

**Book chapter in P. Carmichael, C. Knox and R. Osborne (eds)
Devolution and Constitutional Change in Northern Ireland
Manchester University Press, 2007: 1-15**

Chapter 1 Introduction

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Background

The establishment of devolved institutions in Scotland, Wales and Northern Ireland from 1999-2000 onwards, during which powers were transferred from Westminster to the regions, witnessed a significant landmark in the politics of the United Kingdom. As Hazell (2000: 1) noted: 'the United Kingdom entered the year 2000 with four governments instead of one. It had replaced a unitary system of government with a quasi-federal system.' Early indications of the likely outcomes ranged from one in which devolution was seen as unstable, likely to produce conflict between different parts of the United Kingdom and end in the disintegration of the United Kingdom union through to the emergence of new territorial politics which would revitalise and strengthen democracy in a union whose structures were outdated and moribund (Jeffery, 2002).

To track the emergence and development of devolution the Economic and Social Research Council (ESRC) funded a major (in excess of £5million) research programme in 2000 to explore the series of devolution reforms in Scotland, Wales, Northern Ireland, London and the English regions since 1997. Entitled 'Devolution and Constitutional Change' the programme was designed to build a critical mass of research capacity capable of providing rigorous and balanced analysis of the impact and outcomes of devolution.

The Programme sought to address questions broadly around 3 key themes:

- **Nationalism and National Identity:** How do people in different parts of the UK understand and participate in the new institutions? Do they identify themselves differently as a result of devolution?
- **Governance and Constitutional Matters:** How well do the new devolved institutions work? How far is the UK 'centre' in Westminster and Whitehall having to change the way it works as a result of devolution?
- **Economic and Social Policy:** Does devolution result in the provision of different strands of public service or in growing differentials in economic performance from one part of the UK to another?

Some 35 projects were chosen to address these and related questions. These projects were selected to meet two challenges according to the Programme Director, Professor Charlie Jeffery. The first was to mobilise and develop insights from across the social science

disciplines, providing a fuller understanding of the devolution dynamic and its implications for the United Kingdom. The second challenge was to feed the research into policy debates by identifying potential pitfalls and problem areas, setting out alternative options, and creating opportunities for policy learning through comparison with experience elsewhere.

Treatment of the particular circumstances which have surrounded devolved government in Northern Ireland has featured in a number of the ESRC research projects. Devolution followed directly from the 1998 Belfast (Good Friday) Agreement which provided, *inter alia*, for a democratically elected Assembly 'inclusive in its membership, capable of exercising executive and legislative authority, and, subject to safeguards to protect the rights and interests of all sides of the community' (Belfast (Good Friday) Agreement: 1998:5). Commenting on the importance of the Agreement, Bogdanor noted:

The Agreement has a double significance for the government of the United Kingdom since it proposes not only a solution to the Irish problem, but also recognition of the process of devolution to the non-English parts of the United Kingdom (Bogdanor, 2001: 109).

This demanded a great deal of the Agreement. The conjunction of devolution and the implementation of the Agreement, where the former is wholly dependent on the vagaries of the latter, have resulted in intermittent attempts at devolved government in Northern Ireland. The latest suspension of the Northern Ireland Assembly since October 2002 has further embedded direct rule from Westminster with limited short-term prospects at the time of writing (January 2006) of re-establishing a power-sharing executive and devolved Assembly.

Structure of the book

This edited volume brings together researchers from the ESRC Devolution and Constitutional Change programme, whose projects examined Northern Ireland either exclusively or as part of a comparative project, and other established experts in the field. The book aims to assess the Northern Ireland experience from four key perspectives. First, it considers the inextricable link between devolution and constitutional developments, to which Bogdanor refers. Second, it examines how the main political parties responded to devolution and the major challenges faced by society in moving beyond conflict (such as political symbolism, the role of women, equality and human rights issues). Third, it attempts to assess some of the outworkings of devolved government in its short-lived form or those seeded in devolution and carried on by direct rule ministers. Finally, Northern Ireland devolved government and associated institutions are located within the wider relationships with Westminster, the Republic of Ireland and Europe. The specific contributions of authors are considered in more detail.

