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Summary

The period covered by this report was another nail-biter in Northern Ireland.

There were several positive developments. After devolution in December 1999, and de-devolution in February 2000, there was re-devolution in late May on foot of the IRA's commitment eventually to put weapons 'beyond use'. The four-party Executive Committee was re-established and three of the four (the Ulster Unionists, the SDLP and Sinn Féin) withstood the challenge of the Democratic Unionist Party, which not only boycotted the executive but rotated its two ministers.

There was agreement in late June on an interim 'Agenda for Government' to tide the executive over till next April, while work continued on the Programme for Government. And the latest stand-off at Drumcree in Co Armagh in July was a failure for the Orangemen seeking to bring down the agreement.

Moreover, the financial arrangements for devolution were finally, if nominally, brought under assembly control and important EU funds secured. And the north-south structures proceeded in a technocratic—and non-threatening—fashion.

Yet on the key, neuralgic issues in Northern Ireland, tensions remained—indeed, they distinctly escalated. Decommissioning was no done deal, as it was clear what republicans (and Dublin) saw as a distraction removed was for unionists (and London) only the beginning of a process.

Policing—in particular the status of the name of the transforming Royal Ulster Constabulary—remained hugely divisive, leading to a bizarre exchange of competing resignation claims by the first and deputy first ministers. There is every prospect when the Commons resumes that the government will be faced with a choice between sustaining David Trimble's leadership of the UUP or the IRA's engagement with the international arms inspectors and the decommissioning body.

Flags are also of great symbolic significance. SF ministers' refusal to allow the Union flag to be flown over their departments provoked a mass of flag (and paramilitary insignia) flying in predominantly Protestant areas. But the deadlock is set to continue.

Mr Trimble secured a wafer-thin majority in May for restoration of the executive, including SF, at a postponed meeting of the UUC. But he only won through because of expectations, fed in a letter from the Northern Ireland secretary, Peter Mandelson, that unionism would prevail on policing and flags. Moreover, the mood on the ground is darkening, with anger over the triumphalism associated with the last batch of IRA prisoner releases and a rising tide of sectarian attacks.

Once more into the breach ...

Unionists not united

The last quarterly report from Northern Ireland concluded with the run-up to the critical meeting of the Ulster Unionist Party's ruling Ulster Unionist Council on May 27th, at which David Trimble's leadership was once more on trial, and the support of his deputy leader, John Taylor, once more uncertain. Mr Trimble scraped home, with his slimmest majority yet (see parties section). But, inevitably, this was not without storing up further problems for the future.

The last report pointed out how the IRA—as in its description of its 1994 ceasefire—had refused to say that it would put weapons ‘permanently’ beyond use (as required by the decommissioning legislation), promising instead that it would do so ‘completely’ (without specifying when). The choice in 1994 was deliberate, as the 1996 decision to end the ‘complete’ ceasefire indicated; it was deliberate also in 2000. The big fear of the republican movement is being ‘locked in’ irreversibly to a democratic path from which it cannot resile but whose outcome is uncertain. This is critical to its presentation of the Belfast agreement, especially to its restive ‘volunteers’, as inevitably transitional in the medium-term to a united Ireland.

Mr Trimble, from the other side, shares similar concerns. As he took to the airwaves to persuade UUC delegates the weekend before the crucial meeting, he acknowledged concern within the party (*Irish Times*, May 22nd 2000) that if it went back into government with republicans ‘we are then locked into a situation’. He said: ‘That is simply not the case. We retain complete freedom of action ourselves.’ In another interview (*Irish Times*, May 23rd 2000) he said of the IRA: ‘If it is not permanent for them, it is not permanent for us either.’

Moreover, in interviews before and after the vote at the Waterfront hall in Belfast, Mr Trimble repeatedly referred to the republican movement as requiring to be ‘house-trained’ (*Irish Times*, May 29th 2000). This animalistic reference, with its overtones of sectarian supremacism, inevitably went down very badly with republicans (and Catholics more generally).

And, as for Mr Taylor, once more—as with Mr Trimble on the day of the Belfast agreement—it was a case of a private British government letter. This time the blandishments came from Peter Mandelson, the Northern Ireland secretary, and were understood to touch on the vexed issues of policing, specifically the name of the new service, and flags. Mr Taylor waved the letter in his speech at the Waterfront, professed himself satisfied and urged delegates to support their leader (*Irish Times*, May 29th 2000).

The trouble is that policing was unresolved in the last hours of negotiations of the May 5th statement leading to the IRA’s arms commitment the next day.

Demonstrating that the Royal Ulster Constabulary has been confined to history is critical to the republican narrative of seamless advance towards the ultimate goal. A ‘senior Sinn Féin source’, briefing in the week leading to the UUC meeting, warned that concessions to the UUP on policing would put the IRA’s offer to put arms ‘beyond use’ at risk (*Guardian*, May 23rd 2000).

The issue remained unresolved when the Commons rose. At the conclusion of the committee stage of the bill, on July 6th the government accepted a UUP amendment which would refer to the new Police Service of Northern Ireland as ‘incorporating the Royal Ulster Constabulary’, though only the PSNI term would be used for ‘operational purposes’ (*Irish Times*, July 7th 2000). Nationalists—including the SDLP—were outraged, and there was a very real prospect that neither nationalist party would encourage Catholics to join the new service. Discussions between officials in London and Dublin led to a further amendment, defining ‘operational purposes’ so comprehensively as to lead Mr Taylor now to warn that unionists were to be ‘betrayed’. At the 11th hour, on July 11th Mr Mandelson withdrew the amendment (*Irish Times*, July 13th 2000). This was apparently at the behest of the prime minister, concerned for Mr Trimble’s future.

The UUP leader did—just—gain enough support to win through on May 27th. But he lost two further supporters in the assembly, Pauline Armitage and Derek Hussey, who made clear in advance of the vote (*Irish Times*, May 25th 2000) that, along with fellow UUP assembly members Peter Weir and Roy Beggs, they would not be supporting him. As was to be borne out in the July 4th vote to exclude SF from the executive, this left Mr Trimble exposed—with just 26 votes (including his own) to count on in the unionist bloc, as against 32 for the ‘no’ camp.

This would make any ‘parallel consent’ vote (requiring 50 per cent of the bloc) impossible and three more defections would mean no ‘weighted majority’ votes (requiring 40 per cent) could be passed either. With the anti-agreement faction now well clear of the 30-member threshold required to turn every vote into a ‘key decision’, requiring a weighted majority to pass, the margin for Mr Trimble in the assembly was just as tight as in the party.

It was also notable—as indicated by the July 4th vote—that this arithmetic was unaffected by the fact that the IRA did deliver on its ‘confidence-building’ promise, opening up a number of arms dumps to the satisfaction of the international inspectors, who reported on June 26th (*Irish Times*, June 27th 2000). It might have been thought this would have seen one or two defectors return, but the report of the inspectors met a divided response in London and Dublin, while welcomed in both capitals. For the prime minister, Tony Blair (as for Mr Trimble), it was ‘a first step’ towards decommissioning. For the taoiseach, Bertie Ahern (and undoubtedly for Mr Adams), it was ‘a successful end’ to the issue (*Sunday Tribune*, July 2nd 2000).

Weapon used

The renewed stability consequent on devolution had indeed been challenged from the outset. On May 28th, just before the transfer of power, Edmund McCoy was shot dead in south Belfast. He was alleged to have been a major drug dealer and to have been threatened by the IRA. While no organisation claimed responsibility for the killing, a local SDLP councillor said he was convinced the IRA had done it.

At face value, this was a breach of the IRA ceasefire, with huge potential implications, including a possible halt to the release of IRA prisoners, due for completion (along with those of other paramilitary organisations deemed to be observing ceasefires) by the end of July. As with the IRA killing of the alleged informer Charles Bennett on July 30th 1999, however, this appalling vista was circumvented by the simple expedient of the Northern Ireland secretary ignoring the evidence.

Mr Mandelson did say on June 7th that he was aware of ‘media speculation’ of IRA involvement and he would take ‘very seriously’ any evidence of the involvement of a paramilitary organisation which had declared a ceasefire. But he took no further action. IRA involvement was independently confirmed to the author by a reliable source in west Belfast. The episode fitted a pattern indicating that the authorities are prepared to accept paramilitaries’ own definitions of what a ceasefire is—even if that embraces ‘internal housekeeping’ killings related to maintenance of ghetto control.

But much more destabilising were the extraordinary scenes of triumphalism which accompanied the last big batch of prisoner releases on July 28th. Fulfilling the terms of the agreement, 86 were released, nearly all from the Maze (shortly to be closed) on that one day. They included some of the most notorious killers (on both sides), saved till last out of deference to public sensitivity and the bereaved.

While the loyalists rather skulked away, some with faces covered, the IRA prisoners were greeted with champagne, party streamers and confetti (*Irish Times*, July 29th 2000). The IRA ‘officer commanding’ amongst the prisoners said they were ‘unbowed and unbroken’. And the leading SF figure Gerry Kelly was on hand to declare that the prisoners had been victims too. It was, said the veteran commentator Mary Holland, ‘a breathtakingly insensitive display’ (*Irish Times*, August 3rd 2000).

