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Introduction

This report differs structurally from those for Scotland and Wales. Despite the best efforts of the prime minister, Tony Blair, and his Irish counterpart, Bertie Ahern, to secure an end to the prolonged impasse over paramilitary weapons decommissioning and devolution during negotiations at Stormont in June, the two premiers failed to achieve agreement among the parties in time for a simultaneous transfer of power to Edinburgh, Cardiff and Belfast on July 1st. Indeed, the refusal of the Ulster Unionist Party to accept their *The Way Forward* proposals led the two governments to request the services once more of the former US Senate majority leader, and chair of the talks leading up to the Belfast agreement, George Mitchell, to chair the review of the agreement's implementation.

At the time of writing, Mr Mitchell's efforts had come to fruition, although the verdict of the Ulster Unionist Party on the outcome was once more awaited. But the upshot is that, owing to the deadlock, Scotland and Wales have leapfrogged what should have been a much earlier devolution to Northern Ireland. Following the Belfast agreement (April 1998), the referenda endorsing it (May) and the consequent elections (June) to the new assembly, the latter met for the first time on July 1st and elected the first and deputy first minister, respectively David Trimble of the UUP and Seamus Mallon of the Social Democratic and Labour Party. Mr Trimble, however, refused to countenance the next step - appointment of the assembly's Executive Committee under the d'Hondt rule - until weapons decommissioning had begun. And there the matter rested.

This report cannot therefore focus on the operation of the devolved institutions in Northern Ireland since July 1st 1999, since that would be a blank sheet of paper. What it seeks to do is to provide 'the story so far' under those headings of the monitoring scheme where something meaningful can be said. This provides the background to the next report, hopefully addressing the first period of a transfer of power, which will be more consistent with the Scottish and Welsh parallels.

We begin with an examination of the relatively limited preparatory activity of the assembly to date. This is followed by a rehearsal of the challenges facing the region's media in adapting to the new politics of devolution. Poll and survey evidence is then collated, revealing a quite nuanced picture of public attitudes to the evolving political scene. The hitherto neglected issues of public finance, which can be anticipated to move to the foreground, are tackled next. The shifting canvas of party behaviour, electoral performance and possible alignments is then explored. Finally, issues of public policy facing incoming ministers, notably formulating the programme for government, are signalled.

The assembly

Introduction

Within a week of their election, on July 1st 1998, the 108 members of the new Northern Ireland Assembly met in shadow mode at Stormont to embark on their preliminary business. It is difficult to overstate the significance of the event. Members from eight parties spanning the ethnic divide, together with three Independents¹, assembled together to sign the roll: it was at once a moment of great promise and of genuine uncertainty.

The apprehension was underscored by the procedure entailed in signing-in: members had not only to register their names but, consistent with the consociational principles that underlay the Belfast agreement, also their communal identity - as 'Unionist', 'Nationalist' or 'Other'². These designations expressed both a practical and a symbolic necessity. The agreement stipulated that certain 'key' decisions would be subject to special voting procedures (see below) designed to achieve cross-community consent; hence the practicality of this requirement. But the procedure also provided a sharp reminder - if one was needed - of the segmented nature of Northern Ireland, in which badges of identity are virtually *de rigueur*.

Within the assembly, however, the communal axis was intersected by another that carried the potential to engineer a turning away from zero-sum and towards positive-sum politics, *viz*, a pro/anti-agreement axis. The unionist 'family' of parties - long resembling the Borgias more than the Osmonds - was of course irredeemably split over the agreement, as was the unionist electorate. The results of the assembly election (Mitchell, this volume), which yielded an equal number of pro- and anti-agreement unionists, presaged a protracted internecine struggle between, on the one hand, David Trimble's Ulster Unionist Party and the much smaller Progressive Unionist Party and, on the other, Ian Paisley's Democratic Unionist Party, the UK Unionist Party³ and the three Independent Unionists. Moreover, the DUP's entitlement to representation around the Executive Committee table⁴ threatened to carry this struggle into the heart of government and disrupt both the internal and external dimensions of the agreement.

¹ The three Independents formed the United Unionist Assembly Party, with effect from September 21st 1999.

² Initially the two members of the Women's Coalition elected to the assembly sought to designate themselves as 'Nationalist, Unionist, Other', but this was ruled to be unacceptable by the initial presiding officer, Lord Alderdice. They re-designated themselves as 'Inclusive Other'. The draft standing orders agreed by the assembly provide that a party can change its designation once during the life of an assembly, as long as notice is given to the presiding officer 30 days in advance.

³ Originally, there were five members of the UKUP elected, but disagreements mounted between four of them and the party leader, Robert McCartney. The four resigned from the UKUP to form the Northern Ireland Unionist Party, with effect from January 15th 1999.

⁴ The inter-party agreement on the size of the executive (and the range of cross-border and implementation bodies), *ie* the reconfiguration of the existing six regional departments into ten, occurred on December 18th 1998. The application of d'Hondt thereby yielded two seats for both the DUP and SF and three each for the UUP and SDLP. Together with the first minister (David Trimble, UUP) and the deputy first minister (Seamus Mallon, SDLP), there will be six

But the inclusive model of governance enshrined in the agreement - the UUP leader quite self-consciously described the assembly as a 'pluralist parliament for a pluralist people'⁵ - was embodied in the first application of the special voting procedures, *viz.*, the twinned election of David Trimble and Seamus Mallon as, respectively, first and deputy first minister designate. Their joint election epitomised the power-sharing philosophy of the agreement, proof of the cross-cutting axis. They are - or were until Mr Mallon's resignation on July 15th 1999 - effectively co-equals, representing both the spirit and the flesh of accommodatory politics. To them fell the task, *inter alia*, of leading the inter-party negotiations on the size of the Executive Committee, the outcome of which was not disclosed until mid-December, some six weeks beyond the target date specified in the agreement.

Beyond the self-designation of members and the semi-presidential Trimble-Mallon dyarchy, a number of other features of the assembly's design reflect the consociational template upon which it is based, including the proportionality principle, exemplified by the special voting procedures that will apply to 'key' decisions.

Key decisions, some of which are predetermined by the agreement⁶, trigger tests of cross-community consent: either 'parallel consent', which requires a majority of those present and voting, including a majority of both unionists and nationalists; or, a 'weighted majority', requiring 60 per cent of those present and voting, including at least 40 per cent of both unionists and nationalists. In addition, the agreement makes provision for the device of a 'petition of concern', by which 30 members of the assembly can designate an issue as a key decision, thereby initiating the cross-community voting procedures.

Assembly committees

Proportionality applies both to the Executive Committee (the number of seats allocated to each eligible party is governed by application of the D'Hondt principle) and, more pertinent to our purpose here, the composition of the assembly's committees. As envisaged by the agreement, the committees are designed to work in partnership with each of their 'target' departments, thereby providing another expression of the power-sharing philosophy. Their chairs and deputy chairs are also to be allocated by way of D'Hondt, and in such a manner that they are not drawn from the same party as that of the relevant minister. Moreover, the other members of the committees will be allocated in proportion to the relative strengths of the parties in the assembly. Given that they are charged by the agreement to scrutinise the departments, 'advise and assist' them 'in the

unionists and six nationalists in the 'cabinet': a clear instance of proportionality, realising what might be termed 'parity of ministerial esteem'.

⁵ Speech at the Waterfront Hall, Belfast, September 1998. Trimble's choice of words was deliberate: it offered a salutary corrective to those of the former Unionist prime minister of Northern Ireland James Craig (Lord Craigavon), that Northern Ireland could boast 'a Protestant parliament and a Protestant state'.

⁶ These include the election of the first and deputy first ministers, the decision on standing orders and the election of the presiding officer. To date the latter Lord Alderdice has not been elected. He was appointed by the secretary of state as the assembly's 'initial presiding officer', and has retained that title and status throughout.

formulation of policy' and yet also to initiate primary legislation, the committees will become powerful multi-functional bodies capable, *inter alia*, of preventing the departments from becoming the petty fiefdoms of their ministerial heads.

To flesh out the committee structure outlined in the agreement, the shadow assembly established a Committee on Standing Orders (COSO), itself co-chaired by the UUP and the SDLP (see appendix). Its report⁷ designated the planned departmental committees as 'statutory committees', although its members failed to agree on provision for such a committee to work in tandem with the Office of the First and Deputy First Minister: there is no provision in either the agreement or the Northern Ireland Act for such a committee. The debate⁸ on this aspect of COSO's report proved acrimonious and was not finally resolved by the shadow assembly.

In addition to COSO, the assembly also established a Committee to Advise the Presiding Officer (CAPO), concerned with arrangements for dealing with the business of the assembly and facilities for members; and a Shadow Assembly Commission, whose terms of reference were to assist in making preparations for the effective functioning of the assembly. Two *ad hoc* committees were also established: one on the procedural consequences of devolution⁹ and the other to consider the proposals of the Belfast Harbour Commissioners regarding the future of the port of Belfast and their effect on other ports in Northern Ireland¹⁰. Each of these committees was fully inclusive, *ie* they embraced both pro and anti-agreement parties.

