‘Democracy’ in Northern Ireland: experiments in self-rule from the Protestant Ascendancy to the Good Friday Agreement*

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ABSTRACT. Pierre van den Berghe has argued that democracy in divided societies can take five different forms: Herrenvolk democracy, ethnic democracy, liberal democracy, multicultural democracy and consociational democracy. My article argues that each of van den Berghe’s five versions of democracy, or relatives of them, has been experimented with in pre-partition Ireland and Northern Ireland. While all have clear limits, the one that is most suited to Northern Ireland’s conditions is consociational democracy. The article discusses some limits of the consociational approach in Northern Ireland but also defends it against common criticisms.

Pierre van den Berghe (2002) argues that democracy in ethnically divided states can take several different forms. The state can be dominated by one group, as in a Herrenvolk or ethnic democracy; protective of individual equality, as in a liberal democracy; accommodative of minority group rights, as in a multicultural democracy; or co-governed by its different groups, as in a consociational democracy. Northern Ireland (and pre-partition Ireland) provides a useful test case for weighing the relative merits and feasibility of these options, as it has experienced all of them, or relatives of them.

Ireland’s eighteenth-century Anglican control system, the ‘Protestant Ascendancy’, has several features in common with van den Berghe’s concept of Herrenvolk democracy, although in Ireland only a small proportion of the Herrenvolk had the franchise. Northern Ireland approximated an ethnic democracy under the Stormont regime that existed between 1921 and 1972.

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During the period of ‘direct rule’ between 1972 and 1999, Northern Ireland was governed from Westminster according to liberal democratic and increasingly multicultural democratic principles. Since December 1999, it has had brief experience of consociational government.

Neither *Herrenvolk* nor ethnic ‘democracy’ are properly democratic or capable of delivering justice and long-term stability. Both offend fundamental democratic principles of equal citizenship and self-determination. In addition, the spread of civic equality norms mean that both are increasingly likely to be challenged by excluded groups and by Western states and international organisations. Liberal democracy has clear advantages for minority groups as its institutions should shield their members from discrimination and permit them certain freedoms. Its main shortcoming, from the perspective of religious and cultural communities, is that it offers relatively little positive protection for their collective cultural rights. This shortcoming helps to explain why many Western states, under pressure from these communities, have been moving in recent decades from liberal towards multicultural democracy (Kymlicka 1995).\(^1\)

While multicultural democracy can accommodate religious and cultural minorities, it is unlikely to satisfy *national* minorities. National minorities tend to resent the suggestion that they are mere cultural communities.\(^2\) Unlike the latter, whose needs can be satisfied by policies of cultural protection, national minorities insist on institutions that recognise and permit collective self-government. As a quid pro quo for remaining part of the state, they seek to have it redesignated as a multinational state, not merely as a multicultural state.

Multicultural democracy is also unlikely to address the concerns of minorities in *deeply* divided territories, particularly violently divided ones, such as Sri Lanka, Lebanon, Bosnia and Cyprus. Minorities in these societies want and, if their bargaining position is strong, insist upon far-reaching institutional measures that guarantee their group’s security, such as guaranteed autonomy, a share in executive power at the level of the central government, a representative public sector (particularly a representative police and army), and vetoes over significant political change. These are the protections associated with consociational democracy.

Consociationalism also has limits, although the limits stressed in this article are not those that are highlighted by anti-consociationalists. Typically, critics oppose consociationalism because they believe it privileges certain divisive identities (such as ethnicity) over other integrating or crosscutting identities (such as class), and that it institutionalises and entrenches divisions based on these identities. They also argue that consociational coalitions, which require rivals to co-operate, are inherently unstable. However, it is possible to design consociational institutions so that they reward any identity group that has democratic support, and so that they provide a mechanism for narrowing rather than entrenching division. Consociational institutions may be unstable, but the alternatives associated with anti-consociationalism cannot resolve the problem of instability, and often compound it. Moreover, it
may be possible to address problems of instability in consociational institutions.

The consociational approach is limited because it exaggerates the extent to which conflicts are self-contained. This has led consociationalists to downplay or ignore the importance of exogenous factors when explaining how consociational settlements emerge, or when seeking to bring them into existence.\(^3\) It has also led them, when designing conflict-regulating institutions, to focus on intra-state institutions, at the expense of those that link states or parts of states. Yet the latter may also be necessary in the many cases, including that of Northern Ireland, where national communities intersect with state frontiers (McGarry and O'Leary 1995).

Consociationalists have also focused too narrowly on the design of, and need for agreement on, political (legislative and executive) institutions. The achievement of political settlements normally requires agreement on transitional issues that go beyond such institutions, and the stability of political institutions may be affected by how these other issues are managed.

Eighteenth-century Ireland’s *Herrenvolk* system and twentieth-century Northern Ireland’s system of majoritarian (ethnic) democracy

Van den Berghe defines a *Herrenvolk* democracy as one that limits the right to vote and to be represented in law-making bodies to a privileged racial or ethnic group. Apartheid South Africa, where whites enjoyed universal suffrage but blacks were denied any democratic rights, is the classic case. An ethnic democracy is defined as one that allows limited democratic rights to subordinate groups but clearly privileges one ethnic group over others. Israel, which allows Arab citizens of Israel the vote and representation in the Knesset, but officially discriminates against them and unofficially excludes them from participation in government, is an example. Several states in Eastern Europe, including Latvia, Croatia and Estonia, also clearly privilege one community over another. While van den Berghe and others (Smooha 1999) stress the differences between ethnic and *Herrenvolk* democracy, the two are similar in profound ways. Both are at odds with fundamental principles of civic equality and democratic accountability, and both are at best incomplete or partial democracies. In practice, a minority may be excluded just as effectively in an ethnic democracy as in the *Herrenvolk* variety.

There is also some evidence that dominant groups interested in monopolising power choose between these alternatives for pragmatic rather than principled reasons: they are prepared to be ethnic democrats when in a majority but *Herrenvolk* democrats when in a minority. Before 1994, the white minority in South Africa used a *Herrenvolk* democracy to control the state’s black majority but an ethnic democracy to control its small Asian and Coloured populations. Blacks had no voting or representation rights at the level of the central government, but, after 1984, Asians and Coloureds were
allowed to vote for their own racially based legislative chambers. In the same vein, Israel allows voting and representation rights to the Palestinian minority within its pre-1967 border, but did not extend these after 1967 to the much larger Palestinian population of the West Bank and Gaza.