As the respected *Guardian* correspondent in Ireland, John Mullin, put it (July 29th 2000), ‘To many Unionists, including supporters of the Good Friday agreement, such absolute republican confidence fuelled their jitters, particularly as Sinn Fein was to the fore. They fear less that IRA prisoners will re-offend, than republicans are winning the long game.’

Mr Trimble admitted to his ‘worries’ too. On a BBC *News 24* interview on the day of the last major releases, he said he didn’t trust Martin McGuinness, his ministerial counterpart, and he wasn’t sure the republicans were committed to peaceful means. ‘I do not know for certain that it is all going to work in the way that we want it to,’ he

said. This inevitably allowed the Democratic Unionist Party deputy leader, and by then former ministerial colleague, Peter Robinson, to claim (*Irish News*, July 29th 2000): ‘The basis on which David Trimble remains in partnership with IRA-Sinn Féin becomes all the more unreal.’

The prisoner-release issue developed an even more troubling turn for much centrist opinion north and south as three things became increasingly evident. The vicissitudes of the ethics-in-politics tribunals sitting in Dublin were likely to force the dominant Fianna Fáil party—principal victim of sleaze allegations—to go to the polls earlier than intended, perhaps even later this year, with no chance of returning a majority government. The celebrity factor attaching to the SF president, Gerry Adams, via the ‘peace process’ would translate into perhaps a handful of seats in the next Dáil election, and SF might well be the only party willing to restore the tainted but small-r republican FF to power. And ‘top of the agenda’ in any negotiations for SF support would be the release of the four IRA killers of Garda Jerry McCabe, shot in Limerick in 1996 (*Sunday Independent*, August 6th 2000)—a hugely unpopular step in the republic.

The taoiseach, Mr Ahern, and the justice minister, John O’Donoghue, retreated behind a formula that there had been ‘no change’ in the government’s opposition to the release of the four, signalled to Mr Adams on Good Friday 1998—this to many implied there might be a change, in the future. And a number of southern commentators smelt ‘double standards’ applying to the two parts of the island. Stephen Collins, another close north-watcher, of the *Sunday Tribune* wrote (August 6th 2000): ‘The double-think about prison releases in the Republic has caused widespread anger and hurt across the North. Many people there have come to the conclusion that there is no real appreciation in the south for the sacrifices they are expected to make for the sake of the Good Friday agreement.’

Another veteran commentator, the Derry left-winger Eamonn McCann, encapsulated the *Angst* felt particularly by the victims in a phrase (*Belfast Telegraph*, August 16th 2000): ‘There are no moral norms any more ... What does remain constant is the integrity of the grief of those who have had all happiness drained from them.’

Communal antagonism

In this mood of moral hazard, the sectarian logic of ‘getting one’s retaliation in first’ has tended to prevail over any notion of the common good embodied in the rule of law. Intercommunal tensions have been greatly stoked in recent weeks by a rising wave of low-level, but terrifying, attacks. Principally perpetrated by loyalists—the finger of suspicion particularly attaching to the UDA, also ostensibly maintaining a ceasefire—the victims have inevitably been principally Catholic. Particularly at risk have been Catholic and mixed households living in predominantly Protestant areas. But there have also been many arson attacks on Orange halls, as well as on Catholic Church and Gaelic Athletic Association premises.

These attacks have gone largely unreported outside the region's media but they are a daily feature of news bulletins there—alongside the continuing 'punishment' attacks by paramilitaries. On August 14th, for example, a litany of attacks in north and west Belfast, Ballymena, Carrickfergus, Rathcoole and Newtownabbey were listed, under the headline 'Sectarian attacks reach new level of hatred' (*Belfast Telegraph*, August 14th 2000).

Meantime, territory in Northern Ireland has become even more communally defined by a huge proliferation of flag-flying. Again mainly loyalist-inspired—indeed often involving the flying of paramilitary standards, not just the Union flag—this has been a spin-off on the streets of the stand-off in the executive over the flying of flags on government buildings. If Mr Trimble was expected to 'deliver' on the name of the RUC by swing delegates voting for him on May 27th, he was also expected to secure an end to the SF 'snub' of the Union flag.

That, too, depended on Mr Mandelson. The Northern Ireland secretary implied before the meeting that if the issue of flags could not be resolved then he would arbitrate. But there appears to have been uncertainty within the Northern Ireland Office as to whether flags fell within the 'reserved' scope of the secretary of state. And on June 22nd, in a written reply to the anti-agreement UUP Willie Ross, Mr Mandelson said (*Sunday Tribune*, July 2nd 2000): 'The responsibility for flying the union flag rests with the department which has the main occupancy of each building and where that building has a flagpole.' So that will be that.

There were some positive political pointers during this quarter towards a brighter future. The 'Drumcree stand-off' this year was a strategic defeat for the Orange Order. The sheer ineptitude of its Grand Lodge, in refusing to talk to the Parades Commission, was surpassed only by the self-destructive willingness of the Portadown 'brethren' to accept on Drumcree hill the released UDA paramilitary leader Johnny 'Mad Dog' Adair. The latter association managed to alienate most Catholics and most Protestants in one go, and wholly undermined the Orangemen's stance that they could not talk to Catholic residents led by a one-time IRA prisoner. Some spoke excitedly of an Orange 'Alamo'—and it was.

Moreover, there were indications of progress, finally, on the Programme for Government (see public policies section), so essential as 'glue' to hold the executive together (Wilson, 2000). There is a real chance a draft programme will be agreed by ministers in September, and that this will be more than an airy list of aspirations.

But all in all it is an uncertain picture. The renewal of devolution has seen the gears of the engine grind slowly into action; but there are still plenty of spanners that could be thrown in the works. The secretary to the 1973-74 power-sharing executive, Sir Kenneth Bloomfield, was asked his view as to the future of the enterprise. 'Precarious' was the response.

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Devolved government

Executive action

For the first time since February 9th, the Northern Ireland Executive Committee met on June 1st in the wake of the restoration of devolution.

The executive endorsed as a *fait accompli* the financial allocations announced by the Northern Ireland secretary, Mr Mandelson, arising from the March budget. It considered a position paper on the difficult negotiations with the European Commission on the next round of structural funds for the region (see EU section). The subsequent press release blandly (but baldly) referred to ‘a discussion on the issue of flying flags on public buildings’.

The executive also considered the announcement by the DUP that, this time around, not only would its ministers not attend executive meetings, but the latter pair would also be rotated periodically—presumably so that there could be no suggestion that they would be selling their fundamentalist souls for a mess of ministerial potage. The committee said such ‘political stunts’ could not be allowed to damage the delivery of services (Executive Information Service, June 1st 2000).

The executive returned to the problem a week later, pointing to the DUP’s affirmation that its representatives in government would not be bound by the ministerial code of conduct. The committee recorded that this was, ‘of course’, in breach of the agreement’s pledge of office—of which compliance with the code is a part. It did not, however, draw the equally logical conclusion that the two ministers should be expelled: section 30(1)(b) of the Northern Ireland Act provides for the exclusion for 12 months of ministers who fail to observe any term of the pledge. But then the DUP’s position was wholly hypocritical: its repeated efforts to secure the expulsion of the two SF minister rely on section 30(1)(a), which specifically refers to compliance with the non-violence element of the pledge.

The executive decided on a series of decidedly lesser sanctions. The Office of the First and Deputy First Minister would take responsibility from the DUP for addressing transport matters in the British Irish Council. Neither of the DUP ministers would be nominated to attend meetings of the Joint Ministerial Committee. And unless satisfactory assurances were received about maintenance of the confidentiality of the executive, its papers would not be passed to the two ministers ‘as a matter of course’ (Executive Information Service, June 8th 2000).

Needless to say, the DUP ministers were undeterred, and promised to resign on July 27th. The first and deputy minister fumed impotently at ‘the antics … abuse of the public interest … breach of the good faith which the two Ministers pledged on taking up office’ (Executive Information Service, July 5th 2000). Gregory Campbell, the leading DUP figure in Derry, duly took over from the party deputy leader, Peter Robinson, at Regional

Development, while Maurice Morrow rose without trace to replace Nigel Dodds at Social Development.

Efficient? Effective?

A weird sidelight on this bundle of contradictions was a speech by the Northern Ireland secretary in London on June 28th. This brought together the Belfast agreement and the wider UK constitutional reform project, which is normally discussed as if utterly detached. But it clearly was just as detached in the mind of Mr Mandelson. The forum was a lecture for ‘Make Votes Count’, which saw the potential of its case for proportional representation at Westminster being strengthened by bringing to bear the long use of PR in Northern Ireland.

