



The Constitution Unit



Nations and Regions: The Dynamics of Devolution

Quarterly Monitoring Programme

Northern Ireland

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May 2001



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Northern Ireland report

May 2001

- Trimble post-dated resignation letter throws future of agreement into renewed uncertainty
- Programme for Government agreed and executive rallies to deal with foot and mouth
- Assembly continues to bed down, yet divisive debates remain
- Jockeying by parties and candidate volatility presages highly unpredictable election

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Summary

The quarter began with the failure of the London and Dublin governments to broker a settlement of the longstanding issues deadlocking the outworking of the Belfast agreement. It ended with the first minister, frustrated with the republican movement, threatening—though he denied this would be the effect—to bring down the house of cards with a resignation letter, to take effect on July 1st, in the absence of substantive progress on IRA decommissioning. If the resignation were not countermanaged, this would leave a further six weeks before new elections would have to be held or—more plausibly—for the agreement to be suspended once more.

It was a period marked by ill-tempered exchanges in the assembly, over confidence in Sinn Féin’s electoral probity and confidence in the SF education minister, Martin McGuinness—now ‘outing’ (past) IRA links. Most dispiriting was a row over two vases of lilies sitting in the foyer during the Easter recess.

The foot-and-mouth crisis and new data on organised crime meanwhile lifted the lid on the underbelly of incivility and entrenched paramilitarism in ‘post-agreement’ Northern Ireland. And the still-fledgling Civic Forum was the subject of uncivil comment, in the assembly and the media.

Moderate Protestant opinion was growing increasingly restive, encouraging the Democratic Unionist Party to anticipate electoral gains. Sinn Féin, meanwhile, continued to hardball to reassure fundamentalist supporters and pursued a shamelessly ethnic electoral strategy, though the SDLP resisted its overtures for an electoral pact. Amidst considerable candidate volatility, significant changes in Northern Ireland’s electoral landscape looked likely in June.

Yet, once again, there was much ‘business as usual’. The revised Programme for Government was published and agreed by the assembly. Foot and mouth gave the executive a sense of common purpose and public confidence was enhanced by the performance of the agriculture minister, Bríd Rodgers.

Outwith the media spotlight, the committees toiled away purposely and there were signs of a committee *system* emerging. And public opinion seemed to support the bread-and-butter focus of the assembly’s work.

Nor did the continued hiatus surrounding the North/South Ministerial Council, arising from the first minister’s ban on SF colleagues’ involvement, or the atrophy of the British-Irish Council prevent technocratic progress on the north-south axis or relationship-building ‘east-west’. Preparations also continued for the new rounds of EU structural funding, and some ‘Euro-regionalist’ muscles were flexed.

But all eyes were now on David Trimble.

The hour-glass drains

Wobbling unionists

The last quarter ended in mid-February with the London and Dublin governments concluding that the window of opportunity to resolve the outstanding ‘peace process’ agenda—decommissioning of paramilitary weapons, policing reform and ‘normalisation’ of security arrangements—before the (then) anticipated Westminster general election on May 3rd was closing.

Five weeks of talks had concluded in mid-February with the Sinn Féin president, Gerry Adams, rejecting a formula to break the deadlock, ostensibly because it did not offer sufficiently radical proposals on policing (*Irish Times*, February 15th 2001). A planned visit by the prime minister, Tony Blair, to seal a deal was cancelled as a result (*Belfast Telegraph*, February 19th 2001). But for the first time the taoiseach, Bertie Ahern, endorsed the SF claim that the Police (Northern Ireland) Act, passed at Westminster only three months earlier after a protracted passage and multiple amendments, would have to be amended some more (*Irish Times*, February 21st 2001).

The respected commentator—and Patten policing commission member—Maurice Hayes wrote laconically (*Irish Independent*, February 20th 2001): ‘It would, perhaps, be over cynical to assume that Sinn Fein have majored, belatedly, on the issue of policing to divert attention from their inability to provide much evidence of movement on the decommissioning of weapons.’

A final effort by Messrs Blair and Ahern at Hillsborough on March 8th generated a paper acceptable to the other parties but at which SF expressed its ‘disappointment’ (*Irish Independent*, March 9th 2001). An IRA statement that day, committing the organisation to renew contact with the decommissioning organisation, led to no substantive engagement.

At a meeting of senior SF figures the following day in Dublin, Mr Adams denied his party had ‘the responsibility, the obligation or the desire to shepherd the IRA into disarming on UUP or British government terms’, adding (*Belfast Telegraph*, March 10th 2001): ‘This would not be possible anyway.’ Remarkably, this did not stop the two SF ministers, Bairbre de Brún and Martin McGuinness, writing to the first minister, David Trimble, reminding him (twice) of his ‘obligation’ in terms of ‘the arms issue’ (*Irish Times*, March 29th 2001).

Mr McGuinness, for good measure, wrote a vitriolic attack on the Northern Ireland secretary, John Reid, in the nationalist *Ireland on Sunday* newspaper (April 1st 2001). The education minister accused Dr Reid of taking Mr Trimble’s side by his calls for decommissioning and compared him to the republican *bête noire*, Sir Patrick Mayhew, the former Conservative secretary of state. The article reminded readers of

Sir Patrick's insistence in 1995 that IRA decommissioning be embarked on before SF could be involved in talks; it did not explicitly remind them of the sequel—the Canary Wharf bomb of February 1996.

The policing controversy did not seem to deter applicants to what would be called the Northern Ireland Police Service. Fully 8,000 responded to the copious TV advertising—for just 240 positions in September (*Irish Times*, April 4th 2001). Finding 120 Catholics to begin the 50-50 recruitment envisaged by the Patten report should not thus be unduly taxing.

But the growing restiveness in the Protestant community about the immovability of SF was reflected in a statement from the church committee (which deals with political affairs) of the Presbyterian Church. It warned of 'cynicism, weariness and apathy given the endlessly unresolved issues of demilitarisation, policing and decommissioning' (*Belfast Telegraph*, February 24th 2001).

The *Church of Ireland Gazette* reflected similar sentiments. Lambasting Mr Blair for his determination to stage an election a year before he needed to, and reminding its audience of the devastating blow caused to the 1974 power-sharing experiment by the election of that February, the magazine said the agreement hung 'by a tenuous thread', dependent on the survival of Mr Trimble and his 'wobbly' UUP supporters. And it asked: 'How long can an administration endure, two of whose ministers refuse to condemn the hoarding of illegal arms ...?' (*Irish News*, April 21st 2000).

The Northern Ireland Office is well aware that one of the factors corroding support for the Belfast agreement is the entrenchment of paramilitary structures within working-class communities, captured in the repeated warnings by Mr Trimble of the need to avoid a 'Mafia-like society'. In September 2000, the NIO established an Organised Crime Task Force, which issues its first 'threat assessment' in March (Northern Ireland Information Service, March 23rd 2001).

Data from the Royal Ulster Constabulary indicated, as the *Guardian* (March 23rd 2001) reported it: 'Seventy-eight organised criminal gangs, raking in hundreds of millions of pounds a year, are threatening the development of a normal civilised society in Northern Ireland ...' Fully 43 of these gangs had current or historical paramilitary connections. The security minister, Adam Ingram, said the task-force report, which found that £350 million of public money was lost to fraud every year, 'shines a light into the dark side of Northern Ireland'.

In April the Northern Ireland secretary laid before Parliament a draft order in council—crime is a reserved area under the agreement—complementing the UK-wide Proceeds of Crime Bill. This would facilitate detection of money-laundering and the confiscation of assets acquired through drug-trafficking and other serious crime in the region (Northern Ireland Information Service, April 24th 2001).

But the same day the moderate-unionist *Belfast Telegraph* editorialised: ‘Far from being banished, the paramilitaries appear to be tightening their grip on this community … The idea of any political party, let alone one which is within government, condoning the appearance of masked men on the streets is an affront to democracy … It is all a far cry from the new beginning promised by the Good Friday Agreement …’

Uneasy fundamentalists

Yet in this atmosphere of uncertainty fundamentalist forces on the other side still feared a republican ‘sell-out’. To reassure the troops, the IRA chief of staff, Brian Keenan, who also acts as interlocutor with the de Chastelain decommissioning commission—and who once famously declared that the only thing to be decommissioned was ‘the British state in Ireland’—dipped into the ideological bottom drawer for a speech in south Armagh.

Answering the recurrent demand that republicans declare the ‘war’ to be ‘over’, Mr Keenan said (BBC News, February 26th 2001): ‘The revolution can never be over until we have British imperialism where it belongs—in the dustbin of history.’ Unionists were outraged; Mr Adams said the remarks were a ‘storm in a teacup’ (*Irish Times*, February 28th 2001).

A stark physical demonstration that the struggle continued was however given by the dissidents a week later. A Real IRA bomb in a car outside BBC Television Centre in London achieved huge international coverage for the growing splinter organisation (*Irish Times*, March 5th 2001). Further, smaller, attacks were to follow in the city.

Shoring up republican confidence that the new dispensation was indeed ‘transitional’ to a united Ireland—a claim strongly contested by the dissidents—was presumably the goal of a remarkably sectarian interview given by the SF chair, Mitchel McLaughlin, to the *Guardian* (April 12th 2001). Warning of the danger of a shift to the ‘no’ camp within unionism after the coming elections, Mr McLaughlin said: ‘The basic arrangements may not be enough to complete the journey.’

He called for the ‘architecture’ to be changed so anti-agreement unionists could not block vote in the assembly, and for acceleration of ‘demilitarisation’ and criminal-justice reform ‘to ensure that the clock cannot be turned back’. He clarified the former remark to the *Irish Times* as implying abandonment of the ‘parallel consent’ provision ensuring ‘key decisions’ enjoy cross-community support (April 13th 2001).

But what was extraordinary about the remarks by Mr McLaughlin—usually seen as the nearest thing in SF to a liberal—was his automatic conversion of further anticipated growth in the *Catholic* population in Northern Ireland, to be indicated in the census, into an anticipated *nationalist* majority. ‘This will concretise the view that

for nationalists and republicans this is the end phase,' he said. 'There is a majority emerging.'

The SDLP was appalled, claiming SF's call for a border poll—the last, in 1973, was massively boycotted by Catholics on the grounds that it was a sectarian headcount—showed that republicans did 'not accept the existence of the other side' (*Guardian*, April 12th 2001). The Northern Ireland Office minister Adam Ingram said he hoped SF was not abandoning support for the agreement (*Guardian*, April 13th 2001).

A spirited correspondence ensued in the columns of the *Irish News*, the mainly-Catholic Belfast morning paper which editorially takes a pluralist line. Linked to the arguments for and against a nationalist electoral pact (see parties/elections section), the letters reflected a sharp political division within the Catholic community. This pitched those favouring ethnic pan-nationalism on the one hand against, on the other, those who would define their 'Irishness' in civic terms and stress reconciliation with the Protestant community.

Speaking at the annual Easter 1916 commemoration in Belfast, a west Belfast SF MLA, Alex Maskey, acknowledged that some republicans disagreed with the leadership. But he said no one should call the IRA 'fools or traitors', though he warned that the 'peace process' was at its 'point of deepest crisis' (*Irish Times*, April 16th 2001).

The SF president later hinted, in an 'après moi le deluge' sort of way, that his leadership was coming under pressure. Mr Adams claimed he had faced—and faced down—calls for retaliation against the ban by Mr Trimble on SF participation in the North/South Ministerial Council, in the form of a reciprocal SF withdrawal from the executive (*Irish Times*, May 2nd 2001). A few days later the UUP leader was to go one step further than his republican counterpart.

Some shock

If Messrs Blair and Ahern had forgotten that their joint statement at the conclusion of the Hillsborough talks in May 2000 had spoken of an extension of the decommissioning deadline by a year to June 2001—and it appeared by the shock Mr Trimble was to cause in both quarters that they had—the first minister was determined to remind them, and the republican movement. The latter, however, had conspicuously not signed up for the new deadline in the IRA statement following that from the two premiers, and had wrapped up an apparently clear promise to put arms 'beyond use' in a shroud of political contextualising.

On May 6th 2001, the anniversary of the IRA statement, Mr Trimble told *Breakfast with Frost* (BBC) that he would be looking to the two governments to 'honour their undertakings' and 'show that republicans are not going to be allowed to destroy the process'. A 'source close to' him went on to tell the next day's *Irish Times* (May 7th

2001): ‘June is the date. It’s impossible to see us getting through the month without substantial progress on decommissioning.’ The paper led that day with the headline ‘UK election result could force suspension of Belfast accord’.

The following day anonymity was cast aside and Mr Trimble told the assembly (see assembly section) that he would resign as first minister on July 1st unless the IRA kept what he took to have been its promise (*News Letter*, May 9th 2001).

The initial response by the Northern Ireland secretary, John Reid, was remarkably sanguine. Having reiterated that the UK government sought ‘substantial progress’ by the end of June, Dr Reid went on (Northern Ireland Information Service, May 8th 2001): ‘David Trimble has made his position clear. That is entirely a matter for him, but it would in my view be highly regrettable if he were to exclude himself from institutions which are already improving the lives of people in Northern Ireland.’

If the first minister was looking to the British government to provide him with a safety net, *via* sufficient pressure on the republican movement to render his political position tenable, Dr Reid was not offering it. But nor was it at all apparent that the Northern Ireland secretary had thought through the hazardous implications of seeking to have Mr Trimble replaced (see assembly section).

Perhaps by the next day the enormity of the threat had sunk in. Dr Reid told the Commons during Northern Ireland questions of the danger that ‘quite frankly we will all fall back into the abyss together’ (*News Letter*, May 10th 2001).

Mr Trimble’s action was widely perceived as mere opportunism—staving off the threat of electoral ‘meltdown’ by a toughening of position. But the UUP leader is remarkably confident about his party’s rendezvous with the (Protestant) electorate. And he has warning for months that he is not willing to see the decommissioning issue fudged yet again through a renewal of the mandate of Gen de Chastelain after June. He can thus have hardly been encouraged by a statement by the taoiseach to the Dáil, professing surprise at the Trimble move, and saying that his government—and that in London—wanted the de Chastelain mandate extended to February 2002 (*Irish Times*, May 9th 2001).

Moreover, the first minister’s mood had not been helped by the involvement of the IRA in the murders of two alleged drug dealers on April 21st and May 4th. Nevertheless, the resignation threat undoubtedly helped unify the warring ‘yes’ and ‘no’ camps in the UUP, as June 7th loomed (*Irish Times*, May 9th 2001; *News Letter*, May 12th 2001).