Ireland’s eighteenth-century Anglican control system bears some likeness to South Africa’s *Herrenvolk* system under apartheid. As a result of the penal system that was introduced in Ireland after the Williamite settlement of 1691, Catholics were excluded from the (very limited) franchise and from any representation in parliament or government. They were also excluded from the ownership of property and from membership of the professions and the social and religious establishments. Inter-marriage between Catholics and Protestants was banned (O’Leary and McGarry 1996: 69). During the eighteenth century, the island was owned and administered by a Protestant (Anglican) oligarchy with its own parliament in Dublin, although effective power remained vested in an executive officialdom appointed by the Crown.4

From 1782 to 1801, the Protestant-only Irish parliament enjoyed formal legislative independence from Westminster (although it remained curtailed by the power of Crown patronage and control over the executive). It was not until 1793 that Catholics were extended the right – on a restricted property franchise – to vote for MPs, but they continued to be prohibited from sitting in the Irish parliament.5

Faced with growing pressure to dismantle this sectarian system, and fearful of intervention from revolutionary France, Ireland’s ‘Protestant Ascendancy’ acquiesced in the dissolution of its parliament, uniting Ireland with Great Britain in the Act of Union of 1801. To protect their political influence, leading Irish Protestants conspired with King George III against British Prime Minister Pitt’s plan to allow Catholics to sit in the British parliament, and this concession was delayed until 1829. One of the consequences was that the Union became associated in Catholic minds with continuing exclusion, and by the time the franchise was extended to the (male) masses in the latter part of the nineteenth century, the Catholic population had become mobilised behind Irish nationalism.

In 1921, when Northern Ireland was established as a self-governing region within the United Kingdom, there was no question of Ireland’s eighteenth-century *Herrenvolk* system being (re-)established there. The United Kingdom government, which, since 1918, had been elected on a universal franchise, and which retained overall responsibility for Northern Ireland, would not have permitted this. However, two factors meant that there was no need for formal exclusion of Catholics. First, Northern Ireland’s borders were gerrymandered to ensure a comfortable Protestant/unionist majority of around 65 per cent. Secondly, the Northern Ireland parliament was established as a miniature version of the Westminster system. Under this system, the party (or parties) that enjoys a majority in the legislature has untrammelled executive and legislative power.6 The executive is not constrained by a separate legislature,
or a judicially enforced Bill of Rights, or constitutionally independent non-central governments, as happens in the United States.

Protestants/unionists were capable, therefore, of excluding Catholics from power, *de facto* if not *de jure*, as long as they maintained ethnic solidarity. Such solidarity was forthcoming because the large Catholic/nationalist minority refused to accept partition; because of irredentist activity from the Irish Free State (after 1937 Eire/Ireland and after 1949, the Irish Republic); and because the British government expressed considerable ambivalence about the Union, with some of its leaders regarding partition as temporary. In 1929, to reduce further the prospects of fissures among Protestants, the Ulster Unionist government abolished Northern Ireland’s proportional representation electoral system and replaced it with one based on single-member plurality. This helped to ensure that smaller Unionist or class-based parties were unable to disrupt the Ulster Unionist Party’s (UUP) legislative majority.

From 1921 to 1972, power was monopolised by the UUP. It established what Brendan O’Leary and I (1996: ch. 3) prefer to call a regime of ‘hegemonic control’. It may also be seen as a version of what van den Berghe and Sammy Smooha define as an ‘ethnic democracy’ (Smooha 1977 and 1990). The regime consistently acted in the Protestant/unionist interest, and was permitted to do so by successive British governments, which seemed prepared to tolerate unionist control as long as it was effective. Catholics were discriminated against in public-sector employment and in public housing. Local government wards were gerrymandered to turn local Catholic majorities into minorities. A police force, the Royal Ulster Constabulary, was established that was almost exclusively Protestant. It was backed by emergency legislation, which was used to quell minority dissent. The Flags and Emblems Act of 1954 permitted police to take down displays of the Irish Tricolour but not the Union Jack. There was not a single Catholic cabinet minister appointed until 1968, a step taken when the regime was experiencing a terminal crisis. The only legislation passed as a result of an opposition (Catholic/nationalist) motion was the Wild Birds Act of 1931.

Northern Ireland’s control system collapsed in the late 1960s because of overlapping endogenous and exogenous developments. The minority re-organised and changed tactics. The British welfare state, and increasing access to post-secondary education in particular, contributed to a confident and growing Catholic middle class that was unwilling to accept second-class citizenship. Its resolve was strengthened by the norms of civic equality that flowed out of the campaign of the American civil rights movement. Catholics launched their own civil rights protests and challenged the Unionist regime to reform (O’Leary and McGarry 1996: 167–8). They were supported by British civil liberties groups and, more importantly, by sections of the new Labour government elected in 1964. The Unionist regime split under these pressures and when hardliners sought to repress the minority, an embarrassed British government was forced to intervene. Westminster prorogued the Stormont parliament in 1972 and implemented a system of ‘direct rule’ from London.
Despite reminiscences about the Stormont ‘golden age’ among hardline Protestants, it is generally recognised that majoritarian (for which read ‘control’ or ‘ethnic’) democracy is no longer a feasible option for Northern Ireland. The British government has made it clear that a return to the Stormont system is out of the question. It would be resolutely opposed by the large and growing Catholic (nationalist) community – currently well over 40 per cent of Northern Ireland’s population and electorate. Unionist politicians, especially in the UUP, appear to understand that the continuing growth of the Catholic population could make ‘majority rule’ a poisoned chalice. After the Good Friday Agreement, advisers to the UUP leadership pointed out that, because of a rising nationalist vote, it might soon be ‘grateful’ it had agreed to mandatory power-sharing. These facts help to explain why no unionist party, not even Ian Paisley’s Democratic Unionist Party (DUP), calls for a return to majority rule.

Virtually all unionist politicians are now formally committed to some form of power-sharing. There is still disagreement, however, over whether this should be with the Social Democratic and Labour Party (SDLP) and Sinn Féin or just the former; if it should be required or voluntary; if the power-sharing government should have wide-ranging legislative powers or more narrow administrative powers; and if it should be based on an executive/cabinet or on a set of legislative committees, the latter system being similar to that which operates at local government level and in the new Welsh Assembly.

Northern Ireland’s experience demonstrates the normative flaws of ethnic democracy. It also underlines the difficulty of sustaining such a regime, particularly when the minority that is being controlled is large and growing, and when the regime exists within a Western milieu where civic equality is an important value. None the less, it is clear from developments in Eastern Europe in the 1990s that the practice of ethnic democracy has some life in it. The break-up of the communist multinational states of the Soviet Union, Yugoslavia and Czechoslovakia has resulted in the emergence of a number of states that are dominated by one ethnic community. The cases include Estonia, Latvia, Slovakia, Croatia and Serbia. All of these states have imposed second-class citizenship on (or, in some cases, denied citizenship to) at least some of their state’s minorities. They have established what Rogers Brubaker calls ‘nationalising’ states – states, the symbols, institutions and policies of which reflect the interests of their dominant national communities (Brubaker 1996).

