
# Dialogue and engagement:

## lessons from the Northern

## Ireland Civic Forum

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**About this publication**

This publication was commissioned by Joseph Rowntree Charitable Trust in Autumn 2015. Its purpose is to identify lessons from the Northern Ireland Civic Forum for current and future efforts to enable participatory peacebuilding and politics, both in Northern Ireland and beyond.

JRCT is grateful to the authors and to all those who agreed to be interviewed for the research for their care and insight.



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# Table of contents

## 1. Executive summary

The Northern Ireland Civic Forum, a product of the Good Friday Agreement of 1998, was an experiment in participatory democracy. It was an example of the civic impulse which motivated other contemporaneous developments in Scotland and London, though these too have proved evanescent. It also reflected a more enduring recognition that 'governance' must go beyond the government and engage citizens in some organised fashion.

The product of advocacy by the Northern Ireland Women's Coalition in the talks leading to the Agreement – and legitimised, as with the other elements, by the democratic referendum issuing from it – the Civic Forum did not manage to secure active support from other parties to the talks. Those on the unionist side were never reconciled to its existence.

The Forum was thus ill-starred in practice. It lacked a clear remit, its composition was fragmented, and it had a limited budget and secretariat. From a clean sheet, its diverse members had to devise a workplan and *modus operandi*, which inevitably consumed much of their early deliberations. Suspended along with the other post-agreement institutions when devolution collapsed – and never reinstated despite its renewal in 2007 – the Forum enjoyed only a fledgling existence.

Set in that context, however, the Forum's achievements appear more remarkable. While one or two individual members pursued their *idees fixes,* the bulk of Forum participants got down to business and produced, particularly through smaller committees and working groups, substantial reports and responses to the devolved Programme for Government. The fact that these documents enjoyed the support, *inter alia*, of the main social partners gave them added weight.

The social issues which the Forum selected to address on its own behalf – including sectarianism, social exclusion and sustainable development – have proved enduring. This could be said to reflect a failure on the part of the Assembly and Executive to come up with effective solutions unaided.

Moreover, while this is a hypothetical claim, it is at least arguable that had the Forum been sustained its advice could have been drawn on to good effect on the 'culture war' issues – such as over flags and parades – on which the main parties have been unable to reach

consensus. Certainly, forum debates were less adversarial than those in the Assembly, and indeed less male-dominated.

After devolution was restored, an official review of the Civic Forum was conducted but remained unpublished. Most of the interviewees for this study favoured the re-establishment of such a forum – albeit perhaps smaller, more clearly organised around the social partners and with a demarcated agenda.

There is, however, clearly no political (or official) appetite for the Forum to be reconvened. Instead, the two largest Northern Ireland political parties agreed in their 'Fresh Start' document of November that a small civic advisory panel would be established. This would lack the autonomy and cross-sectoral engagement which the Forum enjoyed.

In any event, this does not exhaust the issue of civic engagement in Northern Ireland. The very poor representation of women in the region's public life remains a major challenge, as does engaging young people and reflecting the diversity of Northern Ireland's emerging demographics.

## 2. Introduction

This paper, commissioned by the Joseph Rowntree Trust, reflects on the two-year experience of the Northern Ireland Civic Forum, with a view to informing discussion of the future of civic engagement in the region.

It addresses the following aspects of the Forum:

- genesis, ownership, mandate
- composition
- terms of reference
- independence / relationship with structures of political power
- experience of those involved
- budget and funding
- significance / impact
- strengths, weaknesses and lessons identified

The paper begins with a survey of the experience of other civic fora across these islands. It continues with a contextualising literature review. It then distils, in line with the above framework, the views of interviewees. These consisted of:

- 13 former Forum members (seven female and six male), drawn from across the sectors represented and including the chair;
- four senior civil servants;
- two political scientists;
- two individuals involved with the new Civil Society Network;
- a former senior figure in the Northern Ireland voluntary sector;
- the former chair of the Scottish Civic Forum, and
- the chief executive of the Welsh Council for Voluntary Action.

We do not attempt to draw our own conclusions from this material, which throws up both consistent strands and diverse perspectives, but present the evidence as objectively as we can.

The authors are indebted to our many interlocutors for their generous assistance. Because of the sensitivity of much of what they said to us, we agreed with interviewees that we

would present this in a way which would would indicate where they were coming from without attribution by name.

## 3. Civic Forums and civic engagement

## a. The Civic Forum: a brief history

The Civic Forum was written into the Good Friday Agreement of 1998 as a mechanism to allow the Northern Ireland Assembly and Executive to be informed of the views of the wider civil society on a range of social, cultural and economic issues. To ensure that the body was widely representative it was constituted with 60 members, drawn from ten sectors.

The Forum met in plenary format 12 times between 9 October 2000 and 14 October 2002, when devolution was suspended. In between the plenary sessions work was undertaken by a range of standing committees and working groups. Following the suspension of the political institutions in 2002 the body was mothballed, but when devolution was restored in 2007 the Civic Forum was not brought back into existence. Instead the Office of the First and Deputy First Minister (OFMDFM) announced a review of its operation, and on foot of this a consultative exercise was launched.

The results of the review were never published, but the written submissions and subsequent debates in the Assembly revealed a clear difference of opinion. While nationalists and the Alliance Party were supportive of the idea of a revived Civic Forum, unionists remained hostile. In the absence of cross-community support it is very unlikely that the body will be revived.