Devolved government

Programmed

The major development emanating from the Executive Committee this quarter was the publication of the revised Programme for Government (OFMDFM, 2001), originally prepared in draft form in October 2000. It was presented to the assembly on February 26th and passed after two days debate (see assembly section) the following week.

Now entitled ‘Making A Difference’—thereby plagiarising an earlier document from Democratic Dialogue (Wilson, 2000) of the same name—it covers the period 2001-04 and is to be reviewed annually by the assembly and executive. The revised version embraces more than 250 ‘actions’ (up from , together with public-service agreements for each department.

Our February report showed some public scepticism about how much difference devolution had really made (albeit the polling evidence was from late last year). So ‘Making a difference’ remained the ministerial mantra throughout this quarter.

EXECUTIVE MAKES A DIFFERENCE—TRIMBLE AND MALLON said a release (Executive Information Service, April 11th 2001) coinciding with the launch of a summary version of the near 200-page programme. More than 30,000 copies of the summary were to be distributed *via* public buildings across the region. It has been posted on the executive website (www.northernireland.gov.uk), from which the full programme is also available.

The first and deputy first minister catalogued the substantive changes upon which the executive had embarked—changes which they insisted (with some justice) would not have been made under direct rule. These included, as referred to in the February report, free travel for senior citizens, a new student finance package (from the coming academic year) to widen access, and the decision to establish a children’s commissioner.

This last was the most significant change in the programme (OFMDFM, 2001: 5) from the draft version, apart from the anticipated inclusion of the public-service agreements. Another revision was a commitment to sustainable development (OFMDFM, 2001: 7). And there was also a clearer emphasis on partnership—though the words ‘trade unions’ are conspicuously never spoken—in delivery of the programme (OFMDFM, 2001: 4):

We recognise that an exclusively “top-down” approach to administration is neither desirable nor effective in a complex society. Working together with other sectors, such as the private sector and non-governmental organisations,

will help us to tackle some of our greatest challenges. In particular, the community and voluntary sectors have a key role to play in working with Government in the social sphere.

Foot and mouth

Foot-and-mouth disease inevitably dominated the Executive Committee during the quarter. A specially convened meeting on March 2nd endorsed the establishment of an interdepartmental committee of officials, chaired by the agriculture and rural development minister, Bríd Rodgers of the SDLP, to deal with the crisis. It also noted the importance of co-ordination with the other devolved administrations and the London and Dublin governments (Executive Information Service, March 2nd 2001).

This evidence of a ‘joined-up’ response, led by Ms Rodgers, was well received. One of the few politicians in Northern Ireland who speaks the language of the ‘public interest’, the minister enjoyed a high media profile throughout and a warm public reaction—including a good relationship with the mainly Protestant Ulster Farmers Union—for her evident commitment. Paradoxically, she also benefited from the more uncritically conservative culture in the region, where the debate in Britain about culling *versus* vaccination, and the future of intensive farming, never took off (‘Rodgers grasps NI’s poisoned chalice’, *Irish Times*, April 21st 2001).

A significant achievement of the devolved administration was to secure regional status from the European Commission’s standing veterinary committee at the end of March, permitting a renewal of meat and dairy exports from Northern Ireland, despite the continuing ban across the water (*Irish Times*, March 28th 2001). Though overtaken by new cases, this would have been a very unlikely development under direct rule, as the prior conflict over securing BSE-free status for Northern Ireland suggests (Wilson, 1997: 22)

In the event the outbreak in Northern Ireland was confined to a few isolated incidences, with even fewer across the border in the republic. But the potential cost to the Northern Ireland economy was estimated by PricewaterhouseCoopers at more than £200 million (*Irish Times*, April 30th 2001). Just as troubling was the light the episode shone, like the task-force report referred to above, on the weakness of the region’s civic culture, severely battered by three decades of violence, on top of many decades more of sectarian division and mistrust.

It became evident that there were serious problems of fraudulent activity and smuggling engaged in by some farmers, which made the devolved government’s task more difficult (‘Smuggling sheep to bring home the bacon’, *Sunday Tribune*, March 4th 2001). At its April 20th meeting, the Executive Committee ‘registered deep concern at reports that unlicensed movements continue to occur’ (Executive Information Service, April 20th

2001). Privately, a former attorney-general in the republic expressed anger at IRA involvement in such illegal activity.

Other issues addressed by the executive during the quarter included work on a Single Equality Bill, to rationalise the fragmented anti-discriminatory legislative arrangements covering variously gender, race and disability, and religion/political opinion. Broadly, except in the last case, current legislation mirrors that in Britain, but the Equality Commission established by the Belfast agreement replaced the prior, separate, equal-opportunity agencies. A consultation paper agreed by the executive and issued on May 8th (OFMDFM, 2001a) also pointed to recent changes at European Union level and the prospect of the Northern Ireland Bill of Rights, which may further alter the region's legislative framework.

At its May 3rd meeting, the executive agreed in principle that the element of free 'nursing' care in the Sutherland report on long-term care for the elderly should be introduced from April 2002 (Executive Information Service, May 3rd 2001). It also agreed to establish an interdepartmental group 'to examine the implications and costs' of the Sutherland commission's majority call, in addition, for free 'personal' care (see assembly section).

Not DUPed

In March, the two semi-detached Democratic Unionist Party ministers took a leaf out of the book of their two Sinn Féin counterparts in taking to the courts against their colleagues. But while the SF duo, Ms de Brún and Mr McGuinness, had secured a ruling in January from Mr Justice Kerr in the High Court in Belfast that the first minister had acted unlawfully in banning them from the North/South Ministerial Council, the same judge refused on March 26th an appeal by Maurice Morrow and Gregory Campbell for a judicial review of the withholding from them of some executive papers by the Mr Trimble and his deputy, Séamus Mallon.

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The assembly

Trimble trouble

Tuesday, May 8th in the Northern Ireland Assembly was memorable for two reasons. First, although it was the day the prime minister, Mr Blair, was to confirm the open secret that the general election would be on June 7th, his announcement was upstaged by a personal statement by the first minister, Mr Trimble, on the floor of the Stormont chamber. For the second time in 18 months, the Ulster Unionist leader made it known that he had lodged a post-dated resignation letter—this time with the speaker, Lord Alderdice. This would become effective on July 1st, should the IRA fail to embark on substantive engagement with the decommissioning commission.

The background to this dramatic announcement was that on May 6th 2000, the IRA had undertaken to ‘initiate a process that will completely and verifiably put [its] arms beyond use … in such a way as to avoid risk to the public and misappropriation by others and ensure maximum public confidence’. That statement had been issued in the wake of multi-party talks at Hillsborough, Co Down, and had helped create the space to enable devolution to be restored after its suspension on February 11th. In Mr Trimble’s view, the target date of June 2001 for the full implementation of the Belfast agreement, set at Hillsborough, including ‘substantive engagement’ and putting arms ‘beyond use’—themselves rather plastic criteria—would only be met if the Hillsborough agreement was reinforced by the threat of his resignation as first minister.

Mr Trimble reminded members that Gen de Chastelain had indicated that the necessary preparations for decommissioning would require an eight-week planning period. As he put it (Official Report, May 8th 2001), ‘The end of June is less than eight weeks away. Because there is so little time left, because some in the Republican movement think they can avoid their obligations and because there have been comments purporting to come from the [British] Government casting doubt on that date, I have decided to reinforce the agreement made at Hillsborough.’

Unlike in November 1999, when the previous resignation letter had extended—at that stage—to all four UUP ministers-in-waiting, on this occasion it appeared that only Mr Trimble was proposing to fall on his sword. Moreover, though somewhat disingenuously, he said: ‘Members will know that neither my statement now, nor my resignation on 1 July, if that happens, will cause the institutions to collapse. However, a clear onus is now placed on Republicans and others to act to preserve them.’

The plain fact is that other than Mr Trimble there are few, if any, UUP MLAs capable of securing the cross-community support necessary to endorse his/her election as first minister on a joint ticket with a nationalist (SDLP) candidate as deputy. Such an election would have to take place within six weeks of Mr Trimble’s resignation. In effect, a failure to begin the decommissioning process by the end of June is more

likely to prompt a further suspension, as a pre-emptive measure by the British government with, ideally, the support of its Dublin counterpart—or else the very collapse that Mr Trimble believes is avoidable.

Factor into this heady equation the immediate backdrop of a general-election campaign and local-government elections and the gravity of the situation is evident. The current government in London has already intimated that an intense round of talks will begin, *ceteris paribus*, in the immediate aftermath of the general election, designed to resolve the remaining outstanding, wicked issues: decommissioning, police reform, ‘demilitarisation’. Moreover, the *post mortem* on that election will be at the top of the agenda of the UUP’s annual general meeting, rescheduled for June 23rd because of the foot-and-mouth outbreak, and this could prove an uncomfortable occasion for Mr Trimble should his party fare badly at the polls.

While the resignation threat might help to bolster the waverers within the UUP electorate, the risk that they will choose to abstain—rather than switch to vote for anti-agreement candidates—remains, albeit perhaps reduced. Indeed, the DUP, whose MLAs greeted the first minister’s statement with howls of derision, was quick to denounce the resignation letter as an ‘election ploy’, while Mr McGuinness of Sinn Féin described it as ‘an absolute disaster’.

Mr Trimble’s ministerial *Doppelganger*, Mr Mallon, was informed of the letter just minutes before his erstwhile partner rose to his feet in the chamber—the first minister sprinted past a stunned BBC Northern Ireland political correspondent to deliver the message. Mr Mallon responded, uncharacteristically downbeat, that it ‘certainly does not make things any easier [nor] the prognosis much better’ (*Irish News*, May 9th 2001). But he also struck an emollient note by saying that ‘we have to see if we can ride this issue as we have been able to do with so many issues in the past’.

Mr Trimble’s capacity to surprise even those ostensibly politically close to him clearly remains undiminished. His threatened resignation is guaranteed to turn the elections into a plebiscite on the future of the agreement, as the unionist ‘no’ camp already intended. Unlike in Scotland—perhaps even Wales—the Westminster and local polls on June 7th, like all others ever held in the region, will prove a first-order election.

On its outcome may well hang not just the first minister’s immediate political future and the faltering outworking of Northern Ireland’s singular model of devolution, but the future of unionism and the prospect of a stable peace. The stakes, in short, are enormously high. The genuine uncertainties surrounding the survival of devolution may in part explain the fact that, to date, 44 MLAs—including 10 Westminster incumbents—have been nominated as prospective parliamentary candidates: some may have seen the region’s political future and concluded that it doesn’t, or can’t, work.

That conclusion is not one shared by Mr Trimble, who has always berated those lacking his confidence in the ‘robust’ nature of the political project and has been recently buoyed up by private UUP polling (though DUP voters have a strong tendency to place their mistrust of pollsters above their biblical commitments to honesty). He is, however, no longer prepared to countenance the continuation of what he describes—following his party’s former chief executive, now London editor of the *Irish Times*—as ‘a moral vacuum at the heart of the peace process’, created by an ostensible failure by the IRA to deliver on its ‘promise’ on decommissioning.

The potential of his action to imperil the agreement has done nothing to cement relations with the other pro-agreement parties, least of all those in the executive. Nor, it has to be said, is it likely to accelerate the process of putting arms ‘beyond use’. Mr Trimble claims the forced February 2000 suspension led to the statement extracted from the IRA three months later, but the initial republican reaction this time has been characteristically defiant.

Undermining confidence

The second notable event on May 8th was a debate on a motion of no confidence in the SF education minister, Mr McGuinness. Moved *via* a petition of concern laid by Peter Robinson and Nigel Dodds, both DUP MLAs, the debate was prompted by the admission a week earlier by Mr McGuinness, well in advance of his future appearance before the Saville inquiry into ‘Bloody Sunday’ in 1972, that he had been the IRA’s second-in-command in Derry at the time. While few—if any—in Northern Ireland would have been surprised by the disclosure (the only doubt being as to whether there was actually anyone more senior in the city), it provided anti-agreement unionists *inter alia* with the opportunity once again to test the resolve of the UUP’s MLAs in supporting the inclusion in government of an openly declared sometime IRA leader.

Mr Robinson, in moving the motion, was not content to dwell on the past but alleged that Mr McGuinness’ involvement in the IRA continued, through his membership of its seven-strong army council. Indeed, the DUP deputy leader named all those alleged to comprise the ruling body—a charge-sheet he had already read out in the Commons—together with those alleged to be the IRA’s ‘headquarters’ staff. Three other SF figures—the party president, Mr Adams; its vice-president, Pat Doherty; and Martin Ferris from Kerry—were also named as army council members. But Mr Robinson’s venom was reserved for the education minister, whom he described as the ‘Bogside butcher’, and he invited the UUP’s members to join his party in the division lobby to put an end to ‘the unseemly and immoral sham’ of including ‘Sinn Féin/IRA’ ministers in government.

In the event, the motion was defeated by 45 votes to 31, SF and the SDLP voting *en bloc* against, the latter party largely on the ground that this was yet another attempt to subvert the agreement. The only UUP members to vote for the motion were Derek

Hussey—a former whip—and, interestingly, Danny Kennedy, who chairs the Assembly’s education committee that scrutinises Mr McGuinness’ department. They were joined in the division lobby by Peter Weir, who had the whip withdrawn some time ago and is currently suspended from the UUP and has been deselected as the party’s Westminster candidate for North Down. The other UUP members abstained.

The debate, during which Mr Adams replied on the minister’s behalf, was an ill-tempered affair, the atmosphere already rendered tense by Mr Trimble’s earlier statement. Each event had the effect of drawing very clear battle-lines in advance of election campaigns that promise to be verbally bloody—or worse, if dissident republicans remain at large in Britain.

Common cause

If this quarterly survey concluded with a bang rather than a whimper, there were, however, occasions when consensus broke out. For instance, like their counterparts in Edinburgh, Cardiff, London and Dublin, members were keenly preoccupied with the foot-and-mouth outbreak and its potential to wreak havoc on the region’s economy and its rural communities. Common cause was joined among all parties in supporting the agriculture minister, Bríd Rodgers (SDLP), and her officials in the implementation of preventive measures and the slaughter of affected animals.

Ms Rodgers made seven statements to the assembly—out of a total of 21 sittings—during the survey period. In addition, she appeared before the agriculture and rural development committee on a weekly basis throughout, to brief members on the unfolding situation.