Robin Wilson's chapter (Chapter 2) considers various efforts of successive UK (and Irish) Governments among others to create a durable and acceptable arrangement for resolving Northern Ireland's longstanding constitutional imbroglio. Wilson notes how the

‘Sunningdale Agreement’ was an elite-negotiated ‘consociationalist’ design in which there is an “unthought through elision” between individuals, communities and the political domain. Recalling Brian Barry’s remarks, this approach was rooted in what amounted to a misapplication of Arend Lijphart’s work. In the meantime, suggests Wilson, Lijphartian analysis has itself been transformed - Lijphart himself now accepts that his classic text rested on outdated primordialist assumptions. For Northern Ireland meanwhile, longevity and associated sense of intractability has had a perverse, perpetuating effect on the Northern Ireland conflict. Indeed, ironically, if the later Belfast (Good Friday) Agreement was ‘Sunningdale for slow learners’, it has brought with it a collapse of the ‘moderate middle’. In moving beyond consociationalism, Wilson calls for an alternative integrationist perspective in which a coalition of the ‘moderate middle’ is more realistic than an inclusive executive. Most militant ‘ethno-nationalists’ tend to operate on assimilationist assumptions that lead to indefinite zero-sum conflict and the reification of identities. The ensuing mutual veto arrangements must be avoided, with a move instead to more cross-community (but not all party) coalitions – “secular weighted majority decision making”. As a “deeply divided society”, consociationalism has been tried in Northern Ireland but found wanting - integrationism offers a better way involving government by the ‘moderate middle’ rather than grand coalitions; weighted majorities and minority rights safeguards not mutual veto; intercultural dialogue not segmented autonomy; and, equality of life-chances throughout, not proportionate allocation of public sector posts. A virtuous cycle must be fostered based on increasing inter-communal trust and diminution of old enmities that transcend the zero-sum battle of Unionist/Nationalist rather than institutionalising it. In short, “both-and” rather than “either/or”. Wilson laments how “too much policy focus has attended to paramilitaries and their future, and too little to politics and constitutional design”.

In chapter 3, Roger MacGinty draws on time series data from the Northern Ireland Life and Times survey. Despite a period of political flux in which the repeated suspensions of the devolved institutions, MacGinty manages to produce some clear conclusions based on an extensive survey of public opinion. MacGinty indicates that, in one sense, there is no discernible devolution effect inasmuch as Catholic and Protestant attitudes to Northern Ireland’s constitutional status remain largely unchanged. However, given that such ‘pure’ choices are unrealistic given the complexity of contemporary multi-level governance arrangements both within the UK and Europe, a more subtle and nuanced approach to discerning public attitudes is required. The former dyadic choice of ‘United Ireland’ or ‘Northern Ireland as part of the UK’ has been challenged by additional devolved constitutional permutations and possibilities. The most popular constitutional option for Northern Ireland is entrenched devolution whereby Northern Ireland remains in the UK but with its own elected parliament which has law-making and tax-raising powers albeit with differential attitudes forthcoming from Protestants and Catholics. For MacGinty, nonetheless, there is a discernible ‘devolution effect’ with support for devolved options diluting that for the ‘pure’ constitutional goals. The Belfast Agreement is a form of ‘enhanced consociationalism’ leaving both nationalists and unionists in “the uncomfortable Janus-faced position of having to cooperate together on functional devolved matters in the power-sharing Assembly while working against each other to secure constitutional objectives”. Interestingly, neither Protestant nor Catholic

respondents shared much enthusiasm for a constitutional referendum (on Northern Ireland's future). Equally revealing, irrespective of their 'preferred' fate for Northern Ireland, small and declining minorities of both Protestants and Catholics would "happily accept" the will of the majority, suggesting that both communities have internalised the principle of consent. However, with the fitful experience of devolution thus far, we are left to ponder whether devolution will be regarded as desirable but unworkable and hence will citizens retrench to type?

