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Introduction

The Northern Ireland peace process has produced the most concerted attempt thus far at creating political progress in the province. A second IRA cessation of hostilities in 1997 revived hopes that the process might shift from one of conflict management, predicated upon the maintenance of paramilitary ceasefires, towards conflict resolution. The new Labour Government moved towards multi-party talks designed to reach a political settlement which, it hoped, might be based loosely upon the 1995 Anglo-Irish Joint Framework Document (JFD). The JFD and Labour's own proposals outlined in January 1998 favoured devolved power-sharing in Northern Ireland, placed within Anglo-Irish and cross-border frameworks. This article examines the theoretical and practical problems associated with the construction of a new devolutionary agenda for Northern Ireland, in the context of Labour's traditional approach to the Province; the devolutionary stance of the Party; and the contemporary political situation.

Background

After provoking an initial flurry of excitement, not least due to unionist hostility, the Joint Framework Document had lain dormant in the run-up to the 1997 general election. At least part of the reason lay in the precarious state of the Conservative parliamentary majority in the final years of the Major

administration. It was asserted that the Conservative Government made 'little effort' in selling the JFD to unionists, who opposed the substantial all-Ireland dimension attached to its proposals for devolution (Bew and Gillespie, 1996:9). Labour acted with speed in restoring the political dimension of the peace process. The Party supported the return of devolved government to Northern Ireland and indicated that the JFD formed a basis for a possible settlement.

Indeed, Northern Ireland is placed firmly within the Labour government's agenda for devolution within the United Kingdom. Associated with this devolutionary approach is the desire to 'democratize' Britain. Indeed the section on Northern Ireland in Labour's election manifesto was found under a heading promising to 'clean up' Britain, via a substantial democratization programme (Labour Party 1997). As such reform of the way Northern Ireland was governed was linked to the themes of renewal and modernisation. Despite these linkages, the form of internal governance for Northern Ireland favoured by New Labour was partly a repackaging of old goods. It bore a marked resemblance to Labour's support for a consociational settlement in the mid-1970s. The key features of consociationalism, namely power-sharing and an accommodation amongst political elites, had been present in the Northern Ireland Executive created by the 1973 Sunningdale Agreement.

In advocating devolution for Northern Ireland as elsewhere, Labour was at least consistent. The Conservatives were faced with the problem of explaining why devolution for Northern Ireland was good, but disastrous for other parts of the United Kingdom. This apparent inconsistency was explained, somewhat obliquely, by 'special circumstances which require further action to be taken' (Conservative Party, 1997:57).

For Labour, devolution for Northern Ireland was a far more complex process than elsewhere in the United Kingdom. The agenda for Scotland and Wales was based upon the internal restructuring of the state. In Northern Ireland devolved arrangements were also concerned with the establishment of forums of inter-state co-operation, formally linked to any new self-governing assembly in the Province. Furthermore, although Labour insisted that devolution for Northern Ireland would, as in the cases of Scotland and Wales, strengthen the Union, the situation was again different. The Labour Government, in supporting the principles of the JFD as a broad basis of an outline solution, acknowledged that the Irish Government would maintain the right of nationalists in Northern Ireland to be part of an Irish nation. Whilst Labour insisted that joint British-Irish authority would not be implemented, joint identity was facilitated.

Labour as the traditional party of the Union?

An historical overview of Labour Party policy is required. Labour has traditionally been as wedded to the idea of the preservation of Northern Ireland's position in the United Kingdom as have the Conservatives. This might seem surprising given the historical links between the Conservative and Ulster Unionist parties; the support for Labour from Irish immigrants and the (highly debatable) association of the Labour Party with greater constitutional radicalism. Labour's defence of the Union has been reflected in successive political and security measures.