The crisis also prompted a further sign of the emergence of a committee *system* within the assembly. On April 23rd, a joint session of the finance and personnel and the enterprise, trade and investment committees was held—the first of its kind—to consider a motion on rate rebates for businesses affected by F&M. The committees, each chaired by an SF MLA, agreed a motion that was tabled for debate on May 1st. Calling on the finance minister, the executive and the chancellor of the exchequer to introduce a hardship package for farmers and the tourist industry, it was carried *nem con* in the chamber.

Uncivil

Such unanimity is rare on the floor of the house. The debates on the Civic Forum—the final institutional expression of the agreement to be put in place—were rather more characteristic, in particular, of the running battles between pro- and anti-agreement unionists.

The forum had been launched in October 2000, amid much acrimony voiced by the DUP, among others, at the alleged exclusion of the Orange Order from its membership (see November 2000 report). On February 6th the forum returned to the agenda, when the first minister moved a motion, including on behalf of Mr Mallon, setting out arrangements for its relationship to the Office of the First Minister and Deputy First Minister. The motion proposed that the forum ‘shall offer its views on such social, economic and cultural matters as are from time to time agreed between the Chairperson of the Forum [the businessperson Chris Gibson] and the First Minister and Deputy First Minister’. And it provided that the assembly, by way of a motion, could request the forum to tender views on specific social, economic and cultural matters.

The Trimble/Mallon motion, in effect, proposed a direct link between the forum and the assembly, thereby supplementing the relationship with their office for which the agreement provided. It also sought to ensure the independence of the forum, by enabling its chair to agree with OFMDFM an agenda on behalf of its members, and it would allow the forum to decide whether to take up issues remitted to it by the assembly.

In moving the motion, the first minister made clear that he and his deputy had consulted Mr Gibson and other forum members on the terms of the motion and that the latter had been unanimously agreed—especially the undertaking that the forum could address any issue it chose, given resource limits. This seemed utterly unexceptionable. But the DUP moved an amendment that would require assembly approval for any matter to go on the forum’s agenda, whatever its source—in short, putting the forum on a short and tight leash.

The DUP’s view, articulated by Mr Robinson who moved the amendment, was that the forum was ‘a waste of time and money’, and that it constituted a ‘sanitised group’ hand-picked to reflect the views of Messrs Trimble and Mallon. He said (Official Report, February 6th 2001): ‘The Forum is not representative of the community as a whole. In effect, it is made up of people who nod their heads in the direction of the First Minister and the Deputy First Minister. If we take advice from a body that does not represent the community as a whole, what value does it have?’

The continuing thorn in the side of the forum’s opponents was the absence from its membership of representatives of the Orange Order. As Mr Robinson claimed, ‘one of the groups that most represents unionism was deliberately excluded by the First and Deputy First Minister’, an assertion vigorously denied by them. After an at times rancorous debate, the amendment was defeated and the main motion carried.

The matter did not lie there, however. The DUP accused Mr Trimble of misleading the house about the status of a meeting of the forum that had apparently endorsed the motion laid by him and Mr Mallon—claiming, specifically, that the meeting had been inquorate and unofficial. A two-week wrangle ensued in the assembly, with various

documents being made available to the speaker, who eventually ruled on February 20th that the first minister had not misled the house.

What could, indeed should, have been a relatively uncontroversial matter had in effect become a minor *cause célèbre*. The DUP was seeking to subvert the forum, which it regards as little more than an expensive OFMDFM lapdog. (See media section below for criticism of the forum from a rather different quarter.)

More uncivil

Another row broke out following a further announcement on February 12th by the finance and personnel minister, Mark Durkan (SDLP), on the outcome of the December public-expenditure monitoring round. There had been an initial announcement on January 22nd, but it had become apparent that £28 million extra was now available for 2001-02. The mini-windfall enabled Mr Durkan to announce reductions in the planned increases in domestic and non-domestic regional rates, from 8 to 7 per cent and from 6.6 to 3.3 per cent respectively.

The beneficiaries of the extra allocations were health trusts, whose deficits were to be reduced, social-inclusion and community-regeneration programmes, and pensioners, who would benefit from the introduction of free travel on public transport from October 1st 2001. This last ignited an argument in the assembly between the DUP and its ‘partners’ in the executive. The DUP claimed credit for the scheme, whereas Mr Durkan—and the first and deputy first ministers—represented it as the outcome of a collective decision by the executive, absent the two DUP ministers. Such is the nature of collective responsibility in Northern Ireland’s ‘cabinet’.

One of the rowdiest debates occurred on February 20th on a motion moved by Derek Hussey (UUP), calling on Northern Ireland’s chief electoral officer to report on his plans to counter electoral fraud. This issue has long been high on the region’s agenda, leading to the three reports in the recent past—respectively, from the Forum for Political Dialogue (1997), the Northern Ireland Affairs Select Committee (1998) and the former secretary of state, Mo Mowlam (1998).

The debate—which approved the motion—gave many unionists the opportunity to launch blistering attacks on SF for what Mr Robinson (DUP) alleged was its ‘almost military use of an organisation to ensure that the outcome of an election is subverted’ (Official Report, February 20th 2001). Allegations of intimidation, the forging of identity documents and multiple voting reverberated through the chamber.

SF, which supported the motion, was however to give as good as it got—not least in the contribution by the redoubtable Mary Nelis. Describing the debate as little more than ‘SF bashing’, Ms Nelis rounded in particular on the UUP, which she argued had ‘patented’ electoral malpractice and fraud: ‘Every election conducted under the Unionist regime since the inception of the state was an exercise in electoral fraud.

Election day in Unionist speak was known as resurrection day—the day when even the dead voted.'

Reminding members of the history of gerrymandering in her home city, Derry, she insisted that unionists 'should acknowledge that the precedent of the culture of electoral fraud was introduced to keep them in power ... The real fraud was the malpractice, discrimination and denial of the democratic right to vote for the majority of Catholics for 50 years.' While something of an overstatement, this did strike home, enraging unionists in the chamber. SF members remained unruffled by the hubbub. A measure of their growing electoral strength was the confident contribution of Pat McNamee (Newry and Armagh): 'Sinn Féin has nothing to fear from scrutiny of the electoral system or from its being made more efficient.'

Good Friday?

Ill-tempered though this debate was, it paled in comparison with an emergency debate on a petition of concern on April 10th. This sought to overturn the decision of the Assembly Commission to display Easter lilies in Parliament Buildings during the recess—the flowers are a symbol valued by republicans in commemoration of the 1916 rising. The debate in fact took place during the recess itself: the 30 members required had returned to Stormont the previous Friday to sign the petition.

The decision was made when the commission—minus its UUP and DUP members—voted on a proxy basis to allow the lilies to be put on show, enraging the two major unionist parties. A bristling Jim Wells (DUP) moved the motion (Official Report, April 10th 2001): 'For the first time in the history of the UK a Government building will be used to display symbols that honour IRA terrorists.' He continued:

The Sinn Féin representative—Dara O'Hagan—on the Commission who proposed that lilies should be permitted in Parliament Buildings objected to the sale of poppies in this very building. It was her view that if poppies could be sold, then so should Easter lilies. The money collected would be given to the National Graves Association which is purported to maintain the graves and memorials of those who have, in their own words, died in the cause of Irish freedom ... that is an attempt to peddle the lie that there is equivalence between the poppy and the lily. It is disgraceful that the Commission has endorsed the view that there can be any equivalence between those who died in the trenches and elsewhere defending this country from anarchy and Nazism, and those who died in ditches having been killed by their own bombs as they waited to murder members of the security forces.

Such was the tenor of the moral outrage of those who supported the motion. By contrast, the SDLP deprecated the emergency debate. One of its MLAs, Alban Maginness, caught the mood on the nationalist benches in claiming that ‘people outside the Chamber are wondering what sort of lunacy has descended upon the Assembly that it has to be urgently reconvened over a bowl of lilies’. He detected a baser motive on the part of the DUP than moral indignation: ‘Their purpose is naked electioneering. They have reconvened this House to promote their election campaigns ... Let us recognise that today and let us see it for what it is—an abuse of this House.’

Mr Maginness also insisted upon the need for each community to respect the equivalence of one another’s symbols, a view echoed by Ms O’Hagan: ‘Every tradition and community on this island is entitled to equal recognition and validity.’ This parity-of-esteem argument fell, however, on deaf ears and there was mounting unrest in the chamber, insults being hurled across the floor in equal measure.

Perhaps the most remarkable episode was the contribution by David Ervine of the Progressive Unionist Party, political wing of the Ulster Volunteer Force. Chastising the DUP for bringing MLAs back to the chamber for ‘a foolish and unreasonable cause, the furtherance of individual hopes and dreams for the election’, he went on to remark:

As members of the DUP slid about the “Armagh desert” with rolled-up manifestos determined to destroy the Republican movement, there were those of us who tried to do exactly that more efficiently. I am sorry to say that we did not have as much success as I would like to have been able to report.

This merely inflamed the nationalist benches and the debate unfolded in increasingly intemperate terms. In the event the motion was carried on a simple majority, but it failed because it did not meet the tests of cross-community support applied to all motions moved on a petition of concern. The lilies remained in the central lobby for the rest of Easter week while the Assembly was in recess. Any member wishing to be offended by them would have had to go out of their way to do so.

Long-term issue

Earlier in the survey period, an altogether calmer and unified assembly succumbed to what might be described as the ‘Scottish effect’. On February 27th, MLAs debated two motions prompted by the report of the 1999 Royal Commission on Long-Term Care and the decision of the Scottish Parliament, echoing the commission majority, to provide the elderly with free ‘personal’ as well as ‘nursing’ care. A motion in the name of Kieran McCarthy (Alliance) called on the health minister, Ms de Brún, to implement the commission’s recommendations in full and another moved by Nigel

Dodds (DUP) called on the executive to make similar provision to that decided by Holyrood.

The fact that a working group had been established in Scotland to examine the implications of free personal care did not go unremarked during the debate, but the unnerving cost implications of such a policy did not deter members from endorsing it. Mr Dodds asserted (Official Report, February 27th): ‘We should accept in principle the obligation to meet the cost of personal care … this is the right approach. We are saying to the Minister that she should accept that this is the will of the Assembly.’ This view was endorsed by the chair of the health committee, Joe Hendron (SDLP): ‘With its unique integrated health and social services, Northern Ireland has an ideal opportunity to ensure that nursing and social care should be regarded as a seamless continuum, all free at the point of delivery.’

In her reply Ms de Brún recited the measures in train to implement many of the commission’s recommendations, but she fell short of a commitment to free personal care. On the minister’s estimate, this could add at least £25 million to the annual costs of the health-and-social-services boards. As indicated in our February 2001 report, the contrast between SF’s maximalist ‘no fees’ position on student finance and its reserve on ‘no charges’ for those in long-term care may be explained by the nature of its youthful electoral constituency.

While describing herself as wholly committed to the implementation of free nursing care in all settings, Ms de Brún reminded members that ‘any decision to go further than has been allowed for to date in the provision of free care will require the Executive to secure significant additional resources’. She concluded: ‘I am sure we will return to this point in the future.’ This suitably equivocal response was enough to satisfy members and both motions were carried without opposition.

The health minister also commanded widespread support in announcing on February 13th new measures for dealing with the retention of human organs following the Alder Hey revelations and her department’s subsequent investigation (initiated in January) to establish the scale of organ retention in Northern Ireland. She announced:

- a statutory inquiry to review past and current practice in *post mortem* and organ removal;
- the creation of a relatives support group;
- a review of the Human Tissue (Northern Ireland) Act 1962, making it a criminal offence to retain organs without informed consent; and
- the preparation of good-practice guidelines for the health service.

All these measures were supported by the health committee.

Proof positive

The major item of debate during the quarter was the approval of the Executive Committee’s revised Programme for Government. The programme was debated on

March 5th and 6th and was opposed—albeit for different reasons—by Alliance and the DUP. The latter party, we need to remind ourselves, is a member of the government.

The debate was opened by Mr Trimble (Official Report, March 5th 2001), who quickly made the point that the process of agreeing the programme ‘signalled a maturing of the new politics that the agreement has achieved for Northern Ireland. [It] demonstrates that the four different parties that make up the Executive can reach agreement on priorities and work constructively for the benefit of Northern Ireland.’

Anticipating the opposition of the DUP, he sought to spike the party’s guns by underlining its involvement in the preparation of the proposals: ‘Let there be no doubt about it: this Programme is the work of all four parties in the Administration. The DUP may have the wrong particular way of communicating with the rest of the Administration, but they do participate, and their contribution is contained in this collective programme.’

The DUP position was set out in a speech, almost an hour long, by the party leader, Rev Ian Paisley. A typically robust, and wide-ranging, performance was peppered with biblical—mostly Old Testament—references, including one in response to criticism that he was digressing and taking far too long: ‘You travel from Beer-Sheba to Dan and from Dan to Beer-Sheba and I intend to do that.’ But his gist was that the inclusive government created by the agreement generated instability and distrust because of its incorporation of ‘Sinn Féin/IRA’ ministers.

The Alliance opposition was stated by its leader, Sean Neeson, who moved an amendment to the motion seeking the assembly’s endorsement of the programme, on the ground that ‘it does not properly address the deep divisions and inequalities in this society and therefore does not deliver the new beginning envisioned by the Good Friday Agreement’.

Alliance sought a new mode of proofing executive policies—devised by Prof Tom Hadden of Queen’s University to match concern about inequality with concern about intercommunal division—as to ‘the extent to which they promote sharing rather than separation’. Mr Neeson claimed: ‘Northern Ireland is a divided society. It is, therefore, vital that the Assembly takes the lead in trying to end those divisions: that should be at the core of all Government policies.’

There is already no shortage of proofing mechanisms in Northern Ireland. Legislation and policies are subject to human-rights proofing and equality proofing, and they are tested against the objective of ‘New Targeting Social Need’ (‘old’ TSN had been thought defective by ‘new’ Labour when it came to power). ‘Rural proofing’ has now entered this crowded picture, although it is apparent that there is no agreed formula for it. Indeed, Mr Paisley made this very point during his contribution to the debate on the programme.

At a March 2nd meeting of the agriculture and rural development committee, which he chairs, departmental officials had been invited to offer a working definition of the term. Mr Paisley reported himself unimpressed (Official Report, March 5th 2001): ‘The committee received a two page presentation. We were as far forward after reading [it] as we had ever been.’ He continued that ‘less than four weeks before the proposed start date for rural proofing, the Department of Agriculture has no real blueprint for it’.