John Morison (chapter 4) explores the extent to which the Belfast Agreement and the ensuing Northern Ireland Act 1998, are novel in constitutional terms (Chapter 4). Based on interviews with leading politicians, civil servants and lawyers, he considers the possible existence of a new constitutional paradigm that arises in respect of the making of the Agreement itself (and the subsequent Act), the operation of executive government, and the detail of the litigation arising from the Act and its impact. Morison's research suggests that law played a fairly minor role due in large part of the very traditional perceptions of law held by most of the participants to the process. In short, the law followed the politics. However, he asks whether the Agreement and Act are undervalued as matters of constitutional law for they cannot be accommodated into traditional accounts of UK constitutionalism as an act of the Westminster Parliament, making provision for devolved government in one part of the Kingdom for it is now backed by an international treaty and dual referendum. Second, the Executive in Northern Ireland was based on the idea of a coalition. However, with some ministers (DUP) refusing to sit in the cabinet, it suggests the need for a more formal structure on which to organise government as the normal Westminster model and its conventions don't apply. Third, most politicians instinctively disliked reporting to the courts to resolve what they regarded as essentially political issues. Most litigation was for tactical reasons (short-term) albeit while espousing fairly traditional approaches to legal interpretation. Few politicians seemed interested in getting the courts to adopt a particular interpretation of the constitution which might be significant in guiding future conduct. Overall, the 1998 settlement did not transform the constitutional landscape directly or immediately. Law in the courts had a role in regulating unstable relationships but that role was always secondary, Morison contends. Nonetheless, law remains central to the Agreement and though, in Hamilton's words, the courts are the "weakest branch" of the constitution, the courts can play a useful role, should a new constitutional paradigm be allowed to develop.

In Chapter 5 John McGarry and Brendan O'Leary write from an unashamedly pro-Agreement perspective and their chapter is designed to explore how the procedures of the Assembly and Executive including the rules governing the operation of the Office of First Minister & Deputy First Minister, elections, ministerial positions, and voting in the Assembly might be reformed/revised within the letter and spirit of the Agreement, so as to enhance the stability of the institutions. They consider from where the challenges to the Agreement and institutions have come, that is, who has been responsible for the succession of crises that have prevented full implementation of the Agreement, while also

considering who must yet fulfil their obligations to ensure compliance. Among those still to deliver are the IRA who need to decommission fully and issue a 'war is over' statement; the British Government must implement the Patten Reforms in their entirety while also removing the "extra Agreement" Northern Ireland Assembly (Suspension) Act, 2000; and, the loyalist paramilitary groups must reciprocate republican moves on decommissioning. Interestingly, McGarry and O'Leary comment on what steps might be taken should no agreement be reached. Their suggestions include the contention that the British-Irish Intergovernmental Conference reverts to the functions and capacities enjoyed by its predecessor (under the Anglo-Irish Agreement), alongside incremental promotion of the cross-border dimension and all-island co-operation. The latter, in particular would provide a strong impetus for those opposed to the Agreement, such as the DUP. Equally, they contend, however that it is in Sinn Féin's own interest to make devolution work, rather than let the Agreement in abeyance. In terms of Assembly decision making, McGarry and O'Leary accept that the designation of parties as 'nationalist', 'unionist' and 'other' presents several difficulties, not least in operation of the d'Hondt procedure for electing the First and Deputy First Ministers. They oppose departing from d'Hondt for these elections but would consider adoption of a simple weighted majority (60%) on key decisions. Overall, while accepting that the institutions are flawed, they contend that these flaws can be addressed without destroying the institutions altogether.

