Centre for Advancement of Women in Politics
School of Politics and International Studies,
Queen's University Belfast

From Government to Governance, Civic Participation and 'New Politics'; the Context of Potential Opportunities for the Better Representation of Women

Elizabeth Meehan

Introduction

The symbolic and substantive representation of women has become increasingly central to justifications in the United Kingdom (UK) for its programmes of modernization and devolution (Brown, 1998; MacKay and Bilton, 2000; Breitenbach *et al*, 2002). In the case of devolution, there is a significant difference between demands for reform in the 1990s compared to those in the 1970s.

In reviewing the Cabinet Office's strategies for *Modernising Government* (1999a) and professionalizing policy-making (199b), Chaney and Fevre (2002: 900) note that 'inclusiveness' refers to the need to take account of the impact of policy on various groups, including women, through 'the involvement of a wide range of interested parties, including those who will be affected by policy'. Partly as a result of leaders of the women's movement in Wales, the Government of Wales Act 1998 contains a legal duty to promote equality of opportunity which, Chaney and Fevre (2002: 900-01) argue has worked better for women than other groups. In Scotland, again as a result of women's activism, it also came to be accepted that the 'new politics' that was to be realised through devolution would mean nothing if it did not address the gender question (Mitchell, 2000). In Northern Ireland, devolution was not motivated by a desire amongst dominant parties either to modernize government and policy-making or to bring about a 'new politics' of gender equality but by the need to find a way of ending decades of violent conflict. Nevertheless, there were parties who wanted a new kind of politics and the new constitutional arrangements do include provisions which are consistent with the values of the modernizers and reformers in Great Britain.

Modernization and constitutional reform are manifestations of changes in ideas and practice that are wider than the UK's particular concerns; that is, the emergence of 'governance' rather than 'government' and interest in connections between 'civic-ness' and the effectiveness of institutions and policy-making. It is from these more general developments and ideas that particular reforms inherit their claim to be egalitarian, participatory and inclusive. This paper, therefore, is not about whether specific UK reforms match the claims made for them by their advocates, though this is touched upon in conclusion. Rather, it is about the wider context from which those reforms have emerged. It begins with governance, its emergence in general and as it appears in the UK. The paper then turns to civil society and social capital, again dealing first with the wider context and then with the UK. Finally, the paper concludes with a brief, preliminary indication (the full account will be the culmination of the project noted in the

acknowledgements) of how the seeds of egalitarianism, participation and inclusiveness have been sown in the constitutional settlements of Scotland, Wales and Northern Ireland.

What is governance?

The topic of governance is at the cutting edge of a number of cognate disciplines; for example, law, sociology, management and economics, political science and European studies. The notion is hard to pin down, but it does seem accepted that a number of forces have converged so as to change the nature of what it means to govern: forces such as globalization (in disputed ways), Europeanization, devolution, pressures on the traditional welfare state, and new political cultures in which traditional methods of delivering the services of the welfare state are no longer regarded as 'empowering'. It is also accepted that there is a discernible difference between government and governance. This is not to say that governance is displacing government; merely that the two forms of activity coexist.[1]

Analysts of governance focus on a range of new arrangements and practices. These include the fragmentation or sharing of public power amongst different tiers of regulation such as the European Union (EU), state governments and sub-state governments. Secondly, they point to other arrangements encouraging policies to be formulated and implemented away from the centre; the 'hollowing out' of the state through the 'agentization' of government and the privatization of the provision of utilities and services (Rhodes, 1997). Thirdly, analysts note an increasing reliance on partnerships, networks and novel forms of consultation or dialogue that are at the heart of 'Third Way' thinking about policy design and delivery.

Governance is usually defined by contrasting it with what is thought of as the traditional pattern of public power in which authority is centralized and exercised hierarchically - often called the 'command and control' model. Here, Prime Ministers dominate other ministers, ministers dominate civil servants, and central government dominates local government

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[1] It is too early to say whether one will displace the other. I am indebted to Vernon Bogdanor for reminding me of Walter Bagehot (1962: 268) on constitutional change. In discussing whether it was possible to assess the impact of the 1832 Reform Act, Bagehot suggested that: 'A new Constitution does not produce its full effect as long as all it subjects were reared under an old Constitution, as long as its statesmen were trained by that old Constitution. It is not really tested till it comes to be worked by statesmen and among its people neither of whom are guided by a different experience.