**How the Forum was set up**

The creation of the Civic Forum is widely seen to have resulted from the interventions of the Northern Ireland Women's Coalition in the multi-party talks that led to the 1998 Agreement. The idea of a wider participative democracy was very much part of 'third way' politics in this period, and a series of peace agreements had incorporated civic participative methods to encourage cooperation across ethnic divisions.[1]

Strand One of the Agreement stipulated that a body called the Northern Ireland Civic Forum should be established, to comprise "representatives of the business, trade union and voluntary sectors, and such other sectors as agreed by the First Minister and Deputy First

[1] See for example Paffenholz, T. and Spurk, C. (2006), *Civil Society, Civic Engagement and Peacebuilding*, World Bank Social Development Papers, no. 36.

Minister. It will act as a consultative mechanism on social economic and cultural issues. The First Minister and Deputy First Minister will by agreement provide administrative support for the Civic Forum and establish guidelines for the selection of representatives to the Civic Forum."

On 16 February 1999 the Assembly approved a report presented the previous day by the First Minister (Designate) and Deputy First Minister (Designate), David Trimble and Séamus Mallon respectively, which set out the proposed structure of the Forum. It was to comprise a chair and 60 members representing ten sectors. The report also stipulated that the composition of the membership should aim for balance by gender, community background (religion), geography and age.

The last of the post-agreement institutions to be established, the Forum met for the first time on 9 October 2000. It had a budget of £370,000 to cover its first year of operation.

**The composition of the Forum**

A Civic Forum Study Group, comprising MLAs from the Ulster Unionist Party, the SDLP, Sinn Féin, Alliance, the Progressive Unionist Party and the Women's Coalition, had been convened to give shape to the recommendation in the Agreement. It met in formal session on six occasions in late 1998 and early 1999 before submitting its report to Trimble and Mallon. On the basis of its recommendations membership of the new body was to be drawn from ten sectors with the following balance of representation:

- Agriculture and fisheries (3)
- Arts and sport (4)
- Business (7)
- Churches (5)
- Community relations (2)
- Culture (4)
- Education (2)
- Trade unionism (7)
- Victims of terrorism (2)

- Voluntary and community sectors (18)

In addition the First Minister and Deputy First Minister were allowed to nominate three members each, and this power was used to satisfy the concerns of their separate constituencies. For example, the Orange Order had protested that it had not been given a place, and in response Trimble nominated Richard Montieth, a prominent member of the Portadown Orange Order, best known at that time for his role in the Drumcree protests. Mallon used one of his nominations to put forward Brian O'Reilly, regional President of the Society of St Vincent de Paul. The position of chair was also decided by the First Minister and Deputy First Minister and the businessperson Chris Gibson was appointed.

**The work of the Forum**

While the Forum had been provided with an overall brief it was couched in very general terms, and it was left to the membership to determine its structures and procedures. The members decided that providing advice to government and responding to consultation papers were key activities, but that the Forum should also face outward to the community. To give practical expression to this, it was agreed that its meetings would be open and that half would take place in Belfast and half in other venues across Northern Ireland. In addition to the six plenaries a year it was agreed that there would be project teams and ad hoc working groups. Three internal committees were established: a general-purposes committee, a communications committee and a key-issues committee.

An early focus for the Forum was to produce a response to the first draft Programme for Government. It also sought to develop its own agenda, and to this end three project groups were established, focusing on an anti-poverty strategy, lifelong learning and peace-building through citizenship and culture. Later a fourth thematic group was set up to investigate sustainable development. In its two-year existence the Forum produced the following:

- two responses to the Programme for Government;
- two substantial reports (one on lifelong learning, the other an anti-poverty strategy);
- three submissions (one on sustainable development, one on human rights to the Northern Ireland Human Rights Commission, and one on victims to OFMDFM); and
- four editions of a Civic Forum newsletter.

**What happened to the Forum?**

The original arrangements for the Forum presented by the Civic Forum Study Group envisaged a review of its structure after one year. The difficulties the Forum experienced in

determining its own procedures led to this being deferred until 2002, but the suspension of the Assembly that year meant that the Forum, along with all the rest of the apparatus of devolution, ceased to function. When devolved government returned in 2007 the OFMDFM announced a new review of the Forum, taking "into account the changes in civic society during the intervening years and the wider concerns emerging from the Preparation for Government Committee debate". More than 60 responses were made to the consultation, but the results of the review were never published.

This did not mark an end to the matter entirely. The SDLP proposed that the Forum be reconstituted, in debates in the Assembly in April 2013 and again in November 2013. It also pressed the case at a meeting with the Joint Oireachtas Committee on the Implementation of the Good Friday Agreement in January 2014. There was support for the idea from Sinn Féin and the Alliance Party, but in the face of implacable unionist opposition it is accepted that the Forum is unlikely ever to return.

## b. Other civic fora and related bodies

The Northern Ireland Civic Forum was neither the first nor the only body of this kind. Various civic fora were established in the closing period of the 20th century. Each began in hope, and in most cases that hope ended in disappointment. While the Northern Ireland experience is sometimes viewed as a failure which expresses the particularity of the place, the trajectory was in fact a common one.

The first really significant civic forum developed in Czechoslovakia during the 'velvet revolution'. The Czech Civic Forum emerged in Prague in 1989, and brought together the political dissidents who had grouped together through Charter 77, with members of jazz clubs, philosophy groups, university student unions and diverse others who sought an end to Communist rule. The large peaceful demonstrations and their sudden success in issuing in a new government proved inspirational across Europe, and the idea of reinventing democracy through citizen participation was intoxicating.