(NB. The chapter was based on work produced before the British General Election of 2005, the subsequent IRA statement/actions of July, and the Loyalist-led riots of late summer, nor, indeed, the rejection by French and Dutch voters of the EU Constitution).

Henry Patterson and Eric Kaufman (Chapter 6) provide a convincing explanation of the shifting sentiments within popular Unionism with a detailed analysis of grass roots opinion within both the Ulster Unionist Party and the Orange Order, "two highly democratic, decentralised institutions" which, until recently, were closely related with, and supportive of, one another. Drawing parallels with modernisation processes that have challenged status hierarchies around the western world since the war, they chart the steady substitution of the old Unionist 'squirearchy' by 'self-made populists'. Consequently, almost irrespective of some important but arguably short-term factors such as popular discontent over delays in IRA decommissioning, they contend that a 'tipping point' has been passed in which there has been a major electoral realignment within Unionism since the late 1990s, manifest in the decline of the UUP and rise of the Democratic Unionist Party. The DUP is held to be much better placed to articulate the aspirations and fears of ordinary Unionists. Unlike their forebears, grass roots Unionists (be they in the UUP itself, the Orange Order or simply the population at large) have become much less deferential towards the social elite. As that elite flirted with reform moves in the 1960s and sought an accommodation with nationalists in the 1970s, and again in the 1990s, so its legitimacy has waned. Such developments have made elite accommodation – the precursor to durable power sharing - that much less likely. Pessimistically, Patterson and Kaufman contend that, under Unionism's new leadership, the prospects for securing an accommodation with Sinn Féin appear remote, leaving devolution marooned as a governing mechanism for Northern Ireland.

Jonathan Tonge in Chapter 7 considers the changing approaches and electoral fortunes of the Social Democratic and Labour Party and Sinn Féin in his chapter on nationalism and republicanism. Tonge contends that both (Northern) Irish nationalism and republicanism have experienced change. For a variety of reasons both endogenous and exogenous, Sinn Féin's ideological stance has undoubtedly mellowed enabling it to brook decisions considered unthinkable less than a generation ago and yet the effect on its electoral performance has been electrifying. Ironically, in contrast, in achieving (all that) it had strived for over almost 30 years, with the Belfast Agreement, the SDLP has experienced a dramatic reversal in its electoral fortunes. Sinn Féin is now more focussed on the 'equality agenda'. The old notion of 'liberty' being the precursor to 'equality' has been subordinated to its acceptance of political pluralism. It is not the sole representative of Irish nationalism. As a minority within a minority, the SDLP is left to search for a new role, albeit one that may prove elusive. Unlike Sinn Féin which is all-Ireland, the SDLP remains an exclusively Northern-based nationalist force (for the time being) that faces an acute dilemma. Does it fight on the same ground as Sinn Féin or seek a new centre ground accommodation with the UUP? Tonge's analysis begs the question of whether there has been a blurring of the fault line between nationalists and republicans and can Northern Ireland's nationalist/republican community needs two communal parties.

Dominic Bryan and Gillian McIntosh's contribution (chapter 8) on symbols and identity examines how the Belfast (Good Friday) Agreement has, under the banner of encouraging plurality, entrenched the main communities through its recognition of two cultural blocs and, at the same time, tried to find what they describe as 'a hyphenated British-Irish form around a common Northern Irishness.' Bryan and McIntosh illustrate the potency of symbolism in Northern Ireland with examples drawing on controversies over flags, the symbols of the Assembly, the new badge for the Police Service of Northern Ireland, royal visits to the Province, the Saint Patrick's Day parade and Remembrance Day. They conclude that devolution and the Northern Ireland Assembly have not heralded the reduction in symbolic conflict. Rather, Westminster derived policies and legislation have most influenced changes, in the form of a draft Bill of Rights, equality and fair employment legislation and proposals in the *Shared Future* policy document. In short, symbolism remains strong in the Northern Ireland context and strategies to defuse its impact have been exerted from above (through Direct Rule Ministers) rather than within political interest groups in Northern Ireland.