Even these new states have been susceptible, however, to spreading norms of equal citizenship and to Western pressure to relax discrimination against minorities. The European Union and NATO have insisted on improvements in minority rights as the price of entry into their clubs, or even as a cost of being put on waiting lists for entry. Both the EU and OSCE have applied pressure, including moral suasion and sanctions, against states in Eastern Europe that treat their minorities unfairly, and there is some evidence that
this is having benign effects. In one case of extreme abuse, the repression of Kosovo’s Albanians by Serbia’s Milošević regime, the West intervened militarily, infringing previously sacrosanct principles of state sovereignty, to protect the minority in question. The intervention contributed to the downfall of Milošević’s ethnic democracy and its replacement by what promises to be a democracy of the liberal or multicultural type.

Liberal and multicultural democracy in Northern Ireland (1972–98)

Liberal democracy and multicultural democracy are both founded on the central liberal principles of freedom and equality of persons. In this respect they are radically different from, and superior to, Herrenvolk and ethnic democracy. The difference between them is that while liberal democracy is founded on the notion of individual equality, multicultural democracy is based on individual equality and protections for cultural communities. While a liberal democracy takes steps to protect individual rights, such as the right to vote, to assemble or to be free from discrimination, a multicultural democracy takes additional steps to protect the culture of minority communities and to shield them from assimilation. Such steps might include the provision of public education in a minority’s religion; affirmative action programmes to promote the number from minority groups in the public and private sectors; flexible dress codes to allow religious minorities (such as Sikhs) to serve in the police or armed forces; and government funding of minority cultural festivals and interest groups. While Western states have been traditionally governed by liberal democratic principles, many of them, including Canada, Australia and the United States, have moved toward multicultural democracy in recent years.

Between 1972 and 1998, Northern Ireland was governed directly from Westminster, largely because the province’s political parties could not agree on a formula for a return to devolved government. British rule began as liberal democratic, if one puts aside its excessive reliance on emergency legislation, but it gradually developed multicultural democratic tinges. Prior to implementing direct rule, London had already pressed the Stormont regime into making a number of standard liberal reforms to prevent discrimination: the allocation of public housing was transferred from the regional government to an impartial and autonomous agency; gerrymandering of ward boundaries at the local government level was ended; the police force, which had been an arm of the unionist state, was given a new arm’s length relationship with politicians. Its impartiality improved as a consequence, although it continued to be rejected by nationalists, mainly because it continued to be associated with the defence of an illegitimate political order (McGarry and O’Leary 1999: 25–42). There was also a law, in 1970, to prevent the incitement of hatred. Throughout the period of direct rule, the allocation of public expenditure and the location of publicly subsidised industry were conducted
in a reasonably evenhanded fashion, a welcome departure from the practice under the Stormont regime. A Standing Advisory Commission on Human Rights was appointed in 1973. In 1976, London passed fair employment legislation to overcome discrimination against Catholics in the workplace. These measures were strengthened considerably by new legislation in 1989, although neither Act contained provisions for affirmative action (reverse discrimination). The Public Order (NI) Order of 1987 strengthened the law on incitement to hatred and gave police the power to control marches likely to cause provocation.

On top of these standard liberal democratic reforms, and particularly from the 1980s, Britain offered a limited accommodation of Catholic and Irish culture. After 1972, it continued Stormont’s policy of partly funding the Catholic separate education system. However, the position of the Catholic schools improved incrementally under direct rule, and in 1992 a decision was taken to fully fund the Catholic system, putting it on an equal footing with its public (in practice, Protestant) counterpart (McGrath 2000). The government also took steps from the 1980s to develop more balanced historical curricula in the schools, and more contact between the schools of both communities. The Flags and Emblems Act, which discriminated against the display of the Irish Tricolour, was repealed in 1986. A Community Relations Council was established in 1990, and it funded a number of initiatives aimed at the promotion of intercultural understanding. Steps were also taken to promote the use of the Irish language in Northern Ireland. Through the 1980s, the government offered funding to the independent and West-Belfast based Irish language organisation, Glór na nGael. Funding was withdrawn in 1990 but restored in 1992. In 1989, it established a quasi-autonomous agency, the Iontaobhais Ultach/Ultach Trust, to promote the Irish language.

While London’s view was that direct rule should be replaced as soon as possible by consociational (power-sharing) devolution, unionist politicians and academics increasingly argued that Northern Ireland should be permanently integrated into the United Kingdom on a liberal or multicultural basis. Unionist ‘integrationists’ warned against any form of devolution, whether of the ethnic or consociational democratic variety. Even the latter, it was claimed, would repeat the main mistakes of the 1921–72 period: it would erect a distinction between Great Britain and Northern Ireland, thereby whetting the appetites of nationalists and marginalising unionist liberals. A consociational government, in this view, would become a forum for sectarian squabbling. It would be better for everyone concerned, integrationists argued, if the individual and cultural rights of all of Northern Ireland’s citizens were equally protected within the United Kingdom (see Aughey 1989 and Wilson Foster 1995).

Towards this end, integrationists pressed for all remaining legislative, administrative and political distinctions between Northern Ireland and Great Britain to be removed. They pushed for legislation affecting Northern Ireland to be incorporated into British legislation rather than passed separately.
There were also calls for Northern Ireland’s representation at Westminster to be increased, and for Northern Ireland to be administered in the same way as regions in Britain. Any decentralisation of powers to Northern Ireland, it was stressed, should be minimal in scope, and no different from the sort of powers enjoyed by regional or local governments in Britain. Some unionists also lobbied for the main British political parties, the Conservatives and Labour, to organise in Northern Ireland.

The case of Northern Ireland, however, underlines the limits of liberal and multicultural democracy in nationally divided societies. While a British liberal democracy could accommodate Catholics as individuals, and a British multicultural democracy could accommodate Catholics or Irish-speakers as cultural communities, neither was compatible with the political aspirations of even moderate Irish nationalists. Throughout the 1972–98 period, the latter, represented by the Social Democratic and Labour Party, demanded not simply an end to discrimination against Catholics, full funding for Catholic schools and steps to promote the Irish language, but also a consociational government in Northern Ireland, an assembly with law-making powers, and political links between Northern Ireland and the Irish Republic. The more radical Irish nationalists of Sinn Féin rejected any solution within the United Kingdom and instead offered alternative proposals for a multicultural united Ireland that was respectful of the individual rights and culture of Northern Ireland’s Protestants. Sinn Féin’s proposals, however, were at least as objectionable to unionists as the latter’s proposals for a British multicultural democracy were to nationalists.

British liberal or multicultural democracy was not only incapable of accommodating the political aspirations of nationalists in Northern Ireland, it also failed to satisfy (soft and hard) nationalists in Scotland and Wales. From the 1970s onwards, large numbers in both countries, particularly the former, made it clear that the minor provisions to protect their identity, culture and interests at Westminster and Whitehall were insufficient. They instead demanded self-government, and in referendums held in 1997, voted for it. The British government’s decision to concede a Welsh assembly and a Scottish parliament, and the various institutions established under Northern Ireland’s Good Friday Agreement, indicate its awareness of the shortcomings of liberal or multicultural democracy as frameworks for governing its multinational state.

