to form an Executive justified or unjustified?

	Protestant	Catholic	All
	%	%	%
Justified	82	16	53

The government's decision to go ahead with elections is again endorsed by a narrow majority of 53 per cent, but here communal disagreement is not quite so massive. While 72 per cent of Catholics compared with only 40 per cent of Protestants supported the decision to go ahead, 40 per cent is nonetheless a sizeable minority. But 26 per cent of Protestants felt that there should be no election unless the agreement was renegotiated and this is the first hint of what remains the most significant issue for many from that community.

Views on calling the election

	Protestant	Catholic	All
	%	%	%
The government was right to call the election	40	72	53
There should be no Assembly election unless the Agreement is renegotiated	26	10	19
The election should have been postponed	23	11	18
There should be no Assembly at all	10	3	7
Don't know	1	4	3

Support for some kind of renegotiation of the agreement is becoming increasingly evident among Protestants, as reflected in a number of recent surveys. When respondents were asked specifically about their views on the agreement this emerged very clearly. Sixty-one per cent of Protestants felt it should be renegotiated by the

political parties—compared with only 16 per cent believing that it should be implemented without any modification (the official stance of the London and Dublin governments).

Catholic views are partly a mirror image of this—with 61 per cent believing that the agreement should be implemented without modification. But 29 per cent of Catholics also feel there should be (or may have to be) a renegotiation. In some ways though, this result gives a spurious sense of consensus: it begs the question of what renegotiation/revision might be involved and public attitudes on the detail are likely to be highly diverse.

Views on Agreement: *As things stand today agreement should be*

	Protestant	Catholic	All
	%	%	%
<i>... implemented without any modification</i>	16	61	36
<i>... renegotiated by the political parties</i>	61	29	47
<i>... abandoned altogether</i>	18	6	13
Don't know	5	3	4

The Millward Brown poll tested views on the agreement further by asking respondents their opinion ... *if the IRA made a statement that they would never again use weapons under any circumstances*. Despite the prominence of the decommissioning debate and the *débaçle* of the ‘agreed sequence’ in October, there is relatively little shift in public opinion in this hypothetical circumstance.

It is still the case that 55 per cent of Protestants would want the agreement renegotiated and Catholic support for implementation also rises relatively little, to 69 per cent. What is at issue here is not decommissioning—but the nature of the agreement itself. This is not to suggest that decommissioning is unimportant, but that the perceived need for decommissioning and Protestant misgivings about the agreement are two separate issues.

Views on agreement: *If IRA made a statement that they would never again use weapons under any circumstances agreement should be ...*

	Protestant	Catholic	All
	%	%	%
<i>... implemented without any modification</i>	24	69	44
<i>... renegotiated by the political parties</i>	55	22	41
<i>... abandoned altogether</i>	15	5	10
Don't know	5	4	5

In terms of devolution and government, public attitudes echo the results of previous surveys, insofar as there is still a willingness to engage with the institutions despite serious disagreement over the basis upon which they are formed. Unsurprisingly, massive majorities of SDLP and SF supporters would want their parties to co-operate in forming an executive, but nearly half of UUP supporters and a majority of Alliance backers would encourage this.

While this is not exactly overwhelming support from UUP supporters, it is nonetheless indicative of a basic reluctance to disengage from the process, despite the deepest of misgivings about the agreement itself. But only 23 per cent of DUP supporters felt their party should co-operate in forming an executive.

Should the party you support co-operate in forming an Executive Government ...

	<i>... if there is no further response from the IRA</i>	<i>... if IRA abides by its commitment to a full and final closure of the conflict and allows details to be given of the decommissioning of arms</i>
Ulster Unionist Party	46	91
SDLP	86	95
DUP	23	73
Sinn Fein	92	94
Alliance	58	98

The poll repeated the question, probing how respondents would feel in the event that *... the IRA abides by its commitment to a full and final closure of the conflict and allows details to be given of the decommissioning of arms*. Under these circumstances support for forming an executive rose massively among Protestant party supporters. Even DUP support for this option increased to a large majority of 73 per cent. This result indicates the resonance that ‘decommissioning’ still holds for the Protestant community—though whether such support would indeed follow on from such a move by the IRA is a moot point.