The COSO report also proposed the creation of a number of 'standing committees', which, with the exception of the Audit Committee, will include a representative of each assembly party. In addition to the 'usual suspects', *viz*, Business, Procedures, Standards and Privileges, Public Accounts and the Audit Committees, provision is also made for a standing 'Committee on Conformity with Equality Requirements' (CCER). This will copper-fasten the statutory obligation upon members to 'promote equality of opportunity' and the agreement's stress upon the 'equality-proofing' of proposed legislation. A bill, draft bill or legislative proposal may be referred either by the Executive Committee or the relevant statutory committee, voting on a cross-community basis, to the CCER so as to test its consistency with equality requirements, including fair-employment legislation. Furthermore, the assembly must agree any subsequent CCER report on a cross-community basis, *ie* by way of the special voting procedures. An additional safeguard is the requirement to seek the view of the new Northern Ireland Human Rights Commission (also created by the agreement) as to whether a bill is compatible with the European Convention on Human Rights and, prospectively, a Northern Ireland bill of rights.

The CCER's role in the legislative process means that it will develop a close working relationship with the Office of the First and Deputy First Minister, which is to harbour an

⁷ *New Northern Ireland Assembly Report 9*, March 1st 1999

⁸ *Official Report 8* and March 9th 1999

⁹ *New Northern Ireland Assembly Report 5*, November 9th 1998

¹⁰ *New Northern Ireland Assembly Report 12*, July 22nd 1999

'Equality Unit'. The latter's tasks will include ensuring that Northern Ireland departments and other public bodies, in formulating and reviewing policies and in delivering services, will comply with 'Policy Appraisal and Fair Treatment' (PAFT) requirements, first implemented as a set of administrative guidelines in 1994 and now made a statutory duty by the Northern Ireland Act (1998). Sifting policies and legislative proposals through the PAFT net will thereby consolidate the intention of the signatories to the agreement to 'mainstream' the 'equality agenda'.

With the exception of a decision to refer a matter to the CCER, other business within the statutory committees will be decided by a simple majority (no single party will have a numerical majority within the committees). But where a statutory committee is considering a key decision, any recommendations it makes will automatically trigger the special voting procedures in the assembly. The provision for a simple-majority vote on non-key decisions, in the committees and in the assembly as a whole, represents a signal departure from the proportionality principle that is a hallmark of consociational democracy.

Conclusion

Effective partnership between the reconfigured departments and the assembly committees is an essential ingredient of the model of governance proposed by the agreement - and not only in relation to 'strand one' matters, those internal to Northern Ireland. The external dimensions of the agreement, strands two (north-south) and three (east-west) also will rely on the active consent of the assembly.

While the parties eventually agreed a set of six cross-border implementation bodies and a further six matters for cross-border co-operation¹¹ that will provide the relevant ministers with some autonomy, *via* the North-South Ministerial Council, any decisions by the latter beyond the defined authority of those attending must achieve the consent of both the assembly (and that on a cross-community basis) and D·il Eireann. In effect, there is provision within strand two for a reciprocal veto on each side of the border. In relation to the British-Irish Council - one aspect of strand three - representatives of both governments, the Scottish Parliament and the Welsh and Northern Ireland assemblies, together with representatives from the Isle of Man and the Channel Islands, can agree common policies and their implementation. The scope for such bi- or multilateral co-operation, while limited, is also subject to the approval of the relevant elected institutions. To date, this is the least developed of the agreement's institutions, but it is of undeniable attraction to unionists in general, who view it as a vehicle for better integrating the region into, especially, British policy networks.

¹¹ The six implementation bodies are: Inland Waterways, Food Safety, Trade and Business Development, Special EU Programmes, Language, Aquaculture and Marine Matters. The six matters for cross-border co-operation are: transport, agriculture, education, health, environment and tourism. See *New Northern Ireland Assembly Report 7*, February 15th 1999.

The interlocking architecture of the three strands - all are integral to Northern Ireland's unique model of devolution - lends a rather distinctive meaning to the philosophy and practice of 'joined-up government'. The complex system of checks and balances, especially those between the Executive Committee and the assembly, could of course bring the enterprise to a juddering halt, not least because of the delicacy of the parliamentary arithmetic between pro and anti-agreement unionists. Moreover, the ability of the four-party executive to develop standard operating procedures that at least resemble the convention of collective responsibility cannot be assured. This involuntary coalition¹² may find the task of achieving unanimity on the 'programme for government' a difficult one. Indeed, it is worth observing that as yet virtually no work has been undertaken on the programme.

Between July 1st 1998 and July 15th 1999, the shadow assembly met in plenary session on 16 days, to debate a variety of issues, including draft standing orders and the proposed reform of the acute-hospital sector. The temper of the debates was largely moderate, with the exception of the last occasion when a futile attempt was made by the SDLP and Sinn Fein to form a shadow executive; the boycott of the proceedings by the UUP rendered the exercise null and void. The mood was blackened further by the resignation of Seamus Mallon as first minister designate and the failed attempt by the DUP to exclude SF from the executive. The proceedings ended in some disarray as the parties, particularly the UUP and SF, sought to resolve the impasse over decommissioning and the transfer of power. Not until late November, following the 11-week review led by George Mitchell, was a *modus vivendi* reached, which was then made contingent upon majority support from the UUP's ruling body, the Ulster Unionist Council. With a reasonably comfortable majority - 58 to 42 per cent - in favour of Mr Trimble's proposal to delay until February 2000 a final decision on whether his party should continue to participate in government, pending decommissioning by the IRA, the scene was set for devolution to take place during the week beginning November 29th. Thus, 19 months after it was signed, the Belfast agreement was poised to be implemented in full.

¹² Commonly described as an involuntary coalition, the Executive Committee can be construed as a voluntary coalition in the sense that, unlike the power-sharing arrangement of 1973-74, which prescribed a formal grand coalition albeit excluding the DUP and SF while the four parties are entitled to seats around the cabinet table, they are not required to take them. If they do, however, they must take a 'pledge of office' that commits them to make every effort to implement all aspects of the agreement.

Appendix: committees of the shadow assembly

Shadow Assembly Commission

Lord Alderdice*Initial Presiding Officer

Eileen Bell Alliance

Peter Robinson DUP

Francie Molloy SF

John Fee SDLP

Robert CoulterUUP

* Chair

Committee to Advise the Presiding Officer

UUP

SDLP

DUP

SF

Alliance

UKUP

Women's Coalition

PUP

United Unionist Assembly Party

Denis Watson*

Reg Empey, Jim Wilson

Eddie McGrady, Mark Durkan

Maurice Morrow, Peter Robinson

Alex Maskey, Francie Molloy

David Ford

Robert McCartney

Monica McWilliams

Billy Hutchinson

* Elected as an Independent Unionist, but resigned to form the UUAP with two other Independent Unionists with effect from September 21st 1999

Committee on Standing Orders

UUP

SDLP

DUP

SF

Alliance

UKUP

Women's Coalition

PUP

UUAP

*Joint chairs

Alan McFarland, Fred Cobain*

Duncan Shipley-Dalton

Michael McGimpsey

Sean Farren, Brid Rogers

Denis Haughey*, Eddie McGrady

Ian Paisley, Nigel Dodds,

Gregory Campbell

Conor Murphy, Francie Molloy

John Kelly

Seamus Close

Robert McCartney

Jane Morrice

David Ervine

Denis Watson

Ad Hoc Committee on the Procedural Consequences of Devolution

UUP

SDLP

DUP

SF

Alliance

Women's Coalition

PUP

UUAP

* Chair

Alan McFarland*, John Taylor

Reg Empey, Derek Hussey

Eddie McGrady, Alban Maginness

Tommy Gallagher, Carmel Hanna

William McCrea, Ian Paisley Jnr

Sammy Wilson

Barry McElduff, Gerry McHugh

Mary Nelis

Seamus Close

Jane Morrice

David Ervine

Dennis Watson

Ad Hoc Committee (Port of Belfast)

UUP	Roy Beggs Jnr, Fred Cobain,
SDLP	David McClarty, Michael McGimpsey P J Bradley (19/5/99), Joe Byrne (19/5/99) Alban Maginness*, Eddie McGrady (resigned 19/5/99), Danny O'Connor (resigned 19/5/99), John Tierney
DUP	Gregory Campbell, Maurice Morrow, Sammy Wilson*
SF	Alex Maskey, Dara O'Hagan, Mick Murphy (26/4/99), Pat Doherty (resigned 26/4/99)
Alliance	Sean Neeson
NI Unionist Party	Paddy Roche**

*Joint chairs

** Elected as a member of the UKUP, resigned to form the NIUP with three other UKUP members with effect from January 15th 1999

The media

Introduction

If the newly-created devolved institutions are to enable a more participative and transparent form of democracy to flourish, the media will have a very important role to play in the regions in which they are based. However, if the role of the media is significant in Scotland and Wales, it will be vital in Northern Ireland if the region's assembly does secure power. There are two reasons for this.

First, the legislative structures put in place through direct rule have ensured that Northern Ireland has been governed in a way which has excluded political representatives from full participation in decision-making and has denied them the opportunity to hold the executive properly to account for its decisions (see Greer, 1999; Pollak, 1993). Political debate has tended to focus on the constitutional issues on which parties disagree. The regional media have followed the agenda of the political parties, with the result that 'bread and butter' issues have been viewed by the media and by politicians as of secondary importance to the constitution (Fawcett, 1998). The debate that has taken place has tended to be fragmented and reactive; parties respond to unpopular decisions in a populist manner, without any need to be mindful of financial constraints or to relate their demands to a coherent set of policies.