In the UK political theorists like Anthony Giddens[2] promoted the idea that the old top-down model of government of the nation state was no longer adequate to the new multi-level forms of governance emerging in the new global/national/local paradigm. New forms of civic engagement were called for, ones that prized partnerships with non-statutory agencies. With the arrival of 'New' Labour in 1997 the idea of citizen engagement moved

[2] Giddens, A. (1998), *The Third Way: the renewal of social democracy*, Cambridge: Polity Press

swiftly from the seminar room into the corridors of power. The various think tanks and working groups supported by the Blair government rehearsed the themes of 'social capital', partnership and 'joined-up government', with the result that "some form of public participation in the policy process, ranging from consultation to deliberation, had come to be expected".[3]

This was the policy environment in which civic fora were developed in the UK. The two that concern us here are the London Civic Forum and the Scottish Civic Forum, but we will also refer to the Irish experience of the National Economic and Social Council and the Constitutional Convention.

**The London Civic Forum**

The London Civic Forum was set up in 2000. Its core funding from the Greater London Authority was terminated in 2008, but it survived in reduced form until 2012. The idea had first been put forward in 1998 by the London Voluntary Services Council,[4] and it was included in Ken Livingstone's manifesto when he ran for Mayor of London in 2000. In his earlier period as leader of the Greater London Council, Livingstone had championed partnerships between the Council and a wide variety of community organisations, campaign bodies and ethnic groups, and when the new London Civic Forum was set up it sought to extend this model of inclusiveness. At its peak it had 1,300 members, and according to its website these included "colleges, hospitals, trade unions, chambers of commerce, large corporates, small consultancies, advice providers, campaign groups, big charities, local strategic partnerships, community policy consultative groups, training providers, helplines, museums, libraries, theatres, city farms, housing associations and social enterprises".

Such a broad membership base provided challenges in terms of governance, and the Forum was managed by a Council made up of 59 elected members, with additional officer posts (making it comparable in size to the Northern Ireland Civic Forum). Elections to the Council were conducted through electoral colleges. There were nine in total: private sector; public bodies, services and institutions, including the trades unions and professional associations; faith sector; voluntary and community sector; the Black Londoners Forum; organisations of disabled people; organisations of lesbian, gay, bisexual and transgender people; organisations of older people; and organisations of young people. The overall purpose was to provide a voice for civic society, particularly in relation to the Greater London Authority,

[3] McCall, C. and Williamson, A. (2001), 'Governance and Democracy in Northern Ireland: The Role of the Voluntary and Community Sector after the Agreement', in *Governance: An International Journal of Policy and Administration*, vol. 14, p. 370

[4] London Voluntary Services Council (1998), *Enriching Democracy: A Civic Forum for London*, 2nd Edition

and it pledged itself to “provide a consultation service on policy matters including the London Plan”.

The relationship with the GLA proved more problematic, however, than had been anticipated. The London Civic Forum had not been put on a statutory footing but established as a charity, which made it reliant on grant aid. The initial bid for 10 staff was rejected by the GLA and the London Civic Forum Development Team scaled back their request and reduced funding was agreed. Funds were negotiated on an annual basis, but in 2004-05 the GLA agreed to fund the organisation’s core activities for the following three years, giving the Forum a short period of stability. That funding ended in 2008, just at the point when Boris Johnson took over as Mayor of London, and without core funding the organisation limped along until 2012 when it formally dissolved itself.

The problem of funding was not the only difficulty for the London Civic Forum: underneath it lay a problem of purpose and role. While it cast itself as the link between the GLA and civic society, Livingstone had developed the office of the Mayor in such a way as to continue the GLC tradition of links with marginalised groups. With 12 principal advisers assisting him, Livingstone had more staff dedicated to this purpose than did the Forum. Being almost wholly dependent on the GLA for funding also circumscribed the Forum’s role as watchdog – a role in any case played with much more combativeness by the elected London Assembly, which had the power to scrutinise GLA budget allocations.

**The Scottish Civic Forum**

Devolution in Scotland began with the opening of the Scottish Parliament on 12 May 1999. The Scottish Civic Forum had launched itself just two months earlier, but saw itself very much as a partner organisation, explaining that it had been set up “to ensure that the partnership between parliament and people is sustained”. It said its principal activities would be:

- monitoring the parliament and executive,
- publishing an annual audit of democratic participation,
- encouraging legislative participation through policy forums and public dialogue,
- training and guidance on participation,
- promoting and identifying civic priorities and
- producing publications.

The Scottish Parliament gave a guarded welcome to the Civic Forum, and agreed to an allocation of £300,000 for three years on the strict understanding that by 2005 it would have secured independent funding.