Turning now to the election campaign itself and party support, the UUP tops the poll with 26 per cent. The SDLP is running second at 22 per cent, with both the DUP and SF at 20 per cent.

Party support

	%
Ulster Unionist Party	26
SDLP	22
DUP	20
Sinn Fein	20
Alliance	6

Much could be made of these results, not least that DUP and SF support appears interestingly strong, given the traditional reluctance of survey respondents to admit supporting what are perceived as hard-line parties. But these results should probably be interpreted with caution, as a number of factors could exert considerable influence on the election in addition to current voting intentions. Apart from what the ‘undecideds’ may ultimately ‘decide’, there is a question-mark over voter apathy and the impact of the new registration process.

The survey suggested that there might well be a high turnout on November 26th, with 82 per cent of those interviewed indicating they were ‘certain to’ or ‘very likely’ to vote. But people who agree to be interviewed for surveys are also more likely to be the kind of people who will make the effort and have sufficient interest to vote. Conversely, those who refuse to take part are likely disproportionately to represent that segment of the population who have no intention of voting in any election. Equally, a wet and cold November day may yet encourage a surge of apathy among otherwise active citizens.

How likely or unlikely to vote in the Assembly Election on November?

	%
Certain to vote	53
Very likely to vote	29
Fairly likely to vote	4
Not very likely to vote	7
Certain not to vote	7

The really unknown factor is the extent to which the new registration procedures and the requirement for photographic voter ID will play a part. The number of people who (wrongly) believe themselves to be correctly registered and the number who do not yet realise they have insufficient ID are still unknown. This factor, and the possibility that this disenfranchisement is highly clustered among certain groups in the population, may yet prove highly significant.

7. Intergovernmental relations

Elizabeth Meehan

It was a quiet quarter on the intergovernmental front—leaving aside, of course, the London-Dublin agonising over the ‘peace process’. The North/South Ministerial Council remained in suspension but the British-Irish Council met in environmental sectoral format on October 20th 2003 in the Isle of Man.

Northern Ireland was included in the UK delegation. Among the officials on the team of the minister for the environment and agri-environment was the deputy secretary of the regional Department of the Environment. The council considered climate change, waste management and sustainable development, while once again deferring discussion of previously tabled papers on Sellafield-related topics. Substantive discussion on the last, it was agreed, would depend on the conclusion of legal proceedings by the republic’s government against the UK.

Geof Jenkins from the Hadley Centre (part of the Meteorological Office) presented the findings of a BIC report, published in July, on Scenarios of Climate Change. The council noted progress in developing a programme of awareness-raising workshops throughout the administrations on the subject. It also noted that the Waste Management Working Group (led by Scotland) had served as a useful forum for the exchange of information about policies and experiences. And the council agreed to set up a working group to consider possible action to follow up on the world summit on sustainable development—a matter that the republic would also be addressing during its presidency of the EU.

8. Relations with the EU Elizabeth Meehan

There is little more to report on the EU in this quarter—just snippets on the perennial topics of previous reports: the euro and ‘Peace’ monies.

On September 11th 2003, Northern Ireland’s minister for Europe (and finance and personnel), Ian Pearson, chaired the first meeting of the Northern Ireland Standing Committee on Euro Preparations. The establishment of the committee followed the statement by the chancellor, Gordon Brown, on June 9th on stepping up work for potential membership of the euro zone.

The committee is made up mainly of representatives of business and finance:

- the Confederation of British Industry NI,
- the NI Chamber of Commerce and Industry,
- the Institute of Directors,
- the Federation of Small Businesses,
- the NI Committee of the Irish Congress of Trade Unions,
- the NI Tourism Industry Confederation,
- the NI Bankers’ Association, and
- the Institute of Chartered Accountants (Ulster Society).

Other members include representatives of:

- the General Consumer Council for NI,
- the NI Council for Voluntary Action,
- the NI Centre for Competitiveness,
- the Chartered Institute for Marketing, and
- the NI Local Government association.

