

# Devolved Government in Northern Ireland



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# Outline



- Timeline: how we got to devolved government under the Good Friday Agreement 1998
- The institutions...
- How they operated...
- How we lost them...

# The fundamentals of NI politics



- Religious division in Ireland; partition, 1921...
- Politics fractured between unionism and nationalism
  - Northern Ireland constructed to have a unionist majority
  - The four largest parties (DUP, Sinn Féin, UUP, SDLP) self-designate as either unionist or nationalist
  - Accounting still for 80-90% of votes
- Corresponding to a large degree with religious affiliation and identity...
- And to some degree with a wish for a united Ireland
- But the old majority is disappearing

# End of the old regime, search for a new start



- 1921 to 1972: Government of Ireland Act, ‘Westminster model’ – one-party **‘majority rule’** at Stormont...
- Ever entrenching divisions, North and South
- Late 1960s: Civil Rights movement... but then terrorism, on both sides, for 25 years
- 1972: **Direct Rule** and a **Secretary of State**
- 1973 Sunningdale agreement, **power-sharing** government and an **“Irish Dimension”**
- ... collapsed, pursuit of powersharing continued
- 1981: Hunger strikes, and Sinn Fein in politics
- 1985: Anglo Irish Agreement, and an **Irish role in non-devolved affairs**

# New realities: ceasefires and talks



- 1991-2: talks with the ‘constitutional’ parties but also...
- Hume-Adams dialogue and backchannel to SF
- 1994: Ceasefires... And the problem of **decommissioning**
- 1996: Report of **US** Senator Mitchell... route into talks based on ‘**democratic and exclusively peaceful means** of resolving political issues... total **disarmament** of all paramilitary organisations’
- 1996: Talks begin (and IRA ceasefire ends)
- 1997: IRA ceasefire resumes, Sinn Fein into talks, and the DUP leave
- 1998 (April): the Good Friday or Belfast Agreement... referendums (71.1% pro in Northern Ireland, 94.4% in South)

# What gave us the Good Friday Agreement?



- 25 years of undoing division...
- Governments in London committed to the peace process, with bipartisan support
- Working fully in partnership with Irish governments
- With some civil society support
- ... Against the prevailing fatalism
- Paramilitaries concluding that they could not win

# Good Friday/Belfast Agreement 1998



- Not just **power-sharing government** (Strand One)...
- Constitutional status... Northern Ireland in UK or Ireland, by consent, in a **border poll**. Legal changes
- North-South institutions (Strand Two) – and East-West (Strand Three)
- **Parity of esteem; rights and equality**
- Transition from conflict: prisoner releases, decommissioning, reconciliation and victims
- Later: policing - the Patten reforms and Policing Board

# Devolution: the Assembly



- *(Political) diversity, powersharing, minority protection-resolving a political standoff not administrative efficacy*
- 90 members (reduced from 108), elected by **STV**
- Responsible for economic and social issues, law and order (not defence, foreign relations, macroeconomy). Subject to EU law and European Rights Convention
- MLAs – designate as Unionist, Nationalist, or other
- Key votes need **cross community support** (50, 50, 50; or 60, 40, 40); 30 members signing a **Petition of Concern** > cross community vote

# Devolution: the Executive



- **First Minister and deputy First Minister**, one Nationalist, one Unionist, all powers joint and equal
- **Ministers**: selection by the **d'Hondt** formula: any party sufficiently large entitled to nominate ministers, and only parties can dismiss them
- **Exception: Justice Minister**: election by cross community vote
- All parties used to take up d'Hondt places; latterly some chose Opposition

# [Devolution: money]



- Power to raise local property taxes (rates)
- But nearly all money to/from the Treasury: mainly the Barnett formula (existing budgets, +/- increase or decrease in comparable Whitehall budgets)
- NI fiscal deficit of £9.6 billion on total spending of 23.8 billion (2011-12)
- Northern Ireland public expenditure per head 27% higher than England

# The Agreement ... eventually implemented



- 1999 (December): devolution of economic and social matters, with David Trimble (UUP) and Seamus Mallon (SDLP) as FM/DFM...
- Continuing Unionist concern about IRA activity (despite first act of decommissioning, 2001)
- 2002: collapse of devolution and resumed direct rule
- 2003: new elections: DUP and Sinn Fein on top
- 2005: IRA statement – “end to the armed campaign... dump arms... exclusively peaceful means... an alternative way to end British rule in our country”
- 2006-7: St Andrews Agreement... devolution resumed
- 2010: Hillsborough Castle Agreement: devolution of policing and justice

# 2012 on... the structures shaken



- 2010 to 2012: partnership... reconciliation... the Queen... and Sinn Fein
- 2012: tensions over parades... The flags dispute
- 2013: efforts at refocusing... the Economic Pact; Together-Building a United Community
- 2013: the Haass talks: flags, parades, the past
- 2014: Euro-elections... welfare and parades...
- December 2014: the Stormont House Agreement (finance, welfare, flags, past, parades, institutions)
- February 2015: Sinn Féin 'misled... DUP bad faith'
- Summer 2015: paramilitary concerns
- November 2015: 'Fresh Start'
- May 2016: Assembly elections: Arlene Foster, First Minister

# Sudden collapse, January 2017 – and after



- **McGuinness resigns as DFM, 9 January. Why?**
  - Renewable Heat Incentive scandal... the latest whiff of corruption
  - ‘Disrespect’, identity, language, equality...
  - Brexit – a factor for mistrust
  - Illness and death of Martin McGuinness
- **Assembly election, March 2017**
  - Polarisation: DUP down, SF up... [DUP 28, SF 27, SDLP 12, UUP 10, All 8]. No overall unionist majority of seats
- **General election, June 2017**
  - More **polarisation**: DUP and SF do well, others badly; no nationalist representation in Parliament
  - **DUP-Conservative deal**: further damage to British Government’s standing as broker
- **Talks: the near-deal of February 2018**

# Where are we now?



- No government: civil servants in charge but without legitimacy, their legal authority doubtful
- A duty to call an Assembly election... members of the Assembly not meeting, but fully paid
- A widening divide... With occasional gestures of reconciliation
- Limited appetite for early talks, because of...
- **Brexit:**
  - DUP and other parties split
  - British and Irish governments utterly at loggerheads
  - Brexiteers suggesting the Agreement has "run its course"
  - London unfocused on Northern Ireland, except its DUP alliance
  - It could all get much worse

# [Positives of the devolved system...



- Constitutional pathway firmly established
- Sectarian division in politics accommodated
- Institutions of government largely accepted, including police
- Old adversaries working together
- Steps towards reconciliation
- Most street violence ended
- Competent, honest public services delivered

## ... and negatives]



- Never had stable government for sustained period
- Little common purpose or 'vision'
- Focus on past not future: reconciliation was limited
- Fragmenting consensus? – parties increasingly focused on other things than working together: Unionists their hardliners, Sinn Fein the South... commitment
- Easily hamstrung: decisions not made
- Politics not policy: bad at 'government'... Despite real challenges on the economy, shared future, public services
- Little public policy innovation or challenge
- Little civil society voice
- Suspicion of corruption

# Alternatives



- **Direct rule**
  - Legitimacy would be challenged
  - Where does it lead in the long term?
- **New arrangements/institutional change?**
  - But what is achievable?
- **Border poll – a United Ireland**
  - A 50% plus one vote?
- **Change from within Northern Ireland society**
  - Outsiders lack the capacity and interest
  - New voices, changing the climate
  - Vision
  - Public policy challenge and development – think tanks etc