(Richards and Smith 2002: 4), and, typically, governments are thought to be able to do things.

Conversely, analysts of governance draw upon a Foucauldian understanding of the notion of power as dispersed and relational and argue that governance arises from a lack of capacity on the part of governments, acting alone, to effect desired changes. Instead, public power manifests itself through increasingly blurred boundaries between different tiers of government, the public and private, and between the state and civil society. Commentators are frequently inspired by Held (*et al,* 1999: 447), according to whom it cannot now be taken for granted that the *loci* of effective political power are national governments. Instead, 'effective power is shared, bartered and struggled over by diverse forces and agencies at national, regional and global levels'. It is being 'repositioned' and, to some extent, 'transformed by the growing importance of other less territorially based power systems'.

In dealing with governmental actors in the context of 'pooled sovereignty' in the EU and devolved power in the UK, Sloat (2002) points out that cooperation between levels replaces formerly hierarchical relations and legislative competences are shared among several tiers. But, drawing on Wallace, she also emphasizes the significance of other actors - their variety and the variety of their interests. In connection with non-governmental actors, it should be noted that one classical view of civil society is that it is epitomized by self-organizing networks that are independent of government - sometimes even a countervailing force (McLaverty, 2002: 304). Other analysts of civil society see it and the state as interactive, with disputed implications for democracy. The paper will return to this later. In the meantime, it is necessary to comment on how civil society is seen by those whose primary focus is governance. In this body of thought, it is agreed that networks are not separate from government but increasingly part of the whole policy cycle. This is particularly so in the view that there is something called 'public value' and 'added public value'. 'Added public value' occurs when citizens 'pay the cost' of valuing something by participating in bringing it about and when, as a result of their acting in partnership with government, the valued outcome is more effectively realized than would have been the case otherwise.

To govern, then, moves from acting through vertical chains of command and accountability in a hierarchy of institutions to become a facilitator or regulator of what goes on in the public space in order to try to solve problems. Governance means 'collective problem solving in the public realm' (Caporaso, 1996, 32, quoted in Sloat, 2002). And the public realm is 'a domain of strategies, techniques and procedures through which different

forces and groups attempt to render their programmes operable' (Rose and Miller, quoted in Morison, 2000:123). In popular language, governments no longer row, they steer.

The difference between government and governance has been encapsulated by Loughlin (2000), in an adaptation of work by Eising and Kohler-Koch (1999) on the transformation of governance in Europe. Louglin identifies the following 'ideal types' of government (the 'government' of this paper being equivalent to his *statism* and 'governance' to his *network governance*):

	Statism	*Pluralism*	*Corporatism*	*Network governance*
Role of State	Authority	Referee	Mediator	Activator
Dominant Orientation	Pursuit of common 'national interest'	Pursuit of individual interests	Integrating group conflict interests	Co-ordinating related interests
Patterns of interaction	Command and control based on majority rule	Competition and bargaining to build minimum winning coalitions	Concerted negotiations to reach consensus	Multilateral negotiations to approximate positions
Dominant actors	State actors	State actors and multitude of interest groups and parties	State actors and functional peak associations	State actors and multitude of stake holders
Level and scope of political allocation	Central level covering all issue areas	Overall and issue specific at respective government level	National or subnational level covering specific issue clearly demarcated and impermeable areas	Functionally specific agreements cutting across different levels
Borders	Clearly demarcated and impermeable	More flexible and permeable	Clearly demarcated and impermeable	More flexible and permeable

In addition to formalizing the shift from government in the domestic sense to governance, this table also draws attention to a transnational aspect.

It indicates that governance turns the state from being the central, dominating source of authority within a defined territory to being an activator or coordinator in the negotiation of positions which suit a multitude of actors on specific topics over a territory where borders are less obviously fixed. This point will recur in the conclusion. In the meantime, the paper turns to moves towards governance within the UK.

From government to governance and constitutional reform in the UK

A recent textbook by Richards and Smith (2002) discusses changes in the UK (and other accounts of them) which could be construed as introducing aspects of governance. Its authors are sceptical about claims that power is less concentrated than before in the organs of the state, suggesting instead that the core executive has adapted or reconstituted itself. In tackling the changes and accounts of them, Richards and Smith start with the point of contrast: the Westminster model. They suggest that its generally agreed features are:

   (a) parliamentary sovereignty;
   (b) accountability through free and fair elections;
   (c) majority control over the executive;
   (d) strong cabinet government;
   (e) central party dominance;
   (f) doctrine of ministerial responsibility; and
   (g) non- political civil servants (2002: 4, 274).