The government members are the head of the Northern Ireland civil service, as well as officials from the following departments: Agriculture and Regional Development, Enterprise Trade and Industry, Finance and Personnel and HM Treasury. (The Northern Ireland secretary is on the UK Standing Committee on Euro Preparations.)

The committee is to oversee preparations in Northern Ireland and to formulate the region’s response to the chancellor’s National Changeover Plan. It will consult organisations and interest groups before its next meeting towards the end of 2003.

In the same month, the Community Foundation for Northern Ireland celebrated the award of £27 million in ‘Peace II’ funding and launched a publication¹ reflecting on its experience as an intermediary funding body for both ‘Peace’ programmes over eight years. The report was welcomed by government as a ‘valuable contribution to the mid-term evaluation of Peace II’.² Answering questions at the meeting, a senior official in the Department of Finance and Personnel and the acting chief executive of the (north-south) Special EU Programmes Body said a ‘Peace III’ in some form was on the agenda.

¹ *Taking Calculated Risks for Peace*, Belfast: Community Foundation for Northern Ireland
² Department of Finance and Personnel press release, September 15th 2003

9. Relations with local government Robin Wilson

Despite the continuing suspension of the post-agreement institutions, the Review of Public Administration established by the devolved executive has continued its work, albeit at a lower momentum and with a lower profile. The future of local government—the single tier of 26 district councils, with modest competencies—and the ‘quangos’ covering major services like health, education and housing, on which some councillors cast a jealous eye, are at the heart of its deliberations.

In October 2003, the review team published a consultation document on ‘high-level models’ of a future sub-regional structure.¹ In a foreword, the NIO junior minister Mr Pearson suggested that agreement on such principles, if not the details, could be sought before devolution was restored:

The Review of Public Administration (RPA) is one of the most important and potentially far reaching elements of the programme of work initiated by the Northern Ireland Executive ... Progress on the review has been affected by the suspension of the Assembly but I know from the discussions that I and the RPA team have had with a wide range of organisations and individuals, there continues to be widespread support for it. I am, therefore, issuing this consultation document so that as much progress as possible can be made to enable a returning Executive to make those further, more detailed, decisions which will be necessary following agreement on the broad shape and characteristics of any new system.

The document set out five organisational options:

- the *status quo* of councils and public bodies;
- centralisation of all major public services in the regional departments;
- delivery of services by public bodies, regionally or sub-regionally;
- reform of the *status quo* to give councils a community-planning role and more representation on public bodies; or
- a significant transfer of competencies to local government, with the number of councils and public bodies accordingly reduced.

The last of these is the most attractive in terms of democratic accountability and co-terminosity of service boundaries. It would reduce the ‘over-government’ of Northern Ireland and the associated costs. It would facilitate co-operation with the councils in the republic’s border counties and allow Belfast and Derry to punch their urban weight. It would ideally be associated with the conferral of a power of general competence on the new authorities, as in England and Wales.

Yet the penultimate option is rather more likely—if suspension does not leave the first in place indefinitely. There are vested interests associated with the current plethora of councils and quangos. And the overall calibre of parish-pump politicians in Northern Ireland—clientelistic at best, sectarian at worst—would leave many professionals

involved with the major public bodies genuinely terrified at the prospect that the former might assume control.

Consultation on the document was to be concluded in mid-January 2004. But in the light of the assembly election the review team extended the consultation until February 27th. A letter from the head of the team, Greg McConnell, said that the election would involve ‘a significant number of key stakeholders’—in part an oblique reference to the fact that most outgoing members doubled up as district councillors.²

¹ *The Review of Public Administration in Northern Ireland*, available at <http://www.rpani.gov.uk/consult.pdf>.

² October 30th 2003

10. Finance Rick Wilford

On October 6th, the direct-rule finance minister, Ian Pearson, unveiled for public consultation the government's budget proposals for 2004-07, disclosing spending of around £7 billion each year for the next three years.¹ The proposals included plans to extend the Strategic Investment Programme, announced in February 2003, which will provide some £2.2 billion of investment over five years. In addition, they indicated a sustained priority for health, with an 8.6 per cent increase in the resource budget of the department, which will in total exceed £3 billion for the first time, and a 6.9 per cent increase for the Department of Education, taking its total to over £1.5 billion.