The assembly will thus pose a rather steep learning curve for political parties. They will have to flesh out their policies and arguments in a more coherent and consistent fashion than hitherto. However, the extent to which they will be motivated to do so will be determined, in part, by the structure of the assembly itself. Therein lies a second problem. The system for the allocation of ministerial posts set out in the Belfast agreement ensures that the assembly's Executive Committee will be an involuntary coalition of the four largest political parties. As Wilford (1999: 288) observes, it will require 'an accommodatory and coalescent style in order to operate successfully'. This will constrain the formation of any substantive and meaningful Opposition capable of challenging the decisions of the executive on the floor of the assembly chamber. It will also act as a disincentive to each of the main parties to formulate in any great detail their own policies on social and economic issues. In this environment, the media will play a vital role in holding or failing to hold the executive accountable for its actions.

Should they choose, the media also have great scope for playing a central role in stimulating policy debate. However, hitherto, the regional media have followed the general tendency of news media worldwide to be event-led and reactive in their coverage of social and economic issues (see, for example, Tuchman, 1978; Snow, 1983). Indeed, many journalists in the region believe

the recent history of violent conflict has socialised Northern Ireland's media into a more reactive and 'spoon-fed' *modus operandi* than one would generally find. Unfortunately, the new assembly is likely to encourage a continuation of this reactive mode of reporting.

The role of the media

Ironically, the introduction of the new devolved institutions in the UK regions/nations is happening at the very time that, in both Britain and the United States, political journalism has been shifting its focus away from the proceedings of the parliamentary chamber (Franklin, 1997; Negrine, 1996). In Northern Ireland, by contrast, the regional media have been making preparations to cover assembly proceedings - if it does get off the ground. By far the most comprehensive arrangements have been made by BBC Northern Ireland, which is investing £5 million in developing regional broadcasting. It is envisaged that much of this will go towards covering the new assembly. As with the Westminster chamber, the proceedings of the assembly will be televised. Thirty new staff are being recruited as part of this investment. With such a significant commitment, it seems inevitable that assembly proceedings will be given prominence in BBC NI's regional news and current affairs output.

However, while none of the other regional media outlets have plans for such extensive investment, it is likely that assembly proceedings will also receive a high profile in their output, at least in the short term. The regional media have already established a pattern that accords politics a prime place in the hierarchy of newsworthiness. The words of one former regional newspaper editor encapsulate this pattern:

If there is a big party political statement, or a big press conference, you know you have got a story for the next day ... You have got 500 words and it is going to be perceived as relatively important, because everybody in the media perceives it to be relatively important.¹³

The proceedings of the assembly will provide regional media outlets with a guaranteed supply of copy which can be turned into prominent news stories. In one sense, this is good for the health of Northern Ireland's fledgling devolved democracy, in that it should ensure that assembly debate is widely heard by the public. However, it is also likely to mean that assembly politicians play the lead role in setting the parameters of public debate on particular issues. There is likely to be less space in the media for the views of voluntary and campaign groups.

¹³ Tom Collins, former editor of the *Irish News*, cited in Fawcett (1998: 117).

Moreover, assembly coverage by different media outlets is likely to be marked by uniformity rather than diversity. One of the major reasons is that many outlets will be sharing one significant source of copy - the Press Association. PA has already negotiated a deal with a large number of media outlets to provide them with a 'gallery' news service. The recipients include the commercial station UTV, the Irish state broadcaster RTE, the three regional daily newspapers and the *Irish Times*.¹⁴ While plans have not been finalised, it seems unlikely that the regional newspapers will make any significant investment in new political staff if they are able to rely on PA to a large extent for the 'factual' element of their assembly coverage.

The central role of PA in the regional media raises questions about diversity of political coverage. In the US, news agencies providing a similar service have been very influential in setting the media political agenda and encouraging uniformity of coverage (Bennett, 1996). This 'standardisation' is enhanced by the tendency of political reporters to operate like a 'pack': even though they are competing with one another, they work so closely together that they tend to report events and issues in a similar fashion (Bennett, 1996; Hertsgaard, 1988). Similar observations have been made with regard to the parliamentary 'lobby' at Westminster (Negrine, 1994). Moreover, the system of 'lobby' briefings there discourages political journalists from writing or broadcasting anything which will displease the 'spin doctors' who brief them, particularly where the latter display 'robust' tactics (BBC1, 30.9.96; Toolis, 4.4.98).

Political reporters in Northern Ireland are divided as to whether they would like a formal 'lobby' system at the new assembly. But the reliance of political reporters on the government public-relations machine is not a feature specific to the lobby system - Bennett (1996) notes a similar dependence among US journalists. Although political journalists in Northern Ireland are often reluctant to admit it, 'official' sources have considerable, if not unmitigated, potential for setting the media agenda (Miller 1993, 1994; McLaughlin and Miller, 1996). The creation of the Executive Committee could however lead to conflict between government and party machines, which might weaken the ability of the former to set the media agenda.

Government and party communication

The potential for conflict arises from the question as to where responsibility lies for the government's communication efforts. Both the Democratic Unionist Party and Sinn Fein have expressed concern at the prospect of civil servants putting out press releases and conducting briefings on behalf of

¹⁴ UTV is Northern Ireland's ITV regional licensee. RTE is the public broadcasting company in the Republic of Ireland.

ministers from their respective parties. If there is conflict, it will not be for the first time in the UK. Labour's extensive use of special advisors in its government communication efforts has already created discontent among civil-service information officers who feel they have been relegated to the more mundane tasks (Franklin, 1998).

Both the parties and the Northern Ireland Information Service have been modernising and upgrading their communication efforts. The NIIS is almost doubling in size, largely to facilitate the new assembly. It has also attempted to update and improve its operations following a highly critical internal review, which painted a picture of an inefficient and reactive organisation in need of a major overhaul (NIO, 1997). The recent appointment as Northern Ireland secretary of one of Labour's key media strategists, Peter Mandelson, will doubtless prompt further changes. Thus, the revamped NIIS could be a much more effective operation, with the potential further to increase the dependence of journalists on its services, if conflict with the main parties can be avoided.

Conclusion

The role of the media in the creation of a truly participative and transparent democracy is of particular significance in Northern Ireland, given the 'democratic deficit' which has existed in the region. It is vital that the regional media adopt a proactive, critical approach, which accords ample space and prominence to alternative voices and interest groups outside the assembly. Unfortunately, Northern Ireland's media outlets have tended to be reactive and event-driven in their news coverage. The assembly could simply provide 'easy copy' for news organisations more concerned about cost-effectiveness than editorial excellence.

However, two factors should help to ensure that this is not the case across the board. One is the scale of the BBC's investment, which provides the corporation with the scope to take a proactive approach to the reporting of politics and policy issues. The other is the potential for tension between government and party PR machines, which may weaken the ability of the NIIS simply to 'spoon-feed' journalists.

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Public attitudes and identity

Introduction

It is not an underestimate to say that public attitudes towards the Belfast agreement were a matter of huge political concern in Northern Ireland during the run up to the May 22nd referendum last year. When the result emerged, following weeks of erratic opinion-poll results, it was clearly of enormous relief to the pro-agreement campaign. Nonetheless, attention immediately focused on the size of the Protestant 'yes' vote - a figure bitterly contested at the time. One thing was clear: if there was indeed a Protestant majority, it certainly wasn't a large one. This paper summarises some of the key findings on public opinion towards devolution in Northern Ireland. It uses results from the *Northern Ireland Election Study*, carried out in the summer of 1998; the *Northern Ireland Life and Times Survey*, carried out in the autumn of 1998; and the Rowntree/ *Belfast Telegraph* poll carried out in October 1999.

The agreement itself

The *Northern Ireland Election Survey* involved interviews with about 1000 respondents selected at random. Clearly a representative sample - exactly 71 per cent of its respondents reported voting 'yes' in the referendum, 24 per cent voted 'no' and about 5 per cent refused to say how they voted. According to election survey estimates, 98 per cent of those of a Catholic background and 54 per cent of those of Protestant background voted for the agreement. In terms of the agreement as a whole, there was one overwhelming feature of public opinion immediately following the referendum: almost nobody believed that unionists had benefited more than nationalists from the agreement. Later in the year, though, there were some encouraging signs for the pro-agreement parties, as the *Northern Ireland Life and Times Survey* found the proportion of people who believed that both sides had 'benefited equally' had inched up from 46 per cent to a bare majority of 54 per cent.

But the broad headline figures have continued to dominate some of the more interesting facets of public opinion. Despite the vociferous campaigns of both pro and anti-agreement supporters, it is probably fair to say that doubt and uncertainty were among the chief characteristics of public opinion, right up to and after the referendum itself. Respondents to the election study were asked to what extent they supported the overall package - regardless of how they had voted.

	'Yes' voters %	'No' voters %	All %
I support the entire agreement	23	1	15
I support the agreement as a package, even though there are parts of it I do not like.	71	7	52
I cannot support the agreement as a package but there are some parts of it that I do support	3	61	17
I oppose the entire agreement	0	30	8
Don't know	3	3	6

A full 71 per cent of 'yes' voters admitted there were parts of the agreement they did not like, while 69 per cent of 'no' voters conceded there were parts they *did* support. Not just the predictable elements, either: a fairly substantial 44 per cent of 'no' voters supported the notion that the executive should be power-sharing and a small, but perhaps surprising, coterie of 24 per cent would support the creation of north-south bodies. In addition, while the Catholic *vote* for the agreement as a package appeared overwhelmingly positive, only 33 per cent of Catholics were prepared to support it unreservedly. At the other end of the spectrum, only 8 per cent of people in Northern Ireland were prepared to reject the agreement in its entirety.