While sceptical about the main alternative schools of thought, Richards and Smith (2002, ch. 5), like others, argue that New Public Management was significant in altering the traditional form of government. Where they differ from others is that they see this taking place in a context of continued central power in contrast to the dispersal of power implied in Rhodes' (1997) phrase, 'the hollowing out of the state'. Nevertheless, even Richards and Smith (2002, ch. 10) agree that something had happened to the capacities of the core executive. They interpret so-called 'joined-up government' as an attempt by government to restore or strengthen its ability to coordinate. This is confirmed by Butler and Pollitt. Butler (2002: 154-5) argues that 'even though the Whitehall village remains a close and closed world' [compared to the US policy system], it was experiencing problems of poor policy coordination. Pollitt (2003: 35-6), who also provides a good definition of what 'joined-up government' is or aspires to, describes a

fourfold set of motives behind the new approach as 'primarily managerial or technical' and an 'answer' to 'fears' about the 'hollowing out' of central government. But both suggest that 'joined up government' has an important political dimension in its links with the 'Third Way' and the espousal of partnerships in the conception and delivery of holistic policies and services.

Butler (2002: 155-7) argues that the 'Third Way' was as much a response to the crisis in democratic participation as to weak central control. It was to be a means of overcoming voters' disillusionment with politics and politicians and of restoring a sense of 'the state as an actor whose performance [citizens] might praise or blame'. Pollitt (2003: 36, 38) suggests that the consistency between 'joined-up government' and the use of partnerships involving local and central government and the voluntary sector was attractive to New Labour because, together, they could be employed to show the distinctiveness of the government from its predecessors - as more 'inclusive' and 'empowering'. In this sense, 'joined-up government' is part of a project that promotes rather than discourages the horizontal exercise of public power in the UK.

The changes identified in the range of accounts analysed by Richards and Smith were neatly captured by Benington in his lecture at the 2001 launch of his Institute of Governance and Public Management (quoted by Wilson, 2002, 12). The table he used is reproduced here:

	Traditional public administration	*New public management*	*Citizen-centred governance*
Context	Stable	Competitive	Continuously changing
Population	Homogeneous	Atomized	Diverse
Needs/problems	Straightforward, defined by professionals	Wants expressed through the market	Complex, volatile and prone to risk
Strategy	State and producer-centred	Market- and consumer-centred	Shaped by civil society
Governance through ...	Hierarchies	Markets	Networks and partnerships
Actors	Public servants	Purchasers and providers, clients and contractors	Civic leaders

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This tabular representation of things we are familiar with in the UK bears similarities with the wider trends depicted above by Loughlin (and Eising

and Kohler-Koch). In the UK, 'hollowing out' and decentralization to public-private partnerships were taking place irrespective of Constitutional Reform with a capital C and R. Obviously, devolution adds to the trend. In a *de jure* sense the devolving of powers to Northern Ireland, Scotland and Wales makes no difference. This is not federalism and ultimate central control is conserved under the doctrine of parliamentary sovereignty. But, in a *de facto* sense, devolution does weaken the capacity of the centre to act unilaterally or to secure coordination. If New Public Management required 'joined-up government' to be brought to the rescue, devolution led to the introduction of a Joint Ministerial Committee system, a Memorandum of Understanding (CM 4806, July 2000) between the devolved administrations and the centre, and a series of Concordats in particular policy areas and between departments. While primarily setting guidelines and procedures for routine coordination, these documents also restate the sovereignty of the centre over everything, not just in connection with the reserved and excepted powers.

On the other hand, many advocates of devolution were determined not to replicate at the devolved level the 'command and control' model traditionally found at the centre. Instead, they were attracted to a political culture bearing many of the features seen in the end columns of Loughlin's and Benington's tables (*Network Governance* and *Civic-Oriented Governance* respectively). That is, devolution was to be synonymous with democratization in the sense of inaugurating a 'new politics' of participation, partnership and inclusion that might bring change and diversity in how problems were tackled in the different 'public realms' of the UK.