Confirmation that the meaning of rural proofing remained elusive came a week later during oral questions to the health minister, Ms de Brún. Asked about the review of acute hospital services and how the needs of rural populations were being factored in, she said that ‘no specific rural proofing criteria for all Government policies have been drawn up’ (Official Report, March 12th 2001).

The debate on the motion approving the programme concluded on March 6th. The Alliance amendment was defeated (46 votes to 5) and the main motion was carried by 47 votes to 27. It thereby met the test of cross-community consent required for such a ‘key decision’, as defined by the agreement.

Funds furore

One innovative aspect of the programme however remained to be debated by the assembly: the first allocations of its associated ‘Executive Programme Funds’. The EPFs represent the executive’s attempt to promote joined-up government in pursuit of new policies, programmes and services, and the means of directing spending to strategic infrastructure projects.

The programme identified five EPFs, each to be administered by the Executive Committee as a whole, rather than by single departments. They are: Social Inclusion and Community Regeneration, New Directions, Infrastructure and Capital Renewal, Service Modernisation and the Children’s Fund. Each department was invited to bid for the funds, preferably in conjunction with others. In total, 139 bids were lodged for sums totaling £581 million over three years, well in excess of the £372 million allocated by the executive.

The first allocations were made to 62 projects, to get the funds up and running. According to the finance minister, Mr Durkan, ‘through these projects we have started to make major progress together across Departments on addressing the needs of the young, on improving health, on assisting communities and victims, on securing a better economic future and on modernising our services’ (Official Report, April 2nd 2001). They were, in his view, proof ‘that we can work in a coordinated way across Departments to create real change’.

During the ensuing debate, however, concern was evident about the process of allocation and the extent of scrutiny. The chair of the finance committee, Francie

Molloy (SF), said that while his committee welcomed the idea behind the funds, it had not had ‘the opportunity of scrutinising and going through the departmental bids in the proper way’. On its behalf he expressed ‘severe concerns’ about the ‘undue haste and insufficiently detailed consideration’ with which decisions had been made. More substantively, he asserted:

Committee members felt that the principle of the funds—that they should be directed towards cross-departmental projects—had been set aside. Members felt that they did not get new and innovative programmes in the lines of departmental bids. The Finance and Personnel Committee has not been given enough time to deal with this issue and as such it is making a farce out of [sic] discussing it now.

The committee was meant to have had the space and time to co-ordinate scrutiny of the funds, in consultation with the other statutory committees and the Department of Finance and Personnel, prior to their being brought to the floor of the chamber. Clearly this had not been the case. As Mr Durkan rather lamely conceded, ‘Given that this was the first round of EPFs, matters were not dealt with perfectly.’ He also acknowledged that the first allocations had not achieved ‘the degree of cross-cutting activity, inter-departmental bid development and programme planning that the Executive wanted to see’—that, in fact, the bulk of them were ‘mono-departmental’.

During the debate it emerged that the social development committee had not been consulted by its associated (and DUP-led) department over the latter’s bids, which is totally at odds with the partnership ethos that is meant to animate the relationship between departments and statutory committees. But the assembly’s—more particularly, the finance committee’s—disquiet with the scrutiny of budgetary matters has proved a recurring theme in the outworking of devolution. One of Mr Durkan’s most persistent critics in this regard has been Alliance’s Seamus Close, a finance and personnel committee member. His remarks were as acerbic as ever:

The handling of this tranche has been nothing short of disastrous … the FPC was treated with what I can only refer to as contempt. It was given no time to perform its statutory function of scrutiny, was not properly consulted and had no opportunity to express its views. How then can the Minister state that “All bids have been scrutinised carefully”? … there must be no whitewash in this Assembly.

A somewhat contrite minister did concede, moreover, that there had been a ‘communication error’ in disclosing all the relevant information to the finance committee and its sister committees, further highlighting the inadequacies of the procedures for financial scrutiny. What might otherwise have been a rather celebratory episode took place under a cloud.

Earlier on April 2nd, the assembly debated a unanimous report from the standing committee on standards and privileges, recommending the appointment of a commissioner for standards. (It is worth noting that all reports produced by committees—whether standing or statutory—are laid before the assembly for debate.) Begun in June 2000, the committee's inquiry had taken evidence from all assemblies/parliaments in the UK, and the Oireachtas, and had looked overseas for suitable models.

In the event, the committee opted to limit the role of the proposed independent commissioner to the investigation of complaints against members—although it proposed to keep this under review, with possible extension to include: making recommendations about sanctions and penalties; advising and guiding members on the registration and declaration of interests; and compiling, maintaining and making accessible the Register of Members' Interests. The committee proposed that the commissioner should report to it, and that it would adjudicate on any sanctions brought against a member against whom a complaint had been upheld, subject to assembly approval. The report was accepted without opposition.

The assembly debated a wide variety of other matters during the quarter. These included more parochial issues such as the ban on sheep grazing in Silent Valley in the Mourne Mountains, acute hospitals in Strabane and Omagh, water and sewage in west Tyrone, the redevelopment of east Belfast, the plight of the fishing industry, psychiatric services for children and adolescents, traffic calming in west Belfast and the conservation of the Black mountain overlooking the city. The assembly also looked further afield, debating the minimum wage and asylum seekers.

Legislation

The Assembly also continued its work on the legislative programme. To date, eleven primary bills have been granted royal assent in the 2000-01 session, mostly 'parity' measures. They are the Ground Rents Act; the Dogs Amendment Act; the Weights and Measures Act; the Fisheries Amendment Act; the Child Support, Pensions and Social Security Act; the Street Trading Act; the Health and Personal Social Services Act; the Government Resources and Accounts Act; the Planning Compensation Act; the Electronic Communications Act; and the Budget Act.

A further six primary bills are at various stages of the legislative process: the Family Law Bill; the Defective Premises (Landlords Liability) Bill; the Adoption (Intercountry Aspects) Bill; the Trustee Bill; the Product Liability (Amendment) Bill; and the Department for Learning and Employment Bill. This last seeks simply to change the name of the Department of Higher and Further Education, Training and Employment.

It is not just that the department's name is a bit of a mouthful but that when shortened it generates an unfortunate acronym, DHFETE—tendentiously rendered as 'Defeat'. Apparently, there was considerable discussion about the department's new name. At one stage it was to be styled the Department of Learning and Employment, until it was realised that this could be mischievously turned into an even more unfortunate acronym, DOLE!

During the session the first private member's bill was tabled. April 30th saw the first reading of the Children's Commissioner Bill, proposed by Jane Morrice (Women's Coalition). This, however, is unlikely to succeed. Under pressure from NGOs working with children, the health, social services and public safety committee had already endorsed the proposal of a children's commissioner (see November 2000 report), subsequently adopted by the executive in the revised Programme for Government.

Currently, OFMDFM and the 'committee of the centre' are engaged in a joint consultation about the processes appropriate to the appointment of a children's commissioner. To that extent, Ms Morrice may have acted prematurely, although it is possible that OFMDFM may lend its support to the bill and thereby hasten its passage. One index of support within the assembly for the position is the emergence of a cross-party group, 'Commissioner for Children', chaired by Patricia Lewisley (SDLP).

Committee co-operation

In the February 2001 report, and above, we commented on the emergence of a fledgling committee *system* in the assembly, and this survey can confirm its gradual development. Although the systematic and co-ordinated scrutiny of the Executive Programme Funds—and, more broadly, the budget itself—remains wanting, there is evidence that inter-committee co-operation is beginning to flourish, in some measure prompted by the finance committee.

The latter not only liaised with each of the other statutory committees on the public-service agreements, drafted by their associated department as part of the Programme for Government exercise, but during the quarter it also embarked on an inquiry into public-private partnerships and the private-finance initiative. In the course of this inquiry the committee extended invitations to, for example, the education committee, inviting it to delegate a member to accompany it on site visits to schools. The education committee is itself in close contact with the committee of the centre about the latter's inquiry into the post of children's commissioner, and with the health committee on educational aspects of addressing teenage pregnancy.

We mentioned earlier the joint motion by the finance and personnel committee with its enterprise, trade and investment counterpart, seeking a relief package for businesses affected by the foot-and-mouth outbreak, itself the outcome of a joint meeting held on April 23rd. The regional development committee has co-ordinated the

scrutiny of the Regional Development Strategy by the other statutory committees. And there has been co-operation between the higher and further education, training and employment committee (whose name will presumably also be mercifully shortened) and the enterprise, trade and investment committee on cross-cutting issues raised by the DETI's draft report on the economic-development *Strategy 2010*.

During the 2000-01 session the assembly's committees—statutory, standing and *ad hoc*—have generated 33 reports, of which 14 were produced following the committee stage of primary bills or commenting on draft orders submitted to the assembly by the Northern Ireland secretary. The latter have included the Draft Life Sentences (Northern Ireland) Order 2001 and draft regulations proposed under article 3 of the Flags (Northern Ireland) Order 2000.

Other reports refer to inquiries undertaken by statutory and standing committees. These have included subjects as diverse as student finance (further and higher ...), inland fisheries (culture, arts and leisure), the rural development programme (agriculture and rural development), residential and secure accommodation for children (health, social services and public safety) and the administration of income support (social development).

The statutory committees have begun to find their feet, and are beginning to manage their agendas in a more effective and efficient way, even given the constraint of taking the committee stages of bills emanating from their associated departments. Moreover, they are increasingly regarded, by both individuals and representative organisations, as useful means to exert indirect influence on the departments.

For example, Iris Robinson (DUP), a member of the health committee, received a letter from a constituent suffering from severe arthritis, requesting that she lobby the minister for an increased allocation for relevant new drug therapies. Ms Robinson brought the letter to the attention of the committee (February 7th 2001), whose members agreed to write to Ms de Brún in support.

It is worth restating that, away from the cockpit of the chamber, a truce characterises the work of the committees, both statutory and standing. Inquiries are conducted, policies are analysed—though not necessarily the associated budgets—legislation (both primary and secondary) is scrutinised and reports are produced, and all in a largely business-like manner.

Working arrangements have bedded down and, increasingly, the committees have reached out to their counterparts in Edinburgh and Cardiff, London and Dublin. During the quarter, members of the enterprise, trade and investment committee met the chair of the economic development committee in the Welsh Assembly and the public accounts committee met its Dublin counterpart, while the education committee is inviting a delegation from the Dáil to discuss post-primary education in the republic and is scheduled to visit the Scottish Parliament for the same purpose. Further evidence of inter-parliamentary networks also emerged during the course of the

standards and privileges inquiry into the proposed establishment of a standards commissioner for Northern Ireland (see February 2001 report).

Other north-south contacts have begun to develop and these are thus clearly not restricted to the executive level of the (attenuated) North/South Ministerial Council (see intergovernmental relations section). The enterprise, trade and investment committee is to visit the republic to meet representatives of the Industrial Development Agency and Enterprise Ireland, while the culture, arts and leisure committee has agreed that north-south organisations will be invited to submit evidence to its inquiry into cultural tourism and the arts.

One index of the apparent collegiality—albeit strained—with the committees was a week-long visit by the business committee, though minus DUP representation, to Washington DC in the second week of March. During the visit the committee held 20 meetings with a variety of congressional representatives and officials and members of the Bush administration—including Richard Haas of the State Department, recently appointed as the White House's ‘point person’ on Northern Ireland.

The report of the visit (1/00r, April 10th 2001) documented the meetings and made recommendations in part designed to improve the assembly's infrastructure, including *vis-à-vis* research services for MLAs and a more developed (and long-overdue) information policy to improve dissemination of its work. In addition, the committee proposed stronger links with congressional officials, so as to develop training policies for the assembly's clerks and business managers.

On a more political note, the committee recommended that linkages between the assembly and the US consulate in Belfast be maintained and strengthened and that contacts with the Centre for Democracy in Washington—involved in the Transitions programme designed to ready MLAs for devolution—be continued ‘with a view to promoting the views of Assembly parties in Washington DC and developing further the understanding of business managers in [sic] the conduct of parliamentary business’.

Such subterranean activity passes largely unremarked, but it is testimony to the work of the assembly and a signal of the readiness of members to work together in the common pursuit of improving devolved government. Yet the survival of devolution in the post-election context remains far from assured.

The media

This quarter saw a number of interesting stories at the interface of the media and politics, including a columnist's attack on the Civic Forum—the poor relation, some would say, of the assembly. The BBC *Panorama* programme on the Omagh bomb continued to generate legal waves, long after its broadcast. And while the government banned a UTV programme on the controversial activities of military intelligence in Northern Ireland, the UK media industry recognised BBC NI's *Spotlight* for its handling of challenging current affairs.

Feeney v forum

The Civic Forum has been a feature of the post-agreement architecture since September 2000. It comprises 60 representatives (excluding the chair) of a range of interests designated by the first and deputy first minister, Messrs Trimble and Mallon, who nominate six members directly. In a plenary session in Belfast on February 21st 2001, the forum launched its formal response to the draft Programme for Government (Civic Forum, 2001)—a response later welcomed by one minister who confided that the document had indeed wrought changes to the draft (Wilford and Wilson, 2001).

The chair, Chris Gibson, summed up that day by saying (*Irish News*, February 22nd 2001) that 'our challenge now is to bridge the gap between people and politicians in a way that is positive, responsive and inclusive ... Our hope is to have a shared vision for our society in the future.' Not everyone, however, agreed. There was some protest at the plenary that the forum was dominated by pro-agreement delegates. But the most public criticism to date came from an *Irish News* columnist, Brian Feeney ('Civic Forum sends out just one message', April 25th 2001).

The forum, Mr Feeney wrote, was an unelected, unrepresentative 'talking shop', a sop to minority pro-agreement parties unable to get elected to the assembly in significant numbers. The main political parties, unionist and nationalist, were not going to allow a body of 'failed, unelectable political rivals to snipe at them from outside' the assembly. Thus the forum would never be properly funded or invested with real political power.

Its delegates, he concluded, were people who had long considered themselves too good for the rough and tumble of party politics but who coveted authority and respectability. But 'after ignoring and despising the north's politicians for decades, did such people seriously think those same politicians were going to create a cosy wee influential niche for them without their having to get elected? [The] pathetic Civic Forum sends out only one message: if you want to be influential, join a political party.' Mr Feeney is himself a former SDLP councillor in Belfast.

The *Irish News* allowed Mr Gibson a right of reply ('Civic Forum has practical role to play in a democracy', April 27th 2001). He suspected that Mr Feeney had difficulty understanding the role and function of the forum, despite its widely available and easily accessible publicity materials. He concluded that the real message the forum puts out was 'let's put an end to the bad faith and the begrudging politics of yesterday and let's see if we can do some good'.