Mr Mandelson disappointed his audience by his refusal of PR in favour of the alternative vote (which would have given Labour an even bigger margin over the Tories in 1997). ‘I do not believe that perpetual coalitions make for efficient or effective governments,’ he announced. But concerns for efficiency or effectiveness did not seem to apply to Northern Ireland. PR was not the most distinctive feature of the Belfast agreement, Mr Mandelson insisted: ‘It is a “ministry of all the talents”, “a government of national unity”, in reality a compulsory coalition ...’

The executive was able to manifest some tangible progress in its short renewed life, notably in agreeing an interim ‘Agenda for Government’ (see public policies section). It also agreed arrangements for establishment in the autumn of an Office of the Northern Ireland Executive in Brussels (Executive Information Service, July 27th 2000); hitherto, Northern Ireland has only been represented before the EU institutions by a private initiative, albeit backed by the parties, the Northern Ireland Centre in Europe.

But the first and deputy first ministers, Mr Trimble and Séamus Mallon respectively, allowed themselves to become embroiled in the rising tensions occasioned by the Westminster battle over the Police Bill (see parties section), leading to a phantom resignation crisis of their own.

On July 14th, an ‘exclusive’ lead story in the *Irish News* claimed, citing Labour sources, that Mr Trimble had threatened to resign over the prospect of a change in the name of the RUC. The report however quoted the first minister denying the story, but countering with the claim that he ‘understood’ that Mr Mallon had threatened to resign and ‘withdraw all co-operation with the government’. Either such event would, of course, have brought down the Belfast agreement, as the first and deputy first minister have to be elected, and re-elected, together, and the ‘parallel consent’ procedure must be followed. Mr Trimble clearly no longer enjoys the necessary 50 per cent support in the unionist bloc in the assembly.

Mr Mallon entered the lists the same day, putting out a statement denying the rumours and expressing himself ‘surprised that David Trimble has been drawn into disseminating

stories which are completely untrue'. Such stories, he said, only served to distract from the way the government has failed 'to meet up to its obligation to implement' the Patten policing report (Executive Information Service, July 14th 2000).

The assembly

Introduction

The restoration of devolution on May 29th, more than 15 weeks after its suspension on February 11th, meant the assembly was largely in the business of playing ‘catch-up’, especially its statutory committees.

During the hiatus, the chancellor had unveiled his fourth budget, while the process of agreeing the 2001-2004 Comprehensive Spending Review had neared completion—each of which, of course, had significant implications for the outworking of devolution in Northern Ireland as elsewhere. The act of suspension had, therefore, prevented both ministers and assembly members (MLAs) from participating fully in the budgetary and expenditure processes which, as the agreement stipulated, were ‘key decisions’, requiring unanimity at executive level and cross-community consent in the assembly.

While these procedural rules represent a consociational bulwark against majoritarianism, they simultaneously create the conditions in which a partnership may be struck within the Executive Committee and between it and the assembly. The opportunities created by both the budget and the CSR process to realise these two dimensions of power-sharing were foreclosed.

On the nod

With devolution restored the assembly—as well as the Executive Committee—was in a position akin to that on December 2nd 1999 when devolved powers were first transferred: inheriting a budget and spending totals over which it had exerted little, if any, influence. At the first session of the reconvened assembly, on June 5th, the major item was a statement by the finance minister, Mark Durkan (SDLP), on the process for examining the main estimates for the current financial year, and the reflection of these estimates in an appropriation act.

Mr Durkan recalled that on December 15th the executive’s budget proposals had been presented to the assembly. It had been intended that the assembly and its statutory (departmental) committees would fully scrutinise the proposals, with the executive then reviewing the budget before placing it before the assembly for cross-community approval. However, suspension had meant that assembly scrutiny could not be completed before the beginning of the financial year. In the event, the Northern Ireland secretary, Peter Mandelson, had confirmed the December proposals and subsequently increased the allocations (by £18 million) for health and education, as a result of additional resources generated by the budget of March 21st. The restoration of devolution did, though, enable MLAs to consider spending proposals for the financial year 2000-2001 *via* the approval of the main estimates. In effect, by means

of a supply resolution, members were being asked to approve unexamined spending plans.

With the assembly scheduled to rise for the summer recess on July 7th, members were also asked by Mr Durkan to approve the Appropriation 2000 Bill (required to confirm the legal authority of departments to incur expenditure) by means of an accelerated passage procedure, as provided for in standing orders, which meant there would be no formal committee stage. The finance minister said (Northern Ireland Assembly Report, June 5th 2000): ‘The need for urgent approval of the estimates and the passing of an appropriation bill is very clearly exceptional in current circumstances.’ The assembly—which has not agreed its procedures for dealing with budgetary matters—was effectively presented with a *fait accompli*. One might reply: ‘Up to a point, Lord Copper.’

Standing orders require that adoption of accelerated passage be approved by the assembly *nem con*. Formally, therefore, any member of the four anti-agreement parties could have prevented its use, which would have rendered the Appropriation Bill subject to normal legislative procedures, thereby causing a delay—if not a temporary halt—in departmental spending. This opportunity to create disruption was not however seized by ‘no’ members, a point which did not escape the attention of the first minister, David Trimble.

On July 4th the assembly debated a DUP motion, based on a petition of concern, to exclude SF from the Executive Committee on the ground that it was allegedly not committed to exclusively peaceful and democratic means. During his contribution to that debate—in which he opposed the motion—Mr Trimble observed (NIAR, July 4th 2000, p25):

[I]f the DUP really wanted to stop the Assembly it could have done so. There was a moment a few weeks ago when we had before us the matter of the accelerated procedure for the Appropriation Bill. If that had been objected to, the Northern Ireland Administration, the Assembly and all associated bodies ... could have been brought to a complete halt by just one person saying one word ... ‘No’.

Stung by the remarks, DUP members insisted the bill would have been dealt with by normal procedures. But the Speaker, responding to points of order from Ian Paisley and Peter Robinson, said the bill ‘would not have been able to pass before the end of this session’ (*ibid*, p26)—prompting the first minister to remark that ‘the money for the Administration would have run out in the middle of August and the Administration would have ground to a halt’ (*ibid*, p27).

It is difficult to credit that the anti-agreement parties were unaware of this opportunity to bring the assembly to a juddering stop, not least because the DUP’s leaders—and Robert McCartney, the sole surviving member of the United Kingdom Unionist Party

assembly party—are avid students of ‘parliamentary’ procedures. Nevertheless, the assembly approved the estimates and endorsed the Appropriation Bill, thereby enabling the devolved institutions to continue—at least until the next appropriation bill comes before the house in the autumn.

Frayed nerves, fraying support

That potential crisis averted, the assembly dealt with a number of controversial issues during the month or so that it sat as a plenary body before the summer recess. None more so than that debated on July 4th, the last sitting day: the motion to exclude SF from ministerial office (NIAR, July 4th 2000). The debate followed a number of unsuccessful attempts by anti-agreement unionists to utilise the ‘petition of concern’ to such effect.

This time the DUP and the other anti-agreement parties succeeded in attracting 30 signatures—the number required to trigger the debate—when a UUP member, Pauline Armitage, added her name to the list. Her decision reflected wider disquiet in the latter party about the re-entry into devolved government recommended by its leader, Mr Trimble, and narrowly endorsed by the UUC on May 27th.

There was never any doubt that the exclusion motion would fail, since it had to meet the test of cross-community support within the assembly. But what gave rise to concern in the UUP camp was whether any more of its MLAs might join the anti-agreement parties in the division lobby, especially since its formal position was that it would abstain. In the event, two UUP MLAs did add their votes to exclude SF from office: Derek Hussey, a former party whip, and Roy Beggs Jnr. Thus, on the matter of SF’s participation in government, there are now 32 unionist members (out of a total of 58) prepared to back a motion to decant its two ministers from office for a period of 12 months, as permitted by the agreement and the Northern Ireland Act 1998.

It seems likely that the anti-agreement parties, led by the DUP, can now table a petition of concern on this matter as and when they see fit, unless and until a palpable beginning—and end—to decommissioning by the IRA is in train. Besides the opportunity this will provide to slow up assembly business, it also has the potential to attract more UUP members into the ‘no’ camp, thereby further eroding Mr Trimble’s parlous position.

Less controversial—as far as unionists are concerned—was the earlier debate (NIAR, June 6th 2000) on the flying of the Union flag, also arising from a petition of concern. Like the debate on the exclusion of SF, it was moved by Mr Paisley and proposed that the flag be flown on executive buildings on all designated days in common with the rest of the UK and on Parliament Buildings on all sitting days. Supported by all unionist parties it was, of course, opposed by SF and the SDLP, as well as the Alliance Party and the Women’s Coalition.

The unionist view was also reflected by the education committee. Taking advantage of an attending unionist majority at its first post-suspension meeting, the deputy chair, Sammy Wilson (DUP), proposed that a letter be sent to the minister, Martin McGuinness, saying that the committee wished to see the Union flag flown on the department's buildings on June 2nd (a designated day). The proposal passed (4 votes to 1) and the letter was duly despatched. Needless to say, it had no effect, not even eliciting a reply.