Consensus was evident as well over many elements of the agreement. Eighty-eight per cent of Catholics and 80 per cent of Protestants favoured a Northern Ireland assembly, and 83 per cent of Catholics and 93 per cent of Protestants wanted to see weapons decommissioning, but a majority in neither community supported the early release of prisoners (though many more Catholics than Protestants did). Moreover, while support for the other elements of the agreement differed predictably between Protestants and Catholics, there was still a degree of consensus. The only other aspect where there was not majority Catholic support was the removal of the republic's constitutional claim to Northern Ireland; the only other features which did not achieve majority Protestant support were north-south bodies (49 per cent) and the policing commission (35 per cent).

The by-now familiar confusion as to what was actually promised in the agreement was evident from the outset. Although the agreement itself did not link decommissioning with the right of parties to take up their seats on the executive, remarks by the prime minister, Tony Blair, in the run-up to the

referendum were believed by many to indicate just this. This confusion was not limited to any particular group - for example, it was *not* the case that 'no' voters were those who 'realised' that an executive might be formed before decommissioning occurred.

	Protestant	Catholic	Yes voters	No voters	All
% who thought that prisoner release was linked to decommissioning	52	42	48	53	47
% who thought that a place on the executive was linked to decommissioning	49	45	49	53	47

More recent results from the Rowntree/ *Belfast Telegraph* poll of October 1999 add to the 'story so far'. Fewer people were prepared to say they would vote 'yes' if the referendum were held today - a finding interpreted as a 'mid-term' expression of frustration with the implementation of the agreement to that point. Conversely, a massive 83 per cent of people still said they wanted the agreement to work and 85 per cent wanted the Mitchell review to be successful. Overall, this is part of a pattern of huge goodwill towards the search for a settlement, combined with doubts, fears and confusion - in mostly predictable directions - over the detail.

The assembly and the executive

Just as people want the agreement to work, so they also want the assembly to work. A massive 87 per cent (and 81 per cent of Protestants) in the election study felt parties elected to the assembly should try to make it a success, *even if they were opposed to the agreement*. This should not be interpreted as a vote of confidence that the assembly will actually work (26 per cent overall and 34 per cent of Protestants were convinced that it would not last), but it is another indication of public 'approval' of the aims of the whole process.

As far as public opinion about the day-to-day work of the assembly is concerned, there is a clear sense of the priorities of 'bread-and-butter' demands, rather than some of the more familiar political ones. With 40 per

cent of respondents to the election study feeling that improving the health service should be the first priority of the assembly, and 33 per cent that it should be increasing employment opportunities, there was basically little scope left for anything else. The priorities of the health service and employment remained rock-solid in the autumn of 1998, when the *Northern Ireland Life and Times Survey* checked this question.

Priorities for the new assembly	Summer 1998	Late autumn 1998
Improving the health service	40	40
Reducing discrimination against Protestants	4	3
Making it more likely that Northern Ireland will eventually leave the UK	3	2
Improving education	8	6
Giving Northern Ireland a stronger voice in the UK	8	8
Reducing discrimination against Catholics	5	3
Increasing employment opportunities	33	37

Constitutional changes

For 42 per cent of people in Northern Ireland a united Ireland within the next 20 years is 'quite' or 'very' likely. This figure has risen (although it has also fluctuated) over the decade: in 1991 only 21 per cent of people thought it likely. Perhaps more surprisingly, public opinion appears to be remarkably accepting of such changes - as long as they are democratically sanctioned.

The *Northern Ireland Life and Times survey* pursued this in some depth. For people whose own first choice would be to remain as part of the UK, only 16 per cent would find it 'almost impossible to accept' a united Ireland if the majority of people in Northern Ireland so voted. Conversely, of those who would prefer a united Ireland, only 4 per cent would find a continuation of union with Britain almost impossible to accept.

If the majority of people in Northern Ireland ever voted to become part of a united Ireland do you think youÖ	%
Öwould find this almost impossible to accept	16
Would not like it, but could live with it if you had to	38
Or, would happily accept the wishes of the majority?	42
Don't know	4

If the majority of people in Northern Ireland <i>never</i> voted to become part of a united Ireland do you think youÖ	%
Öwould find this almost impossible to accept	4
Would not like it, but could live with it if you had to	26
Or, would happily accept the wishes of the majority?	64
Don't know	6

This is only one finding against a rather interesting backdrop of changing political aspirations, at least among the Catholic population, that have been reflected in various surveys over recent years. In 1996 only 42 per cent of Catholics said that they thought Dublin should have a say in the way the region was run, and 52 per cent said they thought a Westminster government should have a say. These figures rose to 66 per cent and 78 per cent respectively in the 1998 election study. Indeed, the latter figure is not far short of the equivalent of 83 per cent amongst Protestants. It appears that one consequence of the agreement was to persuade Catholics at least that *both* governments had a proper role in the region's affairs.

Summary

Back in the summer of 1998, the public in Northern Ireland wanted the agreement and the assembly to work. In the autumn of 1999, they wanted the *review* of the agreement to work. They wanted this very badly indeed. This is not to say that there are not divisions over the detail. But it would clearly be a mistake to assume 'yes' and 'no' voters form two distinct factions. Almost nobody thinks unionists are doing particularly well out of this agreement, but

there is a general acceptance of the principle that whether Northern Ireland will or will not remain within the United Kingdom depends on how the people of Northern Ireland vote in the future.

Finance

Introduction

Public finance in Northern Ireland is synonymous with public expenditure. Under the heading 'Public Finance' in the 1998 edition of the *Northern Ireland Annual Abstract of Statistics*, for example, tabular material is presented only on public expenditure classified in various ways (NISRA, 1998: 149-151). No information is included on tax revenues. Public expenditure and taxation are determined separately for Northern Ireland. Extra tax revenue does not result in additional public spending.

Devolution will see somewhat greater attention paid to the revenue side, because - at the margin - there will be a relationship between taxation and public expenditure in Northern Ireland. However, there will also be important changes that will affect public expenditure. These changes are a consequence of UK devolution in general, rather than Northern Ireland specifically. Thus, irrespective of whether Northern Ireland follows Wales and Scotland in successfully embracing devolution, important changes in public finance are afoot.

Financial background

Public expenditure in Northern Ireland in relation to gross domestic product is high in comparison to the UK as a whole. The ratio is 60 per cent for Northern Ireland but around 40 per cent for the UK as a whole¹⁵. This difference is reflected in the higher public expenditure *per capita* in Northern Ireland compared with the UK, across virtually all categories of identifiable public expenditure (HM Treasury, 1999a). A variety of factors account for these variations: the younger population, the presence of political violence, the greater significance of agriculture in the economy and the deeper socio-economic disadvantage¹⁶.

In contrast, tax revenue as a proportion of GDP is markedly less for Northern Ireland (around 27 per cent)¹⁷ than for the UK as a whole (around 34 per

¹⁵ These data refer to 1993-94 to 1996-97. The comparisons should be regarded as approximate. For further details see NISRA (1998: table 15.1, 144; table 16.1, 150) and HM Treasury (1999b: table B28, 174).

¹⁶ For example, long-term unemployment is much more prevalent in Northern Ireland. (ONS, 1999: table 5.25, 81).

¹⁷ The period referred to is the same as in note 2 above. Tax revenue is defined for Northern Ireland as 'NI share of UK taxes'. These are not as reliable as the public expenditure data as a number of approximations have to be made in attributing or assigning tax revenue to Northern Ireland. The source for the tax revenue is Department of Finance and Personnel, *Northern Ireland Financial Statement*, various issues, while note 1 contains the source for GDP. ¹⁷ These data refer to 1993-94 to 1996-97.

cent)¹⁸. The smaller tax yield in Northern Ireland reflects generally lower economic activity, with higher unemployment and lower GDP *per capita*.

The difference between public expenditure and tax revenue is referred to variously as the fiscal deficit or subvention. The fiscal deficit is an estimate of the extent to which public expenditure on behalf of residents of Northern Ireland exceeds the taxes raised regionally. For Northern Ireland this is equivalent to 33 per cent of GDP - much higher than the 6 per cent for the UK as a whole, the 14 per cent for Scotland in 1994-95 (Scottish Office, 1996)¹⁹ or the 20 per cent for Wales in the same year (Welsh Office, 1997).

Thus the most salient features of the public finances of Northern Ireland, as compared with the rest of the UK, are:

- high public expenditure,
- low tax revenue and
- a large fiscal deficit funded by transfers.

The impact of devolution

Public expenditure is set in Northern Ireland through the operation of the Barnett formula, which dates back to 1978 (HM Treasury, 1999c: 7). Broadly speaking, Northern Ireland public expenditure changes each year by a population-based percentage of the change in comparable programmes in the rest of the UK²⁰. This percentage is currently 2.91 per cent, 'representing the broad population balance between NI and the rest of the UK' (DFP/HM Treasury, 1999: 7)²¹. Thus, if education and health increase in Great Britain by £100 million, public expenditure in Northern Ireland will increase by £2.91 million.

The comparisons should be regarded as approximate. For further details see NISRA (1998: table 15.1, 144; table 16.1, 150) and HM Treasury (1999b: table B28, 174).

¹⁷ For example, long-term unemployment is much more prevalent in Northern Ireland. (ONS, 1999: table 5.25, 81).

¹⁷ The period referred to is the same as in note 2 above. Tax revenue is defined for Northern Ireland as 'NI share of UK taxes'. These are not as reliable as the public expenditure data as a number of approximations have to be made in attributing or assigning tax revenue to Northern Ireland. The source for the tax revenue is Department of Finance and Personnel, *Northern Ireland Financial Statement*, various issues, while note 1 contains the source for GDP.