Margaret Ward's chapter on the changing role of woman in the context of devolution (chapter 9) provides evidence that although gender has not been a particularly decisive force in the Northern Ireland Assembly, female representatives have articulated issues for the marginalised and excluded in society. Despite the fact that more women were elected to the 2003 Assembly elections (n = 18), the loss of political representation by the Women's Coalition was explained 'more as a reassertion of sectarian voting patterns rather than as a vote against women.' The author describes the problems in redressing gender-based discrimination within public bodies such as the Police Service of Northern Ireland, the appointment of independent members of the Northern Ireland Policing Board,

non-departmental public bodies and the judiciary. More positively, she commends gender representation on district policing partnerships and the way in which the appointment process was completed. In the same vein she outlines the role played by women in the voluntary and community sector, both in countering the gender deficit in decision making and in the cross community peace building, albeit with an inadequate and declining resource base. The voluntary and community sector is an area within which the author concludes women can play a full part in decision-making and which will 'go some way towards redressing the democratic deficit contingent on the lack of a devolved institution and lack of gender parity in political and public life.'

Brice Dickson and Bob Osborne's chapter on equality and human rights since the Agreement catalogues the developments in both fields (chapter 10). This includes the creation of the Equality Commission, the implementation of section 75 (Northern Ireland Act), establishing the Human Rights Commission and the production of a draft Bill of Rights for Northern Ireland. Formative evaluations are offered by the authors on these developments. They judge the Equality Commission to be a 'fairly cohesive body' by the end of its first five years but are less impressed by the implementation of section 75 which is seen as a 'diligent but generally unambitious approach from the public services'. This contrasts with the field of fair employment which has witnessed a marked improvement of Catholics in employment, especially in the public sector. Such improvements in employment practises, however, sit uneasily amongst the Protestant community with the 50:50 recruitment quota system now in place for those applying to join the PSNI. The Belfast Agreement committed the British government to create a Northern Ireland Human Rights Commission, but may have 'oversold the concept of human rights by not being specific enough on which rights would be better protected.. or in what manner those protections would be guaranteed.' Hence the government is 'unhappy' about having a comprehensive Bill of Rights for Northern Ireland where others in the UK would not enjoy such protections as the Bill affords. Instead it is the Human Rights Act of 1998 which came into force throughout the UK in 2000, more than the Belfast Agreement, that has 'alerted every public authority in Northern Ireland to operate strictly in accordance with European Convention on Human Rights.' Whilst the authors describe human rights as 'rosier than they were but not as bright as they could be' they call for them to be depoliticised and urge a greater sense of urgency on the part of government in addressing issues of equality and human rights.

Paul Mitchell's contribution (chapter 11) on party competition and voting behaviour since the Belfast Agreement describes how the 'old guard' in the shape of the SDLP and UUP have been 'outflanked' by Sinn Féin and the DUP respectively. He points to the 1994 IRA cessation of its armed campaign as the catalyst for Sinn Féin's renewed electoral advances. The party's electoral growth in the 1980s & 1990s, he argues, can be explained by mobilising nationalist non-voters and new age cohorts, rather than directly winning SDLP voters. This changed after the Belfast Agreement – the peace process 'has been the handmaiden of Sinn Féin's electoral growth.' Recent Sinn Féin's electoral growth is explained at the SDLP's expense. On the unionist side, the DUP's success is linked to the 1998 Agreement and its implementation, which became a major electoral liability for the UUP. Mitchell's analysis explains the shift to the DUP as their success in

taking advantage of the UUP's internal difficulties after 1998 and their own moderation in policy position. He concludes that the once 'extreme' parties have successfully outflanked and partially replaced their more moderate intra-ethnic rivals. This would entitle the DUP to the post of First Minister in a new coalition and 4 other Executive members (with two each from the UUP, Sinn Féin and the SDLP). Whether the DUP will use its electoral strength to become Northern Ireland's leading party of government in a power-sharing Executive is another question.