In a devolved context, the draft budget should derive from the draft Programme for Government. And in announcing the proposals, which need to be finalised before Christmas, Mr Pearson sought to link them to the outgoing executive's five programmatic priorities: growing as a community; working for a healthier people; investing in education and skills; securing a competitive economy; and developing Northern Ireland's external relations, north-south, 'east-west' and internationally. These were placed alongside four key themes announced by Mr Murphy in June 2003: tackling sectarianism, community division and disadvantage; equality, rights and victims; improving service delivery; and reinvestment and reform.

Northern Ireland's dependence on the recent public-spending largesse of the chancellor, Mr Brown, was brought home during the quarter in a report by PricewaterhouseCoopers. Its annual review said the 'vener of prosperity' in the region was based on one third of its workforce being employed in the public sector and belied a declining stock of internationally competitive firms.²

On the revenue side of the equation, Mr Pearson announced an annual increase in the regional rate of 8.8 per cent (domestic) and 3.3 per cent (non-domestic) respectively, with similar rises for the following two years. These increases were necessary, he said, to enable the administration to borrow a further £200 million from the Treasury under the terms of the Reinvestment and Reform Initiative, increasing total borrowing for the year 2006-07 to £328 million. Wearing the same financial hat, the minister also launched a consultation on legislation to introduce rates for vacant (non-domestic) property and phase out industrial derating.³

On October 7th, Mr Spellar, the minister with responsibility for regional development, published an interim report on water charging, the introduction of which is necessary because there is no Barnett allocation for water services in Northern Ireland.⁴ The report confirmed that water charges would be introduced in April 2006 but ruled out privatisation of the service. Also rejected as 'unfair' was a flat-rate charge on all households. There would be no wide-scale metering of supplies, however, implying that bills would be partly linked to rate bills or property values.

It seems likely that the water service will be replaced by a form of government company or corporation that will have no crown immunity. The minister sought to soften the blow of this innovatory service charge for all households by pointing out that the average Northern Ireland householder pays £473 per year in rates, whereas the Scots pay £1,300 in property tax and water charges, while the English and Welsh pay over £1,100 in council tax and water bills.

¹ See Department of Finance and Personnel / OFMDFM press release of October 6th 2003 for a detailed breakdown.

² *Irish Times*, September 15th 2003

³ DFP press release, October 6th 2003

⁴ Department for Regional Development press release, October 7th 2003

11. Political parties and elections Duncan Morrow

11.1 Negotiation once again

At the 11th hour in early May, the British government decided to cancel the election to the Northern Ireland Assembly (see May 2003 report). It did so on the grounds that the IRA was unwilling to provide a sufficiently clear commitment to the ‘acts of completion’ the prime minister, Mr Blair, had demanded in Belfast the previous October (see November 2002 report). In contrast to earlier momentous constitutional interventions in Northern Ireland affairs—such as the abolition of the Unionist *régime* at Stormont in 1972 or the Anglo-Irish Agreement of 1985—the result was not the feared return to violence and political breakdown but great public scepticism and uninterest.

When the marching month of July passed off more peacefully than would have seemed possible even five years ago (see August 2003 report), there was a collective sigh of relief that the glaring absence of political agreement had not invaded the private space of most of the populace. Yet Northern Ireland has known times of relative tranquillity before. It has also known the tendency to confuse surface calm for a deeper peace, allowing violence to follow apathy with irregular but unmistakable rhythm.

Events in August and September showed that the risk of violence remained. Catholic members of the district policing partnerships—recently established to enhance local accountability over policing, part of the reform package initiated by the Patten report of 1999—were directly or indirectly targeted by republican opponents.¹ In spite of unionist objections and republican opposition, Catholic participation in the Police Service of Northern Ireland ranks as one of the most important symbols of the post-agreement dispensation. If vulnerable individuals are forced to withdraw from participation, long-run stability is clearly still in doubt.