Benington's table also shows that governance, as exemplified in the fourth column, seems to give more scope than in the first for harnessing the alleged institutional benefits of good quality social capital and for realizing the ethical features of 'new politics'. Sloat (2002) notes that there is general agreement amongst academics and practitioners about the importance of civic participation in the policy process - at least, as discussed later, subject to a number of reservations or conditions.

Governance and civil society - social capital and effective institutions

The second, broader context to modernization and constitutional reform, noted in the introduction, is to do with the quality of social capital and the role of civic associations in the making and maintenance of effective institutions. Again, Held's global-national-local paradigm comes into play.

In discussing the Civic Forum in Northern Ireland, McCall and Williamson (2002: 368) quote Giddens' (1998: 75) view that '[t]he downward pressure of globalization introduces not only the possibility but also the necessity of forms of democracy other than the orthodox voting process', not as a 'substitute for normal voting mechanisms in local and central government' but, perhaps, as 'an enduring complement to them'. Indeed, for him, 'the fostering of an active civil society is a basic part of the politics of the third way' (*ibid*: 78).

There are pragmatic and ethical considerations in the rediscovery of civil society. As in the case of modernization and constitutional reform, the ambition to have successful institutions and effective policies is linked by advocates of reform with the democratic values they associate with civic associations and inclusion. Their notion of inclusion refers not only to socio-economic well-being, but also inclusion in the structures of participation and dialogue - a view also to be found in the literature (Hills, Le Grand and Piachaud, 2002).

While the last columns by Loughlin and Benington refer to features that would appeal to participatory democrats, they also indicate challenges for participation and democratic accountability; for example, diverse populations, multitudes of stake-holders, civic leaders, and multi-lateral negotiations amongst and between them and various types of state actors - and, moreover, possible transactions across borders. Thus, if governance is to be better than government at solving problems, achieving desired outcomes, and doing so more democratically, a lot hangs on the quality of civil society and of civic participation.

In his treatment of civic traditions in modern Italy, Putnam (1993) explores the consequences of Italian regional reform in the light of hypotheses about institutional performance, the third of which is that the practical performance of institutions is shaped by the social context within which they operate (1993: 7-8). He finds that,

> Some areas of Italy are blessed with vibrant networks and norms of civic engagement while others are cursed with vertically structured politics, a social life of fragmentation and isolation and a culture of distrust. These differences in civic life turn out to play a key role in explaining institutional success.(1993, 15)

Putnam (throughout the book but especially ch. 4) proposes that the qualities of civic life that contribute best to good governance include:

(a)　independent participation (in contrast with patron client relationships that are personalized and dependent);

(b)　trust (not blind trust but the ability to predict that the behaviour of others will be law-abiding and based on reciprocity and established habits of order and mutual confidence);

(c)　a preference amongst politicians and citizens for relative equality instead of vertical structures; and

(d)　willingness amongst leaders and citizens to compromise (that is, to disagree with the idea that 'compromise is dangerous because it leads to betrayal of one's own side').

In finding a correlation between the presence and absence of these qualities and regions with successful or defective institutions, Putnam's account of Italy adds an instrumental aspect to the normative demand for equality and participation by advocates of 'new politics' and constitutional reform. All the same, as McCall and Williamson (2002) point out, his understanding of civic life has been criticized. They cite Skocpol's (1996) dismissal of his views as 'Tocqueville romanticism'. Her criticism rests largely on his idea that associations spring up spontaneously to do things as opposed to being sponsored and supported by, among others, governments. The way in which a whole range of scholars have treated civil society is reviewed by McLaverty (2002) who criticizes many of them for too readily equating the existence of civic associations with the presence of democratic values and practice. Given what has been said above about the motivations linking 'joined-up government' and the 'Third Way', it might be thought that a sceptical outlook is necessary to an understanding of the development of compacts and partnerships in the UK – but, it seems, the story may be a little more complicated than Skocpol allows for in criticizing Putnam's ideas.