It was Attlee's Labour Government which consolidated Northern Ireland's position in the United Kingdom in 1949 in response to the Irish President de Valera's removal of the new Irish Republic from the Commonwealth. The 1949 Ireland Act passed by the Labour Government declared that there could no change in the constitutional status of Northern Ireland without the consent of its parliament. A Labour Government sent British troops to Northern Ireland in 1969. Its successor passed the Prevention of Terrorism Act in 1974 and ended political status for paramilitary prisoners. Arguably, only a Labour Government has in recent times attempted to impose a security solution to the Northern Ireland conflict, a task undertaken by the Northern Ireland Secretary of State from 1976 to 1979, Roy Mason. In an era of non-politics, Mason

promised to 'squeeze the IRA like toothpaste' (Coogan 1980:67). As Cunningham (1991:136) notes, the 'hawkish' approach of Mason was at least partly attributable to Labour's lack of room for manoeuvre, given the absence of a parliamentary majority during the period. Nonetheless, the 1976-79 period of Labour governance amounted to the toughest security approach displayed throughout the 'Troubles'.

Successive governments have favoured a return to a devolved assembly in Northern Ireland since the abolition of Stormont in 1972. Power-sharing has been the favoured mode of governance within that assembly, although the importance of devolved power-sharing within British policy has been questioned (Bew and Patterson 1985). Only the Mason era saw no attempt to construct such a project. The temporary political vacuum of that period was borne partly of the frustration of the 1974 Labour Government with local politicians. This followed the collapse of the power-sharing executive in 1974 during the loyalist Ulster Workers' Council Strike. Labour's irritation was exemplified by Harold Wilson's famous description of loyalists as 'spongers'. (see Pimlott, 1992). Fisk (1975) claims that the British Government's will to stay in Northern Ireland was sapped as a consequence of the strike, although no alternatives were ever seriously contemplated. Ousted from power in 1979, Labour in opposition supported the political initiatives and security stances of the Conservative

Government. In 1981, the Shadow Northern Ireland Secretary, Don Concannon, visited dying republican hunger strikers to inform them that Thatcher's rejection of political status for prisoners was supported by Labour.

Later that year, however, the Labour Party adopted the position of support for Irish unity by consent. Labour's phase of sympathy for the ambitions, if not the methods, of Irish republicanism during the 1980s, might be viewed as an aberration, a rare partial break with the bipartisanship that has existed on the Northern Ireland question since partition. Yet Labour's policy radicalism was only relative. Support for Irish unity by consent, whilst defined as consent obtained in Northern Ireland, means little in practice given the Unionist majority in the Province for the foreseeable future. As a statement of preferred outcome however, the policy was radical and needs to be set in the context of the leftward shift of the Party in the early 1980s. Ironically, given the unpopularity of much of Labour's left agenda of that period, support for Irish unification was a policy area in which the aspirations of the Party matched those of the British electorate (Hayes and McAllister 1996).

Support for Irish unity by consent

Labour's support for Irish unity by consent meant three things:

1. acceptance that there could be no change in the constitutional status of Northern Ireland without the consent of the majority of its citizens.
2. promotion of the idea that ultimately Northern Ireland should be reconciled with the rest of Ireland.
3. persuading unionists that their better interests lay within a unitary Irish state.

The most important element of this package was the extent to which Labour was determined to actively promote the idea of Irish unity. Labour's role as a persuader was entrenched when the pro-nationalist Kevin MacNamara was the Party's Northern Ireland spokesman from 1987 until 1994. In fact, MacNamara's ambition was to be Labour's last Northern Ireland Secretary (Bew and Dixon, 1994:151). In 1988, MacNamara's team produced the policy document *Towards a United Ireland*, which as the title suggests, proposed a dynamic for Irish unity (Labour Party 1988).

In terms of actual politics however, as opposed to policy blueprints, Labour scarcely differed from the approach pursued by the Conservative Government. Labour endorsed the developing Anglo-Irish intergovernmental framework within which politics was conducted. Given the embryonic cross-borderism emerging from this, Labour's support may be seen as unsurprising. Such a framework could, some believed, create structures for Irish unity. In respect of

the internal governance of Northern Ireland in this period, Labour concentrated upon the need for micro-level reforms designed mainly to address economic inequalities between the unionist and nationalist communities.

From persuader for unity to facilitator

Despite the wholesale policy transformations occurring within the Labour Party, unity by consent survived as the most enduring of any the stances of the 1980s. In 1994 however, MacNamara was sacked by the new Labour leader Tony Blair. It was claimed by the Party's Northern Ireland frontbench team that Labour policy 'had not changed' as a result (Illsley 1996). Labour argued that the Conservative Party had moved closer towards the Party's approach by agreeing to be a facilitator for the expressed desires of the people of Northern Ireland. In fact, such a role had been accepted by governments of Conservative and Labour persuasions since the Sunningdale Agreement (Tonge 1998).