Onward Christian broadcasters

Among the other set-piece debates during its ten sitting days before the recess, the assembly considered the under-funding of public transport (June 27th) and urged the then regional development minister, Mr Robinson (DUP), to implement a comprehensive, integrated policy.

It also, bizarrely, devoted two hours (June 13th) to a debate moved by the chair of the culture, arts and leisure committee (Eamonn O'Neill), calling on the appropriate licensing authorities to facilitate 'United Christian Broadcasters' in their use of AM frequencies. Though this was a reserved matter, members nevertheless unanimously approved the motion which would, if acted upon, enable UCB to provide 24-hour 'Christian broadcasting'. Another matter outside the assembly's remit was also debated (June 20th)—the Postal Services Bill then before Westminster. Members supported a motion expressing serious concern at the impact of proposals which in their view would undermine economic prosperity and regeneration in rural Northern Ireland.

The unanimity which characterised these debates was, however, elsewhere in short supply. Besides the divisions exhibited during the debate on flags and the subsequent attempt to exclude SF from the executive, two debates on the new equality régime proved fractious occasions.

A motion by Conor Murphy (SF) commending the progress made by designated public bodies in drafting their equality schemes—required under section 75 of the Northern Ireland Act 1998—was opposed by the anti-agreement parties (June 6th). Gregory Campbell (DUP), by contrast, moved a motion criticising the alleged 'worsening under-representation of the Protestant community', particularly in public employment, and calling on the new Equality Commission to 'address the problem as a matter of urgency' (June 27th). This was opposed by, among others, Dermot Nesbitt (UUP), junior minister in the Office of the First and Deputy First Minister, who carried his opposition into the division lobby—an act anti-agreement unionists regarded as little short of treachery.

Intra-unionist feuding also surfaced during a take-note debate (June 5th) on the Memorandum of Understanding and Supplementary Agreements between the UK government and the Executive Committee. Such *concordats* had been agreed by

Scottish ministers and the cabinet of the Welsh assembly on October 1st 1999. Mr Paisley (DUP) complained that there had been no opportunity for the parties to consider the relevant documents and took exception to the one additional measure covered, namely recognition of Northern Ireland's distinctive position within the UK arising from its relationship with the republic. The agreements extend the terms of the *concordat* to cover the North/South Ministerial Council and the EU dimension of the cross-border bodies, institutions which the DUP has boycotted since their inception. Despite the objections voiced by Mr Paisley and others, the motion—moved by Mr Nesbitt—was agreed.

A plenary debate on arts policy (June 27th) quickly became mired in controversy over the resources allocated to Irish and Ulster-Scots speakers and reflected the continuing verbal assaults on SF's two ministers, Mr McGuinness and—especially—Bairbre de Brún. The latter's determination to employ both Irish and English in making statements and answering questions is proving a constant irritant to (largely) anti-agreement unionists. The latter, however, take every opportunity to lambast all SF MLAs.

Also on June 27th Ms de Brún announced that the Fire Authority—for which she is the responsible minister—was to strike a medal for all firefighters with three years continuous service and a medallion for those with five. Her *bête noire*, Ian Paisley Jnr (DUP), responded in typically robust terms (NIAR, June 27th):

Can the Minister confirm to the House how many fires the Fire Service has had to attend as a result of Provisional IRA bombs?
Did the Minister, when meeting the Fire Service, apologise to it for the years of bomb attacks that placed the lives of Firemen in jeopardy because of the activities of members of her party?
Should the Minister not be embarrassed by coming to this House and announcing an award to a Fire Service that her party tried to expunge from existence?

Abortion of an argument

Anyone who doubts that the moral high ground in Northern Ireland is not only a contested but densely populated terrain would do well to read the four-hour debate on abortion (June 20th). Prompted by an undated motion in the name of Jim Wells (DUP), it sought to prevent the extension of the 1967 Abortion Act to Northern Ireland. It was an extremely emotive occasion, the tone struck in Mr Wells' opening remarks: 'Tuesday 20 June will be a very bad day for 530 unborn children in Great Britain because today their lives will be aborted. Every 24 hours ... an average of 530 human beings are legally killed and disposed of ...'

He continued in much the same vein, talking of 'legalised carnage', and he drew an unprepossessing analogy: 'Since 1967 5.3m abortions have been carried out in Great

Britain: almost the same number of Jews who were murdered in Hitler's death camps.' He did make one assertion that was almost correct, *viz* 'that both communities are perhaps more united on this issue than any other'. Only three parties in the assembly—SF, the Progressive Unionist Party and the Women's Coalition—supported an amendment to the motion, tabled by the WC, seeking to refer the matter to the health, social services and public safety committee, the latter to report within six months.

The amendment was defeated (43 votes to 15) amid a welter of rhetoric from members of all other parties, including the SDLP's Joe Hendron—chair of the HSSPS committee—who remarked that 'abortion violates a human being's right to life'. The most vehement support for the motion came, though, from an unexpected quarter: Seamus Close, deputy leader of Alliance. Referring to the 'murderous arguments' of those he represented as 'fighting for the right to abortion', he posed the rhetorical question: 'In what other circumstances do doctors prescribe death as the treatment and murder as the cure?'

Though few women contributed to the debate (which was on a free vote), those who did opposed the motion, including Joan Carson (UUP), albeit acknowledging 'that abortion is not a satisfactory way around unwanted pregnancies'. She also observed 'that it is ironic that a man, who will never have to go through childbirth or face the personal consequences of unwanted pregnancy, is proposing the motion ... Any future changes [in the law] need to be made in consultation with the women of Northern Ireland ... The responsibility for an abortion lies primarily with the woman and not the state.' The motion was carried and further assembly debate on the matter foreclosed for the foreseeable future.

Committees back on stage

Oral questions to ministers were resumed on June 19th, and ministers also reported to the assembly on the various sectoral-format meetings of the NSMC, some of which had occurred in February on the eve of suspension. The initial legislative programme announced by Mr Trimble at the end of January was resumed, members taking the bills—most in pursuit of parity with Westminster legislation—through at least the second reading by the recess. The key legislative measure was the Appropriation Bill, which completed its accelerated passage by the end of June.

The ten statutory committees took up where they left off in February, still for the most part preparing an agenda of inquiries. But they too were in the business of making up for lost time and were rebriefed by ministers, officials and representatives of the departments' associated bodies. In one or two cases, inquiries were begun: the higher and further education, training and employment committee embarked on its inquiry into student finance; and the culture, arts and leisure committee began to take evidence on its inquiry into inland fisheries. Meanwhile, the agriculture and rural development committee continued its work on debt in agriculture and fisheries and

published its first report, *Retailing in Northern Ireland: A Fair Deal for the Farmer?* (Report 1/99/R [Committee of Agriculture and Rural Development], First Report, Session 1999-2000, vols 1 and 2).

To a considerable extent, the statutory committees had their agendas structured by ‘external’ demands. First, each was invited by the relevant minister to express its initial views on the broad principles and structure of the draft Programme for Government—and to do so by July 7th! This prompted complaints about lack of time from most committees and from the new liaison committee, established on June 21st and comprising the statutory committee chairs. Secondly, each committee was invited to respond to the draft ‘equality scheme’ devised by the relevant department. This statutory duty to show due regard for equality of opportunity, applying to all designated public authorities in Northern Ireland, derived from the direct-rule administration’s white paper, *Partnership for Equality* (Cm 3890), published a month before the Belfast agreement.

Thirdly, the chair of the finance and personnel committee wrote to each of the other committees, asking them to identify two spending priorities which might benefit from end-of-year flexibility monies and the £18 million left unallocated from the March budget. Fourthly, each was invited by the chair of the regional development committee to reflect on the implications of the regional development strategy—on which a pre-devolution consultation paper (DoE, 1998) launched a debate—for their areas of responsibility. And, finally, each was invited by the relevant minister to comment on the implications for each of the departments of ‘New Targeting Social Need’ (CCRU, 1998, 1999)—again a pre-devolution commitment embodied in the equality white paper.

In addition, a number of committees were readying themselves for their stage of the initial rash of bills. In short, the volume of work confronting the statutory committees mounted considerably during the second phase of devolution—so much so that one committee (enterprise, trade and investment) agreed to meet throughout the summer recess.

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The media

The main event in media terms during the quarter was a story about the media themselves—or rather a particular medium, the *Belfast Telegraph*.

The *Telegraph* exercises a monopoly over the afternoon and evening press market in Northern Ireland—its reach extends to a Derry edition—and its editor claims it enjoys 387,000 readers (*Belfast Telegraph*, March 8th 2000) out of a total population of 1.7 million. (Audited sales are 130,000.) As a result, particularly when its advertising revenue is taken into account, it is hugely profitable: on sales of £54 million last year it returned a whopping £21 million operating profit (*Irish Times*, March 18th 2000).

The paper sustains this position because its readers broadly mirror the demography of Northern Ireland's bitterly divided populace, giving it a reach which the communally divided morning papers, the *Irish News* and *News Letter*, simply cannot match. The corollary of this is that its editorial perspective—which might be described as the moderate-to-moderate-unionist point on the political compass—is highly sensitive.