Social capital and partnerships between citizens and government in the UK

Morison (2000: 112-13) traces the beginnings of a new relationship in the UK between civil society and the state to the aftermath of the Labour Party's revision of its 'talisman', Clause IV, in 1994, and the development of compact documents for England, Scotland, Wales and Northern Ireland, published in 1998. These are joint documents from the government and the four voluntary sector councils in the four parts of the UK. Though 'vague', if compared with contracts, they represent an 'important statement about a new relationship' (*ibid*: 113) - 'perhaps a first step in a new configuration

of the relationship of government and civil society' (*ibid:* 119). Compacts provide a link between ideas about social capital considerations and governance. Drawing on Morison, Leyland (2003: 424) says that they demonstrate that power is dispersed throughout society and 'that the formal limits between civil society and the state are in reality traversed by networks which operate across constitutional boundaries'.

Throughout the later 1990s, the Prime Minister made much of the connection between his modernization programme and inclusion and participation, insisting the Left had to tackle equality of opportunity by, among other things, transforming the role of women, promoting civic activism, enabling citizens to take part in decision-making, and investing in social capital (Morison, 2000; Chaney and Fevre, 2002; McCall and Williamson; Leyland, 2003).

The new relationship between civil society and government found expression in numerous partnerships in specific policy areas. According to Knox (2002), these are well established in Great Britain in the fields of regeneration, health, education and lifelong learning, tackling crime and disorder, and sustainable development. He also notes the existence of local strategic partnerships in England and Wales. These do not, themselves, provide services but bring together different parts of the public sector with sections of private business and community and voluntary organizations, so that different initiatives and services support each other. Knox refers, too, to a variety of partnerships throughout the UK involving EU programmes.

Knox provides criteria for judging the success or failure of partnerships in terms of effectiveness in particular policies (*ibid*: 19) and for considering their wider civic advantages and disadvantages (*ibid:* 6). For example, we might ask whether partnerships empower communities or lack legitimacy; whether they induce a culture of self-help or are beset by fragility; and whether they widen participation or demonstrate a lack of representativeness. McLaverty (2002: 309) raises comparable questions about the nature of civil society in Britain from which the non-governmental arm of partnerships is drawn; for example, the smallness and, hence, lack of representativeness of membership of voluntary organizations, lack of democratic organization and procedures in many associations, and the limited numbers of people enjoying opportunities to be in neighbourhood forums, citizens juries, focus groups, and so on. To this could be added Pollitt's (2003) observation that too few existing civil service staff are at home with this way of working (cf. Bagehot's point about new Constitutions).

Thus, while the compacts explicitly recognise the independence of the voluntary and community sectors, Knox's criteria and McLaverty's

cautionary note combine to indicate the need for scepticism in the UK as well as in general. Indeed, Morison (2000:131), seeing the potential of a significantly new relationship between civil society and the government, also suggests that, in pursuing the 'Third Way', the government 'is seeking to operationalize 'a particular, ultimately managerially driven programme by influencing, allying with and co-opting the voluntary sector as a resource that they do not directly control'. His references to the managerial motive and cooption lend weight to the reminder by McCall and Williamson (2000) of Wilson's (1999) warning that 'more participation' is not the same as 'more democracy'. So far, it has gone unremarked in this paper that women have a strong presence in the voluntary and community sectors. Thus, it is not necessarily the case that women will experience more democracy through more participation. Wilson's warning might also be applied to what women might expect of representative democracy; does 'more symbolic representation' mean 'more substantive representation' or not? The project from which this paper has been drawn will answer that. In the meantime, it is necessary to revert to the general controversies over civil society and civic participation.

It should be noted that, in referring, like Pollitt (2003), to a managerial motivation, Morison (2000:131) also tells us that the government is seeking to manage something - the voluntary sector - that it does not control. He notes, too, that the civic associations which respond to government, do so as 'active subjects' and that they 'actively engage with the powers that govern them and by which they govern themselves'.

To be clear about whether or not participation is democratic, McLaverty (2002:311-15) suggests that scholarly enquiry needs to refocus itself from the relationship between civil society and the state to that between the state and the public sphere - or the 'public realm' or 'domain' in which governance or 'problem solving' takes place (see above). He argues that 'without structured opportunities for citizens to discuss public affairs and for democratic civil society organizations to influence the actions of states, democracy will not be enhanced'. He makes a number of practical proposals for suitable innovations in the public sphere. These have an import irrespective of Constitutional Reform with capitals C and R. They are also reflected in what is demanded of grander redesign projects.