Rick Wilford's chapter on the Northern Ireland Assembly and Executive provides an overview of the workings of the devolved institutions at Stormont (chapter 12). The convention of collective responsibility did not feature in the Executive and individual ministerial responsibility, rather than cabinet government, was the norm. This led to governing parties treating their departments as party fiefdoms. Wilford concludes that the achievements of devolution were, perhaps, 'rather modest but they are noteworthy given that there were additional constraints that affected the Assembly and the Executive'. These constraints, he outlines as structural, arising from the consociational template (inclusive power sharing, proportionality principle, unanimity rule) and operational (the wide remit of the statutory committees). The proposed changes to the workings of the institutions (process of Executive formation, procedures to achieve collective responsibility and measures to enhance the scrutiny of the Executive) could lead to more durable political arrangements. Wilford argues, however, that these changes must be underpinned by improvements in community relations and ways of countering perceptions that the Agreement has brought disproportionate advantages to the nationalist over unionist communities.

In Chapter 13, Arthur Midwinter considers the vexed matter of finance. Finance is central to the fate of devolution. However, there remains much confusion as to the nature of the financial relationship between London and the devolved administrations as well as to the possible effects of recalculating the current manner in which financial entitlements are determined. Midwinter notes that the financial arrangements for devolved government largely continue the block and formula approach that evolved after the Barnett Formula was introduced in 1980. Much of the confusion revolves around a belief that Northern Ireland 'does badly' under Barnett relative to its needs. However, such assertions overlook the fact the Barnett Formula applies only to the annual change in spending, thereby protecting the historic baseline; that large elements of expenditure are determined outwith the Barnett Formula; and, that convergence may be offset or accelerated by relative population change. Add in the effects of rapid real-terms budgetary growth nationally under New Labour (the principal driver of spending in the devolved territories) in a period of low inflation and the picture becomes still more complicated. Moreover, there continue to be significant differences between individual spending programmes. One area of controversy has been the extent to which an infrastructure deficit existed in Northern Ireland (variously estimated at £6bn) and, if so, how it might be tackled. However, set against calls for radical surgery on or even abandoning of the Barnett Formula through a new needs assessment review is the fact that Northern Ireland's needs relative to England (and GB) have fallen. Tampering with the Barnett Formula may well yield unintended – and uncomfortable – results for Northern Ireland. Another

complication is that of local taxation. While the debate rages over the introduction of water charges in Northern Ireland, local taxpayers would appear to fare favourably with their counterparts in GB. Midwinter concludes that there is insufficient evidence to demonstrate that Northern Ireland has been disadvantaged by the application of the Barnett Formula since devolution and cautions against hasty calls for a needs assessment review.

Knox and Carmichael, in Chapter 14 examine the most fundamental review of sub-regional governance in Northern Ireland in a generation – the Review of Public Administration. Many of the structures which emerged with Direct Rule in the early 1970s were regarded as temporary while renewed devolution was awaited. With the Belfast Agreement of 1998 a consensus existed that sub-regional structures were ripe for review. They examine the processes involved in the Review, the reactions of the key organisations to the process of the review and, finally, the outcomes of the Review and the likely impact on public services. They note that although the Review was started under devolution as a result of the suspension of the Assembly local politicians will have little input to its implementation. Arguments made by Direct Rule Ministers that the cornerstone of the new structures will be ‘strong local government’ are not believed with only a marginal increase in powers. In part this limited change arose from the unwillingness of the parties to argue for a significant increase in council powers. Knox and Carmichael conclude by noting that the government’s claims that all savings will be redirected to ‘front-line services’ will be difficult to track.