**Northern Ireland’s consociational and bi-national agreement (1998–)**

The fact that Northern Ireland’s unionist and republican elites have been wedded to two irreconcilable versions of liberal or multicultural democracy for much of the past thirty years, goes a long way towards explaining the political stalemate during this period. Both sides decided to compromise because of a mix of endogenous and exogenous factors.
Some of the endogenous factors stressed by consociationalists as conducive to compromise did not apply in Northern Ireland. The Agreement was not a result of leaders acting to avoid impending economic collapse, as it was in South Africa (McGarry 1998). The British Treasury largely absorbed the economic damage caused by the conflict, and there was no particularly significant economic downturn in the years before 1998. It was not crucially a result of increasing violence, and a decision by leaders to pull back from the brink. Violence was generally lower in the 1990s than in previous decades, although some have argued that the unusually successful targeting of leading republicans by loyalist paramilitaries helped to concentrate the minds of Sinn Féin.

An endogenous factor that did matter in Northern Ireland was demographic change. Between 1961 and 1991, the number of those who gave their religion as Protestant declined from 63.2 per cent to 50.6 per cent, while those who declared themselves Catholics increased from 34.9 per cent to 38.4 per cent (Doherty 1996: 202). The remainder (11 per cent in 1991) gave no religion. At the same time, the nationalist share of the Northern Ireland vote increased steadily, from an average of 31 per cent in four elections between 1982 and 1985, to an average of 38 per cent in the four elections before the Agreement (1996–7). Both nationalist parties grew, the SDLP from 20 per cent to 23.7 per cent, and Sinn Féin from 11.5 per cent to 14.2 per cent. The unionist vote declined during the same period from 57.5 per cent to 52 per cent, with the UUP’s vote dropping from 28.5 per cent to 26.5 per cent and the DUP’s from 25.2 per cent to 19.5 per cent. These changes affected both republicans and unionists. The growing Catholic share of the population and vote for Sinn Féin helped to convince republicans that there could be gains through constitutional politics and that political institutions within Northern Ireland need not mean unionist dominance. For the UUP, the trend underlined that time was not on the unionist side. The rising nationalist, and particularly the republican, vote showed that the unionist option of an integrated British liberal (or multicultural) democracy was falling on deaf Catholic ears. It opened space for unionist moderates to argue that compromise was necessary to win Catholics to the Union. Demographic and electoral change also undercut arguments for majority rule and strengthened the case for power-sharing, as the UUP’s advisers acknowledged after the Agreement was reached.

However, exogenous factors were also crucial in producing agreement. The IRA’s decision to declare a ceasefire, which paved the way for negotiations, was facilitated in a small way by the decision in the early 1990s of the ANC and, to a lesser extent, the PLO to abandon armed struggle (Guelke 1996: 145). These were organisations that republicans expressed solidarity with, and the precedents they created made it easier for republican leaders to sell constitutional politics to the grassroots. Much more importantly, republicans were induced to compromise by the intervention of the United States. Influenced by a large Irish-American lobby and by the end of the Cold War, the US administration gave unprecedented attention to Northern Ireland
after President Clinton took office in 1992. Clinton sent a special envoy to Northern Ireland during the early stages of the peace process; put several of his senior advisers to work on the Northern Ireland peace process, including the National Security Adviser, Anthony Lake; visited the province three times in five years; regularly invited the Northern Ireland political party leaders to Washington; persuaded former Senate majority leader George Mitchell to preside over the negotiations that led to the Agreement; and intervened personally in the political negotiations on several occasions. American pressure for an equitable settlement helped to boost the position of the Irish government in negotiations with the United Kingdom. It also increased the confidence of republicans about the utility of talks.\textsuperscript{17} Clinton’s decision in early 1994 to issue a visa to Sinn Féin leader Gerry Adams is credited with giving Adams the standing he needed to bring hardline republicans behind his peace strategy. Adams himself claimed that it brought forward the IRA ceasefire, which occurred in August 1994, by one year.\textsuperscript{18}

While Clinton’s role in coaxing republicans is often noted, he simultaneously managed to bring unionists along also. Like nationalists, they were given unprecedented access to the White House and the administration was careful to appear impartial throughout. UUP leader David Trimble acknowledged that reassurances from Clinton helped convince him to sign the Agreement.\textsuperscript{19} However, the most important exogenous influence on unionists was the UK government. After a brief fling with integration in the late 1970s, London moved away from this option, though not consistently. After 1985, the government abandoned unalloyed direct rule from Westminster. Unionists had always considered this option, which was not radically different from their goal of an integrated United Kingdom, as preferable to the risks of a settlement with nationalists. In the Anglo-Irish Agreement of 1985, however, Britain gave the Republic of Ireland a limited role in policy-making in Northern Ireland, while offering to reduce this in the event of an agreement on devolution between nationalists and unionists. The default to compromise, which had been direct rule from Westminster, shifted to London–Dublin co-operation in the governance of Northern Ireland, with the danger, from the unionist perspective, that this would be consolidated and extended in the absence of agreement between the Northern Ireland parties. There was no immediate movement. At first, unionists thought they could destroy the Agreement by protest, although it proved robust. There was also hope that the Agreement could be resisted or turned back while the Conservatives were in power in London, and particularly during the 1992–7 parliament when the Conservative government depended on Unionist support in the House of Commons.\textsuperscript{20} The UUP began to negotiate seriously with nationalists only following Labour’s landslide victory in 1997 and Tony Blair’s signal that he was committed to achieving a settlement by May of 1998.

The compromise arrived at on 10 April (Good Friday) 1998, involved republicans and unionists converging on a package that had already been embraced (at least in its broad outline) by the British and Irish governments
as well as the moderate nationalists of the SDLP. At the centre of the settlement was the devolution of substantial powers to Northern Ireland to be exercised by an executive and legislature constructed on consociational principles. The Agreement met all four of the criteria laid down by Arend Lijphart, the doyen of consociational theory (Lijphart 1977). First, there was to be executive power-sharing. The government was to be led by a dual-premiership, which was to be elected by a majority in the Assembly, including concurrent majorities of both nationalist and unionist representatives – a formula that was designed to secure one post for each community. The executive was to be drawn proportionately from the parties in the Assembly, with executive seats allocated according to the d'Hondt procedure. This resulted, albeit after a substantial delay, in the allocation of five ministerial positions to nationalists (3 SDLP, 2 SF) and five to unionists (3 UUP, 2 DUP). Secondly, proportionality norms prevailed throughout, in the electoral system, which was based on proportional representation – single transferable vote; in the rules for the formation of the executive and legislative committees; and in proposals for reform of the police service to make it ‘representative’ of the population. Thirdly, minority vetoes were evident most clearly in rules for the passage of legislation. Important (‘key’) laws could only be passed by ‘parallel consent’, a majority of the Assembly plus a majority of both nationalist and unionist representatives, or by ‘weighted majority’, 60 per cent of the Assembly including at least 40 per cent of both nationalist and unionist representatives. Fourth, while segmental autonomy norms were least evident, given that Northern Ireland’s two communities are interspersed, the Agreement left intact the existing separate but now equal Catholic, Protestant and integrated schooling systems. It also provided increased governmental support for the Irish language (and for Ulster-Scots).