In attending to Wilson's warning, McCall and Williamson develop a set of criteria for democratic participation, some of which overlap with the ideas of Knox and McLaverty. They note Held's (1995) insistence that a re-formation of state institutions is needed so that participation does not remain in the corporatist, unaccountable mode formalized in Loughlin's third column. Drawing on Held (1996) and Barber (1984), McCall and

Williamson argue that the new institutions must facilitate citizen involvement in agenda-setting, deliberation, legislation and policy implementation and review procedures that allow adaptation to changing conditions. Mouffe (1992), like McLaverty and McCall and Williamson, also insists that special attention must be paid to the inclusion of marginalized voices if what she calls radical, rather than participative democracy, is to be something different from the pluralist system formalized in Loughlin's second column. Morison (1998: 528) is sceptical about constitutional reform initiatives which seek to replicate the values and institutions of conventional parliamentary government but argues that a 'revised constitutionalism' will enable 'radical communicative and participatory ideas of democracy to challenge the limits of traditional liberal individualistic democracy'. Such standards underpin the public expectations of the practical advocates of constitutional reform.

So, the question to be asked is whether the new forms of governance and political cultures in the devolved administrations are likely to begin to meet such expectations and to enable new approaches to flourish; Bagehot's point is, however, again relevant. The project as a whole addresses systematically these issues as they affect women. The next and final section begins to touch upon them.

'Civic-oriented governance' in the devolved administrations

In this concluding section, some brief remarks are made on the capacity of civil societies to be 'active subjects actively engaging with the powers that govern them'; that is, contributing to improved institutional performance and, in the case of women, better substantive representation. Before doing that, however, a little ought to be said about symbolic representation and representative democracy which will continue to coexist with participative democracy (be it 'real' or illusory). This entails some discussion of electoral systems in terms of general representation and in connection with women.

In contrast to Morison's criticisms of the Westminster model, the conventional view - at least amongst those in power - is, according to Richards and Smith (2002, chs. 1, 9 and 11), that the centralized system of power is democratic because it rests on the doctrine of parliamentary sovereignty in an elected legislature. Power, in this view, legitimately lies with government as governments are assumed to govern in the interests of the people.

This understanding did not always chime well, however, in Northern Ireland, Scotland and Wales with respect to general elections and central

government. Differences in voting patterns in Scotland and Wales, on the one hand, and England, on the other, mean that Scotland and Wales were often governed by a party which had not been chosen by most Scottish and Welsh voters - and which was in power as the result of majority support in the much more populous England. In Northern Ireland, the existence of a separate party system means that representatives of Northern Irish constituencies can never be part of the party in government (so long as the electoral system means that coalitions are unnecessary). Northern Ireland is always governed at the centre by a party with no seats in Northern Ireland.

Within Northern Ireland, however, there has long been a different electoral system for district and European elections in an effort to counteract the existence of an in-built unionist/Protestant majority. Thus, it was not innovatory for a proportional system to be adopted for the Assembly, though there were disagreements about which particular type it should be. Perhaps because of the experience of an 'in-built English majority' at Westminster (as well as other reasons), Scotland and Wales saw reform of the electoral system as part and parcel of devolution and the establishment of 'new politics'.

The new electoral systems and elements of positive action by some parties in Scotland and Wales mean that high proportions of members of the Parliament and Assembly are women (Brown, Donaghy, MacKay, Meehan, 2001. At the first elections, just below and over 40 percent respectively; in the second election, Wales achieved 50 percent). The pre-existing proportional system in Northern Ireland has not had the impact on women that proportional systems often do have elsewhere (McAllister and Studlar, 2002). However, compared to Northern Ireland's past record, the proportion elected to the Assembly who are women (13-14 percent) was much higher than usual. Women were quite well represented in the first Northern Ireland Executive and they form(ed) [2] 37 percent of the Civic Forum, of which more later.

Let me now revert to the question of whether devolution can make a significant contribution to the new relationship between civil society, or, to heed McLaverty (2002), the public sphere and government.

In writing about 'new politics' and Scotland, Mitchell (2000) points out that its nature was never defined but can be discerned from statements by senior campaigners for a Scottish Parliament; new institutions, new processes and a new political culture. New institutions would involve not only the achievement of greater equality between the legislature and

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[2] At the time of writing, institutions in Northern Ireland are suspended and the second election to the Assembly, due to have been held in May 2003, have been postponed.

executive, but also the displacement of elitist adversarial politics by inclusiveness and popular participation. To this can be added the point made in the introduction; that gender equality came to be seen as emblematic of the 'new politics'.