¹⁸ The mean refers to the same period as in note 2 above. The ratio is defined as 'net taxes and social security contributions' to GDP. The source is HM Treasury (1999b: table B66, 173). This is not exactly the same as 'NI Share of UK taxes' referred to in note 4 above, which does not include National Insurance contributions.

¹⁹ If all North Sea oil revenue and output were attributed to Scotland (and after including privatisation proceeds), the 1994-95 fiscal deficit for Scotland would fall to 8.75 per cent of Scottish GDP.

²⁰ Social security payments operate largely outside this framework. They are paid depending on the demand in Northern Ireland.

²¹ Under the proposals outlined below in HM Treasury (1999c), the comparator will be England rather than Great Britain. Northern Ireland population share as a proportion of England's was 3.40 in 1997. The rationale for the change from GB to England is set out in HM Treasury (1999c: 9).

Before devolution two characteristics of the formula are worth noting. First, its actual mechanics and operation were 'often misrepresented and even more frequently misunderstood' (Heald, 1998: 73). Secondly, strict application of the formula should have led to a convergence of Northern Ireland public expenditure *per capita* with the rest of the UK²². However, because of so-called formula bypass - public expenditure arrangements made outside the formula - convergence did not occur to the extent anticipated²³. Thus, Northern Ireland identifiable public expenditure *per capita*, for example, remained unchanged relative to the rest of the UK between 1993-94 and 1997-98, at 35 per cent higher (HM Treasury, 1999a: table 8.2b, 97; table 8.6b, 101).

Under devolution the room for misrepresenting and misunderstanding Barnett is likely to be considerably reduced, with the publication of *Funding the Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly: A Statement of Funding Policy* (HM Treasury, 1999c). This statement carefully sets out the Barnett formula in considerable detail, as part of the wider financial relationships within the UK. Much of the statement's arrangements 'represent . . . the continuation of long-standing conventions' (HM Treasury, 1999c: 1). Those areas of public expenditure to be determined by the Barnett formula are carefully specified, as are those that fall outside. Welfare-to-work, including New Deal, for example, is not determined by the formula; the amount allocated to Northern Ireland for that purpose is ring-fenced. There will still, of course, be some room for disagreement and debate between Belfast and Whitehall²⁴.

Under devolution, with much greater transparency in the allocation of public expenditure to Northern Ireland, Wales and Scotland and reduced scope for formula bypass, it seems likely that *per capita* public expenditure will converge more rapidly than hitherto. This will result in politicians in Northern Ireland having to make difficult decisions on public-expenditure priorities.

It also seems reasonable to assume that with devolution across the UK there will be considerable debate over the higher public expenditure in the devolved territories. In 1997-98, for example, *per capita* identifiable public expenditure, with UK=100, was as follows: England, 96; Wales, 113; Scotland, 118; and Northern Ireland, 135. The statement argues that substantial revisions to the method of allocating public expenditure to Scotland, Wales and Northern Ireland 'would need to be preceded by a study of relative

²² Given that Northern Ireland public expenditure *per capita* is greater than that for the UK as a whole, a given percentage increase in public expenditure for Great Britain translates into a lower percentage increase for Northern Ireland. Thus over time *per capita* expenditure should converge.

²³ For discussion on this point see volume of essays in DD/EHSSB/NIEC (1998).

²⁴ See, for example, the discussion in Cuthbert and Cuthbert (1999).

spending needs across the United Kingdom' (HM Treasury, 1999c: 27)²⁵. In other words, if *per capita* differences in public expenditure cannot be justified on grounds of relative need, then substantial revision will be made.

Under devolution arrangements are being made so that revenue raised under the regional rate will fund local public services. The rate 'contributes to the financing of those services which are provided through central government departments in Northern Ireland but by local authorities in Great Britain' (DFP, 1998: 4). The rate will be set by the assembly under devolution. While this is an important move towards equating public expenditure and taxation decisions by the assembly, its importance should not be overstated. The rate will raise less than £300 million in 1999-2000, compared with total public expenditure in Northern Ireland of £9.5 billion (DFP, 1998: table 1, 2 and 4).

Comprehensive Spending Review

The CSR 'was a rigorous examination from a zero base of all public expenditure to ensure that it aligned with the new Government's priorities' (DFP, 1998: 1). The outcome at the UK level was announced in July 1998. Overall public expenditure levels for the three years to 2001-02, including that for Northern Ireland, were set.

Subsequently, the Northern Ireland secretary issued a consultation paper containing her proposals for the pattern of public expenditure to 2001-02, within the pre-set overall level (DFP, 1998). Excluded from this consultation process were certain ring-fenced items such as welfare-to-work and the chancellor's £315 million economic package for Northern Ireland, announced in May 1998. The latter, spread over three years, is to fund 'key infrastructure and related projects' (DFP, 1998: 3); it depends in part on the successful sale of the port of Belfast. At the time of writing the secretary of state was considering various alternatives, including those offered by an *ad hoc* committee of the assembly. The committee favoured privatisation of the port facilities, with the land bank to be developed separately through a public corporation modelled on the Belfast estuary regeneration body Laganside.

In guiding the secretary of state's CSR exercise for Northern Ireland, the following priorities were set:

- law and order - meeting policing and public-order requirements as and when they arose;
- health - providing real increases in expenditure; and
- education - improving provision, including reducing class sizes and promoting nursery education (DFP, 1998: 6).

²⁵ The last such study was undertaken in 1979 by HM Treasury.

The emphases on health and class sizes reflected the priorities set by the Labour Party in its election platform of 1997.

An examination of the proposed public-expenditure totals by programme shows health and education increasing disproportionately from 1999-2000 to 2001-02. As a result, the share of Northern Ireland public expenditure accounted for by these two programmes is anticipated to increase from 56.2 per cent to 59.4 per cent. Nominal declines will occur in housing and in trade, industry and employment. The law-and-order projections reflect a view that peace and political stability will obtain, with a decline in 2000-01 of 0.4 per cent to be followed by one of 9.1 per cent in 2001-02 (DFP, 1998: table 1, 10). While the CSR has been largely a product of direct rule, it is clearly recognised that the assembly 'may in due course wish to amend the allocations it inherits' (DFP, 1998: 1).

EU funding

Although Northern Ireland lost its 'objective 1' status with a successful political settlement still a prospect, the region will continue to receive EU funding into the new millennium. This was decided at the Berlin summit of March 1999, with the actual allocations subsequently announced by the European Commission. Before the summit there had been extensive discussions between the commission and Northern Ireland political representatives, including a visit to Brussels by virtually the whole of the assembly.

Over 2000-06 Northern Ireland will receive²⁶:

Programme	Amount (m euro, 1999 prices)	Period
Transitional objective 1	890.5	2000-06
Peace	425	2000-04

The Northern Ireland structural funds plan 2000-2006, which details the way in which the funds under these two programmes will be spent, was sent to the commission on November 15th. Judging by the documentation provided to a consultative conference in September, much remains to be done. Objectives remain ill-defined (for example, to increase Northern Ireland's GDP rather than GDP *per capita*), with little reference to how the EU funds will relate to major Northern Ireland documents on spatial planning, *Shaping Our Future*, and economic development, *Strategy 2010*. Furthermore, since it is widely accepted that the transitional objective 1 programme is not genuinely additional public expenditure for Northern Ireland, any radical departure from the CSR will require a reordering of these priorities. Thus it seems likely

²⁶ Based on data supplied by DFP.

that much EU funding will, of necessity, reflect existing public-expenditure patterns.

Conclusion

Public-expenditure and taxation decisions in Northern Ireland still largely reflect a direct-rule governance structure. This is not to deny that regionally-elected politicians have not influenced decisions and that some public expenditure, such as the peace programme, reflects the prospect of devolution. Nevertheless, even if devolution does not occur or subsist in Northern Ireland, devolution in Scotland and Wales will irrespectively mean changes to public finance in the region. If devolution does take place, however, and economic growth experiences a step-change, then the fiscal deficit should decline as tax revenues increase with economic activity.

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Political parties and elections

Introduction

Nineteen months after the signing of the agreement, party competition centred on rival interpretations of its intrinsic and procedural meaning, and on the sequencing of its core features. The creeping implementation process should have come as no surprise, despite the heady optimism of April-June 1998. Indeed, if one reflects on the 1990s as a whole, it was the surprising breakthrough during Easter week 1998 that constituted the departure from 'business as usual', while the post-agreement negotiations and manoeuvres looked remarkably reminiscent of their pre-agreement forebears.

This is not to deny that the agreement is the most imaginative response to the conflict to date, or to fail to recognise that we are collectively in a much more promising climate today, than say, in 1993 (or 1983). Rather, the point is to recognise that the recent problems were not new. Not only did the difficulty concerning the sequencing of power-sharing and arms decommissioning have clear antecedents prior to the agreement, but in an important sense the agreement was only possible because this issue was not precisely clarified.