The Agreement was ratified by 71 per cent of voters in a referendum in May of 1998, including a huge majority of nationalists and a narrow majority of unionists. The result appeared to vindicate Lijphart’s claim that consociational democracy is the only kind of democracy that can gain widespread acceptance in the region. However, there is a major caveat. Had the package put before the parties on 10 April 1998 contained only the consociational institutions outlined by Lijphart, there would have been no settlement.

First, both moderate and radical Irish nationalists have always rejected any accord that does not address, in institutional form, their desire to be linked with their compatriots in the Republic of Ireland. They signed the Agreement only because it also provided for a number of political institutions that joined both parts of Ireland. The most important of these was a North–South Ministerial Council (NSMC), a body to be comprised of the Republic’s government and the Northern Ireland Executive. The NSMC was intended to function much like the Council of Ministers in the European Union, with ministers having considerable discretion to reach decisions, but remaining ultimately accountable to their respective legislatures. It was to meet in
plenary format twice a year, and in smaller groups to discuss specific sectors (say, agriculture or education) on a ‘regular and frequent basis’. In addition, the Agreement provided for a number of cross-border or all-island ‘implementation’ bodies. There eventually turned out to be six in number, and they were given the task of co-operating over inland waterways, food safety, trade and business development, special EU programmes, the Irish and Ulster Scots languages, and aquaculture and marine matters.\(^{25}\)

Secondly, both communities had serious concerns that went beyond the sharing of power in Northern Ireland or all-island institutions, such as the questions of how to deal with paramilitary prisoners, paramilitary weapons, demilitarisation and policing reform. All of these issues were also covered in the Agreement, although in the case of the last three it was decided that the details of how they should be managed should be left to later.\(^{26}\) The Agreement, then, delivered not only consociation but, as Brendan O’Leary has put it, ‘consociation plus’ (O’Leary 1999).\(^{27}\)

**Defending Northern Ireland’s consociational institutions against their (liberal democratic) critics**

The Agreement’s consociational institutions have been criticised by ‘liberal democratic’ intellectuals and politicians in the nationalist and unionist blocs. These positions, moreover, are representative of standard liberal democratic criticisms of consociationalism.\(^{28}\)

Two broad and related objections are raised. The first is that instead of resolving the conflict, consociational institutions promote sectarianism and entrench existing identities. Republican dissidents argue that they ‘institutionalise’ division (Rooney 1998: 21),\(^{29}\) while unionist rejectionists see them as ‘divisive’ (McCartney 2000). Small parties from outside the two ethno-national blocs criticise the Agreement as a ‘pact’ between the dominant sectarian political parties against the ‘others’ who are trying to transcend difference,\(^{30}\) while a leftist intellectual claims that its consociational institutions ‘solidify intra-communal networks’ when the goal should be to promote ‘inter-communal association’ (Taylor 2001).

The second objection made is that the consociational ‘grand coalition’ executive at the heart of the Agreement is *inherently* unstable.\(^{31}\) This is because it guarantees places not just to moderates from the opposing camps, but to all major parties. In Northern Ireland, this argument is associated with several unionist commentators and politicians. Rather than a grand coalition, they recommend a voluntary coalition of moderates, by which they mean a coalition without Sinn Féin (Kennedy 2000; Roche 2000). Such an executive, it is claimed, would be more likely to agree on a collective programme of government and more in keeping with British liberal democratic practices. A similar view has been argued by a prominent American political scientist, Donald Horowitz (Horowitz 2001).\(^{32}\)
These criticisms are not convincing. The claim that the Agreement, or consociationalism in general, promotes sectarianism flows from a distorted view of sectarianism. There is a basic inability in the above accounts to distinguish between, on the one hand, policies that promote injustice and incite conflict between groups and, on the other hand, policies that are designed to promote equitable settlements and better inter-group relations.\(^{33}\)

Northern Ireland’s Agreement falls squarely into the latter category. It promotes mutual respect and peaceful coexistence between groups, principles that are the polar opposite of sectarianism and division. As liberal democratic critics on both sides acknowledge when questioning the Agreement’s stability, it cannot work unless there is inter-community co-operation. Its central institutions have been deliberately crafted to rule out ethno-centric policies. This is clear in three crucial areas. First, the election of the first minister and deputy first minister requires ‘parallel consent’, support from a majority of the Assembly plus a majority of both nationalist and unionist Assembly members. This is a formula that effectively creates a choice between no leadership and a bi-partisan leadership.\(^{34}\) Secondly, key legislation cannot be passed unless it is supported by a majority in the Assembly and by at least 40 per cent of both nationalists and unionists. Thirdly, the favourite institutions of each community have been made interdependent. Nationalists cannot undermine the Northern Ireland Assembly in the hope that the NSMC will remain intact, and unionists cannot destroy the NSMC and retain the Assembly. Both communities are required to work both institutions.\(^{35}\)

The Agreement not only stresses equality (‘parity of esteem’) between nationalists and unionists, it also offers protection to individuals, including those who regard themselves as neither unionist nor nationalist. Each minister is required under the Agreement to behave in a non-partisan way towards the citizens of Northern Ireland: ‘to serve all the people of Northern Ireland equally, and to act in accordance with the general obligations on government to promote equality and prevent discrimination’. The Agreement provides for the entrenchment of the European Convention of Human Rights in Northern Ireland law, which will make it easier for citizens to bring cases against authorities; a new Northern Ireland Human Rights Commission; a Bill of Rights for Northern Ireland; and a new statutory Equality Commission. The British government is also committed to creating a statutory obligation on public authorities in Northern Ireland ‘to promote equality of opportunity in relation to religion and political opinion; gender; race; disability; age; marital status; dependants; and sexual orientation’. Public bodies are to be required to draw up statutory schemes indicating how they will implement their obligations.

The criticism that the Agreement entrenches existing identities is directed at a requirement that members elected to the Assembly designate as ‘unionists’, ‘nationalists’ or ‘others’.\(^{36}\) Such designation was thought to be necessary to ensure that important measures had cross-community consent. The passage of important laws requires the support of a majority in the
Assembly and the support of at least 40 per cent of both registered nationalist and unionists. The election of the first and deputy first ministers requires, as mentioned above, concurrent nationalist and unionist majorities. These rules, however, also privilege nationalists and unionists over ‘others’. Arguably, they create a minor incentive for voters to support nationalists or unionists, or for elected members to register as nationalists or unionists, as members from these groups will count more than ‘others’. They also have the effect of predetermining, in advance of election results, that nationalists and unionists are to be better protected than ‘others’.