The argument that Labour's Northern Ireland policy had not changed with MacNamara's demise was fallacious. The Party was more accurate in claiming that its stance was now 'live not utopian' (Illsley 1996). The idea that unionists might be persuaded to accept a united Ireland had always appeared optimistic. Previous support for unity by consent had been dismissed as gesture politics or 'platitudinous' by critics, given the absence of such consent (Bennett 1996).

Labour's switch on policy ensured a bolstering of the status quo. The pursuit of the Party's 'preferred option' of unity by consent was abandoned in favour of a maintenance of the constitutional status quo, until such time as the balance of political allegiances in Northern Ireland shifted. The case for a united Ireland was deemed not worth arguing. Labour post-MacNamara had abandoned the idea of actively advocating consent, or redefining the consent mechanism. In the absence of consent for a united Ireland, Labour would not advocate such an outcome as the Party's favoured solution. Once in office, Blair explicitly rejected the previous 'persuader' policy:

My agenda is not a united Ireland and I wonder just how many see it as a realistic possibility for the foreseeable future? Northern Ireland will remain part of the United Kingdom as long as a majority here wish...I believe in the United Kingdom. I value the Union...Northern Ireland is part of the United Kingdom because that is the will of the majority of the people who live here. It will remain part of the UK for as long as that remains the case. Unionists have nothing to fear from a new Labour Government. A political settlement is not a slippery slope to a united Ireland. The Government will not be persuaders for unity.

(Daily Telegraph, 17 May 1997).

In opposition, Labour had supported the Anglo-Irish Downing Street Declaration (DSD) of 1993 and the subsequent JFD. Indeed Labour supported the latter to the extent that many of its articles features as aspects of the 'new' Anglo-Irish blueprint announced in January 1998, around which political parties were expected to negotiate. Broad support for the DSD and JFD indicated several themes in Labour's approach to the most difficult part of its overall restructuring of Britain's constitution. These themes, resting somewhat uneasily alongside each other, can be identified as facilitation of the people's wishes, rather than persuasion; devolution with consociationalism; intergovernmentalism; and micro-level reform.

Labour as a facilitator

Labour insisted that it would act as an arbiter, offering legislative enactment of the will of the people of Northern Ireland. In a statement seemingly absolving government responsibility for the *shaping* of public opinion, Mo Mowlam, when Shadow Northern Ireland Secretary, asserted: 'If you are persuading people for a certain outcome as well as looking for consent, it's a slight contradiction in terms' (*Irish World*, 12 July 1996).

Acting as a facilitator was not tantamount to a declaration of neutrality on the future of the Union. Blair's rejection of a united Ireland and his emphasis upon

the value of the Union echoed the 'I cherish the Union' phraseology of John Major. Even allowing that the primary purpose of such words was to reassure Unionists, it was obvious that in a state which has its territorial integrity questioned, assertion of a majoritarian consent principle exclusively within its boundaries would not be construed as neutral by republicans. Labour's role as a neutral facilitator can be applied only at the level of micro-changes. At the macro-level, British sovereignty remained unquestioned, with an explicit Labour rejection of joint Anglo-Irish authority in Northern Ireland.

The leader of the Ulster Unionist Party acknowledged that Labour's approach had been 'much warmer' to unionists than the previous Conservative Government's (Trimble 1997). That Government had declared that it had no 'selfish strategic or economic interest' in Northern Ireland, although the author of the statement, Peter Brooke, denied that it constituted an expression of British neutrality .

Devolution, consociationalism and intergovernmentalism

Each devolved arrangement within the United Kingdom has either already been confirmed by popular mandate or will be subject to a referendum. All differ substantially in organisational terms. Devolution for Wales is minimalist. A more substantial programme has been readily endorsed by Scottish electors. The

outline plan for Northern Ireland, on the basis of the JFD and subsequent proposals represented a more complex set of arrangements. The amount of power to be devolved initially represented an intermediate position substantially beyond the weak Welsh model and leaning towards the self-governing Scottish example. Devolution for Scotland and Wales has been supported in referendums, narrowly in the Welsh case. Northern Ireland's electorate will also be offered a vote on a proposed constitutional package which includes devolved governance.