While the SF leadership insisted there was no IRA involvement in the intimidation, police intelligence continued to suggest the contrary. At the very least, the attacks showed the thinness of the divide between what is increasingly referred to as ‘mainstream republicanism’ and the ‘dissident’ groups, especially in parts of Co Tyrone.²

Republican anger at the cancellation of the election was palpable. And relations with the British government were not improved by the appointment in June of John Spellar as minister of state at the NIO, succeeding Des Browne (see August 2003 report). Mr Spellar had participated in the decision to reinstate in the army two Scots Guards found guilty of murdering a young Belfast Catholic.³ Progress towards the establishment of an international monitoring group, as foreseen in the joint declaration published by London and Dublin in May, was also rejected by SF as contrary to the agreement, although warmly welcomed by the UUP leader, Mr Trimble.⁴

The absence of any advances towards decommissioning made real progress still look unlikely. Nor had Mr Trimble's victory at his party's ruling Ulster Unionist Council in June made his position look any more secure. Without a real negotiating partner, prospects for an election looked poor; yet, without an election, the whole SF strategy of emphasising the ballot-box over the armalite could unravel over time.

The critical missing link to progress was the reconstitution of a viable UUP that could negotiate with SF and enter an election with a prospect of success. Early signs were not good. In mid-August, party dissidents led by the Lagan Valley MP, Jeffrey Donaldson, signalled their intention of a further charge on the leadership. Pointing to a sense of drift in unionism—which they had of course helped to stimulate—and the collapse of Trimbleite attempts to discipline dissident MPs who had resigned the whip at Westminster, Mr Donaldson announced he would seek another UUC meeting in September.⁵ This, said the pundits, would be the final showdown.⁶ In the event, the party leader showed his Houdini capacity had not deserted him. In spite of support from previous Trimble loyalists like Sir Reg Empey and Danny Kennedy,⁷ Mr Donaldson polled less than 45 per cent of the vote.

Mr Trimble's victory on the leadership masked, however, important concessions of substance. Although the rebels were urged to retake the whip, it was clear that any appetite for expulsion or even serious discipline had collapsed⁸ and the party's body politic remained fragile. In spite of this, and with no prospect of any rapid improvement, London and Dublin lost no time in pushing for an autumn election. Less than a week after the UUC meeting, a Blair/Ahern summit agreed this goal⁹ and bilateral negotiations with the Northern Ireland parties began.¹⁰

The substance of the two governments' efforts was to narrow the gap between the UUP and SF over the continued existence of the IRA. In spite of occasional meetings with other parties, there was a strong sense that any vestiges of the multilateral agreement process had been ditched in favour of focused problem-solving, characterised by shuttle diplomacy between the governments and these two parties. So while Mr Trimble announced his willingness to respond to a satisfactory IRA gesture on arms¹¹—called for by the republic's minister for foreign affairs, Mr Cowen, and the Northern Ireland secretary, Mr Murphy¹²—the SF president, Mr Adams, signalled his willingness to deal.¹³

From mid-September until mid-October the negotiations constituted the only significant political activity in Northern Ireland. Policy-making was largely suspended while the UUP and SF wrangled over the twin issues of an election and IRA intentions on disarmament. In public at least, London and, more especially, Dublin emphasised that an election on its own would not lead to progress.¹⁴ On the other hand, the rapid approach of Christmas meant haste was critical if public interest was to be stirred. With schools, which provide the bulk of polling stations, unavailable during two weeks of November because of the ubiquitous '11+' transfer tests, Mr

Trimble identified November 13th as the last feasible date for an assembly election this year.¹⁵

The Belfast agreement was signed without any significant bilateral contact between the leaderships of the UUP and SF. Even afterwards, relations remained at arm's length, with no significant personal interchange. For as long as the SDLP remained the largest nationalist party, this stance could be justified. But in the elections of 2001 it was eclipsed by SF in terms of votes. Allied to growing UUP frustration with the SDLP's refusal publicly to sanction SF for IRA activity, this changed the calculations.