It should be noted, however, that privileging a particular group of members or predetermining beneficiaries in advance of elections is not recommended by consociationalists, even if, as in this case, the predetermined groups have constituted almost all of the electorate for the past century (Lijphart 1995). What consociationalists prefer is that minority vetoes be implemented in ways that do not specify which groups are to be protected. It would have been more in keeping with consociational principles if the Agreement had insisted on a simple weighted majority (say 60 per cent) for the passage of important legislation, large enough to protect the nationalist minority or a future unionist minority.

In a number of other respects, the Agreement’s institutions are more conducive to the emergence of new parties, including parties that are neither unionist nor nationalist, than is the Westminster system. The Assembly uses an electoral system based on proportional representation–single transferable vote (PR–STV), which allows parties to win seats with a much smaller threshold than is normally required under single-member plurality. As a result, voters in Assembly elections are less likely than are voters in Westminster elections to consider voting for a new party a waste of time. By allowing for the ranking of preferences, PR–STV also provides an opportunity for inter-communal or trans-communal voting on lower preferences. In this respect also, it is more conducive to extra-bloc voting than its Westminster counterpart. Under the Agreement, any party, not just the existing parties or nationalist or unionist parties, is entitled to seats in the executive if it meets the quota established by the d’Hondt system. Because the executive is constituted proportionately, a party is entitled to membership in government with a much smaller share of seats in the legislature than is normally required in the Westminster system. This means that new parties have a better chance to promote their visibility, influence public policy and further demonstrate to their supporters that voting for them is a meaningful exercise.

In addition, the Agreement establishes a Civic Forum alongside the elected Assembly. This institution is made up of representatives of organisations from outside conventional politics. It presents an opportunity for those who do not feel represented by conventional political parties to have their voices heard, and has no counterpart elsewhere in the United Kingdom, including in the new devolved regimes in Scotland and Wales. If all these institutional features are considered together, it shows that while the Agreement
recognises nationalist and unionist identities, it does not preclude the development of other identities.

More generally, while consociation is based on the accommodation of rival communities, an extended period of inter-group co-operation should reduce divisions rather than maintain or deepen them. If Northern Ireland’s Agreement can be consolidated, there is a much greater likelihood of debate on socio-economic and related issues than existed in the political vacuum that preceded devolution. It is this understanding that explains why parties like Alliance and the Workers Party, while critical of some of the Agreement’s allegedly sectarian features, none the less still strongly support it.

The second objection to a consociational package – that voluntary coalitions of moderates are more stable than consociational grand coalitions – appears intuitively plausible. However, the evidence is not strong, as Northern Ireland’s experience illustrates. First, excluded radicals can also destabilise power-sharing institutions. In an ethnically divided society, excluded radicals are likely to accuse included moderates from their bloc of treachery, which may prevent the latter from making the compromises necessary for successful power-sharing. Excluded radicals can also engage in violence, creating a polarised atmosphere that squeezes moderates and makes compromise difficult. This, in fact, is what happened during Northern Ireland’s only experiment with voluntary power-sharing between moderates: the Sunningdale experiment of 1973–4. The coalition was attacked by radicals on both sides. It found it difficult to reach substantive internal agreement amidst mounting violence, and collapsed after less than five months in office. Other consociational coalitions have also failed because they have been undermined by radicals on the outside.

Secondly, inclusion in power-sharing coalitions can make radicals less extreme, because it provides them with opportunities to have their concerns addressed constitutionally, and gives them a stake in the system. Inclusion can strengthen the position of moderates within radical factions, a possibility Horowitz and others appear to discount. The decision of the IRA to declare a ceasefire in 1994, and Sinn Féin’s subsequent decision to participate in Northern Ireland’s legislature and government, was closely related to the Adams/McGuinness argument that gains could be secured through politics. This position has been strengthened, and that of violent dissidents weakened, by Sinn Féin’s rising electoral support and the rewards that this brings, including two positions in Northern Ireland’s government. Sinn Féin’s moderates have also been strengthened by the prospect that, as long as Sinn Féin sticks to its constitutional tactics, it will supplant the SDLP as the largest nationalist party in the Northern Ireland Assembly, and become a political force in the Irish Republic. The fruits of this became apparent in October 2001, when the IRA announced that it had begun decommissioning its weapons. Sinn Féin’s recent behaviour, ironically, and contrary to Horowitz’s own views on the party, makes it a good example of Horowitz’s best-known thesis: that parties will moderate if they have to in order to win office (Horowitz 1989).
The most serious threat to the stability of Northern Ireland’s power-sharing agreement is not the inclusion of ‘radical’ parties in the executive. It is, rather, the voluntary exclusion (and semi-exclusion) of unionist rejectionists, whose aim is to replace the (bi-national) Agreement with something that is more unionist. The way to respond to this problem is not to exclude Sinn Féin (or other parties with significant support) but to make it clear that rejectionism and boycott carries costs. Part of this will involve reapplying the logic that induced (some) unionists to accept the Agreement in the first place – that is, the government making it clear to unionist rejectionists that the collapse of the institutions will not result in something that is more palatable to them, such as integration or administrative devolution on the Welsh model but in Anglo-Irish co-operation in the governance of Northern Ireland.

The Agreement’s stability would also be reinforced if some of its rules were revised, under its provisions for review, so that participation is made more rewarding than boycotts. One area of concern is the rule for electing the first and deputy first minister, concurrent majorities in the nationalist and unionist blocs. This rule was enacted to ensure that the top two positions commanded strong support among nationalists and unionists, but it also means that a small majority in either bloc can prevent the positions being filled and provoke major crises. The problems with the rule were laid bare on 2 November 2001 when the first and deputy first minister team of Trimble and Durkan failed to be elected, despite receiving support from over 70 per cent of the Assembly. The failure occurred because anti-Agreement rejectionists were able to command a narrow majority of one vote in the unionist bloc.

It would be better to retain the concurrent majority rule as a first resort as it is in the Agreement, but to implement a default rule, to be used if concurrent majorities are not available. The first and deputy first minister could be elected under the d’Hondt procedure, currently used for filling other ministerial portfolios, although there would have to be a provision to ensure that both positions could not be held by nationalists or unionists. The advantage of d’Hondt is that it would make it more difficult for any party to refuse to assume its position, as if it did, the position would revert to another party. The use of d’Hondt for ministerial positions other than the first and deputy first minister helps to explain why the DUP, while rejecting the Agreement, has none the less felt compelled to take up its portfolios.41

Finally, the agreement will be further stabilised if there is continuing progress on the decommissioning of paramilitary weapons. Sinn Féin can make a constructive contribution here, and the British government can help by ensuring that there is progress on outstanding issues of concern to republicans, including demilitarisation, police reform and reform of the criminal justice system.
Conclusion

Northern Ireland’s experience allows one to explore the feasibility and desirability of the various types of democracy described by van den Berghe. It is possible to see Northern Ireland’s historical development as involving passage through all of his options or reasonably close relatives of them: from eighteenth-century Ireland’s *Herrenvolk* system, to ethnic democracy in Northern Ireland between 1921 and 1972, to liberal and multicultural democracy between 1972 and 1999, to the current experiment in consociational democracy. As I have argued, this represents history as progress, although it is too early to say it means the end of history.

