

CONSULTATION PAPER – MEASURES TO IMPROVE THE OPERATION OF THE NORTHERN IRELAND ASSEMBLY

Dear Secretary of State

1. Welcome to the conundrum that is Northern Ireland! Your predecessor circulated the above consultation paper for comment. It should be a matter of grave concern to you that almost half the electorate in Northern Ireland do not vote. It should be of equal concern to you that politics here continues to be so divisive and our politicians are more likely to participate in point-scoring on the Nolan Show than to hold genuine strategic policy debates.
2. Your message to the recent Conservative Party Conference was that the terrorists would not win. This sounded like a 1970s speech that had been dusted down and rolled out to persuade a disinterested audience that we have a valid political process in Northern Ireland based on consent and democratic principles.
3. In fact, we have none of these.
4. If you have watched or reviewed even a few of the media reports since your arrival in Northern Ireland, you will know that the present political arrangements and personalities have divided our society even more deeply, if that were possible; and that people are manipulated by the threat or fear of what the other community might do or has done. The honest, objective observer sees that we do not have a peace process but a process whereby the deep-seated bigotry is reinforced and even encouraged by the behaviour of our political parties and leaders.
5. I don't believe that I am alone in finding the politics and politicians of Northern Ireland divisive and depressing. A very significant proportion of the electorate – most likely a substantial majority – are moderate, law-abiding people who live with and respect the political and personal views of their neighbours. However, the small majority of the electorate in Northern Ireland which voted in 2011 continued to vote along party lines since there is no alternative, thereby ensuring that the present divisions prevail. And, unfortunately, many appear to regard politics in Northern Ireland as a rather vicious sport and the Assembly has created the ideal platform for this game to be played out in front of biased and bigoted admirers.
6. The hope created by the 1999 Assembly was shattered by the policies of the DUP, which included non-participation and playing on the fears of the unionist people. This party appears to have air-brushed from history Edward Carson's wish that Northern Ireland would be a place where Roman Catholics would feel welcome. Unfortunately, these policies were attributed a degree of justification by the past behaviour of Sinn Fein. Equally unfortunately, that party considers all of its previous actions justified by the fact that it now has an electoral mandate.

7. By supporting terrorism and generally behaving badly, Sinn Fein has carved out an unassailable position as the main advocate for nationalists. The DUP and, to a large extent, the Ulster Unionists see this as justifying bad – even violent, riotous – behaviour on the part of some of the protestant community; to the extent that they are prepared to condone or, at the very least, not condemn this behaviour. Such behaviour is supported and encouraged both vocally and financially from public funds.
8. Having a political system which allows government ministers to give active support and encouragement to sectarian bigotry and provocation without fear of censure, indicates clearly to objective observers that we do not have a democracy – rather the law-abiding majority is being held to ransom by those addicted to bigotry, sectarianism, bullying and the threat of violence. The willingness of significant numbers in both communities to condone or resort to violence is alarming.
9. With the Ulster Unionists and SDLP continually self-imploding, but seemingly determined to pursue influence and power rather than considering how they might best work together as an opposition, the consultation paper might usefully have presented some ways in which an effective opposition might be formed. This is not obvious to many of us since the present arrangements are to the advantage of so many interests. The outcome of these arrangements, of course, will be an increasingly disenchanted electorate apart from those who are content with the divisive nature of our politics because of the power, influence, reward and advantage it brings to them.
10. Stephen Rainey and Jason Walsh in the Irish Examiner recently described politics in Northern Ireland as a 'baleful embarrassment'. In a frighteningly accurate analysis of the situation, they highlight a number of the problems:
 - (i) political power is locked in Stormont;
 - (ii) most people are content with all the rhetoric about peace, stability and normality;
 - (iii) the lines are too heavily drawn and serve only those doing the drawing.
11. In fact, the problems are considerably worse than their analysis conveys: Political power is not just locked in Stormont but in the joint offices of First Minister (FM) and deputy First Minister (dFM). So long as the holders of these offices can tolerate each other (as the present incumbents have proved they can do), carefully choreograph their PR and negotiate packages which keep their respective communities from returning to the extreme violence of 'The Troubles', the present arrangements cannot be changed by democratic means in the absence of an effective opposition.
12. The present FM and dFM have become adept at negotiating packages for their respective communities and forcing these through the Executive. The arrogance with which they do so is at times alarming, clearly demonstrating that we do not have a democracy here. Government in Northern Ireland rarely, if ever, reaches a strategic level. It is managed and manipulated by two people negotiating tit for tat deals with the potential for violence to erupt at any time when a particular community does not get its way.