The nature of the hoped-for new political culture can perhaps also be inferred from insistence by campaigners that the Scottish understanding of sovereignty is one of popular, not parliamentary, sovereignty - inhering in citizens not subjects. The engagement of civic society in developing ideas for devolution and the view that popular sovereignty can be realised through devolution sit more readily with Benington's 'civic-oriented governance' than do parliamentary sovereignty and representative democracy. This is reinforced by Sloat (2002).

In making her claim, noted above, about academic and practitioner consensus on the importance of civic participation, Sloat (2002: 103) draws attention to the recommendations of the Consultative Steering Group's deliberation on the Standing Orders for the new Scottish Parliament that it share power; be accountable, accessible, open, responsive and participative; and that it recognize equal opportunities. She draws attention to the view that the enhancement of democracy requires not only institutional change but also new methods of political participation. However, as she also points out, it is not yet clear how civic actors should be involved.

As in Scotland, so in Wales, the promise of new politics formed part of the justification for reform. But the history of attachment to such a political culture is shorter than in Scotland (McAllister, 2000). And there are some questions about its depth. McAllister (2000), for example, argues that the high achievement by women in electoral representation cannot be taken as a good indication that reformers were convinced by their own rhetoric that devolution necessarily leads to greater inclusivity. According to her, the gains were achieved only in the face of dissent about the mechanisms which produced them. The comparative weakness of the Welsh Assembly's powers also mean that there are fewer legislative ends to which inclusiveness might be harnessed. However, the Parliament for Wales campaign advocated a civic forum for Wales to 'bring together representatives from the whole breadth of Welsh civic life and society', a possibility that McAllister (2000: 602) returns to in commenting on the state of public opinion about the Assembly. Indeed, despite evidence that constitutional change has not yet brought about a different political culture, McAllister concludes that there may be more scope for inclusion and dialogue in Wales than in Northern Ireland and Scotland as 'there is little to separate the practical policy agendas of Labour, Plaid Cymru and the Liberal Democrats' (*ibid*: 604) – implying a need to compete in cultivating

engagement. And, of course, there is the significance, noted in the introduction to this paper, that Chaney and Fevre (2002) attach to the Welsh equality duty.

If neither the long-standing pedigree of 'new politics' in Scotland nor its potential in Wales yet fully convince Sloat (2002) and McAllister (2002) that the arrangements can deliver the reformers' expectations, this invites a question for Northern Ireland - where the powerful reformers had no comparable expectations. Putnam's (1993: 6, 91, 116) questions about 'civic-ness' and whether and how 'the norms and networks of civic engagement undergird good government' might be adapted as: Is Northern Ireland 'civic' enough for its new institutions to be effective?

On the one hand, as McCall and Williamson (2002) point out, 'active citizens' must seem to many outside Northern Ireland to be people who regularly engage in violent stand-offs in disputes about parades and the display of emblems. Moreover, aspects of its civic life feature what Putnam (1993) finds least compatible with good governance; 'top-down' association under the architecture of organized religion and the perception that to compromise is 'to betray one's own side'. On the other hand, civic engagement with the routine policy process is notably extensive in Northern Ireland - perhaps more so than elsewhere. In the absence of 'normal politics' such engagement gave a legitimacy to policy made by civil servants or Direct Rule ministers, a legitimacy that could not be achieved through the political mechanisms that exist elsewhere. Added to that is the extensive involvement of the EU in Northern Ireland in programmes, all of which require the involvement of the 'social and civic partners' in the whole cycle of policy-making from formulation to implementation, monitoring and evaluation. This led Conservative governments in the 1990s to permit a degree of popular participation in policy-making that was not considered suitable in Great Britain (Hodgett, 1998). Such participation has been formalized into permanent district partnerships encompassing business, trades unions, the voluntary and community sectors and district councils.

In a small population, there are some 5,000-6,000 community and voluntary associations and some 60 percent of their paid and volunteer staff are women. Women were enormously active during the 'Troubles' keeping the fabric of society together (Women and Citizenship, 1995). Paradoxically, the imminence of normal politics brought about a threat to participation. Not familiar with ideas of participative democracy and determined on the restoration of representative democracy, many emergent politicians in the traditional parties saw it as proper for them to take over the policy-negotiating role and for civic associations to back off, as unrepresentative, unelected, and, it was to be hoped, now unnecessary.