Underlying the dispute has been a clear lack of trust, in addition to some intra-party dynamics that have encouraged selective implementation of the agreement's provisions. Fundamentally, Sinn Fein has not fully believed that a critical mass of the Ulster Unionist Party has been genuinely prepared to share executive power: in party speak, 'they don't want a Fenian about the place'. In this interpretation, whenever the UUP wished to stall a negotiation (or the implementation process) it raised the decommissioning issue - the equivalent of setting Sinn Fein 'an exam they could not pass' (Mallie and McKittrick, 1996: 439). Similarly, many in the UUP have not been fully reassured that republicans are unequivocally and solely committed to democratic and peaceful means. Indeed, a recent UUP position paper (*Implementing the Agreement*, UUP, October 1999), put the point clearly: 'For unionists, decommissioning was the reciprocal gesture to be made by republicans, their litmus test of the Republican movement's commitment to the process'. Prior decommissioning *versus* prior executive formation, before its transformation by George Mitchell into a 'sequencing issue', proved a bridge too far for SF and the UUP, despite their otherwise (mostly) genuine commitment to a politics of accommodation.

Electoral validation of the agreement

One of the positive aspects of the agreement was that its popular endorsement in referenda and elections could mean that failure to deliver its

implementation would ultimately be unpopular and costly for the party leaders. If the agreement was incapable of being implemented, the parties involved would strenuously endeavour to avoid responsibility, but could expect few electoral rewards if they did not succeed. The more positive spin on the electorate's desire for a stable settlement is that the 'yes' parties can anticipate collective electoral rewards if they are seen to deliver on the promise of spring and summer 1998. Taking a leap of faith for a moment, a fully functioning set of post-agreement institutions and a power-sharing government delivering balanced reforms would surely squeeze - though not eliminate - the intransigent 'nos' in succeeding elections.

The agreement itself secured unprecedented popular legitimation on May 22nd 1998 when 85 per cent of those voting on the island of Ireland supported it. Of course, the 'yes' vote in the republic was always likely to be overwhelming and in the event was 94 per cent on an average turnout (Wilford, 1999). In the only vote where there was really something at stake, the referendum in Northern Ireland, the level of mobilisation was reflected in the extraordinary turnout of 81 per cent - the highest ever for a referendum in a domestic UK jurisdiction.²⁷ The overall result was 71 per cent for the agreement and 29 per cent against. Quite importantly, two exit polls suggest a small majority for the 'yes' camp among unionists, even though Ian Paisley's constituency maintained an impressive consistency by once again voting 'no'.

In addition to imparting democratic legitimacy to the agreement, the other main function performed by the referenda was that a conclusive 'yes' vote allowed elections to be held for the new Northern Ireland assembly (June 25th 1998). The results need to be considered in two respects: relative party fortunes and the balance between a nascent 'yes-no' cleavage, as well as the tension between the two.

Party fortunes

In terms of individual party fortunes, the most dramatic result was that for the first time ever a nationalist party came first in first-preference votes (see table). The Social Democratic and Labour Party increased its vote slightly (+0.6) and SF more significantly (+2.2), so that the nationalist bloc as a whole expanded to 39.6 per cent (up 2.7 on the most appropriate reference point, the 1996 forum election). This was the nationalist bloc's best ever result in a proportional-representation election (topped only by the 1997 Westminster poll) and confirms a modest but clearly significant trend that points to steady growth in the nationalist vote, both relatively and absolutely (Mitchell, 1999).

²⁷ The comparison with the previous 1973 referendum in Northern Ireland is instructive. Faced with two important constitutional questions, the turnout was only 59 per cent. Ninety-nine per cent voted to stay in the UK because nationalists boycotted the poll. As an estimate of opinion the referendum thus served no useful purpose. The contrast with 1998 could not be more dramatic.

	Votes (%)	% of two party vote (SDLP-SF; UUP-DUP)	Seats (N)	Seats (%)	Seat 'bonus' (S-V)
SDLP	22.0	56	24	22.2	0.2
UUP	21.3	54	28	25.9	4.6
DUP	18.1	46	20	18.5	0.4
SF	17.6	44	18	16.7	-0.9
APNI	6.5	-	6	5.6	-0.9
UKU	4.5	-	5	4.6	0.1
PUP	2.5	-	2	1.9	-0.6
WC	1.6	-	2	1.9	0.3
Ind	1.3	-	3	2.8	1.5
unionists					
Others	4.5	-	0	0	-4.5
Total	100		108	100	
Turnout 69.9 %					
Disproportionality (LSq. Index) 3.4					
assembly 'Yes' - 'No' Cleavage					
		Seats (N)	Seats (%)	Votes (%)	
Nationalists		42	38.8	39.8	
'Yes'		30	27.7	25.0	
Unionists		28	25.9	25.5	
'No'					
Unionists					
Others		8	7.4	9.4	

In electoral terms, SF has clearly made disproportionate gains from the peace process and in 1998 accounted for 44 per cent of the nationalist vote (see second column of table), to the SDLP's 56 per cent. Moreover, this is a consequence of the peace process 'legitimizing' SF's democratic credentials, rather than an aberration in 1998.²⁸ This is also evident in transfer patterns. More SDLP terminal transfers now go to SF than to Alliance, a clear reversal of earlier voting behaviour. However, this is not to say that the SF growth is directly hurting the SDLP. Rather, the overall expansion of the nationalist bloc

²⁸ For example Sinn Féin's average share of the nationalist (two-party) vote since the peace process (four elections after the ceasefires) is 43 per cent, compared with just under 30 per cent in the immediately preceding four elections.

has meant that both nationalist parties have experienced growth, albeit more rapid in the case of SF.

The 1998 election was a poor one for unionists and for the two main parties in particular. The UUP's 21.3 per cent was not only down (2.9 per cent on 1996) but was the party's worst ever performance in a Northern Ireland election. Undoubtedly, part of the explanation is the increased fragmentation within the unionist bloc. Unionist candidates outside of the two established unionist parties (the UUP and the Democratic Unionist Party) secured 11.5 per cent of the vote, the highest since the extreme unionist fragmentation of the mid-70s. In addition, the party system as a whole has been growing: the Laakso/Taagepera index of the effective number of political parties (by votes) was 6.15 in 1998, the highest ever in Northern Ireland. Some have suggested that greater abstention by UUP voters accounts for some of the party's losses. While this is plausible, we have no direct information on differential turnout and turnout overall was up by 5.5 per cent compared with 1996. The slight fall in the DUP vote (0.7 per cent) was compensated by gains for other 'no' unionists (collectively up by 2.4 per cent). Alliance continues to be stalled at 6.5 per cent (as recorded in three of the last four elections).

One interesting aspect of the post-agreement party system is the extent to which the new political institutions (and the return to STV) may attenuate the previously intense communal cleavage by superimposing a new 'pro-power-sharing' *versus* 'anti-power-sharing' division. Part of the explanation is that the agreement cannot work without an informal involuntary coalition government - at least comprising the UUP, SDLP and SF - and that this mutual reliance may foster some implicit electoral co-operation, as these parties transfer to fellow 'yes' candidates. Preferential electoral systems such as STV allow what Horowitz (1991) has called 'vote pooling', an incentive towards some inter-ethnic accommodation, facilitated by making parties to some extent dependent on other ethnic groups for vital transfers. Evans and O'Leary (1999, typescript), using survey evidence (CREST, 1998), found some limited but significant evidence of such effects. They found that about 9 per cent of voters did transfer from nationalist to unionist and *vice versa*, and that, unsurprisingly, the willingness to cross the communal divide was greater in the 'yes' camp. This is significant, given that the 1998 contest was the first election after the agreement and that there were no explicit transfer pacts between the 'yes' parties.²⁹ If the assembly survives long enough for a second election (a feat no regional parliament has managed since the old Stormont regime), these intercommunal co-operative electoral practices can be expected to become more evident and more significant

Finally, the UUP's failure to top the first-preference vote was mitigated (and somewhat masked) by its emergence as the largest assembly party. The UUP

²⁹ The SDLP informally recommended that its supporters transfer to pro-agreement parties.

enjoyed a very significant seat bonus of 4.6 per cent, due to transfers made possible by the return to STV. As noted above, some of these transfers were from the SDLP. But Evans and O'Leary (1999, typescript) found that many of the transfers to 'yes' unionists were from 'no' unionist candidates. This suggests an interesting tension between two forms of electoral rationality: (a) voting 'sincerely' according to one's communal preference ('no' unionists preferring to transfer to other unionists, even 'yes' unionists, rather than anybody else), and (b) tactical rational voting dictated by the institutional rules of the assembly (for 'no' unionists, more 'yes' nationalists is better if it means fewer 'yes' unionists) (Evans and O'Leary, 1999, typescript). In short, although an intriguing 'yes-no' institutional cleavage now overlays Northern Ireland's traditional ethnic party system, albeit imperfectly, the behaviour of especially the 'no' unionists in 1998 suggests that an obituary for the communal party system is premature.

Implementation problems

The new assembly met for the first time on July 1st 1998, at which the consociational dyarchy of Trimble and Mallon were elected as its joint first and deputy first ministers designate. Sixteen months later, no powers had been devolved because of the failure to form an Executive Committee. While ancillary aspects of the agreement had made progress (the Human Rights Commission, the Equality Commission, the Patten report on policing and so on) its core institutions - the assembly, its committees, and the north-south bodies - had failed to emerge from 'shadow' mode because real powers would not be devolved until a power-sharing executive could be formed.

This brings us back to the impasse identified in the introduction: the UUP's demand for decommissioning prior to power-sharing, and SF's counter-assertion that decommissioning was only feasible in the context of prior power-sharing. Since the main problem was reconciling the mutually exclusive positions of Sinn Fein and the UUP, we will concentrate primarily on these parties, rather than on the SDLP, Alliance or PUP, whose positions were (relatively) unproblematic.

The Sinn Fein perspective³⁰

In one sentence, the SF view has been that most unionists were not serious about sharing power with republicans and were using decommissioning as their trump card:

³⁰ Unless otherwise stated, quotes in this section are from Sinn Féin's September 1999 document *Defending the Good Friday Agreement*.