For the first time, the primary axis of negotiations ran directly between Messrs Trimble and Adams, with the SDLP ruthlessly sidelined.¹⁶ While, in part, this reflected the narrow problem-solving focus of discussions around disarmament, it also underlined the shifting assumptions of Northern Ireland politics about the relative strengths of the two nationalist parties. In the course of negotiating a new deal, the two leaders met up to a dozen times, while the media spoke admiringly of a new understanding between them.¹⁷ With the governments apparently applauding and reinforcing the new axis, the primary danger lay in the relatively isolated position of Mr Trimble within the UUP.

Mr Adams could rely on his own popularity and authority within republicanism, not to mention the close-knit, authoritarian, collective leadership style of his party. But Mr Trimble remained a vulnerable leader in a party at war with itself, where discipline and solidarity had long given way to individualism and factionalism. His tendency to surround himself with a close coterie of trusted lieutenants exacerbated the potential for isolation. And his victory in September came at the price of a formal rejection by the party of the joint declaration, on which progress with SF appeared to hinge.¹⁸

If the narrow basis for negotiations gave rise to some concern, the marginalisation of the SDLP was a potentially more significant change. Since 1972, the party has carried the banner of Irish nationalism into negotiations about the future of Northern Ireland. Its long-time leader John Hume is widely credited as the chief political architect of the agreement, and the party has unambiguously promoted itself as the keeper of the flame. Negotiations on the future of Northern Ireland without the SDLP would have seemed ludicrous at any time in the last 30 years—yet that is, in effect, what happened during October. No amount of hastily arranged bilaterals could disguise the party's impotence.

Widely believed to be staring electoral defeat in the face, the SDLP outdid itself in calls for an election to be held.¹⁹ While other, smaller parties remained unimpressed by the narrow focus of political dialogue, there was a remarkable lack of sympathy for the SDLP's predicament, largely because it had had shown little concern for wider multilateralism in previous crises.

The harsh truth, however, was that everyone outside the narrow circle of the talks was reduced to interpreting the uncertain signals about progress in the UUP-SF negotiations through the media. Those on the inside track sounded increasingly confident,²⁰ although Mr Trimble's initial insistence that any election be held before November 13th slipped. Meetings with Mr Adams were supplemented by the exchange of detailed papers on key issues.²¹

On the morning of the UUP annual conference, Frank Millar, the *Irish Times*' well-connected London editor proclaimed that the two principals were 'on the brink of something bigger than the Belfast Agreement'.²² At the conference, a visibly buoyant Mr Trimble insisted that the UUP could and should respond to a wider deal before 'every jot and tittle' was completed, provided there was real and open movement on the issue of arms. Though Mr Donaldson refused to listen to the speech and the party chair openly refused to applaud, Mr Trimble was clearly preparing his party and the public for significant change.²³

Briefing by the UK government about events overwhelmingly supported Mr Millar's interpretation. But the wheels came off the wagon on October 21st after the performance by a pale and drawn Gen de Chastelain (see 'peace process' section). Within an hour, a red-faced and angry Mr Trimble announced that the lack of transparency on decommissioning meant the whole process had to be put 'on hold'.²⁴ Anti-agreement unionists could hardly believe the turn of events, while local wags misquoted Seamus Heaney by dubbing October 21st as the day when 'hype and history rhymed'.

Within days it was clear that this was not a 'glitch' that could be easily rectified. The election date had been confirmed, although the condition the prime minister had appeared to attach to an election—a firm prospect that devolution could be restored—had effectively been abandoned. Mr Blair confirmed he would press for full disclosure of the detail of the IRA's act.²⁵ But his suggestion (reminiscent of the run-up to the Iraq war) that all would be clear 'if we only knew what he knew' about the weapons threatened further chaos: Gen de Chastelain indicated that the prime minister had not been given additional private information, leading to Conservative and DUP allegations that Mr Blair had deceived Parliament.²⁶

Frantic meetings between the UUP and SF came to nought. A floated meeting of the UUC to approve a deal was cancelled, and the various parties moved, more or less enthusiastically, towards the election.