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13. Examples of this can be clearly seen. The previous Assembly was dissolved on 25 March 2011 for the purposes of new elections to be held in May. It was dissolved following a blitz of criticism orchestrated by the FM and dFM against Ulster Unionist and SDLP Ministers as they sought to extend the power bases of their own parties which have dominated the Assembly following the restoration of devolution in 2007.
 14. On the day of its dissolution, dFM announced that he could absolutely guarantee that funding for Altnagelvin Hospital (which the Ulster Unionist Minister had announced would not be available) would be restored. How could he be so certain? The answer is obvious to all objective on-lookers – such an agreement had been reached between the FM and dFM. The restoration of the Altnagelvin funding was a quid pro quo (or part of a quid pro quo) for the compensation which was to be paid to over 10,000 members of the Presbyterian Mutual Society (PMS). In turn, the DUP claimed credit for securing the compensation package in order to attract PMS members' votes. Not a single departmental press release was issued regarding the PMS to claim credit for the Assembly as a whole. So it has continued – an A5 road upgrade for Sinn Fein, an A8 upgrade for the DUP. A development scheme in North Belfast favouring the protestant community, concessions to nationalists still to be announced in regard to The Maze.
 15. These two individuals are also adept at stage-managing party tensions or a political crisis when an effort is needed to prise some concession from Westminster or more public money from HM Treasury. However, there is no shortage of public money in a country which is able to spend huge sums of public money on 'social' slush funds to appease communities threatening violence or assist unrepresentative organisations develop their culture. Millions of pounds of public money are spent on an irrelevant language and an even more irrelevant dialect in preference to improving the health or education systems.
 16. Amazingly, the First Minister has survived the personal and family problems of 2009-10. The deputy First Minister is also able to explain away his past comfortably. The British media and democratic system has just hounded a very senior conservative MP out of office for calling names at police officers. Why do we not hear this kind of dogged analysis of behaviours in relation to prominent political personalities in Northern Ireland who, to use a much abused term of their own, are 'not fit for purpose'? And why should the Northern Ireland people as a whole have to be governed by people who have displayed such behaviour. The attitude which set Nelson Mandela apart was his willingness to forgive and forget the past, and display wholly objective leadership qualities for the benefit of all the people. These qualities are completely absent in our prominent politicians.
 17. The media in Northern Ireland is largely subjective and ineffective. Any negative journalism is quickly jumped on by the politicians and the stories fizzle out. Quickly backtracking from an incisive Spotlight programme into the behaviour of the Robinson family, the BBC, in an astonishing about-turn

and blatant piece of electioneering on his behalf, ran the programme 'Robinson' on 7 February 2011 which sought to paint the First Minister in a light which only his most avid admirers could believe. We await with interest its parallel piece 'McGuinness'!

18. Again and again, the DUP displays behaviour which runs completely counter to its frequently stated Christian principles – the consistent appearance of its members at the head of the expenses' table, their support this summer for law-breakers and provocative marches, their criticism of lawful authorities and officials, etc – highlighting its hypocrisy and the self-interest of its members.
19. Remarkably, to anyone prepared to set aside his past, the deputy First Minister has been by far the most outstanding statesman of devolved government in Northern Ireland. It can only be hoped that the profile he presents is more than skin-deep. While there remains no shame, embarrassment or apology about his past, however, neither he nor Sinn Fein is likely to secure the trust (or votes) of the unionist community. The party must therefore rely heavily in the present arrangements on securing a personality in the First Minister's office who is willing to negotiate deals and continue the present 'dual dictatorship' and bullying of minority parties which exists at present. The fact that most of the prominent DUP politicians quickly left for Westminster rather than pursue a leadership challenge in 2010 suggests that dFM has an amenable partner for the foreseeable future.
20. So far as the whole community is concerned, an increasing reaction by the general public to the present political arrangements is apathy on the basis that anything is better than bombs and bullets. Almost 50% of the electorate is switched off by the heavily drawn sectarian lines, which have grown deeper since the restoration of devolution in 2007, and by the continuous political squabbling over petty issues, most of which is aimed at maintaining the support base for their respective parties.
21. The consultation paper (section 4.2) suggests that changing the arrangements in place may be 'hard' – in fact, it is impossible to change these arrangements by voting especially when they are manipulated as they are by the two largest personalities and parties. It is therefore a rather fruitless exercise for the Secretary of State to ask people what improvements they would like to see and, at the same time, tell us that any changes will need the agreement of the political parties here. Since we do not have a democracy, the Secretary of State and the Westminster Government would need to impose changes but they have consistently demonstrated an unwillingness to do so.
22. As things stand, the strategy of Sinn Fein and the SDLP remains a united Ireland. In a process where they demand mutual respect, these parties are incapable even of naming the country which they purport to govern. The strategy of the DUP and Ulster Unionists is to defend the position of Northern Ireland within the United Kingdom even (as this summer once again has proved) to the extent of tolerating and excusing the threat of violence and sectarian behaviour for fear of losing the power, money and influence which unionist politicians have had for many years. These strategies are mutually

incompatible so that the present arrangements for devolution in Northern Ireland condemn moderate and tolerant people to a vicious cycle of extremism and intolerance.