But the merger last year of Trinity International, owner of the *Belfast Telegraph*, and Mirror Group, owner of the *News Letter*, led to a decision by the Department of Trade and Industry that the *Telegraph* group (which includes the sister *Sunday Life*) would have to be sold within a year (*Irish Times*, March 7th 2000).

Enter Tony O'Reilly, former rugby player turned ‘press baron’, head of Independent News and Media—in whose papers, principally the *Irish Independent* and the *Sunday Independent*, he is always reverentially described as ‘Dr A J F O'Reilly’. Mr O'Reilly certainly had the resources to secure the *Belfast Telegraph*—he was able to see off up to four rivals with a £300 million offer (*Irish Times*, March 18th 2000). But his close interest in the north (where his Ireland Fund has donated to many charitable projects over the years) made him appreciate this was not a conventional financial deal.

Anticipating hostile unionist reaction to a ‘Dublin takeover’, Mr O'Reilly—whose newspaper interests are worldwide—arranged that the purchase would be by the Independent Group UK (established when he took over the London *Independent*). There would thus be no question of the *Telegraph* being asked to be accountable to Dublin. Moreover, Mr O'Reilly established a new, nine-member board for the *Telegraph* group, ensuring that six of the nine would be locals and that four of those would be Protestant—the latter including the chair of the UUP, Lord Rogan. Furthermore, Mr O'Reilly hired Lord Rogan's UUP colleague in the upper house, Lord Laird (a leading PR figure in Northern Ireland for many years), as his public-affairs adviser. It was reported that Independent executives reassured the UUP leader, Mr Trimble, personally. And one source familiar with the lobbying was quoted to the effect that ‘the possibility that this could mean a change in the political stance of the paper is now not an issue with the unionist leadership’ (*Sunday Tribune*, March 5th 2000).

The *Telegraph* editor, Ed Curran, welcomed the sale and said he anticipated no change in the paper's editorial policy. But the UUP deputy leader, Mr Taylor—who is not always consistent or on all fours with the man who defeated him in the 1995 leadership contest—called for a 'full investigation'. Mr Taylor is himself the owner of a number of local-newspaper titles across Northern Ireland and he presented his concerns as purely anti-monopoly (*Irish Times*, March 18th and April 4th 2000).

But when UUP MPs addressed a Competition Commission hearing in Belfast in late April, additional considerations were evident. Mr Taylor and the leading 'no' UUP MP, Jeffrey Donaldson, claimed that the *Independent* group's three Sunday titles currently circulating in the north were nationalist (which is not at all true of the flagship *Sunday Independent*). And Mr Taylor pointed to the two 'well known nationalist members' of the new board of the group. (*Sunday Tribune*, April 30th 2000).

This special pleading rendered the unionist case insufficiently impressive to stop the trade and industry minister, Stephen Byers, giving the purchase the go-ahead in July (*Belfast Telegraph*, July 17th 2000). No conditions were attached to the sale, which had already been approved in the republic by the tanaiste (deputy premier), Mary Harney, the minister responsible for competition issues. Mr Byers said the Competition Commission had found no evidence that editorial freedom would be jeopardised, and there was minimal competition between newspapers north and south. The chief executive officer of Independent News and Media in the UK, Brendan Hopkins, said the Northern Ireland newspaper marketplace had more links to London than Dublin. Mr Taylor declared himself reassured but the DUP MLA Ian Paisley Jnr said he remained worried about the future editorial policy of the *Belfast Telegraph* (*Irish Times*, July 18th 2000).

Intergovernmental relations

North-south

The remarkable thing about activity on the all-Ireland front during this quarter was how little notice anyone took of it. There are plenty of things that could still bring the Belfast agreement down, but the north-south agenda—so critical in 1974—is not one of them.

The reasons for this have been explored in detail elsewhere (Wilson, 1999). But a key factor has been that the executive all-Ireland structures consist of a limited set (six) of discrete bodies: Waterways Ireland, Food Safety, Trade and Business Development, Special EU Programmes, Language, and Agriculture and Marine Matters. And the North/South Ministerial Council mainly works in ‘sectoral format’, monitoring the work of these bodies (as well as the six other designated areas for policy co-operation). In other words, the unionist fears which attached to the Council of Ireland in 1974—echoed in 1998 when the then minister for foreign affairs in the republic, David Andrews, spoke of the desirability of a structure ‘not unlike a government’—have not been borne out. The NSMC is not a Trojan Horse for a united Ireland by stealth.

With devolution restored at the end of May, a rash of sectoral-format NSMC meetings took place. They began on June 16th in Dublin, with the first meeting on special EU programmes. Interestingly, while there was only one minister from the republic in attendance—the finance minister, Charlie McCreevy—two attended from the north: the obvious Mr Durkan, SDLP minister of finance and personnel, and the not-so-obvious Sam Foster, UUP minister of the environment. Mutual trust within the executive is clearly still some way short of allowing only a minister from one ‘side’ normally to represent the north vis-à-vis the republic.

An inland-waterways sectoral-format meeting took place five days later. Here the southern representative was Síle de Valera, minister for arts, heritage, Gaeltacht and the islands. Her ‘logical’ partner was Michael McGimpsey of the UUP, northern minister of culture, arts and leisure. Bairbre de Brún, SF minister of health, social services and public safety, was the ‘shadow’ minister. The same northern pairing was in operation when the NSMC first met in language format, on the same day in Belfast. (But then Ms de Brún has a strong, not to say insistent, interest in Irish.)

A meeting in agricultural format (where there is no implementation body but co-operation is specified) took place on June 26th in Dublin. This time the two agriculture ministers, Brid Rodgers (SDLP) from the north and Joe Walsh from the south, were accompanied by Dermott Nesbitt (UUP junior minister in OFMDFM). A meeting in environmental format followed two days later in Belfast. (Again there is no matching implementation body.) As Mr Foster met Noel Dempsey, minister for the environment in the republic, Ms de Brún was once again in attendance.

But it appears Ms Rogers travelled alone to a sectoral meeting in Dublin on July 5th on aquaculture and marine matters—it hardly gets less controversial—with the minister for the marine, Frank Fahey (*Irish Times*, July 6th 2000). And a day earlier, Ms de Brún and the republic's health minister, Micheál Martin, launched a study of the threat in Irish hospitals from the MRSA bacterium after a health-format meeting in Dublin (Executive Information Service, July 4th 2000). No joint communiqué was issued on either occasion.

Nationalist ministers, however, also met their counterparts bilaterally, outside of the agreement's straitjacket of the six implementation bodies and six areas for co-operation. Thus, Sean Farren (SDLP), minister for higher and further education, training and employment, and the republic's minister of state for labour affairs, Tom Kitt, announced on June 21st joint financial backing for a mainly EU-funded service to remove rigidities and information deficits in the cross-border labour market (Executive Information Service, June 21st 2000). Similarly, on July 27th, Martin McGuinness (SF), education minister, announced with his opposite number, Michael Woods, that a number of schools across the island would be taking part in a government-backed but privately sponsored project to link pupils and teachers through the internet and video-conferencing.

But perhaps the most significant development in north-south relationships in the quarter was outwith the formal political arena altogether. After years of resistance by the commercial channel UTV, the republic's public broadcaster, RTE, is to be made available on cable in the north (*Irish Times*, August 1st 2000). This had not been a unionist-inspired defence of 'Ulster': UTV no longer refers to itself by its full former title, and has developed a substantial viewership in the republic in the process. Nor had RTE been dying to flood the north with nationalist propaganda: the problem was that it shows *Coronation Street*.

UTV's fear had been the loss of some of its *Coronation Street* viewers—and so advertisers—if northerners could readily watch the latter on RTE instead. Hitherto, the station has enjoyed a bigger market penetration in the republic than *vice versa*. Viewers wishing to watch RTE in Northern Ireland have had to install a special aerial to do so.

By making RTE available to its customers, the cable company NTL will remove that inertia factor from nationalist viewers. And it may expose some unionist ones inadvertently to such delights as the (forthcoming) Irish version of *Who Wants to be a Millionaire?*

'East-west'

The suspension of the executive in February resulted in the postponement of the second summit meeting of the British-Irish Council, which had been scheduled for June in Dublin. This meeting is now likely to take place in the autumn, with the main topic—as agreed at the inaugural meeting in London in December 1999—being drug trafficking and abuse.

The republic's government will take the lead on this issue. According to the UK and Irish joint secretaries, interim reports on all five areas of work specified at the inaugural meeting will be produced for the Dublin meeting, and a communiqué will be issued afterwards.

Notwithstanding speculation about the siting of the BIC secretariat elsewhere, it now appears that this will function jointly between the Cabinet Office in London and the Department of Foreign Affairs in Dublin. In the context of the political focus on issues such as decommissioning and policing, and on the restoration of the executive, scant attention has been paid in Northern Ireland to the BIC and its future development.