Their reactions to the failed deal were largely predictable. DUP and anti-agreement Ulster Unionists charged Mr Trimble with *naïveté* and inept political leadership. Trimbleites tried to salvage what they could from his decision to arrest the process, portraying his action as that of a strong leader while accusing his opponents of lacking an alternative vision. The SDLP went on to aggressive attack over its exclusion from the talks, accusing the governments and the two 'problem parties' of hyping their case, while SF gave off an air of injured innocence, accusing others of failing to

deliver on a bargain. The smaller parties largely echoed the SDLP's complaint about exclusion, while jostling for what air time was made available to them.

11.2 Back to the future?

The failure of pre-electoral negotiations left the pro-agreement parties trying to salvage what they could from the wreckage. The UK government seemed to come to the conclusion that nothing further could be done to protect the UUP from the electorate. Saving Mr Trimble now depends on the people of Northern Ireland. If the result is a swing to the DUP, then the result may be a mess—but it will be, in Frank Millar's acerbic comment on New Labour's achievement, 'the people's mess'.²⁷

Prospects have never been more unpredictable. Northern Ireland has little experience of an election after the end of summer time. The vista of canvassing in the hours of darkness merely exacerbated a sense that the public were tired of the failures of politics and anxious to protect themselves from its worst manifestations. None of the parties on offer had any immediate solutions. In the absence of an agreement that works, the potential for a low turnout—especially in affluent and comfortable areas—was of particular concern to the forces of co-operation.

On the surface at least, the DUP and SF seemed to have most to look forward to. Anti-agreement sentiment among Protestants has been the rallying cry of the DUP for some time. The failure of the IRA to disclose any information about its arms initiatives, or about its long-term intentions, combined with a deepening cynicism about the reliability of Mr Blair, is unlikely to have changed many anti-agreement minds. On the other hand, anti-agreement sentiment is also present in the UUP. In addition, each test hitherto of Protestant opinion about the agreement—the referendum and first assembly election (1998) and the general and local elections (2001)—has presented voters with a similar choice, and in each case the UUP has been the narrow victor. Ultimately, turnout and the final distribution of preferences may determine which party ends up with most seats.

Among Catholics, there was an expectation that SF would continue to profit at the expense of what was perceived as an ageing SDLP. The latter won a historically high share of first preferences in 1998, and may suffer in marginal constituencies. To counter the threat of a well-organised and well-financed opponent, the SDLP drafted in advisors from parties in the republic as well as the British Labour Party (which had meanwhile, ironically, decided to accept members in Northern Ireland in face of an embarrassing court case supported by the Commission for Racial Equality).²⁸ The precise distribution of seats may hang on two key factors: as ever, the allocation of STV transfers (which enabled the SDLP to win more district-council seats than SF in 2001 on a lower proportion of first preferences) and how the fairly dramatic fall in the electoral register in some constituencies, occasioned by recent anti-fraud measures, is distributed between supporters of the various parties.

Until the results are announced, all bets about the future are off. But it is expected that the government will sustain the suspension of the political institutions and announce the long-awaited review of the agreement—if only to avoid the possibility that further elections would have to be called in January. The scope and scale of that review will ultimately depend on the constellation of political forces which emerges on 26 November 26th.

One possible outcome would be the return of the smaller parties into the equation.²⁹ It is possible that the controversial issue of designation (whereby assembly members have to register as ‘nationalist’, ‘unionist’ or ‘other’) will be revisited, to release currently irrelevant ‘other’ votes in securing the election of the first and deputy first minister (see November 2001 report).

But another—and perhaps more likely—outcome is that the institutions simply prove unworkable and any thought of devolution is put back, not for months but years. Whatever the case, the next quarter will be devoted to assessing, and attempting to sort out, the ‘people’s mess’.