In its practical outworking the Forum did not achieve the partnership it had sought with the Scottish Parliament. The idea of being a 'critical friend' did not sit comfortably with its financial dependence on the Parliament; nor did the elected members necessarily accept that there was a gap between them and the electorate that need to be filled. In 2003 the Parliament's Procedure Committee reported its concern that the "Forum should not be perceived as the sole conduit through which civil society engages with the Parliament".[5]

The Scottish Parliament, like the Welsh Assembly, operates a petition system whereby a concern can be brought to the attention of the Parliament by the signing of a public petition – a system updated in 2009 by the addition of e-petitions. The consultations conducted separately by the Civic Forum did not seem to add anything significant to the process. Evaluations of the Forum's effectiveness did not provide the validation it might have hoped for. For example, one survey concluded that it was seen by lobby groups as "of little use" or mainly of use to "small organisations and individuals, community groups etc … who are not regularly engaged in the consultation process".[6]

The erosion of support was connected very directly to the increase in confidence in the Parliament's own ability to connect with the citizenry. One parliamentary staff member was quoted as saying: "We don't want aggregated opinion, Civic Forum style ... the Civic Forum thought they would have a monopoly of presenting public opinion to us, but they have yet to deliver something we want."[7]

In 2005 the Parliament refused to grant the requested financial support needed to stay afloat. The Scottish Civic Forum as originally conceived had come to an end, but the Parliament was still interested in some kind of extra-parliamentary forum, and so rather than killing off the Forum grants were awarded of up to £40,000 in 2005-06, £90,000 in 2006-07, 2007-08 and £20,000 in 2008-09. The new mission was reflected in the change of title to the Scotland's Futures Forum. The new body describes its mission as follows:

> Scotland's Futures Forum was created by the Scottish Parliament to help its Members, along with policy makers, businesses, academics, and the wider community of Scotland, look beyond immediate horizons, to some of the challenges

[5] Davidson, S., Stark, A. and Heggie, G. (2011), 'Best Laid Plans … The Institutionalisation of Public Deliberation in Scotland', *Political Quarterly*, vol. 82, no. 3, pp. 379-88

[6] Wells, D. (2007), *Pressure Groups*, Edinburgh: Edinburgh University Press, p. 155

[7] Ascherson, A. (2003), 'Designing Virtual Citizens: Some Scottish Experiments with Electronic Democracy', *Scottish Affairs*, no. 43

> and opportunities we will face in the future. Looking beyond the 4 year electoral cycle and away from party politics, the forum seeks to stimulate public debate in Scotland, bringing fresh perspectives, ideas and creativity on how we might prepare now for the future.

Demands for the old model of the Scottish Civic Forum resurface from time to time. Three petitions have been presented to the Parliament calling for its reinstatement. The most recent was presented to the Parliament on 27 November 2015, but the petitioner somewhat undercuts his own argument for the return of the Forum when he says in his accompanying statement:

> However, from speaking to the general public, it would seem that most Scots outside of the Parliament were never aware that such a thing as the Scottish Civic Forum ever existed, much less that it could be reinstated.

The former chair of the Forum, Joyce McMillan, conceded: "Things do have their time." But she said that civil society in Scotland now lacked a "rallying point", while checks and balances were lacking in a Parliament with a Scottish National Party ruling majority (unanticipated under the additional-member electoral system) and no convention of appointment of opposition figures to chair key committees. A couple of years down the line, she predicted dissatisfaction with the performance of the SNP Government and the adequacy of accountability.

**The National Economic and Social Council**

In the submissions to the review of the Northern Ireland Civic Forum in 2007-08 several contributors, some who had been members of the Forum, compared it unfavourably with the National Economic and Social Council (NESC) in the south. The seeming economic miracle that was known as the Celtic Tiger led many agencies and sectors to seek credit for the explosive growth in that period, and for many the social-partnership model provided the key to understanding Ireland's unexpected good fortune.

In September 2008, as the global financial crisis gathered pace, the Irish government underwrote the debts of all the banks, and Ireland was plunged into an economic crisis from which it is still trying to recover. This has led to a re-evaluation of the success of social partnership. It has not however displaced the NESC as a central mechanism for dealing with the economy, or as the main driver for policy development on social issues that relate to it.

It was set up in 1973 and owes its origins to a crisis in the management of the economy. There had been a long run of broken pay agreements between employers, government and unions and it was thought necessary to move from the adversarial model to a new partnership structure that could deliver economic stability. The original membership consisted of representatives of employers, trade unions, farmers, government departments and independent experts.

But in 1986, the year of the first social-partnership agreement, third-sector organisations, claiming to represent a major cross-section of society, protested at being excluded. The National Economic and Social Forum was set up to accommodate them alongside the NESC. It focused on such issues as social exclusion, poverty and unemployment. This structure was later revised, however, integrating the voluntary and community sector into the main body.

The NESC has a history of producing strategic, long-term analyses of key economic and social issues affecting Ireland's development. Its early work focused on the economy, taxation, population and emigration, and agricultural policy. It has also produced reports over the years on employment, housing and education, social policy, Ireland in the EU, public services and well-being.

It has continued to revise its composition on a number of occasions, most recently in 2012 when the sustainable-development role performed by Comhár, the Sustainable Development Council, was integrated into its mission and structures. This brings the total membership of the Council to 33, which breaks down as follows:

- Government nominees (8)
- Secretaries-general of government departments (5)
- Business organisations (4)
- Trade unions (4)
- Agriculture (4)
- Community and voluntary groups (4)
- Environmental groups (4)

The Council functions as an extension of government, but with a degree of critical distance. The Director, Rory O'Donnell, has explained the relationship this way:

> The Council is indeed not that far removed from the Government. The chairman of the Council is the secretary-general of the Department of the Taoiseach. That can sometimes lead to a bit of ambivalence, but it has never really caused problems. It

certainly doesn't prevent the parties from criticising the Government's medium to long-range policy.