The same issue featured a letter from a forum member, Eithne McNulty, a voluntary-sector representative associated with the Women's Coalition. Headed 'Thanks for the bag of wind, Brian', it attacked Mr Feeney for 'an alarming narrowness of perspective' on what the 'peace process' and the agreement were all about. Another letter in the newspaper described his column roundly as 'sectarian, idiotic, misinformed and misguided' (May 2nd 2001).

Panorama

A BBC *Panorama* programme in October 2000 on the 1998 Omagh bomb was the subject of court action in Dublin. The programme investigated why the Royal Ulster Constabulary and the Garda Síochána had gathered so much detailed information about the chief suspects yet were nowhere near to arresting and charging them. It caused a sharp division of opinion at the time, between those who thought it timely and useful and those who feared it would prejudice any legal action that might eventually be taken against the bombers (see November 2000 report).

On February 26th 2001, one of the suspects named in the programme, Colm Murphy, was granted leave by the Special Criminal Court in Dublin to bring contempt proceedings against the BBC (and the *Daily Mail*). Just days later, the Real IRA, the dissident republican group responsible for Omagh, exploded a car bomb outside BBC Television Centre in Wood Green.

The bomb was immediately flagged by the media as retaliation against the BBC for the *Panorama* programme. A more likely motive—and one vindicated by the amount of media coverage of the episode—was maximum media exposure.

Reality TV

Hard-hitting current-affairs television such as the *Panorama* programme has all but slipped out of peak-time schedules in Britain, replaced by safer consumer programmes and so-called 'reality TV'. But BBC Northern Ireland and the commercial UTV remain committed to investigative journalism. BBC's *Spotlight* picked up prestigious Royal Television Society awards in February for two programmes: 'Capitol hill', a programme about Paul Hill of the Guildford Four, and 'Death of an IRA quartermaster'.

UTV's *Insight* also made waves. Its investigation into the activities of the Force Research Unit—a branch of military intelligence which infiltrated paramilitary organisations—was pulled at the last minute when the Ministry of Defence secured a temporary injunction against its broadcast, pending a private screening and security clearance (April 24th 2001). The MoD case was that the programme risked blowing the cover of one of its agents involved in certain shootings and bombings in the late 80s and early 90s.

UTV appealed the injunction in the high court in Belfast but was unsuccessful (May 8th 2001). Counsel for the MoD set the sanctity of its agent's life against the principle of free speech (though not against the lives lost as a result of his extra-legal activities). The court ruled in its favour and extended the ban until the ministry gave the programme the all-clear.

The media market

The success of UTV in the south in recent years—associated with its rebranding from Ulster Television, accompanied by the slogan ‘It’s your TV’—was boosted at the end of February. The republic’s Independent Radio and Television Commission gave it verbal approval to buy a 60 per cent share in County Media. The £17.2 million deal was formally completed on April 19th but UTV hopes to complete the buy-out if, as shortly expected, the IRTC loosens monopoly restrictions. The Cork-based company was also party to an ITV deal in March that would allow viewers in the UK to pick up its programmes *via* satellite.

A newspaper war has broken out in Derry between the established *Derry Journal* and a new upstart, the *Derry News*. The new title is owned by the local Carroll family, who ironically owned the *Derry Journal* until they sold it to Trinity Mirror Group in May 1998. Now they accuse the group of dirty tricks and sharp practices, such as rebranding its free sheet, *Journal Extra*, as *City News* and mimicking each attempt by the *Derry News* to revamp its format. In a recent edition, the latter launched a counter-propaganda campaign, condemning the Mirror group for its ‘Shameful War’ against ‘a small Derry business’, one that could put it out of business and its 40 employees on the dole (May 10th 2001).

The Carroll family expressed concern that the Mirror group was attempting to monopolise the press in the city, yet it was warned in 1998 that selling the *Journal* to Trinity Mirror in the first place might not have been in the best interests of a healthy media environment in the city. Needless to say, those warnings went unheeded in the interests of a good business deal.

The release of a film made in Northern Ireland, *Accelerator*—a view of joyriding in Belfast—was postponed in January out of respect for Dana Fitzpatrick and her son Kevin, killed that month by joyriders. The filmmakers and film distributors denied criticisms that the film glamorised the joyriding craze.

Another film of interest and currently in production is a ‘docudrama’ on Bloody Sunday by Jimmy McGovern, writer of *Cracker*. Hundreds of Derry people turned out on March 12th to star as extras in a re-enactment of the day while, only hundreds of yards away, the Saville inquiry was proceeding in the Guildhall.

Perhaps scenes from these films will some day find their way into the new Northern Ireland Digital Film Archive, launched on May 2nd by the Northern Ireland Film Commission and the University of Ulster. The archive comprises 50 hours of film material made in or about the north of Ireland since the turn of the 20th century.

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Public attitudes and identity

With election day finally confirmed as June 7th this report takes stock of public opinion on issues around which the campaigns in Northern Ireland will be fought. The UUP leader, Mr Trimble, has already thrown down the gauntlet on decommissioning, while debates over policing and victims will gain fresh currency in the weeks ahead. The data in this report are taken mostly from the Northern Ireland Life and Times Survey conducted in the last few months of 2000. New polls will hopefully be conducted in the run-up to the election to reflect shifts in opinion as the campaigns progress.

Decommissioning

Public opinion on decommissioning has always been more complex than it appears. The vast majority will agree that decommissioning is important (in 1999 about 94 per cent thought that there should be at least some decommissioning ‘before an executive can be put in place’). On the other hand, very few people (less than one in ten) believe that the assembly should give priority to achieving decommissioning, over and above day-to-day issues such as health and education. It may be that decommissioning is simply not perceived as a legitimate concern of the assembly, but these two figures do appear slightly at odds. In the minds of the public, is decommissioning a life-or-death issue or merely a desirable goal?

Of course, Mr Trimble is not looking over his shoulder at the general public. For the Ulster Unionists, a key concern is those Protestants who have turned against the agreement, having voting ‘yes’ in 1998. Lack of decommissioning is by far the most common reason given for this change of heart (78 of switcher per cent did so in the 2000 Life and Times Survey), yet there are other indicators that this is only a sub-text.

In her analysis of Protestant voters who voted ‘yes’ in 1998 and would now vote ‘no’, Bernadette Hayes suggests that while the lack of decommissioning is indeed a factor in such disillusionment, more important is a drop in support for devolution in general. This is most marked amongst Protestant men with no educational qualifications and no political alignment, who now believe that nationalists benefited far more than unionists from the agreement.

Policing

Policing reforms have had a huge impact on the public consciousness. An analysis by Rick Wilford and Roger MacGinty (*Belfast Telegraph*, April 2nd 2001) revealed major shifts in public opinion over the course of a year. Between 1999 and 2000 there was a significant decline in the proportion of Protestants who would encourage a close relative to become a police officer in Northern Ireland—down from 55 to 44 per cent.

An even steeper decline was evident among young Protestants: 51 per cent in 1999 would encourage joining, compared with 30 per cent in 2000.

This does seem, however, to reflect a mood of caution rather than outright rejection of the reforms, as there is no corresponding increase in the proportion who would discourage a close relative from joining. Instead, a wait-and-see approach is evident, with respondents increasingly saying that they would ‘neither encourage nor discourage’ joining, or that ‘it depends’.

Almost a mirror image of these results is apparent among Catholics. In 1999 33 per cent said they would discourage a close relative from becoming a police officer, and this fell fairly sharply to 24 per cent a year later. This fall has not been accompanied by a rise in Catholics enthusiastically endorsing joining, but it has resulted in a fairly large proportion joining their Protestant neighbours in sitting on the fence for now.

In contrast, views on the *fairness* of the police remain virtually unchanged over the period. In 1999 33 per cent of Catholics and 73 per cent of Protestants thought the police treated both Protestants and Catholics equally. In 2000 the figures were 34 per cent and 73 per cent respectively.

Victims

It is perhaps slightly surprising that as much as 26 per cent of the public are *not* in favour of a memorial to the victims of the ‘troubles’ and a further 9 per cent are unsure. A solid majority of 64 per cent feel there should be a memorial but this less-than-overwhelming support may indicate the agonising nature of the issue.

Of those who *do* agree that there should be some memorial, opinion is split on whether it should be for everybody killed during the ‘troubles’—paramilitaries, police or civilians—or just some groups of people. Overall, about half of those respondents who think that there should be a memorial in the first place feel it should include everybody and about half feel some groups should be excluded.

Underlying these figures are further splits: while 79 per cent of Catholics think everyone should be included, only 35 per cent of Protestants would agree. Of the relatively small number of Catholics who would exclude anybody, 68 per cent would exclude paramilitaries and around 29 per cent would exclude police and soldiers. Of the relatively large number of Protestants who would exclude anybody, 83 per cent would leave out paramilitaries; a surprisingly large minority (18 per cent) would also exclude police and soldiers.

Intergovernmental relations

Recent months have seen the sets of relations described as ‘strand two’ and ‘strand three’ once again take second place to the political tussle between parties at Stormont. For a range of reasons, progress at the British-Irish level has been slow, though not uneventful. The complex multilateral structures envisaged initially—Involving the London and Dublin governments, the devolved institutions within the UK, and the Isle of Man and the Channel Islands—have taken longer to mature than expected. Bilateral co-operation between Dublin and London has proved easier, and the work of the British-Irish joint secretariat in Belfast continues unobtrusively. The most significant developments, however, have taken place in north-south co-operation.

North-south

The continuing work of the north-south bodies has been all the more striking in the context of the political difficulties that have impeded it. The decision in October 2000 by the UUP leader, Mr Trimble, to refuse to authorise SF ministers to attend meetings of the North/South Ministerial Council until such time as the IRA was prepared to ‘engage meaningfully with the Independent International Commission on Decommissioning’ (see November 2000 report) has meant no formal NSMC sectoral meetings have taken place in their two domains, education and health (though a meeting between the republic’s health minister, Micheál Martin, and his northern counterpart, Bairbre de Brún, proceeded outside the framework of the NSMC in November 2000).

A second long-standing political obstacle has been the abstentionist attitude of the DUP. Here the main casualty has been transport, designated as an area of co-operation, in the December 1998 agreement between the first and deputy first minister, Messrs Trimble and Mallon. Although there have been signs of flexibility on the part of the DUP minister for regional development, Gregory Campbell, the party still refuses to participate in NSMC meetings, though this is not necessarily fatal to co-operation (see below).

Ironically, the outbreak of foot-and-mouth disease had, ultimately, some positive consequences for the north-south relationship. After confirmation, on March 1st 2001, of the first outbreak, at Meigh, Co Armagh, the border actually acquired a new significance: the southern authorities sought to seal it against animal movements, with obvious consequences for all mobility between north and south. And, after confirmation, on March 22nd, of an outbreak in the republic, the chair of the assembly’s agriculture committee, Mr Paisley, called on the minister of agriculture, Ms Rodgers, to seal the border from the other side.

Southern politicians queried what they saw as an insufficiently vigorous response to the disease in Britain, and the taoiseach, Mr Ahern, criticised the northern authorities

over the adequacy of disease controls at ports. Ms Rodgers responded on March 26th: after the first confirmed outbreak in England on February 21st, she pointed out, Northern Ireland's ports had been closed to all susceptible animals and animal products coming from Britain. This was, indeed, a move that illustrated the capacity of a devolved administration in Belfast to respond quite differently to what might have been expected under direct rule.

The longer-term consequence of the foot-and-mouth crisis was, however, to illustrate that the 'Fortress [Republic of] Ireland' mentality and its northern counterpart were weak responses to a potentially devastating economic threat recognising no land frontiers, and that the island of Ireland was a much more defensible entity than either state alone. Common ground was discovered between the Ulster Farmers Union (whose members are assumed to be largely unionist) and the Irish Farmers Association. At a meeting in Dublin on April 3rd, the two bodies agreed to pursue 'island of Ireland' status in terms of animal health, with a view to a distinct 'Ireland origin' label for agricultural produce.

Parallel to these developments, the work of the NSMC, of its secretariat in Armagh and of the implementation bodies, proceeded smoothly and quietly, though the pace varied from sector to sector. A summary of meetings of the council since the last report is given in the accompanying table. All were 'sectoral', usually with one minister from the republic and two from the north (one with responsibility for the area and one from the other political tradition). The meetings fell broadly into two types: those responsible for the activities of the six implementation bodies, and those overseeing other forms of co-operation.

The six autonomous bodies responsible for specific programme areas have gradually been acquiring concrete form. Potentially the most significant is the Special EU Programmes Body. Though small in staff and budget, it has responsibility for allocating very large sums of EU money, playing a major role in the administration of EU programmes—specifically PEACE I and INTERREG II. These were, of course, inherited from before the agreement, but this body also plays a central role in new initiatives, such as EQUAL, LEADER+ and URBAN II, though INTERREG III would be a focus (Laffan and Payne, 2001).

In line with a widely-shared perception of the value of cross-border economic co-operation, the Trade and Business Development Body also got off to a vigorous start, and has now been reborn as InterTradeIreland. The new body responsible for the management of the country's inland waterways, Waterways Ireland, has also been making steady progress, with a prospective restoration of the Ulster Canal as its potentially most far-reaching project.

In other areas, although high activity is obvious, it is too early to detect the shape of the institutions that are likely to emerge in the long term. Planning for the launch of an all-Ireland Food Safety Promotion Board has continued, but progress has been impeded by political difficulties—this is the domain of one of the SF ministries in

Northern Ireland. In the case of the Foyle, Carlingford and Irish Lights Body, a good deal of planning for further co-operation over Lough Foyle and Carlingford Lough has been taking place, with modest but concrete proposals that would allow officials to operate on either side of the border. (The long-established Irish Lights Commission continues to operate autonomously, pending legislation to transfer its functions to the new body.) And the Language Body has been overseeing the extension of the functions of the Irish language agency to Northern Ireland, with the development of an office in Belfast, and strategic planning on the part of the Ulster-Scots agency has been continuing.

In the six areas designated for north-south co-operation, progress has been modest. In education and health, planning for co-operation is proceeding, notwithstanding political difficulties on the northern side, where the departments of health and education (apart from tertiary education) are in the hands of SF ministers (for surveys of these areas, see Pollak, 2000 and Jamison *et al*, 2001). In environment, much of the impetus is to encourage research and there is a focus on water-quality management, a sensible topic for all-island planning. The logic of north-south co-operation has been illustrated very forcefully in agriculture, where good working relationships have been developing between the two ministers and their departments, notwithstanding the inevitable tensions over foot and mouth (for background, see Ó Maoláin, 2000a).