¹ *Irish News*, August 12th 2003

² *Irish Times*, September 16th 2003

³ *Belfast Telegraph*, August 12th 2003

⁴ *Irish Times*, August 28th 2003; *Irish News*, September 4th 2003

⁵ *Belfast Telegraph*, 1 August 18th 2003

⁶ *Belfast Telegraph*, September 5th 2003

⁷ *Irish Times*, September 4th 2003

⁸ *Irish Times*, September 13th 2003

⁹ *Irish Times*, September 9th 2003

¹⁰ *News Letter*, September 10th 2003

¹¹ *Irish Times*, September 16th 2003

¹² *Belfast Telegraph*, September 19th 2003

¹³ *Irish Times*, September 19th 2003

¹⁴ *Belfast Telegraph*, September 23rd 2003

¹⁵ *Irish Times*, September 27th 2003

¹⁶ *Irish News*, September 30th 2003

¹⁷ *Irish Times*, October 1st 2003

¹⁸ *Belfast Telegraph*, October 4th 2003

¹⁹ *Irish Times*, October 9th 2003

²⁰ *Belfast Telegraph*, October 13th 2003; *Irish Times*, October 14th 2003

²¹ *Irish Times*, October 15th 2003

²² *Irish Times*, October 18th 2003

²³ *Belfast Telegraph*, October 18th 2003

²⁴ *Irish News*, *Irish Times*, *News Letter*, *Guardian*, *Independent*, October 22nd 2003

²⁵ *Irish News*, October 23rd 2003

²⁶ *Irish Times*, October 25th 2003

²⁷ *Irish Times*, October 27th 2003

²⁸ *Belfast Telegraph*, November 3rd 2003

²⁹ *Irish Times*, November 7th 2003

12. Public policies

Rick Wilford and Robin Wilson

12.1 Ministerial activism

The activism of NIO ministers (see August 2003 report) continued this quarter. Mr Pearson's manifold brief led him to outline proposals for the reform and modernisation of public services and plans for enhancing 'joined-up' government.¹ He also published a consultation document on the reform of public administration (see local government section), following the launch of the review in June 2002, and unveiled a new strategy for the tourist industry.²

His colleague Angela Smith, responsible for environment, was also active this quarter. She opened a consultation on legislation on the keeping of wild animals.

12.2 Education imbroglio

It was a different story, however, on the long-running saga of the abolition of the '11+' examination, a legacy of the devolved executive. The outgoing education Minister, Mr McGuinness, had announced on the eve of suspension that the discredited test would no longer be held beyond 2004. While the substance of his action was unchallengeable (which doesn't mean it wasn't strongly challenged by Northern Ireland's powerful, mainly Protestant, grammar-school lobby), he had no alternative ready to put in place. Though cocking a snook at his executive colleagues from rival parties he left the direct-rule minister, Jane Kennedy, with a hot potato.

Ms Kennedy might have hoped it would cool but in April 2003 the *Belfast Telegraph* led with a report that no work had been done on an alternative arrangement and that teachers were predicting 'classroom chaos'.³ Amid evident alarm among the parents of primary-school children, Ms Kennedy passed the issue on to a 'working group' comprised of individuals drawn from across the education sector, which was due to report by the end of October 2003.

Inevitably, the group sought and secured an extension, as a source close to it told the *Belfast Telegraph* that the grammar schools were blocking the widely-canvassed alternative, promoted by Northern Ireland's official educational advisory body, the Council on the Curriculum, Examinations and Assessment, of common schooling to 14 with individual choice from a broad curriculum thereafter.

The source warned that 'it now looks like we are going to end up with the status quo, or worse'.⁴ Ironically, the 'emerging consensus'—including some cross-community support—Mr McGuinness had (rightly) detected around the 14+ option has been stymied by the fresh polarisation occasioned by his pre-suspension exercise of political pique.

Ms Kennedy said the group was being given just one month's grace and heroically insisted that it remained 'her intention' to end the current test 'as soon as practicable'.⁵ But the *Belfast Telegraph* headline on the story, '11-plus could stay in place until 2010', might prove an accurate guess as to how soon practicable may be.

¹ NIO press release, October 20th 2003

² Department of Enterprise, Trade and Investment press release, October 14th 2003

³ *Belfast Telegraph*, April 18th 2003

⁴ *Belfast Telegraph*, October 3rd 2003

⁵ Department of Education press release, October 3rd 2003