In Chapter 15, Goodwin, Jones and Jones track some of the main developments under devolution to the institutional structure for economic governance. They note the centrality of economic concerns for all three of the devolved regions but also highlight the extra dimension of creating additional economic opportunities to help heal Northern Ireland’s divisions outlined in the Northern Ireland Executive’s first *Programme for Government*. By far the most significant developments related to the creation of Invest Northern Ireland to replace existing bodies and the advisory Northern Ireland Economic Development Forum. They highlight the dynamic of the processes which take place after devolution which is a ‘dynamic process’ rather than a static event.

Michael Keating (Chapter 16) locates the distinctive devolution settlement in Northern Ireland both in the wider processes of devolution in the UK and the ‘new regionalism’ in Europe. He examines a range of literature and especially Scottish experience to consider ‘the ability of the devolved institutions to make policy and the various constraints they face’. He notes that ‘in Scotland the UK government devolved in order to keep the state together’ whereas ‘the province has the right to secede in order join the Republic’ a difference that means that Whitehall and Westminster ‘are less likely to be concerned should Northern Ireland move in its own distinct policy direction’. Devolved administrations lack the think tanks and policy forums available in London and much policy divergence arises from ‘not following England all the way rather than striking out on their own’. Policy divergence is tolerated by London as long as it does not upset the agenda in England. Keating characterises the attitude from London towards the devolved

regions as being ‘little interested in what they do and spurns the idea that it might learn from them’. In the face of the overwhelming resource advantage in London, Keating suggests that the devolved regions should forge their own policy networks in order to challenge London dominance.

One of the least analysed aspects of the Northern Ireland situation relates to the role of Northern Ireland MPs at Westminster. Gay and Mitchell in Chapter 17 examine the situation in some detail. They argue that Westminster is a ‘distant’ place for MPs from Northern Ireland. The separateness of the party structures in Northern Ireland compared with the rest of the UK together with the small numbers and patterns of attendance reinforces the limited role they play outside Northern Ireland issues. The nationalist parties moreover play an even more limited role either because of abstention as in the case of Sinn Féin or by limited attendance or participation in divisions as with the SDLP. The work of the Northern Ireland Affairs Committee is also assessed and it is noted that the Committee has taken on a tougher range of issues in more recent times.

John Coakley in Chapter 18 examines the relationships between Britain and Ireland and the ‘Strand II’ relationships arising from the Belfast Agreement. The North- South dimension has operated ‘only with some difficulty’ as a result of difficulties within the Ulster Unionist Party and the refusal to cooperate by the DUP when devolution was operating and the complete suspension of the work of the North – South Ministerial Council (NSMC) after the devolved institutions were suspended in October 2002. However, while developments at the political level have been limited, administrative activity particularly in relation to the six implementation bodies (plus Tourism Ireland) has progressed under the direction of a team of civil servants seconded from the Irish and Northern Irish civil services and based in Armagh. Moreover, East –West relationships (Strand III) through the British-Irish Council have continued to develop with a schedule of administrative activities around two areas: the environment and misuse of drugs being especially noteworthy. Coakley concludes by noting that North-South developments will be limited until the devolved institutions are restored but also notes that the British-Irish relationship, so long a major political difficulty, no longer one requires continuous and careful attention.

In Chapter 19 Lee McGowan examines devolution and relations with the EU. In many ways McGowan argues that the relationship with Europe was one of the forgotten parts of the devolution experience between 1999-2002. He documents how both MLAs and the Northern Ireland Executive sought both to overcome their own lack of knowledge of European institutions but set out to put those relationships on a systematic basis. The creation of the Office of the Northern Ireland Executive symbolised the serious way the devolved institutions set about developing relations with Brussels. Moreover, both bodies ‘had rapidly adjusted to the impact of the EU on a host of public policy issues of direct concern to the devolved bodies...from agriculture and fisheries to the environment and the euro...’. Alongside these matters McGowan notes that amongst the cross-border or Strand II parts of the Agreement, the creation of the North-South Ministerial Council involved a specific mandate to consider ‘the European dimension of relevant matters