Nevertheless, the strong base of community activism brought into being new parties, including the Northern Ireland Women's Coalition (NIWC), for which the absence of violent conflict over the constitution was not the same as peace and an inclusive political culture. Thus, though the term was not used, something like a 'new politics' philosophy informed aspects of the constitutional negotiations. The Agreement that was reached, and enacted in the Northern Ireland Act 1998, includes a much broader conception of equality than 'parity of esteem' as between Catholics and Protestants or Unionists and Nationalists. This applies to the equality- and rights-proofing of 'normal' policy and the Agreement specifically refers to women's rights in public and political life. However, a narrow version of equality is retained in respect of whose votes are to count in what are known as 'key' decisions taken by the Assembly.

Inclusiveness and participation through partnership has a statutory basis in the Civic Forum. The Civic Forum, proposed at the Talks by the Women's Coalition, was inspired by the practice of participation and the form of the district partnerships. There are differing opinions about whether the Civic Forum is a piece of consultative window-dressing or whether it can be a real deliberative body whose deliberations do make a difference to policy but there is a potential for it to become the latter (McCall and Williamson, 2002).

Finally, the transnational aspect of governance highlighted in Loughlin's table ties in with participation by civil society. The idea that governance includes the greater permeability of borders than government originates in the 'pooling of sovereignty' between states and the EU. But such opportunities for cooperation can also be seen in the institutions added by the Agreement and Northern Ireland Act 1998 to the overall devolution programme in the UK - the North South Ministerial Council (NSMC) and the British Irish Council (BIC).

The interstices between domestic and EU tiers and in the north-south and east-west axes in Ireland and the UK may provide further opportunities for sub-state and non-state actors to participate in the policy cycle in trans-regional or transnational arenas. Except in the case of the EU programmes, the opportunities for non-state actors are, as yet, embryonic. Discussion about initiating the Civic Forum in parallel to the Assembly gave rise to calls for a north-south consultative forum alongside the NSMC. This was mooted in the Agreement and steps are now (or were prior to suspension in October 2002) being taken to determine its form. The British-Irish Council links the devolved administrations, those of the Channel Islands and the Isle of Man and the Irish and British governments (and, if they are established, English regional assemblies). It has a programme of work, lead

responsibilities for which are taken by each of the administrations. Scotland, assisted by Wales, is responsible for social inclusion and has recently announced the establishment of a 'virtual community forum'.

Thus, new transnational forms of governance with 'civic oriented' aspects provide more channels in the public sphere than before for contributing to effective government in general and to the advancement of women's policy concerns. It would seem that civil society, including women's organizations, in the three devolved administrations is up to the task of using such opportunities - if they are 'real' forms of participative democracy. The jury is, perhaps, still out on whether these new institutions meet the necessary criteria for this to be the case.

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Elizabeth Meehan is a Professor of Politics and Director of the Institute of Governance, Public Policy and Social Research at Queen's University Belfast (QUB). The Institute was established in 2001 and, before that, she was in QUB's School of Politics, which she joined in 1991. Concurrently with both positions, she is Jean Monnet Professor of European Social Policy. Before coming to Belfast, she was a lecturer at Bath University. She has held visiting fellowships at Manchester University (Hallsworth Fellow) and at The Policy Institute in Trinity College Dublin. Prior to attending Sussex and Oxford Universities as a student, she was employed in the Foreign and Commonwealth Office. Her research and publications cover: women and politics; European citizenship; citizenship and participation in the UK; constitutional change in the UK; and British-Irish relations in the context of the EU with particular reference to the peace process in Northern Ireland and freedom of movement of persons between the two islands and under European arrangements. She is a member of the Irish Research Council for the Humanities and Social Sciences and of the UK Economic and Social Research Council's Postgraduate College. She is a member of the Advisory Board of the Public Record Office Northern Ireland, a director of Democratic Dialogue (Northern Ireland's think-tank), a member of an Independent Commission on Democracy organized by TASC (a Dublin-based think-tank) and has just completed office as a Trustee of the Scarman Trust in Great Britain.

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