In terms of UK intergovernmental relations, the main occasion for comment during the period was the Joint Ministerial Conference on June 5th 2000 (following the restoration of devolution in Northern Ireland) on health. This brought Ms de Brún of SF, accompanied by the first minister, Mr Trimble, together with counterparts from Wales and Scotland at a meeting chaired by the prime minister, Tony Blair. It was reported that a series of measures were agreed to improve the running of the NHS in all parts of the UK (*Irish News*, June 6th 2000).

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Relations with the EU

Introduction

In this quarter, there have been two developments of note. On July 26th, the European Commission approved in principle the content of Northern Ireland's Community Support Framework and preparations began for the negotiation of the corresponding 'Transitional Objective 1' and 'Peace 2' operational programmes (Executive Information Service, July 27th 2000). On June 16th, meanwhile, NSMC met in sectoral format to discuss the role of the Special EU Programmes Body in these programmes and others funded outside the CSF (NIAR, June 26th 2000). The EU remit of the BIC remains dormant, but the Executive Committee will examine Scottish and Welsh experiences of establishing offices in Brussels, as the deputy first minister told the assembly (*ibid*).

The commission's decision was not unexpected—following, as it did, on the heels of a negotiating visit at the end of June to Brussels by the first and deputy first ministers and the minister of finance and personnel. Reporting to the assembly on June 26th, Mr Mallon recalled the extensive lobbying at the Berlin summit of March 1999—resulting in favourable treatment of Northern Ireland, despite its ineligibility for objective 1 status—and, during the first half of 2000, over the CSF and operational programmes (*ibid*). Subject to further consideration of the CSF by other EU institutions, and to agreement on the operational programmes, Northern Ireland will be funded to the same level as would have been the case had it retained objective 1 status and better than other former objective 1 regions.

This will amount to some £940 million, of which £590 million will be for Transitional Objective 1, £280 million for Peace 2 and £65 million for EU-wide programmes outside the CSF: INTERREG, LEADER, EQUAL and URBAN (Executive Information Service, *op cit*). It represents a victory for a strategy previously outlined (rather shamefacedly) by an aide to the deputy first minister, as 'levels, not labels'—pursuing the £1 billion or so secured in the previous EU structural-funding round, regardless of the headings under which it was allocated.

As noted in the previous quarterly report on this topic (February 2000), the commission had accepted Northern Ireland's CSF as technically admissible but had noted that the operational plans did not comply with its requirements and subsequently rejected them. Though they have been reconsidered in Northern Ireland, in the light of discussions between the commissioner for regional affairs, Michel Barnier, and the government—in its devolved, de-devolved and re-devolved forms—the devil may still lie in the operational detail to be negotiated.

Operational programmes

The main problems with the original operational programmes were (DD, 2000):

- The two programmes were insufficiently distinct. Proposals outlined in Peace 2 were not obviously special, and might have been advanced under Transitional Objective 1.
- Peace 2, thus, was too economicistic. A higher priority was seemingly accorded to economic development than social inclusion, and without reference to how proposals would enhance peace and reconciliation.
- Peace 2 was thought to dilute civic participation in the assessment of projects and the dispersal of funds. The tripartite structure of district partnerships, adopted for local disbursement of Peace 1 funds, had placed on an equal footing district councillors, voluntary-sector representatives and the social partners. Though this was required by the commission's insistence on a 'bottom-up' approach, there now appeared a risk that district-council members would be given a leading role. There were also concerns that intermediate funding bodies (mainly voluntary organisations) might lose responsibility for allocating other tranches of money across the region.
- Though there was consultation, Peace 2 was drafted without agreement with authorities in the republic about what constituted cross-border co-operation. There were concerns about 'back-to-back' intergovernmental projects with little real thought given to north-south reconciliation, not only in the border corridor but also more widely.
- Transitional Objective 1 contained many welcome proposals but these were not set in any clear account of what needed to be done for Northern Ireland to achieve significant improvements in its economic and social performance.¹

These issues were the subject of many questions following the statements by the deputy first minister and the minister of finance and personnel on June 26th. In response to one question about a strategic approach to the main tranche of funding—for Transitional Objective 1—Mr Mallon confirmed that this was regarded as essential but made no detailed comment.

Most questions to the DFM were about the smaller amount for Peace 2—as, given its cross-border component, were those to Mr Durkan following his statement on the NSMC meeting. Mr Mallon's replies were somewhat equivocal in terms of the criticisms noted above.

¹ Perhaps this was not surprising. The official position is that, being submitted by an un-devolved government, the plans were intended to leave scope for choice by the expected devolved government (interview). Other explanations are that *Strategy 2010*—the economic-strategy document issued in the context of un-devolved government—was regarded by economists as having significant weaknesses and the delay in setting up the executive and its subsequent suspension meant there was no alternative, devolved Programme for Government (DD, 2000).

On the balance between economic development and social inclusion, he said that Commissioner Barnier appeared to think the executive was on course for securing actions in each sphere that were mutually supportive. (Later, answering questions on the rural impact of Peace 2, Mr Durkan was more specific, saying departments would have ‘to show that they attach a premium to social inclusion, to cross-border activity and to applying measures to and through local delivery mechanisms’.) However, in response to a request that Peace 2 money be used for peace and reconciliation alone, Mr Mallon suggested that economic security was the key to peace and that it was not possible to draw a line of demarcation around a ‘purely social input’.

On participation in partnership boards, Mr Mallon said that the design of this was for the next stage of discussion. He acknowledged the commission’s insistence in Peace 1 on the tripartite form and its approval of how it had worked. He undertook to try to ensure that voluntary and other partners would continue to be involved, but he suggested there would be further discussion about the number of councillors on partnership boards and a reconsideration of the relationship between partnerships and district councils.

The DFM would not commit himself on the future role of intermediate funding bodies. Mr Durkan was equally unwilling to ‘speculate’ upon the precise bodies and areas of involvement, saying they would be decided in conjunction with the forthcoming Peace 2 monitoring committee. But he insisted there were no grounds for concern that partnership boards and intermediary funding bodies would be relegated.

The minister of finance and personnel also reported to the assembly on the sectoral meeting of the NSMC on June 16th. The council had considered progress in setting up the Special EU Programmes body (SEUPB) and had agreed that the latter would contribute to the negotiations which led subsequently to the commission’s approval of the CSF. The SEUPB would also be involved in negotiating the Peace 2 operational programme.

The NSMC had underlined the important contribution to peace, reconciliation, regional development and cross-border co-operation made by EU programmes and noted the common text for north-south co-operation in the draft CSF. But Mr Durkan did not say whether agreements would be reached with the republic’s government over what constituted peace and reconciliation in the Peace 2 operational programme. He did, however, say that, in developing Peace 2 and INTERREG² programmes for the border areas and more widely, the NSMC and SEUPB would welcome input, based on experience of Peace 2, from the three-cross-border networks which brought together 18 councils in the border corridor.

In terms of participation in the new programme by other actors with previous experience, the Peace 2 monitoring committee would involve a range of interests, including the social partners. The minister noted that extensive consultation was

² Proposals for INTERREG are to be submitted in November, with funding coming on stream in 2001.

already taking place in preparing programme proposals for INTERREG 3 and a similar philosophy would apply in Peace 2.

Next steps

The CSF, having been approved in principle by the College of Commissioners, went for consideration to the Committee of the Regions, the Economic and Social Committee, the Agriculture Committee and the Fisheries Committee. If there were no significant objections, the CSF would be finally adopted at the end of August or in September. In the meantime, Northern Ireland authorities were ready to start negotiating the operational programmes, in conjunction with the interim CSF monitoring committee (with members from all assembly parties). It is required that these be agreed by October and monitoring committees for the two operational programmes established.

Then it will be necessary to develop ‘programme complements’, which will bring forward measures in specific and detailed terms. These are required no later than three months after operational programmes have been agreed. To minimise the risk of delays in the final stages, the executive has been working on the programme complements simultaneously with the operational programmes. Shortly, therefore, it will be possible to begin to judge whether the assurances given by DFM and the minister of finance and personnel are sufficient to meet the concerns about concepts, strategy and participation that greeted the first versions of the operational programmes.

Meantime, plans are in train for the establishment of an office in Brussels. Mr Mallon told the assembly on June 26th that proposals would soon be brought to the Executive Committee (OFMDFM has responsibility for EU matters). Other regional representations had been considered (Mr Mallon mentioned Wales and Scotland).

An annual budget of £500,000 and a ‘small number’ of permanent staff was envisaged, with the office initially ‘providing a base’ for visiting ministers and officials. It would obtain ‘early warning’ of EU developments, articulate the ‘Northern Ireland interest’ to the institutions and build links with other EU regions. It would establish a role for the region in Europe ‘that will transcend funding’ and increase its ‘stock’, and the centre would co-operate with other Northern Ireland organisations eager to develop European links, Mr Mallon said (NIAR, June 26th 2000).

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Finance

The main estimates for the financial year 2000-01 cover a total of £7.8 billion of public expenditure in Northern Ireland, of which £4.3 billion required assembly approval in the Appropriation Bill. During the suspension, a vote on account at Westminster had provided interim funding, anticipated otherwise to run out at the end of August.