23. Sadly, the media here and even the international media have bought into the façade, seeking to put positive spins on 'progress'. Journalists seem blind to some of the sharp contrasts which exist, for example, the nonsense of a city which cannot even agree on its name being nominated as European City of Culture and a few weeks later being branded 'City of Fear'. All of this reinforces the hypocrisy of the situation which persists in Northern Ireland.
24. As Secretary of State, you can tackle this situation effectively by radically reducing the number of people with political influence in Northern Ireland. Please do not allow the opportunity to pass by giving the political parties here a veto on any such plans. Even with such a reduction, it will take generations for the threats of violence, sectarian attitudes and bigotry to disappear in Northern Ireland. However, there is a chance that they may do so more readily when the numbers of politicians with a platform to stoke up such behaviours are radically reduced.
25. Is there a realistic chance of you taking such a step?
26. I attach responses to the questions in the above-mentioned consultation paper. These responses and the comments above are my personal views and are made to give an insight into the frustration which many people feel about the divisive nature of the political arrangements here, the divisive rhetoric of our politicians and our inability to effect change by democratic means. I ask that these responses be kept anonymous if these responses and comments are published or made available to other government agencies, etc.

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Question 1 – What should the future size of the Northern Ireland Assembly be?

- 1.1 As the Review of Public Administration demonstrated, Northern Ireland is heavily over-governed and over-represented politically. While that Review did not address numbers in the Northern Ireland Assembly, it did address (among many other matters) the number of district councils and councillors, including *the representative roles of those councillors in other public bodies*. Too many incompetent people have been given a platform to air their bigoted views and inhibit genuine progress for too long.
- 1.2 The fact that a very comprehensive Review based on thorough research was largely ignored and its recommendation in relation to District Councils replaced by a finger-in-the-air solution (still not implemented 6 years later) does not hold out any great hope that an attempt to reduce Assembly numbers will be any more successful unless imposed by Westminster. This view is reinforced by the Assembly and Executive Review referred to in section 1.2 of the consultation paper where the smaller parties seek to maximise the number of Councils to hold onto as much power and influence as possible while the DUP in its arrogance simply offers nothing constructive in the knowledge that, with its Sinn Fein partner, it will have the final say.
- 1.3 A widely held popular view seems to be that MLA numbers should be reduced to an absolute minimum consistent with constituencies being proportionately represented. That should certainly be less than 50 – if nothing else, this would substantially reduce the amount of divisive rhetoric and bigotry displayed on the floor of the Assembly, in the media and in public by elected representatives.
- 1.4 This reduction should be combined with a reduction in the number of Departments to the optimum number of one headed by FM and dFM with a reduced number of ministerial portfolios and consequent reduction in the number of Assembly Committees. This would ensure that accountability lies collectively with FM, dFM and the Executive rather than with individual ministers in a system where those ministers in minority parties are bullied and manipulated by FM and dFM. Ministerial special advisers should be replaced by a representative number of special advisers to the Executive as a whole.
- 1.5 In selecting a particular reduced number of MLAs there should be no concern about representation for all the present parties so long as constituencies are adequately represented. Indeed, it would help considerably if at least two of the five parties lost the right to appoint a minister as this might force them to consider an opposition role rather than toeing a unionist or nationalist lead taken by the major parties.
- 1.6 It would seem practical to maintain the link with Westminster constituencies but there is insufficient information in the consultation paper or in the Assembly and Executive Review to comment meaningfully on this.

Question 2 – Do you believe that there should be combination of Parliamentary and Assembly elections in 2015 or should these be decoupled?

- 2.1 By and large, the electorate in Northern Ireland votes along party lines with only very marginal shifts. The main exception was the 2007 Assembly election when the formerly abstentionist DUP was able to play on the fears of unionists and their distrust of Sinn Fein to secure a sharper swing away from Ulster Unionists, while Sinn Fein were able to secure a similar swing from the SDLP.
- 2.2 The electoral messages rarely change in Northern Ireland – the fewer days set aside for elections in Northern Ireland, the less sectarian bickering we are likely to be exposed to and the less opportunity for those who continue to threaten violence.
- 2.3 The Parliamentary and Assembly elections in 2015 should therefore be combined.

Question 3 – Do you think the current Northern Ireland Assembly should be extended from 2015 to 2016?