including the implementation of EU policies and proposals under consideration in the EU framework' and that its views on these matters are 'represented appropriately at relevant EU meetings' He observes that 'no specific explanation has yet emerged' as to how the views of a body made up of the government of one member state and the executive of a region of another might be 'represented appropriately at EU meetings nor what weight such views might have.' He concludes that when 'devolution is returned' there will be much to do to build on the early work on relationships with the EU.

Conclusions

What can we say about the Northern Ireland experience of devolution from the contributions of key researchers in the field? It would be trite to draw any definitive conclusions given the fleeting experience Northern Ireland has had with devolution. Charlie Jeffery, reporting on the interim findings of the Devolution and Constitutional Change Programme, notes that 'devolution has bedded in remarkably smoothly but it remains a fractured project, a collection of separate initiatives which lacks an overarching sense of purpose' (Jeffery 2004). These comments are apposite when considering Northern Ireland. Whilst Northern Ireland could hardly be described as a region where 'devolution has bedded in remarkably smoothly' its short-lived experience offers some cause for optimism. Wilson and Wilford, addressing the specific question of whether devolution has made a difference, conclude:

That tangible improvements have been made to the lives of many is testament to the persistence of regional politicians in what at times has been a decidedly inauspicious context. In addition, during the latest and most protracted suspension the expanded team of direct-rule Ministers has been active, expediting legislative proposals bequeathed by their devolved predecessors and taking forward new, though well-flagged, policy initiatives (Wilson and Wilford, 2004: 80).

The longer direct rule continues, however, the more bullish English ministers become in their pursuit of unpopular policy decisions – the abolition of education selection, introduction of water charges, and the reform of public administration, to name but a few. In 2003 a public opinion survey (Northern Ireland Life and Times) found that over half those responding (53.8% - excluding 'don't knows') 'wouldn't mind either way' if the Assembly was to be abolished and direct rule maintained indefinitely. This, despite the fact that the majority of people (59%) believed that devolved government had achieved either 'a lot' (12%) or 'a little' (47%) (Knox & Carmichael, 2005). As the list of more controversial policy decisions grows, the public is becoming increasingly frustrated with local politicians who continue to receive (part) payment as MLAs yet refuse to broker an agreement on the restoration of devolution. Direct Rule ministers are equally unimpressed with criticisms of their policies by local representatives. Lord Rooker's most recent acerbic reaction to complaints about his proposals to reform public administration was that if MLAs didn't like them, they knew what to do!

The ongoing devolution agenda is dominated, once again, by the wider political/constitutional issues as Northern Ireland struggles with the formation of a power-sharing Executive comprising its two key political antagonists (Sinn Féin and the DUP). Wilson and Wilford (2004: 84) set out four useful criteria against which the potential for devolution 'to make a difference' could be judged. Has devolution: engendered political stability; facilitated policy innovation; enhanced accountability; and improved community relations (to which we would add human rights and equality)? Political stability remains the *sine qua non* for the potential of devolution to be maximised. Without it, the other factors cannot be fully achieved.

The contributors to this edited collection have provided independent retrospective and prospective analyses of both the problems of devolution and its future possibilities. Without the assistance of the Devolution and Constitutional Change ESRC programme this detailed research would have been impossible. In particular, Charlie Jeffery showed imagination in his support for a strong Northern Ireland component in the overall ESRC programme (sometimes seen as the backwater of UK-wide research initiatives). The output from the authors in this edited volume vindicates the wisdom of his endorsement. The editors would like to thank Professor Jeffery for the enthusiasm with which he embraced the Northern Ireland devolution agenda and for his frequent appearances in Belfast to support the ongoing work. Oh for such tenacity amongst our local politicians!

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