The big spenders, inevitably, are health and social services (£1.9 billion) and education (£1.2 billion)—the two spending departments astutely secured by SF, as they outwitted everyone else in the d'Hondt allocation of executive posts in November 1999—and (outwith the executive's control) social-security benefits (£1.8 billion). It is notable that fully £253 million of the education budget is to be spent on integrated education, even though only 4 per cent of children attend integrated schools—a reflection of the huge capital costs of the refusal of the denominational authorities to countenance integration by merger.

Also notable is the fact that £27 million has been allocated to the Office of the First and Deputy First Minister. This is almost as much as the budget for the assembly (£31.5 million). OFMDFM is to have, when fully recruited, 300 staff, according to a senior civil servant. This confirms, as indicated in previous reports, how the office has grown like Topsy—broadly to compensate for the ‘co-ordination deficit’ built into the Belfast agreement by the avoidance of the issue of collective responsibility in the negotiations giving rise to it.

In June the executive announced the allocation of the first tranche of some £90 million which had become available from a variety of savings and underspends. This was rolled up in what it described as an ‘Agenda for Government’ (see public policies section).

Five headings were set out to define the agenda:

- a step change in economic development;
- a firm basis for better education education and health;
- a better and safer environment;
- practical steps to tackle disadvantage and exclusion; and
- improved, modern, accessible services.

Each of these was subdivided into measures. The two biggest initial allocations were for improving school buildings (£6.2 million) and reducing hospital waiting lists (£5 million). On the day before the assembly rose, the minister for finance and personnel, Mr Durkan, announced how the remaining £63 million would be allocated (*Irish Times*, July 4th 2000). The principal departmental beneficiaries were Health, Social Services and Public Safety (£11.9 million), Regional Development (£10.9 million) and Agriculture (£9.5 million).

These figures were of course dwarfed by the impact of the Comprehensive Spending Review, which signalled that spending would rise over the three-year period of the

review such that £1 billion more would be spent in 2003-04 than had been planned to be expended in 2001-02. Some of the dodgy, double and triple, counting characteristic of New Labour's hyping of the first review was belatedly replicated this time around in Northern Ireland—though not by the secretary of state himself (Northern Ireland Information Service, July 18th 2000). The £1 billion became £2 billion when accumulated over the period by Mr Durkan, of New Labour's 'sister' SDLP (*Irish News*, July 19th 2000). The Department of Finance and Personnel was obliged to issue a subsequent press release to explain the conflicting accounts (Executive Information Service, July 20th 2000).

The first and deputy first ministers also welcomed the increased public-expenditure allocation to Northern Ireland arising from the review (Executive Information Service, July 18th 2000). The tone of their statements was notably different, however. While they both emphasised that the additional money would be spent taking forward the devolved administration's Programme for Government, Mr Mallon alone explicitly affirmed: 'We will not necessarily follow the pattern of allocations announced today for England.'

Political parties and elections

Ulster says... ?

The divisions in the UUP were graphically exposed at the meeting of the 850-strong Ulster Unionist Council on May 27th. The meeting was held one week later than planned—because of clear evidence that Mr Trimble had failed to convince a majority of his party that the deal hammered out with other pro-agreement parties and the two governments at Hillsborough on May 11th was sufficient to allow a return to devolved government. Residual doubts about IRA decommissioning were exacerbated by concerns about the future of the RUC (*Irish Times*, May 19th 2000).

Bitter divisions between unionists and nationalists over policing had already delayed the publication of the government's legislative response to the Patten report on the subject by a number of months. When the Police Bill finally appeared (*Irish Times*, May 24th 2000), it included several apparent concessions to unionist concerns. Chief among these were the proposal to integrate the name of the RUC into the 'title deeds' of the new Police Service of Northern Ireland and significant alterations to the accountability structures the Patten commission had proposed. Armed with these concessions, and claiming to have received personal assurances from the British government, the UUP deputy leader, Mr Taylor, swung behind Mr Trimble. Given the narrowness of the outcome, with 459 votes (53 per cent) in favour and 403 votes (47 per cent) against, he can claim to remain pivotal in maintaining UUP support for the agreement.

The scale of disquiet within unionism was registered two days before the meeting in a council by-election in Banbridge, Co Down. Paul Rankin of the DUP doubled his party's vote to take a previously safe UUP seat (*Belfast Telegraph*, May 24th 2000). Pro-agreement supporters could only console themselves with the knowledge that the UUP candidate was himself a strong opponent of the agreement. But plans by Trimble supporters to modernise the party constitution—to remove its traditional reliance on the Orange Order and assert more effective central control—look doomed to failure in the current climate.

The restoration of devolution on May 29th offered no immediate respite. The dissident UUP MLA Peter Weir remained hostile to any return to government and the position of his party colleague Pauline Armitage remained uncertain. Within a day of restoration, there were reminders that differences over policing and the flying of flags over public buildings would continue to undermine trust between republicans and unionists (*Belfast Telegraph*, June 1st 2000).

The contradictions of Ulster Unionism were thrown into sharp relief in Belfast City Council, when the sickness of one nationalist councillor and the defection of Danny Dow from the Alliance group created an unforeseen unionist majority in City Hall. Pro-agreement unionist ministers in Stormont returned from an Executive Committee

meeting to ensure that SF would be denied the office of lord mayor and to elect the anti-Agreement Sammy Wilson (DUP) instead. Even more controversially, the UUP successfully proposed Frank McCoubrey as deputy lord mayor—in spite of his close associations with the outlawed Ulster Defence Association (*Irish Times*, June 2nd 2000).

The search for a candidate for the vacant Westminster seat of South Antrim—caused by the death of Clifford Forsythe—confirmed UUP differences. Amid considerable bitterness, Mr Trimble's lieutenants leaned heavily on the local MLA Duncan Shipley-Dalton to withdraw from the contest in favour of David Campbell (*Belfast Telegraph*, June 19th 2000). In the event, Mr Campbell was beaten to the nomination by David Burnside. Mr Burnside, the once controversial head of PR at British Airways, is an erstwhile supporter of the agreement who has campaigned strongly within the UUP against the Patten proposals. Projecting himself as a candidate of party unity, Mr Burnside is widely regarded as a potential rival to Mr Trimble for the leadership in the longer term (*Irish Times*, June 19th 2000).

The first evidence of an organisational counter-offensive within the UUP to the anti-agreement activists came with the launch of a new ginger group, Re:Union. Headed by the former Irish international rugby player and prominent moderate unionist Trevor Ringland, the new group invited 250 people to a private launch. Founded on the thesis that the UUP is more hardline than mainstream unionist supporters, the group aims to reach out to sympathisers in the business community and wider civil society. The exclusion of the dissident Mr Weir from the meeting gave further credence to the view that Re:Union is a pro-Trimble counterweight within the UUP to the 'Union First' group (*Belfast Telegraph*, June 23rd 2000).

The renewal of devolution also created difficulties for opponents of the agreement. With one eye to the expected British general election next May, the DUP sought to square the circle of participation in the renewed executive with its outright opposition to the agreement. DUP ministers refused to participate in full meetings of the executive, despite threats from the pro-agreement parties to retaliate by withdrawing access to executive papers (*Belfast Telegraph*, June 16th 2000). In the face of UUP charges of hypocrisy, the party announced it would not go into opposition, but instead seek the support of 60 per cent of unionists in the assembly to exclude SF from the executive. Failing this, the party proposed regularly to change its occupants of ministerial posts, thereby preventing any embedding of the structures of the agreement (*Irish Times*, June 24th 2000).

Despite widespread street protests in Protestant areas in early July, marching did not seriously disrupt those structures. Policing remains the chief area of long-term concern among pro-agreement unionists. Aware of the depth of UUP unease, in the committee stage of the Police Bill the British government confirmed its intention to include the name of the RUC in the 'title deeds' and to affirm that the force had not been disbanded—outraging northern nationalists, the republic's government and Irish-America in the process.

Nationalist disillusion?

The elation of Irish nationalism following the deal at Hillsborough on May 11th quickly evaporated. While the gulf on policing between unionists and nationalists received most attention, nationalism appears implicitly to have undergone an historic shift, with the two northern nationalist parties arguing for rather than from the Patten report. Both demanded the implementation of ‘Patten in full’, although they differed in detail as to the changes required in the Police Bill to fulfil that task.

So serious was nationalist concern about government concessions to unionism over policing that the SF president, Gerry Adams, warned of a severe backlash within republicanism at the height of the UUP debate over whether to return to devolved government (*Irish News*, May 23rd 2000). The SDLP identified 44 items of Patten which had been altered in the bill; SF demanded 75 changes to it. Policing has clearly become the next major hurdle in the search for political stability in Northern Ireland.