Having reluctantly signed up to the Good Friday Agreement the UUP sought at every available opportunity to reduce its impact - in essence, to renegotiate it . . . We acknowledge the obligation to work in good faith to bring decommissioning about . . . The task of attempting to deal with this issue in the context of the non-implementation of the Agreement is virtually impossible . . . Sinn Fein is democratically entitled under the terms of the Agreement to Executive office and to places on the all-Ireland Ministerial Council. So, too, are all other political parties with a sufficient mandate from the electorate. These are mandatory provisions of the Agreement. They are not subject to the discretion of Mr Trimble.

SF would add that successive British governments have been weak in allowing the decommissioning issue to become in effect the 'unionist veto' on change, merely in a new guise. Thus, the Major government did not respond to the IRA's ceasefire in the 'flexible and imaginative' manner earlier promised by the Northern Ireland secretary Peter Brooke. Later, when unionists were refusing even to admit republicans to negotiations, the original Mitchell report on decommissioning (January 1996) suggested a compromise of some start to weapons decommissioning *during* negotiations, rather than *before* or *after* negotiations (the positions of the UUP and SF, respectively). Again, the British government effectively shelved the report and called elections instead, further delaying the process. Similarly, SF feels that the Blair government has been too indulgent of unionists by failing to insist on the implementation of the agreement.

The Ulster Unionist Party's perspective³¹

Many in the UUP believe SF wants to continue its dual strategy of politics first, but with a military option as a fall-back possibility. The UUP rejects SF claims that it has been dragging its feet, over the number of Northern Ireland departments, the number and functions of north-south implementation bodies and so on, arguing that these are evolutionary aspects of the agreement that had to be properly negotiated. Moreover, even though the tight deadlines were missed, the UUP worked in good faith on these matters and agreement was reached in December 1998 (with legislation in March 1999).

Part of the UUP's case is that SF and the IRA represent a conjoined twin (a matter disputed by SF but by almost no one else), and that therefore any acts of violence by the IRA directly contravene SF's claim to uphold the 'pledge of

³¹ Unless otherwise stated quotes in this section are from the UUP's October 1999 document *Implementing the Agreement*.

office', the 'Mitchell principles' and more generally the commitment to use solely non-violent means. According to the UUP,

Republican failure to unequivocally reassure democrats of their peaceful intent is enough to disqualify them from seats on the Executive. Moreover, the Agreement also specifically links decommissioning with sitting on the Executive, irrespective of republicanism's denial syndrome . . . Almost a year and a half of the two year timescale have passed and there is still no indication that decommissioning will commence . . . Republicans must demonstrate a genuine commitment to peace and the only way they can do this is by decommissioning.

Bridging the chasm?

Amongst independent observers there has been little doubt that *at least formally* the SF position on decommissioning was closer to the letter of the agreement than the UUP's interpretation. The relevant section (in full) reads:

All participants accordingly reaffirm their commitment to the total disarmament of all paramilitary organisations. They also confirm their intention to continue to work constructively and in good faith with the Independent Commission, and *to use any influence they may have*, to achieve the decommissioning of all paramilitary arms *within two years* following endorsement in referendums North and South of the agreement and *in the context of the implementation of the overall settlement*. (emphasis added).

The italicised sections make it clear that no start date for decommissioning was specified (just an end date), that parties had only to use their 'influence' with paramilitary organisations, and that decommissioning was only envisaged in the context of overall implementation of the agreement. Politically, however, the UUP expected (and, because of the intra-party balance, 'needed') an early start to decommissioning.

Faced with this deadlock, various attempts were made by the British and Irish governments to move the process forward. Principally, these involved two rounds of intense negotiations with the parties. The first of these led to the joint *Hillsborough Declaration* between the prime minister, Tony Blair, and the taoiseach, Bertie Ahern, of April 1st 1999 (the talks had taken place at Hillsborough Castle in Co Down).

The declaration essentially specified a three-step process:

1. Ministers would be nominated by the d'Hondt divisor before powers were devolved.
2. Some verified decommissioning would take place not later than one month after step 1, as a 'collective act of reconciliation'.
3. Just after step 2 powers would be devolved. If step 2 was not taken, then the ministerial nominations would have no effect.

Because it placed decommissioning before the transfer of executive power, Hillsborough was rejected by SF (and subsequently by some of the small parties).

The second major push led to the joint statement by the two governments on July 2nd, *The Way Forward*. This essentially built on the Hillsborough declaration but underwrote step 3 by providing a legal 'fail-safe mechanism' to suspend the institutions set up by the agreement if undertakings on decommissioning or devolution failed to materialise. Under this revised timetable the executive was to have been formed on July 15th. The Northern Ireland Bill 1999 was introduced on July 12th to give legal effect to the suspension 'fail-safe' clause. Unfortunately, this ostensibly promising formula did not work and was replaced by what members from all sides of the assembly described as the 'farce' or 'debacle' in July, when the UUP refused to nominate any ministers (indeed Mr Trimble and his assembly members did not even attend the session).

The Mitchell review

In desperation, the two governments announced a review of the implementation of the agreement and, despite his own public reluctance to become re-involved, Senator Mitchell returned to Northern Ireland in early September to try to salvage a deal which would end the devolution/ decommissioning stand-off. For several weeks his review appeared to be going nowhere, but by moving proceedings to private locations in London, Mr Mitchell secured improved chemistry between the UUP and SF protagonists and an unprecedented renunciation by the parties of megaphone diplomacy. Allied to the substantive fluidity offered by the introduction of the word 'sequencing', this enhanced confidence finally allowed the impasse to be broken.

In the 11th week of his review - a much longer commitment than Mr Mitchell had originally envisaged - a flurry of statements appeared from various actors, the content of which had clearly been the product of the behind-closed-doors deliberations and whose sequence was equally clearly choreographed. On the Monday (November 15th), first came Mr Mitchell, expressing 'increasing confidence' in the outcome. Then came

Gen John de Chastelain, chair of the decommissioning commission, urging all paramilitaries to appoint an interlocutor to liaise with his commission (the loyalist UVF had already done so, but not so the IRA). The next day, Mr Trimble delivered a statement, conciliatory in tone, which indicated that appointment of an IRA interlocutor to the de Chastelain commission would be sufficient for the UUP to countenance the running of the d'Hondt procedure to appoint the executive and to establish the north-south bodies. SF then issued a statement in the name of its president, Gerry Adams, deploring violence and 'punishment' attacks and affirming that decommissioning was 'essential'. The following day, the IRA issued a perfunctory statement which undertook to appoint an interlocutor to the decommissioning commission - but only after the political institutions were established.

With the Mitchell review concluded, the two big questions remaining were:

- would the statements by the IRA and SF be enough to allow Mr Trimble to sustain a workable majority of the UUP's ruling Ulster Unionist Council, given that 'sequencing' entailed a retreat from the party's 'no guns, no government' policy?; and
- would the republican leadership derive enough political capital from the creation of the executive and the north-south bodies, and Mr Trimble's conciliatory words, to deliver actual 'product' from the IRA by sometime in January?

Unfortunately, events in the wake of the review left both questions with uncertain answers. Comments made by two senior republicans, Pat Doherty and Martin Ferris, in the United States cast doubt over the prospect of any early decommissioning by the IRA. Facing a potential rebuff at the UUC on November 27th, Mr Trimble sought the support of the 800+ delegates only on the premise that were there to be no such decommissioning in January, he and his fellow UUP ministers would resign, thereby collapsing the executive. The republican leadership was outraged, claiming this was outwith the Mitchell agreement, and insisted that any decommissioning by 'the armed groups' would have to be voluntary.

Public policies

Introduction

The Northern Ireland Act (1964) requires the minister of finance and personnel before the beginning of each financial year, to lay before the assembly, 'a draft budget, that is to say, a programme of expenditure proposals' - note again the absence of any revenue consideration - for that year, as agreed by the Executive Committee. Its passage is dependent on cross-community support in the assembly.

The paragraph refers back to 20 of 'strand one' of the Belfast agreement, which says: 'The Executive Committee will seek to agree each year, and review as necessary, a programme incorporating an agreed budget linked to policies and programmes, subject to approval by the Assembly, after scrutiny in Assembly Committees, on a cross-community basis.'

Thus the agreement and the act enjoin ministers in the devolved executive to prepare a programme for government³², subject to annual iteration, from which annual expenditure plans will be derived. This will, however, be within a total public-expenditure allocation to Northern Ireland determined under the three-year timescale of the Comprehensive Spending Review.

With ten departments and four parties in the new government, the potential for 'turf wars' over budgets is thus immense. This is particularly so as the 'policy deficit' of the parties under direct rule (when detailed portfolios would have been of no consequence), allied to the relative public-expenditure largesse of that period (when Northern Ireland's violent plight and small size provided a ready case for more exchequer support) has skewed the parties always towards urging, when a problem is identified, that money be thrown at it. Northern Ireland has always shared a wider Irish politico-cultural trait, clientelism, which can add to public-expenditure pressures in a devolved context owing to the potential 'capture' of more accessible decision-makers. Moreover, Northern Ireland's sharp sectarian divide means that different parties will come to the executive with different client groups behind them: unionists may back calls for more help for pensioners, for instance, while republicans may look for support for the long-term unemployed.