Although the agreement has given a boost to co-operation in these areas, much of the collaboration planned or taking place makes complete sense in the context of globalisation and European integration. This point has been very obvious in relation to the fifth area, tourism. Here, north-south cooperation followed the ‘peace process’ but preceded the agreement.

Already in November 1996 a major joint marketing initiative, ‘Tourism Brand Ireland’, had been launched with the support of the southern tourist agency, Bord Fáilte, and the Northern Ireland Tourist Board, and an extremely generous budget underwritten by the southern and (direct-rule) northern governments. One of the most concrete outcomes of this initiative was the adoption of a joint logo to assist in marketing the island of Ireland as a tourist destination, though this was abandoned in the south after the general election of June 1997, when a new minister for tourism, Jim McDaid, took office and insisted on the restoration of the traditional shamrock (Ó Maoláin, 2000b).

The agreement sought to breathe new life into this important area, but progress has been slow (no doubt reflecting the reality of two competing agencies). Finally, however, a new body, Tourism Ireland Ltd, was established on December 11th 2000, and the authorities on the two sides of the border remain committed to further work on the Tourism Brand Ireland project.

The final area, transport, is of particular interest. The northern minister, Gregory Campbell of the DUP, has been refusing to co-operate with the NSMC. Advantage was, however, taken of a sectoral meeting of the British-Irish Council in Dublin to

arrange for an unusual meeting of the NSMC on December 19th 2000, bypassing the DUP minister and including three northern ministers (the first and deputy first ministers and the environment minister), and two senior southern ministers. The fact that the meeting focused on a relatively uncontroversial area widely seen as important—co-operation in the prosecution of driving offences—helped undermine political objections. The flexibility of this approach was underscored by the fact that the meeting also dealt with business from another sector, tourism, and made appointments to the board of Tourism Ireland.

In sum, following an initial flurry of activity while they were being set up, the north-south bodies and north-south co-operation have acquired a steady-paced momentum of their own.

Table 1. Sectoral meetings of the North-South Ministerial Council

No.	Date	Place	Ministerial representation		Business
			<i>Republic</i>	<i>Northern Ireland</i>	
15.	23 Oct 00	Navan	Noel Dempsey (FF)	Sam Foster (UUP) Brid Rodgers (SDLP)	co-operation: environment (2)
16.	27 Oct 00	Belfast	Mary Harney (PD)	Reg Empey (UUP) Sean Farren (SDLP)	Trade body (3)
17.	27 Oct 00	Belfast	Jim McDaid (FF)	Reg Empey (UUP) Sean Farren (SDLP)	cooperation: tourism (1)
18.	10 Nov 00	Newcastle	Frank Fahey (FF)	Brid Rodgers (SDLP) Dermot Nesbitt (UUP)	Loughs and lights body (3)
19.	15 Nov 00	Omagh	Charlie McCreevy (FF)	Mark Durkan (SDLP) Demot Nesbitt (UUP)	EU programmes body (2)
20.	17 Nov 00	Antrim	Joe Walsh (FF)	Brid Rodgers (SDLP) Sam Foster (UUP)	co-operation: agriculture (2)
21.	5 Dec 00	Dublin	Éamon Ó Cuív (FF)	Michael McGimpsey (UUP) Sean Farren (SDLP)	Languages body (2)
22.	19 Dec 00	Belfast	Mary O'Rourke (FF) Noel Dempsey (FF)	David Trimble (UUP) Seamus Mallon (SDLP) Sam Foster (UUP)	co-operation: transport (1)
23.	29 Jan 01	Scarfiff	Síle de Valera (FF)	Michael McGimpsey (UUP) Denis Haughey (SDLP)	Waterways body (2)
24.	16 Feb 01	Dundalk	Mary Harney (PD)	Reg Empey (UUP) Sean Farren (SDLP)	Trade body (4)
25.	23 Feb 01	Lisbellaw	Noel Dempsey (FF)	Sam Foster (UUP) Mark Durkan (SDLP)	co-operation: environment (3)
26.	30 Mar 01	Letterkenny	James McDaid (FF)	Reg Empey (UUP) Sean Farren (SDLP)	co-operation: tourism (2)
27.	6 Apr 01	Dublin	Frank Fahey (FF)	Brid Rodgers (SDLP) Sam Foster (UUP)	Loughs and lights body (4)
28.	6 Apr 01	Dublin	Joe Walsh (FF)	Brid Rodgers (SDLP) Sam Foster (UUP)	co-operation: agriculture (3)
29.	9 Apr 01	Dublin	Charlie McCreevy	Mark Durkan (SDLP) Dermot Nesbitt (UUP)	EU programmes body (3)

Note: the figures in brackets under the heading ‘business’ refer to the numbering of the meetings within each particular sector.

‘East-west’

On February 15th, the Executive Committee reviewed the schedule of future meetings of the British-Irish Council and the North/South Ministerial Council but provided no subsequent details (Executive Information Service, February 15th 2001). SF links the inactive BIC with the continued ban on its participation in the NSMC. The party

leader, Mr Adams, claimed that stalemate on both meant neither his executive nor his assembly members could function effectively and, indeed, that the prime minister could not function as envisaged in the Belfast agreement (*Irish Times*, April 24th and May 2nd 2001). Other activities on the ‘east-west’ axis did, however, take place during the quarter.

While foot-and-mouth disease meant many cancellations, the taoiseach, Mr Ahern, did not abort his engagement to address the Welsh National Assembly on St David’s Day. In Wales and in the republic, the visit was regarded as significant (*Irish Times*, March 1st, 2nd and 3rd 2001). The taoiseach and the first minister, Rhodri Morgan, made much of both polities’ EU interests. Mr Ahern also used the occasion to profess common outlooks on competitiveness and taxation between the republic and the UK (while downplaying claims of growing Euro-scepticism in the former).

The visit was the occasion for a reflective piece by the *Irish Times*’ London correspondent, Frank Millar (*Irish Times*, March 1st 2001). Mr Millar described it as ‘another landmark in the new phase of Irish diplomacy which Mr Ahern and key advisers put in place in anticipation of New Labour’s commitment to re-draw the constitutional map of the United Kingdom’—others included the agreement itself, the prime minister’s address to the Oireachtas and new links between the republic and Scotland. He went on to suggest that, from the outset, the taoiseach had been enthusiastic about east-west as well as north-south co-operation, noting the curious poignancy of the inaugural (and only) meeting of the BIC, where ‘it was the Taoiseach, and not Mr David Trimble, who felt touched by Mr Blair’s famous hand of history’.

Mr Trimble’s seeming diffidence about whether ‘the event was of particular historic importance or not’ had surprised some observers, given unionist investment in the BIC as a counterbalance to the NSMC. More conspiratorial theories also greeted the Welsh visit: Mr Millar cited an article in the *Spectator* which put forward the thesis that the trip, and the previous ‘landmarks’, indicated a nationalist diagnosis that the achievement of Irish unity required the break-up of Britain. Conversely, however, reunification—as opposed to an accommodation ‘sufficient unto the day’—was no longer the driving force of Irish policy. As many commentators have pointed out in recent years, policy is more geared to the transformation of Anglo-Irish relations into British-Irish relations.

A second east-west exchange is of interest because it reflected a different—less negative—approach on the part of the DUP from that previously evident on the transport dimension of the NSMC and BIC. On April 25th, the minister for social development, Maurice Morrow, met Edwina Hart, the Welsh minister for finance, local government and communities, when she visited the region to find out about its housing and regeneration projects. Mr Morrow said it was important for Northern Ireland it to know how other areas of the UK tackled comparable issues, and claimed there had been a useful exchange of ideas (Executive Information Service, April 25th 2001).

Other east-west exchanges between Northern Ireland, Scotland and Wales were in connection with the EU and are covered in the subsequent section.

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Relations with the EU

This quarter saw what is almost the culmination of the story of the EU funds known as ‘Peace 2’ and ‘Transitional Objective 1’. The latter is now (rather more catchily) called ‘Building Sustainable Prosperity’. Under the two programmes there will be institutional changes altering the composition and remit of the 26 district partnership boards—which distributed ‘Peace 1’ monies on a local level—and replacing the Northern Ireland Partnership Board with a new Regional Partnership Board.

Community initiatives (that is, programmes outside the Community Support Framework) also played a part in the EU dimension of this quarter. It saw further evidence of ambition that the region become more outward-looking towards the rest of the union, including in partnership with Scotland and Wales and *via* bilateral contacts with other states.

Euro-largesse

A ‘signing-off’ ceremony for the new round of structural funds took place in Belfast on March 22nd. It was hosted by the minister for finance and personnel, Mark Durkan, addressed by the first and deputy first ministers, Messrs Trimble and Mallon, and attended by the EU commissioner Michel Barnier and by Dermot Ahern on behalf of the republic’s government (Executive Information Service, March 22nd 2001). Gratitude was expressed to the EU, and to Mr Barnier in particular, for continued support for Northern Ireland.

Issues arising—implementation of the new round, associated institutional reform and continuing anxieties among MLAs about allocation—were addressed in more detail in statements by Mr Durkan on the structural funds (Official Report and Executive Information Service, March 27th 2001) and on a sectoral meeting of the NSMC on special EU programmes on April 9th (Official Report, April 23rd 2001) (The NSMC meeting also welcomed the new chief executive of the associated implementation body, whose appointment was noted in the February 2001 report, and dealt with other staffing and internal policy issues.)

The next stage of implementation is the completion of ‘programme complements’, which will detail the kinds of projects to be supported. These are to be approved by the two monitoring committees by the end of May. ‘Intermediate funding bodies’ (another delivery mechanism pioneered under Peace 1) will also be appointed in May, following the earlier tender process (see February report). The first call for project applications will be in June. Decisions will be made in August and the first payments will come in September.

The two programmes, but particularly Peace 2, embody institutional changes. The minister announced in March (Official Report, March 27th 2001) that new ‘local

strategy partnerships' were to develop a wider perspective than the Peace 1 district partnerships (whose boundaries were the same as district councils'), with increased interaction between local and regional administration and across council areas.

LSPs will be responsible for 'priority 3' of Peace 2: locally-based regeneration and development strategies, addressing grassroots needs with local delivery mechanisms. They will work with the Special EU Programmes Body on north-south co-operation. Their new remit for work on the social economy and human resources is intended to outlast EU funding and, hence, they will remain a central feature of domestic administration (though a review of public administration in Northern Ireland as a whole remains pending).

LSPs will comprise district councils, statutory agencies (operating at the local level under Building Sustainable Prosperity) and social and other partners. The minister explained that the strategic role envisaged (beyond decision-making on specific projects) necessitated participation by councils as corporate bodies rather than as individual councillors. They and the statutory agencies are also to support the other partners in making this transition. This, Mr Durkan argued, justified a move away from the make up of the district partnerships: one-third councillors, one-third business and labour and one-third other partners. The new LSPs will be based on two strands. Government (councils and agencies) will comprise one half and the other will consist of business and the unions, the voluntary sector, and agricultural and other rural representatives. The exact mix within each strand is to be determined locally.

A new Regional Partnership Board will take over from the Northern Ireland Partnership Board. It will have a wider remit, working with the LSPs and promoting partnership more generally. The thinking behind this innovation is that, when the NIPB was initiated, there was no executive or assembly. Now that these are in place, along with the NSMC and SEUPB, the executive wishes co-operation on EU matters to be, and to be seen to be, at the heart of government. Thus, the RPB will be in OFMDFM and will be chaired by its junior ministers. Its secretariat will be the SEUPB, which will also take over such functions as to ensure a smooth transition between one board and the other.

The SEUPB will have another new role—in the funding of Peace 2 projects. This is intended to enhance monitoring and to go some way towards meeting the concerns of the European Court of Auditors (see February report). The processing of payments will take place through a central payments unit in the SEUPB, without, however, compromising the authority of the bodies appointed to take decisions about specific projects. As to the latter, departments will disburse 39 per cent of available monies, intermediate funding bodies 34 per cent, LSPs the remainder.

Questions on the two assembly statements by the minister reflected continuing anxieties on themes previously reported—in particular, gaps and perceived inequities in funding and the status and composition of partnerships. In updating MLAs on the executive's effort to deal with the funding gap between Peace 1 and Peace 2, Mr

Durkan pointed out that the intention was not to keep organisations going for the sake of it but to provide interim support for those regarded as particularly beneficial (Official Report, March 27th 2001). Advertisements for eligible applications would be placed in the press to cover a period up to October 2001, by which time Peace 2 would already have started. (Some 16 per cent of Peace 1 monies remain to be drawn down before December 31st.)

The minister, however, was in an unenviable position. In response to his March statement, it was suggested that the gap was likely to be very much longer than until September—the expected start-date for Peace 2 payments—as most drawing down of monies would not begin until January 2002. On the other hand, in responses to his April statement, the September start-date was considered too tight a deadline for grassroots groups to meet. But, as he pointed out, bids can be made through the life of the programme.

As before, the minister had to respond to allegations that the sectarian distribution of funds was inequitable—likely to be compounded in the eyes of one suspicious MLA by the north-south implementation body, the SEUPB, becoming the secretariat for the RPB (Official Report, March 27th 2001). During debate on his April statement, Mr Durkan noted that it was not always possible to identify instances where one section of the community benefited while the other did not, since applications were quite often from cross-community groups. Where such distinctions were possible, evaluations of Peace 1 had shown that the communal ratios were consistent between the number of applications and the number of successful applications. He assured MLAs that decisions under Peace 2 would follow the principles of equality in EU and domestic programmes (see February report).

As noted previously, the European Commission's preference for 'bottom-up' participation has found fertile ground in Northern Ireland (as witnessed again in this quarter by the minister for social development in his launch of the evaluation report on the URBAN programme—Executive Information Service, March 15th 2001). MLAs had previously expressed concern about the rumoured displacement of social partners by councillors in Peace 2 local allocations. But the concentration of all non-governmental partners into one half of the LSPs (instead of one-third each for social and civic partners) seems to have been accepted as being offset by the minister's argument that the LSPs would have a more influential role in a wider policy arena, and by the welcome given to his intention that they should outlive and transcend EU programmes. (Conversely, the 'squeezing' of district councils and statutory agencies into one half incurred DUP concern that elected councillors would be in a 'permanent minority'— Official Report, March 27th 2001). Concern was however expressed about the fate of the LSPs and the RPB when EU funding came to an end—to which the minister responded only that this would be a problem for the new RPB to address.