The symbolic issues of name and badge retain their public potency, as does the flying of the Union flag over police stations. But the SDLP appeared to be even more concerned by changes in the bill to the substance of the Patten recommendations—including an enhanced role for the Northern Ireland secretary and a reduced role for local police boards—than the symbolism (*Irish Times*, July 17th 2000). As the bill passed through its committee stage, nationalists’ relations with the government, and with Mr Mandelson in particular, deteriorated sharply (*Irish Times*, July 27th 2000).

The restoration of devolution brought the issue of flags on public buildings back to the fore. Already during the first period of devolution, SF ministers had refused to fly the Union flag on buildings controlled by their departments. The dispute exposed a fundamental disagreement between unionists and nationalists about the agreement—unionists arguing that its admission of British sovereignty implied the flying of the flag, nationalists vehemently contending that the latter was subject to the equality provisions. When the Department of Education failed to fly a flag to mark the anniversary of the coronation, loyalist protesters bedecked the road outside its headquarters with flags. Some days later, the minister, Martin McGuinness, moved his office from Bangor to Stormont, where he was given accommodation by his colleague, Bairbre de Brún (*Irish News*, June 8th 2000). There is clearly potential for this row to continue to give grounds for offence.

Nationalist politics has not yet mimicked the overt convulsions of unionism. Nevertheless, there was evidence in the period that realignment there was also under way. The SDLP held a private, one-day conference to examine the implications of an internal report which portrayed the party as ‘old and tired’ and complained of a leadership out of touch with the grassroots (*Belfast Telegraph*, June 24th 2000). Meanwhile, the increasing acceptability of SF in the political mainstream of Northern Ireland was apparent in the city councils of Belfast and Derry. Although Alex Maskey

failed to win election as mayor of Belfast (see above), Alliance joined the SDLP in supporting an SF candidate for the first time. Two days later, Cathal Crumley was elected as mayor of Derry, with the support of the SDLP (*Belfast Telegraph*, June 6th 2000).

The first report of the international arms-dumps inspectors, Cyril Ramaphosa and Marti Ahtisaari, failed to impress the DUP but, within republicanism, there was no doubting the significance attached to these developments. One respected commentator saw it as conclusive proof that ‘the unfolding of the entire peace process supports the British and unionist analysis of the conflict’ (Breen, 2000). Others within republicanism agreed and the explosion of a no-warning bomb under Hammersmith bridge on June 1st showed that dissident republicanism remains an important and potentially dangerous political pressure on the SF leadership.

Devolution passed a milestone of sorts at the beginning of August, surviving longer in its second period than was achieved in December and January. The announcement of a timetable for the first fully-devolved budget debate in the autumn (*Belfast Telegraph*, July 20th 2000) was evidence that devolution was developing a certain pragmatic momentum. There could be no mistaking the continued fragility of the ‘peace process’, however, with ample evidence that the autumn will confirm von Clausewitz’s dictum that ‘politics is war by other means’.

Bibliography

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Public policies

Time for an agenda

As a signal of its earnest desire to demonstrate that devolution could bring positive benefits to Northern Ireland—and to restore momentum to the process of drafting the Programme for Government—on June 29th the Executive Committee announced an agreed ‘Agenda for Government’ following its weekly meeting. This would be operational until April 20001, when the programme would begin to be effected.

Speaking afterwards, Mr Trimble said the package was very significant but was more important as a representation of the collective will of ministers (Executive Information Service, June 29th 2000):

We can make a real difference for the people of Northern Ireland, when we all work together. Many policies we have described today require Ministers and Departments to co-operate together, to pool their energy. That is what we in the Executive Committee are showing we will do. We want to work as a team, for the benefit of all. We—and we believe the Northern Ireland public—expect that of all Ministers.

Despite the DUP boycott, it was clear that the agenda had been agreed by all ministers—a point noted by the deputy first minister, Mr Mallon, when, four days later, he and the first minister fleshed out the details. They told the assembly (NIAR, July 3rd 2000, p6): ‘The Agenda demonstrates that the Executive Committee can agree, and has agreed, a package of measures targeting specific needs.’ (DUP participation had been *via* bilaterals with the OFMDFM.)

This was couched in the context of the wider programme, as Mr Trimble made clear (NIAR, July 3rd 2000, p5): ‘Later this year we will be presenting the outcome of the work on the programme in draft form for the Assembly and its Committees to consider … Our more immediate issue is what we should and can do in the remainder of this year to start us in the right direction.’

The degree of unanimity reached on the agenda augured more hopefully for the preparation of the programme. Mr Mallon said in winding up (*ibid*, p7): ‘The actions indicate our determination to work together for the benefit of all. We know that we can make real improvements to people’s lives when we move forward effectively together.’ The deputy first minister’s comments were also notable for the commitment he expressed to the harmonisation of the equal-opportunities legislation on religion, gender, race and disability into a single equality act—a logical corollary of the existence in Northern Ireland of a unified Equality Commission.

This more positive note was echoed on July 6th, when Nigel Dodds, then the DUP’s

social development minister, set out his department's priorities for the programme at a meeting with the social development committee. The first minister to set out his stall in this way, he indicated (Executive Information Service, July 6th 2000) that 'tackling disadvantage and building communities' underlay his approach. He itemised his determination to increase the stock of 'good and affordable housing [which] is vital to the economic and social well-being of the people of Northern Ireland', and to tackle fuel poverty and improve domestic energy efficiency.

At its meeting a day later, the executive as a whole (minus its two DUP members) took a strategic approach to one of the key public-policy challenges in Northern Ireland—its very poor public health. It agreed that a 'comprehensive strategy to promote public health' would be prepared by departments, with a view to a full consultation in the autumn (Executive Information Service, July 7th 2000)/

Developing the programme

Those of a conspiratorial mind (and there are many in Northern Ireland's mistrustful milieu) might have snorted when the two junior ministers in the OFMDFM launched 'a major consultation exercise' on the Programme for Government on July 20th (Executive Information Service, July 20th 2000). There is a Bermuda Triangle in public life in the region in July and August—established after years of enervating 'talks' and 'peace' processes for the political class running from autumn to early summer, and as many years of stress for the masses stemming from the ever-lengthening 'marching season' peaking with the annual 'Drumcree standoff' in early July. Belfast empties at the beginning of that month. Vocal hundreds go to protest in Portadown but hundreds of thousands decamp to the beaches, to get away from it all—literally. Normal public service is not restored until September.

So was it cynical of Dermott Nesbitt and Denis Haughey to write out to the unions, business and the voluntary sector in the middle of the '12th fortnight', asking their views on the programme? On this occasion at least, the conspiracy theorists would be wrong.

The Executive Committee faces a genuine difficulty about the timing of work on the programme, which has been concertinaed by the process of devolution, de-devolution and re-devolution. The difficulty lies in the fact that the minister of finance and personnel, under section 64 of the Northern Ireland Act 1998, must lay before the assembly a draft budget before the beginning of each financial year. The section refers to the paragraph (strand one, 20) of the Belfast agreement requiring the executive to agree a programme, incorporating an agreed budget, the programme to be scrutinised by assembly committees and passed by a cross-communal majority. Working backwards from April 5th 2000, in other words, and allowing for the time it takes for officials to attach financial numbers to agreed projects and policies, this has imposed a very tight schedule.

The officials in the OFMDFM working on the programme have thus not had the luxury of spending the summer with their buckets and spades. They hope to have something

prepared for the executive to agree in September, with a view to scrutiny by the committees in October. Hence the tight pressure on the committees themselves before the summer to come up with their own suggestions.

Part of the problem was that even the OFMDFM had been unable to function during the suspension. In the absence of political cover from the two principals, officials had been unable to advance matters much in the interregnum. And what would have been the purpose when, as one senior civil servant speculated during the period, two more years of direct rule looked likely?

The jumping-off point remained a document prepared during the earlier period of devolution for the Executive Committee, itself following on from a paper endorsed at the executive's January 11th meeting (see February report).

The second paper defined the Programme for Government as 'a strategic policy statement of the Executive Committee's agreed aims and policy objectives, including ... cross-cutting themes'. It called for 'early agreement at least of the initial draft of the strategic aims, objectives and priorities of the Executive Committee'. This would 'demonstrate publicly the direction of the Executive Committee's work and that devolution will make a difference to government in Northern Ireland', and provide a basis for consultation with the assembly and more generally 'which otherwise will lack focus'.

The paper also stressed the importance of 'joined up' government, and starting from 'citizens' needs' rather than the 'organisational ease' of departments. It was 'essential' that these considerations were incorporated into the draft programme and the mechanisms for taking it forward.

As to the structure of the programme, the paper spoke of offering a vision with 'at least a ten year time-span', though the main focus would be on the 'strategic reforms' to be enacted in the remaining period of the executive (the next assembly elections are slated for 2003). It would thus be written up as:

- a statement of the executive's integrated strategic aims,
- a list of supportive integrated strategic objectives,
- a list of supporting key departmental objectives,
- a statement of budgetary priorities, and
- a statement of cross-cutting arrangements.

The paper envisaged drafts being presented to the executive in February and March. Sadly, it was dated February 11th. Within hours there was no executive to consider it.