A study of Ireland shows that *Herrenvolk* and ethnic democracy can bring stability for lengthy periods, but they involve costs, not least in the protection of human rights and dignity, that proper democrats should be unwilling to pay. Moreover, the stability purchased often merely stores up grievances that eventually fizzle over into conflict. Northern Ireland’s ethnic democracy became untenable as the Catholic minority grew in strength from the 1960s. It was also undermined by the spread of new international norms of civic equality, arising from the defeat of Nazi Germany, decolonisation and the American civil rights movement. The spread of these norms has not prevented the creation of new ethnic democracies in Central and Eastern Europe in the wake of the collapse of communism, but these states are also coming under pressure to restrain themselves if they want to join prestigious Western institutions.

Northern Ireland’s experience also indicates the limits of liberal or multicultural democracy as a method of conflict resolution in nationally divided or deeply divided societies. Neither offers the substantive institutional recognition and guarantees that minorities in such societies need. Another difficulty is that neither is determinate about the territory and state in which the liberal or multicultural democracy should exist. This is a problem in nationally divided societies, as minorities wonder why they should be included in someone else’s liberal or multicultural democracy when they can have their own.

Consociational democracy, which offers minorities a variety of guarantees to protect their culture, identity, rights, and economic interests, is the only one of van den Berghe’s variants that has been able to gain general acceptance in Northern Ireland. Moreover, it is possible to devise consociational institutions that do not favour predetermined groups but that reward whatever parties win democratic elections. Consociational institutions possess the potential to erode Northern Ireland’s divisions, although this will take time. While consociational settlements may face problems of instability, there are usually ways to address these without abandoning consociationalism itself.

My article is not, however, uncritical of consociational theory. Had the document put before Northern Ireland’s parties in April 1998 been limited to consociational institutions, there would have been no settlement. The
Agreement is more complex than that described in the traditional consociational literature. It also contains important interstate institutions, while addressing a wide range of internal transitional matters, including policing reform, paramilitary prisoners, demilitarisation and the decommissioning of paramilitary weapons. The need for such complexity is not restricted to Northern Ireland. It is a fundamental requirement in other conflicts too, including those in Bosnia, Macedonia, Sri Lanka, the Basque Country and elsewhere.

Notes

1 However, also see Brubaker 2001.
2 Take the Quebecois, for example, who find wholly unsatisfactory the notion that their claims are on a par with mere cultural communities, such as Sikhs, Muslims and German-Canadians. They insist that they are a national, not a mere cultural, community, and they distrust Canada's multiculturalism policy because it obscures this distinction.
3 Lijphart lists nine factors that make the establishment of a consociational democracy more or less likely: no majority segment; segments of equal size; small number of segments; small population size; external threats; overarching loyalties; socio-economic equality; geographical concentration of segments; and tradition of accommodation: Lijphart 1985: 120. Eight of the nine are endogenous.
4 Presbyterians, too, were intermittently persecuted by Anglicans in the seventeenth and eighteenth centuries, and were also excluded from the religious and political establishments.
5 These similarities between penal Ireland and apartheid South Africa help to explain why leaders of the anti-apartheid struggle, including Nelson Mandela and Kader Asmal, have compared their plight to that of Ireland under British colonialism, to the chagrin of the British government and delight of Irish republicans: Irish Times, 27 March 1996.
6 For details of Northern Ireland’s political system between 1921 and 1972, see O’Leary and McGarry 1996: ch. 3.
8 Indeed in November 2001, the DUP was at pains to defend the cross-community consent procedures established by the Good Friday Agreement. See the Northern Ireland Assembly Official Report (Hansard) for 2 and 5 November 2001, at http://www.ni-assembly.gov.uk/hansard.htm.
9 Denial of citizenship in the Baltic states has been based on the legal argument that some residents are illegal settlers under international law.
10 For the effects of outside pressure in Estonia and Latvia, see Bernier 2001.
11 For a longer list of multicultural policies, see Kymlicka 1998: 42.
12 For an argument that this trend is going into reverse, see Brubaker 2001.
13 The importance of this was pointed out as early as 1990 by Brendan O’Leary (1990). Also see McGarry and O’Leary 1995: 403–6. Demographic change has mattered elsewhere also. The decline of whites as a proportion of South Africa’s population was an important factor in bringing F. W. De Klerk to the negotiating table. See McGarry 1998. The growth of the Palestinian population in the West Bank and Gaza helped to destroy the idea of Eretz Israel, an Israeli state stretching from the Mediterranean Sea to the border with Jordan. Virtually all Israeli Jews are now united around the argument that they need to be separated from (West Bank and Gaza) Palestinians, but they are still divided on where the borders should be.
14 I have started in 1982 because Sinn Féin did not contest elections before this. If I had contrasted the period before 1982 with the 1996–7 period, the growth in the nationalist vote would have been even more significant. I have also used similar types of elections in each period: in both cases I picked one European election, one Westminster election, one local
government election and one regional election. See Nicholas Whyte’s elections webpage at http://explorers.whyte.com/ The gap between the share of the vote won by nationalists and unionists continues to narrow. In the four elections that have taken place since the Agreement (again one of each type of election listed above), nationalists won an average of 42 per cent and unionists 50.2 per cent.

15 Addressing critics of the Agreement at the UUP’s annual conference in 1999, David Trimble asked if their preferred alternatives had managed to stem Sinn Féin’s growing vote, or if there was an alternative plan on how to achieve this: Irish Times, 14 October 1999.

16 See note 7.

17 A 1994 republican document on the peace strategy, was explicit about the importance of the American role, noting that ‘there is potentially a very powerful Irish-American lobby not in hock to any particular party in Britain or Ireland’ and that ‘Clinton is perhaps the first US President in decades to be influenced by such a lobby’: cited in MacGinty 1997: 34.

18 For a more extensive analysis of the exogenous factors that led to Northern Ireland’s Good Friday Agreement, see O’Leary and McGarry 1995 and McGarry 2001.

19 Personal communication from Professor Andrew Wilson, who interviewed Trimble on this matter.

20 Indeed, the option of integration, which had been abandoned since 1979, was reconsidered during the Major years.

21 Under the Agreement, the government is to be led by a first minister and a deputy first minister. Despite the inequality in status suggested by the titles, both ministers enjoy equal powers.

22 The d’Hondt procedure, named after Belgian Viktor d’Hondt, is a proportional method for allocating offices to parties according to the number of seats they hold in the legislature. The method employs a simple series of divisors, 1, 2, 3, etc. The party with the largest number of seats gets its pick of the ministries available, and then its seat share is divided by two. The party with the next largest number of seats gets the next ministry, and so on. The table below shows how the d’Hondt procedure worked to allocate the ten ministries available in the Northern Ireland executive after the Assembly elections of June 1998. The table includes data on the four largest parties in the Assembly, the only parties large enough to qualify for ministries. As the table shows, the UUP and SDLP were entitled to three ministries each, while the DUP and Sinn Féin were entitled to two each. The UUP received the eighth ministry ahead of Sinn Féin because of a rule that in the event of a tie, the seat went to the party with the largest number of first-preference votes.