Labour advocates the return of devolved powers to an assembly at Stormont. The new assembly would have similarities to the ill-fated power-sharing attempt of 1974. This similar approach prompted Seamus Mallon, Deputy Leader of the SDLP to declare that 'new devolution' is in fact little more than 'Sunningdale for slow learners' (quoted in Bew, Sunday Times 20.4.97). Part I of the JFD provided the basis for Labour's own subsequent ideas for devolved internal government in Northern Ireland, These were outlined in the propositions made to the groups involved in multi-party talks in January 1998. The JFD advocated:

1. a 90 seat devolved Northern Ireland Assembly, elected by proportional representation and subject to checks and balances, involving, in particular, weighted majority voting, to ensure that decisions could be only be taken with

a wide degree of consensus.

2. a panel of three to adjudicate on controversial issues, elected using the same format as European elections (i.e. using proportional representation and treating Northern Ireland as a single constituency.

3. the panel to nominate chairs and deputy chairs of assembly committees, in accordance with party strengths and subject to assembly ratification.

4. assembly committees to oversee the work of Northern Ireland departments.

These proposals for devolution were then linked to the wider dimensions of a settlement. Again, the 1998 Anglo-Irish propositions for agreement contained many similarities to the 1995 JFD. They were based upon North (Belfast) - South (Dublin) and East (London) - West (Dublin) structures, outlined earlier in Part II of the JFD, A new Framework for Agreement. These included a North-South body comprising heads of Departments from the Irish Government and the new Northern Ireland assembly. This would discharge consultative, harmonisation and executive functions on a cross-border basis. Heads of the Northern Ireland assembly would also be committee chairs. Participation in the north-South body would be a 'duty of service' (HM Government:30). A

standing Anglo-Irish intergovernmental conference would be maintained.

The emphasis placed by the Labour Government upon the need for revision of existing political territorial arrangements throughout the United Kingdom ensured that it was amenable to the one major addition to the JFD contained in the 1998 proposals, that of the creation of a Council of the British Isles. This proposal, described as an intergovernmental council, matched the idea put forward by the Ulster Unionist Party. The Council would embrace the legislatures in London, Dublin, Belfast and Edinburgh, plus the Welsh Assembly. It was proposed by Unionists as a counterweight to the North-South Council. This might minimise the Irish Government's role to one of consultation over the totality of relationships within the islands. Such consultation would be granted through existing intergovernmental conferences and the new Council of the Isles. However, whilst both governments indicated that a new settlement would replace the Anglo-Irish Agreement so loathed by unionists, the Irish Government indicated that it had not abandoned the Framework Documents. In common with Northern nationalists, it sought cross-border executive decision-making through the North-South Council.

The political structures suggested in the JFD and the adaptations of 1998 were designed to reflect the principles of self-determination; consent for change; non-

violence and parity of esteem. Such principles had formed the basis of the 1993 Anglo-Irish Downing Street Declaration. Given that one of the reasons for the hostility to Sunningdale was the ambiguity of its all-Ireland dimension, it is to the credit of the architects of the JFD that the proposed executive, harmonizing and consultative functions of a new North-South body are defined. A consultative cross-border approach represents the minimalist dimension favoured by unionists, in that there is no formal requirement that agreement is reached on a common North-South approach within a policy area. Harmonizing arrangements mean that northern and southern representatives in the cross-border body are required to reach agreement on a common policy. Executive cross-border agreements provide the most substantial all-Ireland dimension. Not only is a joint policy agreed, but it is to be implemented on a joint North-South basis.

For unionists, proposals for devolved structures contained several advantages, in addition to the obvious benefit of the return of self-government. Firstly any settlement would retain British sovereignty over Northern Ireland. Labour's adoption of the JFD in the creation of a North-South ministerial council did not amount to joint authority, nor did the intergovernmental framework. Nationalists were anxious to emphasise the powers of the new North-South council as a clear acknowledgement that the settlement had an all-Ireland basis.

Unionists emphasised the looser, non-executive role of the intergovernmental council in dealing with the totality of relationships between the two islands.