While the Council has extended the radius of its concerns to take in social issues, the core concern remains the economy. To tackle the other difficult issues that might require constitutional amendments another experiment has been tried, the Constitutional Convention.

**The Irish Constitutional Convention**

The Constitutional Convention was set up in July 2012 for one year, but with provision to continue longer if thought necessary. The original agenda was made up of constitutional issues deemed to lie outside party politics:

- reduction of the Presidential term of office to five years and alignment with local and European elections;
- reduction of the voting age threshold to 17;
- review of the Dáil electoral system;
- Irish citizens' right to vote at Irish Embassies in Presidential elections;
- provisions for same-sex marriage;
- amendment to the clause on the role of women in the home and encouraging greater participation of women in public life;
- increasing the participation of women in politics; and
- removal of the offence of Blasphemy from the Constitution.
- Following completion of the above reports, such other relevant constitutional amendments that may be recommended by it

The novelty of the Constitutional Convention lay in its composition. Intended to be broadly representative of Irish society, it was made up of 100 citizens: a chair, 29 members of the Oireachtas, four representatives of Northern Ireland political parties and 66 randomly selected citizens of Ireland. Political parties and groups in the Dáil and the Seanad nominated representatives on the basis of their relative strengths in the Oireachtas, while citizens were selected randomly using the electoral register and on the basis of groups representative of Irish society generally and balanced in terms of gender, age and region.

The Constitutional Convention met for the first time on 1 December 2012 and sat until 31 March 2014. Its task was to bring forward recommendations on the eight issues specified above and to make whatever suggestion it wished on constitutional amendments. The Irish government was not obliged to proceed with any of these proposals, but it did commit to respond formally to each recommendation and to debate it in the Oireachtas. Two of its

proposals were put to referendum: to allow marriage between two people without distinction as to their sex and a reduction in the age of eligibility for the presidency from 35 to 21. The former was accepted but the latter rejected in a referendum on 22 May 2015.

## c. Literature review

The academic literature on the Civic Forum is sparse: perhaps more significant than anything that has been written is the fact that its presence is so light in the commentaries on the peace process. Short descriptive accounts of its origins, composition and eventual suspension are routine in accounts of the Belfast Agreement, but only *en passant*. There is a singular lack of curiosity about its demise, or the reasons why it failed to gain political traction. It could be inferred from this absence of any serious engagement that the Forum is now seen as no more than a flimsy expression of the optimistic mood of the time, not to be considered an essential component of the peace accord – and certainly not on a par with substantive issues such as decommissioning, policing and north-south relations.

The retrospective that delivers this judgement however tends to overlook how radical the Belfast Agreement appeared at the time, and how the Civic Forum was considered part of an exciting and innovative constitutional experiment. John Morison, for example, argued that the Northern Ireland Act of 1998 "opens up the potential for a re-invigoration of democracy".[8] McCall and Williamson struck the same optimistic note, positing the idea that the creation of the Civic Forum placed Northern Ireland at the forefront of a radical reworking of democracy:

> Northern Ireland can be seen as a testing ground for new concepts like social partnership, and the new models of governance that push the boundaries of the model associated with the nation state ... Northern Ireland in institutional and democratic transition may also be regarded as an empirical hotspot for the development and testing of modern democratic theory.

It was in fact the constitutional novelty of the Forum that attracted the interest of both Vikki Bell and Lone Singstad Palshaugen, authors of the only two journal articles to have 'Northern Ireland Civic Forum' in their titles. Both concern themselves with the politics of recognition, and the possibility that the intersectionality of the membership of the Forum might have a transformative effect on the practice of politics in Northern Ireland.

[8] Morison, J. (2001)', 'eDemocracy, Governance and Governmentality: Civic Public Space and Constitutional Renewal in Northern Ireland', *Oxford Journal of Legal Studies*, vol. 21, no. 2

Bell[9] sees the Forum as part of "the technology of peace" and as part of a new ethical landscape, one in which the promise of peace is presented as a call to the future, while the pursuit of that ideal has to be played out in "the messiness of the present". The article does not dodge the problem described as messiness: while the bulk of it was written before the suspension of the Forum it was completed after the event, and the overview allows for the difficulties experienced in the "anxious space" inhabited by the Forum. Bell documents the immediate and practical problems experienced by members as they struggled to devise procedures and working relationships, but identifies the central paradox as this:

> The Forum operates under what amounts to an injunction to banish the ghosts of the past. But its success is measured by how it gives space to the differences that arise precisely because those spirits do continue to whisper in the present, both within and outside the Forum.

While acknowledging those difficulties, and the possibility that the Forum might not deliver on its early promise, Bell concludes that the experiment is a brave one, not simply because it allows for greater citizen participation in the institutions of government, but because it may be seen as representing a "new mode of governance".

Palshaugen's concerns are similar. The theoretical background draws upon Will Kymlicka and others who explore the politics of identity and, like Bell, Palshaugen moves from an exposition of theoretical perspectives to an exploration of the Civic Forum as a case study of a constitutional structure that allows for difference. The idea of "horizontal relationships", derived from Simon Thompson, is employed to describe the relationships among the plurality of identities brought together under the roof of the Civic Forum. Might the co-mingling of trade unions, farmers' groups, business representatives and others allow for a form of politics that goes beyond the ethno-nationalist divide? Like Bell, Palshaugen includes interviews with participants to test that idea against the reality as experienced by Forum members. The answer is that the ideal of civic pluralism had not been achieved in the way that was hoped:

> It seems clear that it has not gotten that far yet. As one member stated, I don't think it has acquired that kind of significance.