- 3.1 No.

Question 4 – Should the Northern Ireland Assembly move to a fixed 5-year term permanently?

- 4.1 Yes, if it aligns with Westminster arrangements.

Question 5 – Do you believe that representatives should be prohibited from holding the offices of MP and MLA at the same time?

Question 6 – Do you believe that representatives should be prohibited from being members of the House of Lords?

- 5.1 Yes.

- 6.1 Yes

Question 7 – Is it better to use primary legislation to ban such practices outright at the earliest opportunity or to take a power to do so at a later date to allow space for agreement to be reached?

- 7.1 More than adequate space has already been allowed for local parties to agree and move forward decisively on this. Primary legislation should ban such practices from the earliest possible date set by the Westminster Government. Certain unionist politicians have consistently failed to give up the power, influence and money associated with multiple mandates.

Question 8 – Do you think the Assembly would operate more effectively with a system which provides for a government and an effective opposition? If so, how can this system best be achieved?

- 8.1 Yes, but such an arrangement is not possible where the two main personalities and parties can jointly manipulate an undemocratic system. The Secretary of State should consider a second consultation process which identifies possible options for implementing an alternative democratic system. Since the strategies of nationalist (united Ireland) and unionist (maintaining the union) parties are mutually incompatible, it is not obvious to many of us how an effective opposition could be created without the opposition losing its electoral mandate. All parties at present see the present arrangements as giving them the maximum amount of power, influence and reward.
- 8.2 The DUP and Sinn Fein are content with the working partnership between the First and deputy First Ministers which gives them an unassailable position with regard to the minority parties. It has enabled them to establish a 'dual dictatorship' which cannot be changed by democratic means while they continue to deliver the 'right' messages and packages to, or play on the fears of, their respective voters. With the present two personalities at the head of the major parties, the Executive, Assembly and minority parties have been effectively manipulated and managed for the purposes of the two major parties.
- 8.3 The Ulster Unionist Party has indicated that it prefers power – which is now totally beyond it – to opposition although the new leader appeared to be changing his mind on this a few weeks into his tenure. As with the Ulster Unionists, the SDLP has been decimated by internal wrangling and is also reluctant to surrender the power and influence it sees itself as having in the present arrangements. These two parties seem incapable of forming an effective opposition since neither is prepared to consider matters objectively but still feel bound to follow particular unionist or nationalist lines set by the major parties – either that or lose votes.
- 8.4 The Alliance Party is devoid of integrity having shown clearly that power is more important to it than even an electoral mandate. The party huffs and puffs about lack of progress on community relations but members haven't had the courage of their rhetoric by rejecting or standing down from the Justice Ministry. Its present platform has been created by greedily grabbing the titbits thrown to it by FM and dFM in preference to standing by its stated principles. Given time, the party could be an effective opposition but this would require a sea-change in the self-interested attitude of the present leader and clearly articulated policies which would command widespread support from moderate, objective political opinion. It would also be a high risk strategy for the party to adopt.
- 8.5 The dilemma for the Secretary of State is that a power-sharing government should have compatible aims which are for the benefit of all the people. In Northern Ireland, the strategic political aims of union and united Ireland are not compatible. The power-sharing arrangements have thus been hijacked by

those parties which do not represent moderate, objective opinion. The rhetoric of these parties is frequently divisive and, at times, provocative but they can quite easily secure their mandates within the present arrangements by bullying, manipulating and criticising the minority parties. Any opposition within the present system would be quickly crushed.

- 8.6 Key questions therefore for the Secretary of State are 'Where is an effective opposition going to come from?' and, even if one is created, 'How can its interests be defended and nurtured within the political system here?'. For an opposition to be effective, economic, health, education and other policies would need to assume higher priority than the union/united Ireland issue. That would be a massive ask since the present unassailable DUP/Sinn Fein partnership relies on this divisive matter remaining centre stage. The Secretary of State should consider a second consultative paper setting out some options for an effective opposition, and indicating which of these the Westminster Government would be prepared to legislate for in the absence of agreement among the local political parties.
- 8.7 The Westminster Government has created a devolution monster which has demonstrated that it cannot govern strategically or objectively on behalf of all the people. Surely, a 'Shared Future' means more than a tit-for-tat negotiation process between the First and deputy First Ministers masquerading as government! The description of politics in Northern Ireland by Stephen Rainey and Jason Walsh in the Irish Examiner as a 'baleful embarrassment' is accurate. Political power is locked in Stormont. Most people are content with all the rhetoric about peace, stability and normality. The lines are too heavily drawn and serve only those doing the drawing.
- 8.8 Is the Secretary of State prepared to challenge these entrenched attitudes?