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23 Post-Agreement survey data reveal that 86 per cent of Catholics and 62 per cent of Protestants support power-sharing in principle: Evans and O’Leary 2000: Table 14.

24 This need for extra-state institutions is a feature of the Northern Ireland conflict that Lijphart overlooks: in an otherwise incisive dissection of the Northern Ireland conflict in a 1975 article, in which he lists the obstacles to power-sharing, he ignores the fact that nationalists have always opposed any institutional arrangement restricted to Northern Ireland. See Lijphart 1975.

25 The Agreement committed both parts of Ireland to a further six functional areas of co-operation – including some aspects of transport, agriculture, education, health, the environment and tourism. It also provided for a British–Irish Intergovernmental Conference to promote bilateral co-operation between the Irish and British governments on all matters of mutual interest within their jurisdiction, and for a British–Irish Council, a forum to bring together not just the
representatives of the British and Irish governments but also those within the various devolved institutions within the United Kingdom.

26 For details on how the Agreement dealt with these issues, see O’Leary 1999.

27 Brendan O’Leary has developed the term ‘complex consociation’ to describe Northern Ireland’s Agreement. He correctly argues that Northern Ireland is not the only conflict zone that requires such complex attention. This is also the focus of a Carnegie-sponsored research programme at Cambridge University on ‘complex power-sharing arrangements’. The programme is under the direction of Marc Weller.


29 Kevin Rooney (1998) worries that by establishing institutions that ‘celebrate difference’, the Agreement has ‘put an end to the prospects for overcoming these divisions’.

30 Spokespersons for Democratic Left and the Alliance Party have criticised the Agreement as, respectively, a pact ‘between the two dominant sectarian and tribal blocs’ and as emphasising ‘two communities’ rather than all the people who share ‘common values and principles’. See McLean 1998 and McGarry 1999.

31 The unionist intellectual and politician, Robert McCartney, ironically mimics anti-Agreement republicans in claiming that the power-sharing institutions are ‘impermanent’, ‘dysfunctional’ and ‘unworkable’, and that it is only a matter of time before this ‘macabre parody of real democracy’ is brought to a halt by its ‘inherent defects and weaknesses’ (McCartney 2000). The unionist MP, David Burnside, put it somewhat less eloquently: ‘the institutions are not working and are not going to work’ (Irish News 2001).

32 Opponents of the grand coalition model claim to have been vindicated by the problems that have beset the power-sharing institutions since 1998. For an example, see Wilford and Wilson 2001. Wilford and Wilson are good at describing the problems, but not at offering more viable alternatives.

33 Some liberal democrats appear unable to appreciate the difference between ethnic cleansing and apartheid, on the one hand, and power-sharing between groups on the other. Thus when Brendan O’Leary and I expressed our support for consociationalism in Explaining Northern Ireland, one critic wrote that these views could be seen as ‘condoning ... ethnic cleansing’. See Dixon 1996: 139. See also our reply (McGarry and O’Leary 1996). For a perspective that appears to equate the defence of the rights of multicultural minorities with the policies of the apartheid state in South Africa, see Piper 2000.

34 The fact that 50 per cent of either bloc can prevent the election of the first minister and deputy first minister, as happened on 2 November 2001, is a weakness in the Agreement’s decision-making rules. I will address this below.


36 It is often argued that these provisions ‘entrench sectarianism’, but note that the Assembly’s rules and procedures institutionalise political and not religious identities.

37 There is an argument for making the executive even more inclusive by extending its size. A larger executive, constituted by the d’Hondt mechanism, would give a seat to the Alliance Party and might in future give seats to other small parties. Alternatively, the executive could be constituted by the Sainte-Lagène mechanism, which is more advantageous for small parties than d’Hondt. For an explanation of the difference between d’Hondt and Sainte-Lagène, see McGarry and O’Leary 1995: 373–5.

38 It does not follow from my argument, however, that the inclusion of radicals in government in 1974 would have improved the stability of the power-sharing government. Indeed, in 1974 these radicals were virulently opposed to power-sharing and would have refused to take any positions offered to them. However, when radicals are prepared to participate in power-sharing institutions, and are not bent on their destruction, it makes sense to include them. I give reasons for this below.
39 Anti-consociationalists tend to see Sinn Féin’s rise as evidence of increasing extremism, and sometimes attribute it to the ‘unworkable’ nature of Northern Ireland’s consociational institutions (see Wilford and Wilson 2001). However, it makes more sense, given Sinn Féin’s clear movement from physical force republicanism to constitutional politics, to see its electoral growth as flowing from its increasing moderation. See Mitchell, O’Leary and Evans 2001. Other factors are also responsible, such as the party’s articulate and capable leadership, and the growing Catholic share of the population combined with the tendency of young Catholics to vote Sinn Féin.

40 In the Irish Republic’s general election of May 2002, which took place after this article was submitted, Sinn Féin increased its number of TDs from one to five.

41 At the time this article is being submitted (November 2001), a review of the Agreement’s rules is about to begin. For an analysis of the rules, and our preferred changes, see McGarry and O’Leary 2001. There are alternatives to using d’Hondt as the default rule for electing the first and deputy first minister team. One is to use the Agreement’s weighted majority rule: 60 per cent of the Assembly plus at least 40 per cent of both the nationalist and unionist blocs. Another is to rely on a simple weighted majority of 60 per cent – a threshold that is high enough to ensure that support from both communities is required, but low enough to prevent vetoes by reactionists. O’Leary and I prefer d’Hondt as a default rule because we believe these other defaults would result in moderate parties colluding to deprive Sinn Féin or the DUP of one of the top positions (should either come to command a majority in its bloc). It is our view, as I have expressed in my arguments against Horowitz in this article, that consociational coalitions will be stronger, if they include radical parties and give them incentives to compromise.

It would also be useful if the Northern Ireland Act was revised to remove the requirement that the resignation of one of the co-premiers automatically triggers the resignation of the other. This provision is not in the Agreement itself. The ability of one co-premier to bring the other down was used by both David Trimble and Seamus Mallon as a destabilising bargaining chip during the 1999–2001 period. A resigning co-premier should be replaced in the first instance by someone from his or her party. If this is not an option, the vacant position should be filled by the d’Hondt procedure with the proviso that it could not be occupied by someone from the other co-premier’s bloc.

References


Kennedy, Denis. 2000. ‘Evidence is growing that Agreement did not work’, *Irish Times*, 16 February.


Smooha, Sammy. 1999. ‘The model of ethnic democracy: characterization, cases and comparisons’, paper read in conference ‘Multiculturalism and Democracy in Divided Societies’, 17–18 March, Center of Multiculturalism and Educational Research, University of Haifa, Haifa, Israel.