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[9] Bell, V. (2004), 'Spectres of Peace: Civic Participation in Northern Ireland', *Social and legal studies*, vol. 13, no. 3, pp. 403-428. ISSN 0964-6639 [Article]: Goldsmiths Research Online.

Despite this, Palshaugen is reluctant to dispense with the radical hope of the Forum:

> The Forum tries to create a political culture through a multiplication of difference, and by allowing more voices into the public arena. This approach is not, as we have seen, without problems or dilemmas, but it is an important debate that is needed. By focusing on common concerns and celebrating diversity, I think that the Forum has made some steps towards a new political culture.

Both articles are very clearly products of their time. Published in the period just after the suspension of the institutions, they are reluctant to deliver a negative verdict. The promise the authors saw in the Forum was of not just a new way of performing politics in Northern Ireland but an innovative form of constitutional engineering that might have lessons for radical democratic theory across Europe.

It is interesting then to look at another review of the Forum conducted much more recently, but again from the perspective of radical democracy. A master's dissertation by Daniel Donnelly completed in 2015[10] looks at the Civic Forum as one form of civic engagement. The author's prime concern is with the concept of using randomly selected citizens in a new form of democratic decision-making. The Civic Forum is evaluated as an interesting forerunner, but one with a 'troubled' history, and Donnelly observes the irony that the demise of this alternative form of democracy was "ultimately caused by the failure of representative democracy to stabilise in the early post-Agreement period".

The more mainstream political commentators, whose concern has been with the main narrative of the peace process, tend not to attach much significance to the Forum. Stefan Wolff, for example, writing in 2003 (the same time as Bell and Palshaugen), refers to the possibility of the Forum transcending sectarian boundaries and generating new policy ideas but concludes:

> The period since its inauguration, however, has been characterised by a remarkable degree of inactivity, and it remains to be seen whether the Civic Forum can accomplish these tasks.[11]

Jonathan Tonge is even more sceptical. He presents the Forum as made up of 'worthies', and not representative of those, like ex-prisoner organisations, more closely attached to the

[10] Donnelly, D. (2015), *Including Random Citizens? Proposing a New Civic Engagement Model for Northern Ireland*, Dissertation for MA in Legal Studies, Queen's University Belfast, p. 64

[11] Wolff, S. (2003), 'The Peace Process Since 1998', in J. Neuheiser and S. Wolff (eds.), *Peace at Last: The impact of the Good Friday Agreement in Northern Ireland*, Bergahn Books: New York/Oxford

peace process, or those like the Orange Order more representative of the society as a whole:

> The Orange's exclusion contradicted the claim that the Forum would represent all interests in Northern Ireland. Clearly some interests were more acceptable than others, and the filtering process excluded an organisation that contained one quarter of all the Protestant males of Northern Ireland. [12]

He concludes that the Forum was an "expansive, somewhat expensive, filtered gathering of special interests".

Rupert Taylor is somewhat more sympathetic to the problems experienced by the Forum in negotiating a political space for itself. But he is even more final in his judgement: "In sum, the Civic Forum is widely seen to have failed, having come to constitute a space which civil society does 'not control'".[13]

As might be expected, a more sympathetic approach comes with the literature that emphasises social capital, people power (in its various forms) and civil society. A sub-set of this, but with its own distinct concerns, is the literature that foregrounds women and their role in peace-building. Since it is widely accepted that the Civic Forum had been inserted into the Good Friday Agreement at the behest of the Women's Coalition, it is not surprising that writers like Elizabeth Meehan who aligned themselves with the Women's Coalition should present it as a vehicle for 'new politics': "Inclusiveness and participation through partnership has a statutory basis in the Civic Forum." [14] This was a proposition with a more general appeal: reservations about an elite, top-down settlement could be offset by the possibility of ground-up means of participation.

A forensic analysis of the operations of the Civic Forum by Christopher Farrington, however, revealed gaps between the rhetoric and the reality. While acknowledging the problem of hostility from some established political interests, Farrington observes that the Forum failed because even its largest internal constituency, the voluntary sector, didn't find it a particularly useful vehicle. Other provisions of the Agreement, in particular Section 75 of the Northern Ireland Act, allowed for consultation and placed an obligation on government to

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[12] Tonge, J. (2005), *The New Northern Ireland Politics*, Basingstoke: Palgrave Macmillan

[13] Taylor, R. (2008), 'The Belfast Agreement and the Limits of Consociationalism', in C. Farrington (ed.), *Global Change, Civil Society and the Northern Ireland Peace Process*, Basingstoke: Palgrave Macmillan

[14] Meehan, E. (2005), *From Government to Governance, Civic Participation and 'New Politics': The Context of Potential Opportunities for the Better Representation of Women*, Centre for the Advancement of Women, Queen's University Belfast, Occasional Paper no. 5, p. 16

consider particular categories of disadvantage. This sudden plethora of consultation processes, Farrington argues, almost negated the need for a Civic Forum:

> Civil society was offered a wide variety of possible avenues of influence, of which the Civic Forum was the least attractive. Therefore while the Forum had its own internal divisions, the politicians may have been suspicious and the civil service awkward, the Forum ultimately failed because civil society found other ways of fulfilling the role which they had assigned to it and which did not involve their interests being mediated through a body which they did not control. [15]

This overview shows a spectrum of opinion, but it would be a mistake to dichotomise it into positive and negative assessments. The differences between authors are more apparent than real. Normative accounts tend to be enthusiastic; descriptive accounts are much less so. In other words, the various commentators (even the more critical) tend to be supportive of the idea of the Forum, and even those most supportive express reservations when it comes to an assessment of the Forum in practice. Pessimism of the intellect, optimism of the will ...