Miscellaneous initiatives

The February report indicated that an action team had been set up, chaired by the SEUPB, to consider how border-corridor groups could contribute to decisions on spending under the new round of support for the border region. On April 9th, a report from the team was considered by the NSMC. The council agreed a set of principles designed to enhance input from border-corridor groups and noted that the results of further work would be submitted to the next meeting in June 2001. On an island-wide basis InterTradeIreland and the Local Economic Development Unit (in Northern Ireland) announced the first joint programme on export and trade development (Executive Information Service, March 13th 2001).

The NSMC meeting of April 9th also considered other community initiatives (Official Report, April 24th 2001). It noted that a sustained effort would be needed to ensure that full expenditure under INTERREG 1 and 2 would be achieved by December 31st. It also noted the opening of formal negotiations over INTERREG 3 and that this initiative was likely to cover support for business-to-business linkages, cross-border tourism, the promotion of e-commerce and e-business co-operation in research and development and, finally, the promotion of educational links (Executive Information Service, April 25th 2001). Invitations to submit projects are likely to emerge before the end of the year.

The meeting received revisions to EQUAL, made in response to commission comments. It noted that comments received from the commission on the Northern Ireland LEADER programme would enable negotiation to proceed. It further noted a delay in negotiating URBAN 2 for Northern Ireland, caused by lack of agreement so far between the UK government and the commission over the number and format of a set of 13 bids covering the UK as a whole.

As noted in the February report, the minister responded to DUP allegations of greater benefit to Catholics under INTERREG projects by saying that its geographical basis had been redesigned to cover more than the border counties in Northern Ireland. On April 25th, he met a group of northern and eastern (and mainly Protestant) district councils, the 'CORE Network': Antrim, Ballymena, Ballymoney, Coleraine, Larne, Moyle, Carrickfergus and Newtownabbey. The latter's work will now extend to cross-border co-operative economic development (Executive Information Service, March 25th 2001).

A European region

The development of Northern Ireland as a more assertive and influential region in the EU was on the agenda along three axes in this quarter: vertically through the UK government, horizontally in partnership with Wales and Scotland, and bilaterally with Germany.

At the beginning of March, the foreign secretary, Robin Cook, made a change to the co-ordination of British policy towards the EU (*Scotsman*, March 1st 2001).

Previously, he had chaired a cabinet sub-committee on EU issues, in which the participants were designated ministers from Whitehall departments. On March 1st, the first meeting took place of a full cabinet committee set up to discuss the future handling of EU business in terms of the ‘economic reform’ agenda pushed by the UK at the Lisbon summit and accepted by the Swedish presidency (lower prices through enhanced competition, more jobs, liberalisation of capital and energy markets). To this meeting were summoned the minister and deputy minister in Scotland responsible for external and European affairs and counterparts from Wales and Northern Ireland. Also, from now on, designated ministers from the devolved executives, depending on the issue, will attend the cabinet sub-committee.

This innovation could be seen as opening up opportunities for influence on UK policy in the EU on the part of the devolved executives. Such an interpretation was drawn by the minister of finance, Mr Durkan, from the Northern Ireland executive’s endorsement of the *concordat* with the Treasury on public procurement: that the devolved executives could now have an input into the UK’s response to new EU directives on the topic as well as more generally into the co-ordination of EU and international policies on the awarding of government contracts (Executive Information Service, April 11th 2001).

But there is an alternative view. The *Scotsman* (March 1st 2001) suggested that the foreign secretary’s move could be construed as similar to the chancellor’s establishment of a Joint Ministerial Committee to co-ordinate action against poverty among children and the elderly and the prime minister’s convening of a Joint Ministerial Committee on health (see previous report). Both were presented as a challenge to the devolution settlement, with the UK government allegedly seeking to regain control over policy areas just devolved.

There were also initiatives this quarter, however, of a clearly decentralist kind. In February and March, the junior OFMDFM ministers, Messrs Haughey and Nesbitt, visited Scotland and Wales for discussions about the role of the devolved administrations in the EU context (and, in Scotland, to exchange ideas about programmes for government). In commenting on meetings with the Scottish minister for European affairs, Mr Haughey noted that regional authorities in other member states played an increasingly important role in the EU. It was in the interests of both Northern Ireland and Scotland to enhance relationships with other European regions and to do so co-operatively (Executive Information Service, February 21st 2001).

On the occasion of the Welsh visit, Mr Haughey said devolution provided a stronger regional identity and a better basis for operating effectively in Europe. Both ministers emphasised Northern Ireland’s keenness for strong inter-regional relations and the need for strategic thinking along these lines in all the devolved administrations; and they noted the existence of common objectives and priorities where co-operation on the EU front would be beneficial (Executive Information Service, March 13th 2001).

During the latter visit, Mr Haughey also referred to the new focus of the EU on governance as being of particular interest to regional governments—a theme which, together with the stronger identity afforded by devolution, he had earlier addressed in a keynote speech to a conference on ‘Pathways to Europe’ (Executive Information Service, February 22nd 2001). In his speech, he pledged that Northern Ireland would try to reciprocate the help it had received from the EU. In addition to the EU’s new focus on governance, its emphasis on equality and human rights had a resonance in Northern Ireland. He hoped that the region’s experience in building structures and strategies for conflict resolution, internally and across a border, might be used or adapted by some of the applicant states.

That Northern Ireland might begin to play a full and useful part in the EU was also a theme of other ministers. Following the meeting (see February report) between the first and deputy first ministers and President Chirac of France, the former—accompanied by the minister for enterprise, Sir Reg Empey, the minister for training and employment, Sean Farren, and the chair of the Industrial Development Board—visited Germany at the beginning of February (Executive Information Service, February 1st and 2nd 2001). Northern Ireland’s appreciation of EU support, its desire to play a positive role, its attractions (in a peaceful state) for inward investment and its capacity for increased trade were articulated at meetings with the London and Dublin ambassadors to Berlin, the minister-president of Brandenburg, the federal economy minister and the foreign minister, Joschka Fischer.

Conclusion

Allusions to what Northern Ireland can do, instead of ‘being done unto’, were repeated by the first and deputy first ministers at the signing-off ceremony with which this section began. It remains to be seen whether the results of the forthcoming elections will permit the consolidation of this shift from dependency to autonomy—as well as the development of a capacity for strategic thinking on the part of the reformed partnership boards.

Finance

Formula for a row

If a theme of previous quarterly reports has been the growing awareness among Northern Ireland's political class of the long-term downward pressures on the region's public expenditure imposed by the Barnett formula, this quarter's big story was the long-anticipated negative reaction to that formula from England's regions.

The chancellor's March budget added a further £18 million a year to the funds available to the Northern Ireland Executive Committee. In typically immodest New Labour style, this was grossed up over three years by the Northern Ireland secretary, John Reid, with the addition of £9 million new money for the Northern Ireland Office in addressing illegal drugs, to become a £64 million 'good news' package (*Belfast Telegraph*, March 8th 2001).

The reaction of the first minister, Mr Trimble, was considerably more sober. In the same *Belfast Telegraph* supplement, he said: 'Our share of new resources has been calculated using the Barnett formula based on population shares which is inadequate. We will continue to press the Chancellor to agree a new and fairer way of funding our actual needs.'

A month later, however, and it was Mr Trimble's ministers who were on the defensive. The lead in the *Guardian* on April 24th was happily (from a narrow Ulster view) headed 'Scots and Welsh face subsidy axe'. But the story revealed new Treasury statistics indicating that *per capita* public spending in Northern Ireland was running at 39 per cent above that for England. The comparable differentials for Scotland were 23 and 18 per cent.

What the story did not say—very happily from a narrow Ulster view—was that the Northern Ireland figure, far from reflecting a 'peace dividend' of newfound prosperity for the region (see also public policies section), indicated a considerable *worsening* of its dependency on the exchequer. Thus in 1995-96, the Northern Ireland excess of spending per head over England was 32 per cent; so was Scotland's; Wales' was 25 per cent (Heald, 1999: 85 [fn 19]). In other words, while Scotland and Wales have since pulled back, by 9 and 7 points respectively, towards the English figure, Northern Ireland has slipped a further 7 points adrift.

What the story did say was that senior ministers were 'alarmed', because for the first time the figures disaggregated the English data by region—thus giving vent in particular to northern English frustration at the relative largesse experienced by Scotland. And thus it was the ministerial champion of English devolution, John Prescott, who was reported as insisting that the Barnett formula was not 'written in stone'.

The prime minister sought to play down Mr Prescott's intervention, Downing Street being quoted in the next day's *Guardian* (April 25th 2001) to the effect that the three-year nature of the Comprehensive Spending Review meant spending plans—including for Scotland, Wales and Northern Ireland—were agreed until 2004. Mr Prescott's own department, Environment, Transport and the Regions, also played it long: there were no plans 'at present' to review the formula.

But some of the Northern Ireland reaction was (perhaps characteristically) pugilistic (*Irish Times*, April 25th 2001). The SF chair of the assembly's finance committee, Francie Molloy, described Mr Prescott's comments as 'the first shots in the funding war'. A fellow committee member (but otherwise adversary), Nigel Dodds of the DUP, said: 'The battle to prevent cuts to our block grant must be fought vigorously and with as much force as can be mustered.'

The finance minister was, however, more reasoned in his response (as well as better informed). Speaking before a meeting with the Welsh finance minister, Edwina Hart, Mr Durkan said a review of Barnett was long overdue and it should be replaced with a needs-based formula (Executive Information Service, April 24th 2001). This was the view articulated by the *Guardian* itself (April 25th 2001) and by an analysis of the fiscal position of Northern Ireland sent to all assembly members in 1999 (Wilson, 1999: 7).

It would be difficult to sustain Northern Ireland's two-fifths spending advantage over England through such a needs assessment, though the region's social needs are clearly the most intense in the UK. But it might be even more difficult to maintain that advantage in the long run in the face of the 'Barnett squeeze' (Barnett and Hutchinson, 1999: 50). Thus Mr Durkan went so far as to say that *continuing* with the formula represented a threat to Northern Ireland's public-expenditure interests.

Public bad, private better?

Because, however, of the historic 'insulation' of Northern Ireland from wider UK politics (Bew, Gibbon and Patterson, 1995) and the predominance of ethnic over social divisions in the region's political life, nothing of the controversy (cf Hutton, 2000) raised in Britain by the private finance initiative / public-private partnerships—most notably over the financing of the London Underground—has really crossed the Irish Sea. The Executive Committee has largely taken it for granted that the constraints of the Northern Ireland block and Treasury spending rules leave it with no other option but to pursue privately-financed solutions to the huge overhang of under-investment bequeathed by direct rule.

The Programme for Government (OFMDFM, 2001: 69) agreed by the assembly in March (*Irish Times*, March 7th 2001) says: 'Addressing the deficiencies in our infrastructure will require us to continue to press for a fair allocation of UK expenditure to Northern Ireland and to explore new ways of financing and providing

public services.' And it promises by March 2002 a review of 'the opportunities for the use of private finance in all major service provisions / infrastructure projects to increase investment and provide innovative and value for money solutions through Public Private Partnership / Public Finance Initiative'.

On March 15th, just nine days later—an indication of his desire to move quickly—the finance minister, Mr Durkan, announced a 'high-level working group' to oversee the review, jointly chaired by officials from OFMDFM's Economic Policy Unit (which led the drafting of the programme) and the Department of Finance and Personnel (Executive Information Service, March 15th 2001).

Four days after that, the minister with the biggest infrastructural headache, Gregory Campbell at Regional Development, said he believed that 'one of the ways forward in addressing our infrastructure funding deficit depends upon finding new ways of accessing private funding'. He floated the idea of 'a Northern Ireland Regional Development Trust funded by private borrowing which could allow a rapid and significant step forward in answering our long-term funding needs' (Executive Information Service, March 19th 2001).

The education minister, Martin McGuinness, did not even wait for the programme to be agreed by the assembly. Claiming to have the support of the matching assembly committee, he announced on March 1st PFI projects worth £70 million, angering the teachers' unions. Tom McKee, regional official of the NASUWT, warned of the risk of schools being locked in to paying the 'mortgage' on new buildings for 25 years without the budget to do so, should their enrolments not meet projections. Frank Bunting of the Irish National Teachers Organisation said his union was 'completely opposed to this partial privatisation of the Northern Ireland education service' (*Belfast Telegraph*, March 2nd 2001).

The mortgage analogy, and the real experience of endowment mortgages, was the basis for a critique (by a personal victim of the latter) of PFI/PPP at a seminar on the Programme for Government organised by OFMDFM on May 9th in Co Antrim. An otherwise undistinguished series of speeches was enlivened by a spirited presentation by Liz Fawcett on behalf of Transport 2000. (Dr Fawcett is making something of a name for herself as an upsetter of establishment apple-carts: it was her research which exposed the 'behind closed doors' operation of most assembly committees in their early days, referred to in a number of our previous reports.)

Calling for a 'fundamental' debate on PFI, Dr Fawcett revealed that the Department for Regional Development was refusing to make available the detail of a report, commissioned from Price Waterhouse Coopers, which claimed that PPPs offered better value for money in public transport. In fairness to the department, she said, it was at least considering the alternative of bond finance (as favoured by the London mayor for the Tube). But she later complained on Radio Ulster (May 11th 2001) that the department was defending its refusal of disclosure on the ground that the information T2000 had sought was 'commercially sensitive'.

As indicated in the assembly section, the finance committee of the assembly has initiated an inquiry into the private financing of public projects.

Joined-up funds

Also this quarter, the finance minister, Mr Durkan, announced the first round of 62 projects which had secured support from the five Executive Programme Funds (see assembly section). These projects would consume £146 million of the £372 million allocated to the funds *in toto* from 2001-02 to 2003-04. The breakdown was as follows: Children's Fund £10.5 million, Infrastructure Fund £79.3 million, New Directions Fund £21.1 million, Service Modernisation Fund £15.4 million and Social Inclusion / Community Regeneration Fund £19.3 million (Executive Information Service, April 2nd 2001).

The funds which represent the most innovative feature of 'joined-up' government under devolution in Northern Ireland. But only four of the projects are not assigned to a particular department. What, it is understood, the minister wants to see developing is a 'sub-structure' of executive sub-committees which would lead to genuinely cross-departmental projects that the funds could support.