Tensions within a devolutionary approach

It is possible to identify three particular tensions within Labour's support for devolution in Northern Ireland.

Integration versus devolution

Labour's support for a return of power to Northern Ireland attempts to rectify a clear democratic deficit. The sectarian excesses of the old Stormont regime followed by a deteriorating security regime led to the suspension of Stormont in 1972 and the removal of local governance, replaced by an unaccountable Northern Ireland Office. Palpably, such a deficit is not rectified by the system of local government in Northern Ireland, the weakest anywhere in western Europe, in which the twenty-six councils are responsible for little more than 'bins and burials'. Since the demise of Stormont, Northern Ireland has been subject to a form of semi-colonial governance by 'ministerial decree' (McGarry and O'Leary, 1995:95) in which the Secretary of State for Northern Ireland introduces and enacts legislation.

Devolution and democratization might be seen as complementary pillars of state

policy. In recent years however the thrust of a (highly constrained) democratisation programme in respect of Northern Ireland has been aimed at Westminster. During the 1990s, a select committee on the Province has been established,, allowing MPs greater post-hoc scrutiny of the work of the Northern Ireland Office. Furthermore, the previous Conservative Government promised the creation of a substantial Ulster Grand Committee, to the extent that Northern Ireland's MPs might be afforded the opportunity for greater say in legislation affecting Northern Ireland. Under existing arrangements, Orders in Council by the Secretary of State can be approved or rejected outright, but not amended (Hazelton 1995). This bolstering of the scrutiny powers of Westminster MPs followed Ulster Unionist Party support for the Major Government. Both sides denied a deal had been enacted, leading to the observation that they 'managed to communicate by means of silence' (Boyce 1996:147).

In office, Labour also pledged to establish strong committee scrutiny of legislation for Northern Ireland. By allowing a greater role for Westminster MPs in the politics of the Province, the government arguably introduced a counter-devolutionary approach. The committee-based approaches of the previous Conservative Government formed part of its *anti-devolutionary* strategy, borne of an anxiety to retain power at Westminster, whilst allowing

greater discussion of legislation produced at the centre. Labour now had the dilemma of whether to maintain integrative trends or reverse the process by granting greater autonomy for Northern Ireland and diminish Westminster's role.

Labour also faced a potential, if surprisingly undiscussed, 'North Down' question to match the West Lothian conundrum. If Northern Ireland was to have its legislative assembly with legislative and executive powers, should Northern Ireland's MPs be able to impact upon legislation affecting other parts of the United Kingdom? Furthermore, should Northern Ireland be permitted the same level of representation at Westminster? In party terms, Labour appeared strongly anti-integrationist. It refused to organise in Northern Ireland and prospects for electoral integration, described as the 'untried solution' were zero, despite the campaigns of some within the party, based around the group Democracy Now (Cunningham and Kelly 1995:20). Northern Ireland's electors remained unable to elect their central government. Overall, Labour appeared desirous of riding both integrative and devolutionary horses.

Ringfenced cross-borderism versus all-Ireland dynamism

Labour acknowledges the need for 'cross-border arrangements which acknowledge the importance of relationships in the island of Ireland' (Tony

Blair, quoted in Bew et al. 1997:219). Yet Unionists are hostile to the idea of a 'dynamic' North-South body as outlined in the JFD and wish to minimise the impact of such an institution. For nationalists, however, the creation of substantial North-South measures, with executive and harmonisation functions, are a basic requirement. Sinn Féin, whose President Gerry Adams described the ethos of the JFD as 'clearly an all-Ireland one' are at one with the SDLP in perceiving the all-Ireland connections of devolved structures in Northern Ireland as the providers of frameworks for Irish unity (Adams, 1995:229).

The devolution of power to Scotland and, potentially at least, to Wales, has a more certain *location*. Powers transferred to Northern Ireland would have a more diverse set of recipients. Key members of the Northern Ireland Assembly, the new departmental ministers, would find themselves locked into a North-South body, sharing authority with ministers from the Irish Republic. Obviously the electoral mandate for each set of representatives would have already been determined on a separate, North-South basis. This ensured that the population of each state would exercise a franchise, itself indirect, over only fifty per cent of this cross-border institution.