One last publication deserves mention – not an academic paper but a briefing paper prepared for the Assembly by its Research and Information Service (RAISE) in September 2013.[16] The author, Ray McCaffrey, presents a deft and dispassionate account of the history of the Forum, its legal status and the debates that have followed its demise.

[15] Farrington, C. (2008), 'Models of Civil Society and their Implications for the Northern Ireland Peace Process', in Farrington (ed.), *op. cit.*, p. 123

[16] McCaffrey, R. (2013), The Civic Forum' RAISE: Northern Ireland Assembly Research Paper, RAISE, September 2013.

## 4. Various voices

This section draws mainly on the interviews conducted for this research. There is no attempt to present a unanimity of view, although amid some diversity common threads did nevertheless emerge.

### i. Genesis, ownership, mandate

Undoubtedly, the genesis of the Civic Forum in the proposal from the Women's Coalition for a second chamber meant other parties, if not hostile to the idea outright , found it difficult to grasp in any focused way. Perhaps the best account of what the Forum *should have been* came from a business member:

> I thought it was a fantastic idea. I thought its time had come in the context of the Good Friday Agreement and that was indicative of a civic society, progressive and inclusive approach to a new, fresh, modern Northern Ireland. In terms of its potential in many respects it held a unique space to complement more formal established democratic structures – a unique space that was freer and more able to really dig into the hard, difficult issues of a conflicted society in many respects: not just the religious divide but also the advantaged / disadvantaged, those well off / those struggling to get by, that whole social issue in a way that could be recognised as non-partisan and provide a reflective piece to the appropriate democratic structures, obviously through the Executive and Assembly.

One former senior voluntary-sector figure argued that the genesis of the Forum should have been characterised by a thought process which went from the remit to the structure to the participants. This form-follows-function approach had been made in the New Agenda paper prepared in advance of the Forum's establishment, following the engagement of the social partners and the churches.

But in February 1999, when the First and Deputy First Ministers (designate) announced to the Assembly plans which included that for the Civic Forum, they skipped straight to the last point: the Forum membership. This was to be the source of many problems.

### j. Composition

A decade and a half on, our investigations still found a divergence of views among ex-Forum members and observers as to what its composition should have been. On the one hand were those – drawn mainly from the social partners – who had expected the Forum to be composed of the trade unions, business and voluntary sector, as the Belfast Agreement had signalled. On the other, claims were made in favour of a greater pluralism of inputs, with the implication that the Forum should in some way be 'representative' – though this left the Forum more open to the claim by its detractors that it was merely duplicating the work of the Assembly.

One trade union member said that "the make-up of the Civic Forum was very disparate", including as it did those engaged in "special lobbying" alongside the "normal" civil-society organisations: "Normally, when you talk about civil society most people understand it's business, the trade unions and the voluntary sector." These last, he said, had reporting arrangements to their nominating bodies – in his case, the Northern Ireland Committee of the Irish Congress of Trade Unions – and, indeed, the trade union members had engaged in "collective decision-making" as a group. Other members had no such structures for accountability – or even arrangements for them to be replaced should they fail, or be unable, to continue to attend. Some nominating bodies had simply come together for that purpose and that alone. This made for an "unwieldy" structure, he said.

A business member agreed – although he admitted to being torn himself, because he appreciated the "value and insight" which the representatives of the churches, arts and sport brought to the Forum. But these groups – "representing" rather than "representative of" – lacked the "wherewithal" of "how to reference their hinterland". By contrast, among the social partners there was "a maturity of an understanding that has come about with the passage of time" and these organisations had "a more credible voice that would be harder for others to dismiss".

From the other side of the coin, one representative of the churches spoke of how she accordingly lacked any steer – no one from that quarter had ever formally asked her "Tell us how you are getting on" – and she could understand the frustration of other members used to systems of accountability. She said that, "from the get-go", there had been tensions between members who saw themselves as "mandated to bring a view" and those who were more "generally representative" of their constituencies. Forum members were thus "neither fish nor fowl", which she described as "a governance flaw when it was being set up".

## k. Terms of reference

The Forum did lack clear terms of reference. A senior serving civil servant closely involved said there had been "a lack of guidance and direction" for Forum members: "It was just one line in the Northern Ireland Act." And he said: "They were set up to set themselves up and do what they wanted to do." It had been "make it up as you go along".

Another official, at the time in OFMDFM, described the relationships between the teams of the First and Deputy First Ministers, Trimble and Mallon respectively, as "totally dysfunctional". Although he was benignly disposed, the Forum did not have the attention of the Deputy First Minister. Unionist politicians, meanwhile, had a "bare bones" interpretation of the Good Friday Agreement, as a basis for a power-sharing government, and were dismissive of what they saw as trimmings like the Forum. Hence the latter was the last of the institutions to be established and "there were no modalities".