For all these reasons, ensuring there is prior agreement on the programme for government will be of paramount importance. It will divert attention from expenditure more properly to policy and encourage ministers to explore the

³² This is indeed stipulated in the agreement's 'pledge of office', as a requirement that ministers 'participate with colleagues in the preparation of a programme for government', with the sanction of removal from office if they do not. It is not at face value evident that the DUP can fulfil this pledge while refusing to attend meetings of the Executive Committee.

potential of policy innovation, 'holistic' government and so on, to deliver positive outcomes not necessarily simply proportionate to budgetary inputs. It will provide a framework for conflicting expenditure claims to be addressed, so that the minister who shouts the loudest and longest is not necessarily the biggest beneficiary. And it will promote collective responsibility within the executive, reducing the tendency of ministers to promote their (and their party's) department while rubbishing the achievements of others.

Preparatory steps

Yet very little work appears to have been done to date on the programme for government. Preliminary work was done in late 1998 and early 1999, when a resolution of the decommissioning/devolution impasse did not appear to be so far away. In October 1998, political advisers to the first minister, David Trimble, and the deputy first minister, Seamus Mallon, formally requested of a senior civil servant attached to their joint office an outline of a possible programme, and information from the existing six departments on the main issues to be addressed and policy options.

In November 1998, three sets of papers were produced:

- a 'possible outline' - in fact amounting to just over a page of headings mainly prepared by the Department of the Environment permanent secretary and calling for (though not identifying) no more than three 'main strategic priorities';
- documentation (at that stage not in the public domain) on the outworking for Northern Ireland of the Comprehensive Spending Review; and
- returns from the departments 'outlining the main policy issues which a new Executive may have to confront over the first 3 years of its existence' - again these were on average only a few pages each of double-spaced text.

What was described as a 'brainstorming session' took place at Stormont in January 1999. Looking forward to the publication of the CSR results in March, a preparatory document suggested that, given the consultation on which these were based, the Executive Committee should 'work largely within this framework' while 'proactively reviewing public expenditure priorities'. The document noted:

- the structural-funds bid for Northern Ireland (as what has now been called an 'objective one in transition' EU region) at that stage being prepared by officials;
- the draft *Regional Strategic Framework* published by the DoE (December 1998);
- the draft economic strategy at that stage being developed by a steering group and subsequently published as *Strategy 2010*; and

- two health policy papers, *Fit for the Future* (on possible new structures) and *Putting it Right* (on acute-hospital rationalisation).

The document also noted the substantial 'community input' to these processes and suggested the executive and assembly should build upon this.

It is clear, however, from the raft of policy documents produced in expectation of the establishment of the new institutions that the working assumption of the direct-rule administration has been that as many elements as possible of a programme should be generated so that the incoming executive would not start with a *tabula rasa*. The weight of inertia thus generated, in such large areas as the environment, economy and health, may be hard for ministers lacking confidence to overturn.

As it is, the new administration will not have its troubles to seek. The brainstorming document was brutally frank about this. It warned: 'The Executive itself will be an involuntary coalition with internal political tensions that could degenerate into continual attrition between and within unionist and nationalist blocs.' Of the assembly, it cautioned: 'Assembly members have up to now been in a permanent opposition mode. They have not had to confront the hard decisions associated with priority-setting and resource allocation. The primary motivation of Assembly members will be to seek advantage for their particular constituencies rather than advancing the interests of the region as a whole.' And as for the electorate: 'The community is imbued with a culture of dependency ("blame them") and inevitably there will be unrealistic expectations about the degree to which the Assembly can solve the region's economic and social challenges.'

Continuing in this self-flagellatory mode, the document further warned that peace would have the paradoxical effect of meaning 'the days of projecting Northern Ireland as a special case' are drawing to a close', and so after the current CSR (1999-2000 to 2001-02) there would be 'a cold climate' for public-expenditure negotiations with the Treasury. This meant, it suggested, that the 'quality of public-policy decisions' would become even more important and in compiling the programme the issue of tax-raising powers for the assembly - an issue entirely avoided in the negotiations leading to the Belfast agreement - should be considered. But the new ministers would be 'on a steep learning curve'. There was every likelihood that they would be 'swamped with the immediacy of delivering programmes and services and locked into a continual battle with Executive colleagues on departmental resources'.

The document concluded that the executive was like the Starship Enterprise - 'tasked to go where man has not gone before - to formulate and implement an agreed comprehensive manifesto for the future of Northern Ireland'. It suggested that next steps should include:

- establishment of the economic policy unit signalled in the December 1998 agreement between the first and deputy first ministers designate;

- the commissioning of a comprehensive review of public administration;
- the scheduling of debates in the assembly on the major policy processes earlier identified; and
- the publication by the FM and DFM of a joint outline programme.

Little or no implementation of these suggestions has taken place, though there was a one-day debate in the assembly about *Putting it Right*. And only the most broad-brush indications about the thinking of the first minister and his advisers on the programme have emerged since into the public domain. On May 13th, Mr Trimble told a conference of women in Belfast³³ the following:

- health - there should be a refocusing towards primary care and prevention;
- education - tackling under-achievement should be a priority; and
- economy - more jobs were needed for the long-term unemployed.

Speaking in Omagh, Co Tyrone, on August 23rd, the FM was little more expansive³⁴. He took 'regeneration' as a theme of what the new executive should achieve. Noting the economic success of the Celtic Tiger, he said what Northern Ireland needed - though he did not define how - was similarly to raise incomes towards UK and EU averages. On education, he again pointed up under-achievement and sought a target of every school-leaver having the required qualifications to secure access to higher education or a secure, well-paid, skilled job; but as to whether this would require an end to the region's selective education system, he merely pointed to the likely divisions on the issue and warned against 'long and damaging arguments'. On health, he said there was much that could be done to improve standards of morbidity but he did not elaborate. He also spoke aspirationally about the need to improve the standards of the built environment to continental-European levels.

What appears to have happened is that the successive attempts to resolve the devolution/decommissioning impasse - at Hillsborough in March/April, at Stormont in June/July, and in various locations under the tutelage of George Mitchell in September/October/November - in large measure distracted the attention of the Northern Ireland political class from the substantive tasks that lay ahead of them when the procedural wrangle was resolved. The de-resignation of Mr Mallon and the appointment of ten ministers on November 29th, in addition to the designation of committee chairs and vice-chairs (see below), immediately raised issues to do with the programme. Already on that very day, the new education minister, Martin McGuinness of SF, raised his objective of introducing comprehensive education - a challenge guaranteed to raise not only class but also sectarian hostility.

But there may well be further delays in the elaboration of the programme. Apart from the DUP's refusal to take part in collective executive debates, the

³³ First minister addresses Vital Voices conference', New Northern Ireland Assembly press release, May 13th 1999

³⁴ 'I want regeneration to be key theme of executive', *Irish Times*, August 24th 1999

UUP members of the executive may well be reluctant to be drawn too far into substantive work before the end of January - fearing claims at that point, in the absence of IRA decommissioning, that it would be unconscionable to bring to nought a new administration that was working well.

Department	Minister	Committee chair	Deputy chair
Enterprise, trade and investment	Reg Empey (UUP)	Pat Doherty (SF)	Sean Neeson (APNI)
Finance and personnel	Mark Durkan (SDLP)	Francie Molloy (SF)	James Leslie (UUP)
Regional development	Peter Robinson (DUP)	Denis Haughey (SDLP)	Alan McFarland (UUP)
Education	Martin McGuinness (SF)	Danny Kennedy (UUP)	Sammy Wilson (DUP)
Environment	Sam Foster (UUP)	William McCrea (DUP)	Carmel Hanna (SDLP)
Higher and further education, training and employment	Sean Farren (SDLP)	Esmond Birnie (UUP)	Mervyn Carrick (DUP)
Social development	Nigel Dodds (DUP)	Fred Cobain (UUP)	Michelle Gildernew (SF)
Culture, arts and leisure	Michael McGimpsey (UUP)	Eamon O'Neill (SDLP)	Mary Nelis (SF)
Health, social services and public safety	Bairbre de Brún (SF)*	Joe Hendron (SDLP)	Tommy Gallagher (SDLP)
Agriculture	Brid Rodgers (SDLP)*	Ian Paisley (DUP)	George Savage (UUP)

* Note women were confined to the last two, most unpopular, 'picks' of department.

Popular priorities

In April 1999, Democratic Dialogue commissioned Ulster Marketing Surveys to run eight focus groups across Northern Ireland, to assay public opinion as to what the priorities of the incoming devolved administration should be. Very strong views emerged in these groups, which in many encapsulate the themes addressed in this report overall. UMS presented the results thus³⁵:

Throughout the research, it was evident that the intense political and partisan contention is emotionally draining and distressing. This stressful emotional atmosphere is generated by the verbal and visual animosity and invective which are projected through the media, mainly via televised news and current affairs programmes. (Indeed, it is intriguing the extent to which many cannot

³⁵ Ulster Marketing Surveys, *Goals and Priorities for the Northern Ireland Assembly*, Belfast, August, 1999

differentiate clearly between the actual violence and the verbal invective and machinations of political and other figures, as manifestations of 'the troubles').

As the most significant contributors to this process, there is now widespread desire to see politicians take a lead in defusing this oppressive atmosphere of partisan belligerence, by adopting more open, constructive, and less emotional terminology and debate.

For example, there was a desire to see practical co-operation on 'non-constitutional' matters and increasing focus on economic and social issues. This aspiration stood out as the most consistently identified first priority for the Assembly.

As one of the focus-group participants put it, with typical Belfast sharpness, 'They need to get their act together.'