Furthermore, devolution elsewhere in the United Kingdom has clearer political *parameters*. In the original Framework document plan, the North-South body

would recommend to the devolved Northern Ireland assembly what functions should be designated. The British Government had 'no limits of their own' to impose (HM Government, 1995:30). It was envisaged for example that EU programmes would become the executive responsibility of the North-South body (i.e. placed under its direct control). The JFD envisaged that most other policy areas, subject to inter-party agreement could be offered to the North-South body for it to undertake a harmonising function, producing a common cross-border policy.

Such radical plans were the main reason for Unionist hostility, with the Ulster Unionist Party using the multi-party negotiations of 1997-98 in an attempt to dilute the scope and depth of powers of a North-South body. Restrictions were already indicated in the JFD, in that future transfers of power to a cross-border body would be subject to the approval of the Northern Ireland Assembly. Given the in-built Unionist majority likely within the assembly, it is difficult to envisage a substantial transfer of responsibilities. Self-government for Northern Ireland would nonetheless involve the transfer of functions to a much broader range of institutions than in devolutionary arrangements for other parts of the Kingdom. Devolved structures would emphasise the duality of the problem in addition to reorganising the internal workings of the state.

The cross-borderism outlined in the Framework documents represents an institutional approach to inter-state co-operation. Such an approach represents a more coercive form of cross-borderism than economic and civil society dimensions at present largely absent on the island (Greer 1997). This institutional approach derives from an optimistic neo-functional approach to Irish unity, in which support for existing political institutions can be readily transferred, on a logical basis, to new ones. The main basis for such optimism would appear to be the lack of support for the current mode of governance in Northern Ireland. Few see direct rule as amounting to anything other a holding operation. However, whilst all the parties agree that new political institutions need to be created on the island, there remains considerable division over the nature of the institutions to which citizen loyalties should be transferred. Furthermore, even economic co-operation is unlikely to create rolling integration. Despite the progress of the 'emerald tiger' economy in the south, there is 'no pot of gold at the end of the all-Ireland rainbow' (Bew et al, 1997:198).

Consociationalism and intergovernmentalism versus emancipation

In advocating a devolved, power-sharing settlement in Northern Ireland, the previous Conservative Government 'nailed its colours firmly to the consociational mast' (Lijphart 1996). In supporting such an approach, Labour

is confronted by the difficulty of ensuring a coalitional form of government and elite accommodation which is representative, consensual and accountable. The desire to implement these positives is countered by the negatives of historical enmity; a non-consensual society and potentially overarching intergovernmental and cross-border frameworks.

The section of the Framework Document more likely to emerge intact is Part I, dealing with devolution. Based on these proposals, the new administration will not be a formal coalition. However, the means of election to the assembly, the weighted majority voting within and the election of a panel and assembly chairs combine to ensure that in effect government will be coalitional, with no return to straightforward majority rule. In an attempt to avoid the negative ethnic power bloc criticism sometimes made of consociational arrangements, the Framework documents do not suggest the reservation of assembly positions for particular parties (see O'Leary and McGarry, 1996:337-38).

It has been acknowledged that the *principles* underpinning the DSD and the JFD contain the 'germ of an emancipatory approach' to conflict resolution, but that within the JFD plans for devolution, these principles are not exercised in the mechanics (Ruane and Todd, 1996:315). Instead, they are replaced by a flawed return to ethnic bloc arrangements, exemplified by checks and balances

designed to facilitate vetoes rather than produce commonalities. Undoubtedly the legacy of the Stormont era is that any devolved arrangement for Northern Ireland will indeed contain minority vetoes designed to protect nationalists. Such safeguards are reflective of the zero-sum game aspects of politics in the province, but they permit, at best, lowest common denominator decision-making and offer little for community reconciliation. Unlike devolution for Scotland and Wales, arrangements for Northern Ireland will be based less upon novel forms of governance and more upon avoidance of historical errors. The assumption underlying minority vetoes is that somehow Unionists are desirous of a return to discriminatory governance. Yet it has been claimed that the old devolved Unionist regime at Stormont was not, in terms of the formal enactment of legislation, the source of discrimination, being forbidden to enact partisan laws by the 1920 Government of Ireland Act (Stewart 1977). Stormont's error was to fail to prevent discrimination. Yet nationalists, still a minority in any new Northern Ireland assembly, would have difficulty enacting proactive measures concerned with equality. The clear disadvantages still pertaining to Catholics in Northern Ireland today arguably owe less to the method of governance than to continuing informal discrimination and community segregation. As such, minority vetoes will not make a substantial contribution to the current vogue of 'parity of esteem', which, in any case, is, by definition, denied to in a political sense by the retention of British sovereignty.