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Political parties and elections

For the first time in 30 years, an issue unrelated to Northern Ireland's constitutional future—foot-and-mouth disease—took precedence in public concern for three months. This can be accounted for in part by the central economic importance of agriculture but it also reflects the relative calm that has come to characterise public behaviour in the region's politics since 1994.

If behaviour alone was the measure of Northern Ireland's constitutional stability, there would be few grounds for serious concern about the future of the institutions established by the Belfast agreement. Below the superficial thaw, however, lies a still-frozen layer of habitually hostile attitudes that has only begun to melt, if at all. Importantly, it is often attitudes that are tested at times of election.

Jockeying for position

Tony Blair's 11th-hour decision to postpone the planned UK general election from May 3rd had important repercussions in Northern Ireland. In particular, the secretary of state, John Reid, postponed district-council elections due for late May and rescheduled them in line with English local elections for June 7th, universally anticipated (and subsequently confirmed) as the revised date for the general election.

As a result Northern Ireland voters will go to the polls to elect representatives, under two different systems of election, on the same day. It remains to be seen whether this will cause widespread voter confusion. There has also been speculation about the impact of higher than usual turnout in the local elections—as a spin-off from the normally higher Westminster turnout—which is generally expected to favour more moderate parties, notably the Ulster Unionists (*Irish Times*, April 3rd 2001).

In many ways the local elections are seen as a more important test of political opinion than the general election. Five of the nine sitting UUP MPs are active opponents of the agreement. Any shift in general-election voting patterns between parties will therefore be of qualified significance for the agreement itself. The local elections, on the other hand, provide an opportunity for voters to choose between different candidates and to judge the underlying strengths of the parties.

Early political manoeuvring focused largely on the general election, however. Every other individual contest might have been rendered relatively insignificant, had the DUP leader, Mr Paisley, moved to oppose the UUP leader, Mr Trimble, directly in Upper Bann. But in spite of widespread press speculation, the DUP flatly denied all rumours of such a plan (*Observer*, April 8th 2001).

In reality, the split within the UUP—and the associated contested selections—remained the most significant pre-election feature. With a pro-agreement candidate

winning the nomination for Fermanagh / South Tyrone in February, attention switched to the constituency of Strangford, where the UUP faces a stiff challenge from Iris Robinson of the DUP. The successful UUP nominee, David McNarry, is seen as pro-agreement although his strong Orange connections and tough approach to decommissioning have made many nationalists wary (*Irish Times*, March 20th 2001).

The problems of Strangford were as nothing, however, compared with those of neighbouring North Down. The initially selected UUP candidate, Peter Weir, has been one of Mr Trimble's most forceful opponents within the party. So actively has he campaigned against the agreement that he no longer holds the UUP whip in the assembly. In a concerted push against Mr Weir, the UUP suspended him from the party and reopened the candidacy (*Belfast Telegraph*, February 24th 2001).

Attempts to elect a new candidate were delayed, however, when Mr Weir took out an injunction against the local association and sought a judicial review of his suspension (*Belfast Telegraph*, April 12th 2001). With an election only a month away, the party had still not secured a replacement to challenge the sitting anti-agreement MP, Bob MacCartney of the UK Unionist Party (effectively now Mr McCartney's vehicle).

But cometh the hour, cometh the woman. The pro-agreement Sylvia Hermon easily prevailed at a recalled selection meeting, assisted by the sudden withdrawal that evening of the (also pro-agreement) favourite. The latter had been subject to a bizarre poison-pen letter about an illegitimate child he had fathered decades earlier, subsequently given up for adoption, an episode of which his family had been fully apprised. In Northern Ireland's highly small-c conservative culture, especially in its Protestant community, that was deemed quite enough to require an unchallenged fall upon the sword.

The likely narrow margin of any UUP victory in Strangford and North Down, and of any recouping of the disastrous South Antrim by-election loss (to the DUP) of September 2000, led UUP negotiators to seek an electoral pact with the centrist Alliance Party in these three key constituencies. Alliance had already withdrawn candidates from constituencies where it has never developed strong roots and directed its supporters to back pro-agreement candidates. But at the time of writing the discussions appeared to have foundered on the party's insistence that, in return for further withdrawals, it be given a free run against Iris Robinson's husband, Peter, in the latter's East Belfast P constituency (*Irish Times*, April 17th 2001).

Pacts were also in the air among nationalists. But an SF proposal covering marginal seats—such as West Tyrone, Fermanagh / South Tyrone and North Belfast—received short shrift from the SDLP, which accused the republicans of ‘going through the motions’ while organising to campaign against the party at local level (*Belfast Telegraph*, March 21st 2001). In particular, the candidacy of the SDLP agriculture minister, Bríd Rodgers, in West Tyrone upset SF calculations of a relatively easy victory in that constituency against the ‘no’ UUP incumbent, William Thompson, highly vulnerable to tactical support for one or other of the competing nationalist

candidates. The outcome of this struggle will be keenly watched as a weathervane of the current mood of northern nationalists.

The rivalry between pro- and anti-agreement unionists, and between the SDLP and SF, makes these elections potentially very significant in Northern Ireland. No less than half of the 18 Westminster constituencies might be considered open contests to some degree (North Belfast, West Tyrone, Fermanagh / South Tyrone, South Antrim, East Londonderry, North Down, Strangford, South Belfast and Upper Bann). Although there is no direct link between the elections and the agreement, the potential for damage to all or any of the party leaderships remains considerable.

The evolution of devolution

In the midst of electoral calculation, the business of government continues. Two contradictory dimensions can be said to characterise Northern Ireland politics since the agreement: fundamental mistrust sitting alongside practical co-operation. The inter-relationship of these issues illustrates the underlying ambivalence about working together which continues to give institutional politics its transitional and unsettled feel.

In February, the High Court declared that Mr Trimble's tactic of banning SF ministers from NSMC meetings was unlawful (*Irish News*, February 10th 2001). Introduced in November 2000 as part of the UUP leader's attempt to persuade his own doubters that he had not gone soft on decommissioning, the ban caused considerable anger among republicans. In making the ruling, however, the judge distinguished between withholding nominations (which is unlawful) and 'a conclusion that a potential nominee was unsuitable for nomination because he had not made appropriate efforts to implement the Agreement'.

Mr Trimble, himself a lawyer of course, responded by changing the basis of his ban, and continuing with the same effective policy (*Belfast Telegraph*, February 9th 2001). Adding fuel to the fire, the UUP announced that its own ministers would no longer attend plenary NSMC meetings, further weakening the role of this critical element of the agreement (*Irish Times*, March 3rd 2001). SF claims that the sanctions were undermining its efforts to achieve decommissioning were ignored by unionists (*Belfast Telegraph*, March 29th 2001).

In anticipation of a long and bruising general election campaign, the London and Dublin governments and the pro-agreement parties agreed to shelve further discussions about outstanding issues until June (*Irish Times*, March 10th 2001). While the fact of agreement was seen as a sign of commitment, the absence of common ground on the core issues which have dogged the agreement since 1998 remained critical.

The postponement of the expected election date may now represent a further complication. Speaking at a Fianna Fáil gathering, the taoiseach, Mr Ahern, acknowledged the difficulty of resolving issues post-election, in the shadow of a looming marching season (*Irish Times*, April 23rd 2001).

An outbreak of sectarianism

This endemic mistrust at the heart of the agreement is replicated in the *minutiae* of government. Almost everything, it seems, is capable of a sectarian spin if required. A case in point is the anti-drugs strategy. In answer to assembly questions, it became apparent that the SF ministers for education and health would not co-operate with anti-drugs campaigns because of the involvement of the Royal Ulster Constabulary. Similarly, the DUP minister for social development has not joined the inter-ministerial group on drugs because of the participation of SF (*Belfast Telegraph*, February 13th 2001). The prospects for ‘joined-up’ government here remain remote.

Similar sectarian anxieties have infected debate on foot-and-mouth disease, the floral arrangements for the assembly and the distribution of money to schools. In the early weeks of foot and mouth, Rev William McCrea of the DUP accused the republic of hiding the disease (*Belfast Telegraph*, March 5th 2001). On Radio Ulster Conor Murphy of SF blamed the outbreak in south Armagh on British soldiers tramping around the area. When it emerged that sheep culled as a result of contact in the border area would be rendered in a factory in Belfast, unionists accused the Department of Agriculture of risking the spread of a disease which had emerged as a result of (by implication republican) lawlessness (*Irish News*, March 31st 2001). And following the discovery of a second case, in Co Tyrone, DUP MLAs demanded that sheep buried previously be dug up and examined, insinuating that Catholic farmers were hiding the disease (*Irish Times*, April 25th 2001).

If anything, the dispute about a display of Easter lilies proved even more farcical (see assembly section). More seriously, the allocation of extra resources for school-building also descended into a sectarian squabble. When it emerged that a higher proportion of resources had been allocated to schools in the Catholic maintained sector, there were immediate unionist allegations of discrimination against the SF minister, Mr McGuinness (*Belfast Telegraph*, March 2nd 2001).

All this tends to overshadow the considerable progress that has been made on bread-and-butter issues. Given the range of political opinion represented in the executive, the lack of overt dispute about social and economic priorities has been remarkable.

In April, the first minister, Mr Trimble, announced that equality legislation would be streamlined into a single act, a subject which would seldom have received much attention from unionists in the past (*Irish Times*, April 28th 2001). And the Department of Education under Mr McGuinness has become one of the most active in government. The minister has hinted that he plans to abolish the ‘11-plus’ transfer test

for primary pupils, although confirmation will await an independent review, recently granted additional time to complete its consultations (*Irish Times*, April 17th 2001).

Nationalists in government.

By the time of the general election, for the first time Northern Ireland will have had Catholic, and nationalist, ministers for a complete year. While there is no doubt that this has entailed nationalism becoming comfortable with the institutions and symbolism of partition, there is also evidence over the last three months that the agreement has allowed practical north-south co-operation to emerge at a systematic level, especially in departments controlled by nationalist or republican ministers.

The foot-and mouth crisis led to unprecedented north-south co-operation in agriculture. While on one level, partition was emphasised as a result of efforts by the republic to maintain its disease-free status in the early phase of the outbreak, co-operation against smuggling and the illegal import of livestock, as well as in the cross-border cull of sheep in March, was smooth and intense. At an institutional level, close contacts have developed between the Department of Agriculture and Rural Development in Northern Ireland and its counterparts in Britain and the republic.

Sean Farren (SDLP) has encouraged the idea of a north-south structure to encourage joint research by third-level institutions. There will now be an official exploration of possible structural innovations by the Higher Education Authority in the republic and Dr Farren's Department of Higher and Further Education, Training and Employment in the north (*Irish Times*, April 26th 2001).

Bairbre de Brún (SF) has encouraged exploration of north-south links in health care. A report published by the Queen's University Centre for Cross Border Studies (Jamison *et al*, 2001) illustrated the low level of cross-border activity in this field. It also identified possible areas of growth, especially in primary and secondary care in border areas.

Conclusions

Until the underlying instability of political relationships is resolved, devolution in Northern Ireland will remain tentative. In the course of its first complete year, however, the habits of government have become entrenched. There is now a clearly defined political class which has established sufficient consensus to deliver a Programme for Government and begun to tackle change in social and economic policy without collapsing under the weight of sectarian pressure.

What is not clear is that working together on practical matters in itself produces any dynamic to ensure that all underlying divisions will be overcome. On the other hand, by creating a system in which every party has a stake, the loss of regional institutions through further constitutional dispute would now be recognised as a serious cost.

In sum, the claim of the agreement to represent the ‘least bad’ option for Northern Ireland has strengthened in the course of a year, while its claim to be a positive ‘good’ remains to be established. The elections represent an important test of the electorate’s willingness to settle for a guaranteed minimum, rather than continue to dream of an unachieved maximum.

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Public policies

The February quarterly report noted that the minister for enterprise, trade and investment, Sir Reg Empey, had decided to amalgamate the fragmented economic development agencies in Northern Ireland into one new body, to spearhead the Executive Committee's effort to 'make a difference' (in the mantra of all ministerial speeches these days) to living standards in the region.

This issue of the potential 'peace dividend' has continued to be a major theme of UK government ministers' Northern Ireland speeches. Addressing the Northern Ireland Chamber of Commerce and Industry in May (Northern Ireland Information Service, May 3rd 2001), the Northern Ireland secretary, John Reid, under the heading 'The Benefits of Peace', claimed: 'We have the fastest growing economy in the UK.'

Northern Ireland has certainly benefited from the sustained UK economic recovery since 'Black Wednesday' in 1992. Construction is everywhere in evidence in central Belfast. But no additional growth, over and above the UK rate, has stemmed from the paramilitary ceasefires of 1994 and the 1998 agreement.

In the first half of the 1990s, Northern Ireland did grow faster than the UK average, mainly because it was insulated from the Major recession in private consumption by its large public-sector 'stabiliser'. But since 1995 Northern Ireland has been falling further *behind* the rest of the UK. The latest data from the Office of National Statistics, using revised GDP figures, show that the region's relative position has fallen back from the mid-decade peak of 81.5 per cent of UK *per capita* GDP to 77.5 per cent in 1999 (NIERC, 2001).

This is a serious problem, because the economic-development strategy which Sir Reg has, largely uncritically, taken over from the direct-rule administration, *Strategy 2010* (DED, 1999), not only assumed the baseline was 80 per cent but also proposed a target of 90 per cent of the UK figure for 2010.

The Northern Ireland Economic Research Centre generates economic forecasts for the region in tandem with Oxford Economic Forecasting. And during the quarter it forecast that, on current trends, Northern Ireland would still be becalmed at 77.2 per cent of UK GDP per head at the end of the decade (NIERC, 2001).

Strategy 2010 was widely criticised by professional economists for failing to comply with the requirement that policy should be 'evidence-based'. The Department of Enterprise, Trade and Investment was consulting, during the quarter, on arrangements for economic-policy advice to government. A source close to the review expressed concern about the lack of 'intellectual curiosity' among ministers.

As mentioned in the February report, the Northern Ireland Economic Council, the main advisory body apart from the NIERC, published earlier this year a sobering assessment of

the Northern Ireland economy (Best, 2001). This report, by an international expert in the study of competitiveness, said the region was attached to an outdated business model, with too few entrepreneurial firms, poor management of technology and inadequate skill formation.

Whether Sir Reg, or Mr Reid, will also want to hear the advice they are presented with may thus be another matter.

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