In addition to entrenchment through the perpetuation of exclusive political blocs, the proposals for a devolved settlement may also lead to exclusion. The people of Northern Ireland will have the ultimate say in any plans for the province, via a referendum, although, as Gilligan (1997) notes, the peace process until this point has been one which has been based largely upon the exclusion of citizen input. This leads to the first problem with the use of a referendum. Although the people of Northern Ireland will determine the fate of any set of proposals, it is evident that they will not be voting for a final settlement. Instead, electors will choose whether to create a set of institutions whose power will vary according to the *subsequent* dynamic of British-Irish arrangements. Although voters may support the establishment of a Northern Ireland Assembly with ostensibly transparent legislative and executive roles, this may not be the major repository of power. Instead, major decision-making may rest with existing intergovernmental machinery or with the North-South ministerial council. The Framework Document, upon which the latter idea is based, refers to an 'agreed dynamic' determining the powers of the latter body. Even if one sets aside the problem of whether a dynamic can be agreed, voters in Northern Ireland will, at most, exercise a general decision on the likely future direction of relationships between the two parts of the island. Ironically a more substantial role will be given to the electors of the Irish Republic. In

any referendum on Articles 2 and 3 of the constitution, they will be able to re-define the nature of modern Irish nationalism, moving it away from traditional irredentism.

Conclusion

Labour's approach to devolution in Northern Ireland represents three things. Firstly, it amounts to a substantial shift in party policy, away from the 'unity-preferred' outlook which held sway until 1994. However, this shift represents a reversion to 'policy normality' rather than policy novelty under New Labour. Party policy of the 1972-75 era also supported a devolved consociational settlement with an all-Ireland dimension. Labour has reverted from being a persuader for a united Ireland towards a facilitator for the desires of the population in Northern Ireland. This means that Westminster sovereignty over the Province is formally acknowledged as only conditional, but equally, Westminster sovereignty should be formally accepted by the Irish government. Having expressed greater enthusiasm for Anglo-Irish intergovernmental frameworks during the 1981-94 period, Labour has revived its enthusiasm for devolved government in the Province as central to any settlement. Although far from a purely internal solution, the return of a devolved parliament for Northern Ireland would provide institutional confirmation of Labour's expectation that the state is secure, at least in the medium-term.

Secondly, Labour sees the return of devolved government to Northern Ireland as part of an overall programme of the democratisation of the United Kingdom. Policy during previous phases of the conflict stressed the abnormality of conditions in Northern Ireland. The Province remains an area of policy exceptionalism, as the concept of 'self-government' has different meaning for the nationalist and unionist communities. Acknowledgement of this lies in Labour's dual state approach to political arrangements attached to a new assembly. Labour's devolutionary agenda in Northern Ireland is nonetheless part of a broader attempt to redefine relationships between the centre and periphery. Given the prominence of Labour's constitutional strategy, Northern Ireland is perhaps less at the margins of policy-making than has previously been the case.

Thirdly, the Labour Government accepts the need for institutional recognition of the totality of relationships between Britain and Ireland. Herein lies substantial policy continuity from the previous Conservative administration. Although the arrangements for devolution are designed to replace the Anglo-Irish Agreement, much of the intergovernmental machinery will remain and an Anglo-Irish framework will overarch other sets of relationships. The development of cross-border relationships will serve to enhance this intergovernmental framework, particularly as the same ministers from the Irish

Republic are likely to be involved at cross-border and Anglo-Irish levels. Both the British and Irish governments will attempt to promote mutual island-wide co-operation, a difficult task given the likely extent of hostility and power of veto on such developments awarded to the devolved Northern Ireland assembly. It is this North-South relationship which requires resolution if the 'settlement train' is not to be derailed.

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