This caused two difficulties from the outset. First, as the former senior voluntary-sector figure put it, it was more vulnerable than need be to the derogatory label of "talking shop". In her view, based on the experience of the National Economic and Social Forum in the Republic, it should have been clearly established as a "problem-solving body" – solving, that is, the problems the politicians couldn't. It could have focused on the so-called "wicked issues" straddling government silos, she said.

Secondly, the fact that the remit was, as a voluntary sector member put it, "quite vague", meant that that the Forum had to spend much time in its fledgling period sorting out for itself not only its workplan but also its *modus operandi*. A nominee of the Deputy First Minister said: "It held us back and a lot of discussions and debates we should have been having were on the structures and what we should be doing going forward."

## I. Independence / relationship with structures of political power

The independence – or otherwise – of the Forum was to prove a moot point. The New Agenda paper had urged that the Forum employ its own secretariat, with up to ten members, including not only civil servants but also "policy innovators" to engender "creative policy thinking". In the event, a small team of three civil servants was allocated by OFMDFM to the Forum.

But the biggest bugbear of Forum members was undoubtedly the hostility they faced, particularly from unionist politicians. One frustrated trade union member said politicians could have seen the Forum as a "bridge" between the worlds of policy and politics, perhaps

drawing individuals from the former into the latter, rather than as a challenge to elected representatives and their mandates.

A member from arts and sports spoke in similar vein: “It was amazing how a few people could make a difference, But a lot of politicians were afraid of us – that we knew more than they did.” And she said: “We were trying to think outside the ghastly civil service box into which they were trying to cram us.”

Similarly, a business member said the Forum could have helped politicians with “contentious issues”, like flags and emblems, taking “a bit of flak” and offering up recommendations which could have been accepted “reluctantly” but in a way which meant no one had to “lose face”. But he said: “What cannot be dismissed is that from the inception [of the Forum] it was playing into a very strong headwind – a headwind of opposition from the key and stronger political groupings, who very clearly didn’t want it.”

Nor was there any appreciation in the UK government that the Forum could play this conciliating role. A Northern Ireland Office official heavily involved with the peace process said: “I was in the thick of it at that time and it was just there, but only as a low background noise. It was never close to the circle of influence.”

A member representing victims expressed similar views. He said that in a “participatory democracy” it was “entirely right that you have discussions and debates with people working in those sectors”. But he said: “You got a sense [from civil servants] that they just didn’t really believe in the Forum and what it was about.” They were “just ticking a box”. And he bemoaned those politicians who had failed to see its “potential” and could only see it as a “threat” – what he called “the ‘Who do you think you are?’ kind of thing”. Referring especially to unionist politicians (and, as it happens, this member was from the Protestant community), he said: “I think it’s just historically about them and power.”

A churches representative concurred: “It’s just a reflection of our tribal politics.” The main parties, vying for power, “certainly didn’t want the influence of another body”.

Indeed the nominee of the Deputy First Minister concurred with that view:

> Obviously it brought together people from all walks of life and got them into the political and decision-making process. It allowed for a wider debate than just a political debate, which was a very positive thing. Unfortunately we didn’t get time enough to see how positive that could be.

She said that those in the voluntary sector and elsewhere, outside of the political sphere, often wanted to “move on” and look at things from the interests of society as a whole. At

the same time their lack of “political baggage” meant they could promote meaningful debate on issues like dealing with the past. And she said: “Scrutiny from civil society is important.”

A voluntary sector member said: “Certainly towards the end it was painful and very difficult – and that was entirely due to the lack of political acceptance.” And he linked this to the issue of the secretariat, questioning the “quality and quantity” of personnel allocated to the Forum.

To put all this in context, it is worth contrasting the experience of the arrangements for partnership between the Welsh Government and the voluntary sector embedded in section 114 of the the Government of Wales Act of 1998, requiring the devolved administration to promulgate a “scheme” to “promote the interests of relevant voluntary organisations”. For Ruth Marks of the Welsh Council for Voluntary Action, umbrella body for the sector in the principality, this arrangement is “still very much alive”.

The WCVA chief executive said that “the absolute relevance of it” was that “everybody is committed to it in principle”. She accepted that the “in practice part” was about “the growing up and maturing of a devolved administration”. But every department had agreed a range of actions with the voluntary sector. One tangible outcome was how childhood organisations had been able to affect the “groundbreaking” Wellbeing of Future Generations Act passed by the National Assembly for Wales earlier this year, she said.

### m. Experience of those involved

One trade union member talked up the experience of the Forum for those who participated. He said that their individual enthusiasm to be involved – they were only paid expenses – had not been recognised. Indeed, at their own expense, Forum members had met twice (at the offices of the Northern Ireland Council for Voluntary Action) after the Forum’s suspension.

A voluntary sector member used the same language: “I’m convinced all of us were very enthusiastic.” It was a “fresh thing” after the Belfast Agreement, when everyone was “politically positive”. Having grown up in Hungary – which has had its own historic national questions – she was very conscious of how members tried to represent “the man or woman in the street”, recognising that they came from “not just two communities but several communities”.

Another voluntary sector member described the experience as a “roller coaster”. In its “heady days”, the Forum had identified the right projects: social inclusion, identity,

sustainable development. A decade and a half on, he (and others) pointed out that, these were “still three of the biggest areas that need to be tackled”. And the forum was seeing “the connections between many of these wicked problems”. It was working towards “integrated, outcome-focused policy-making” and its debates had gone “a lot deeper” than in the Assembly, with a lot of work being done behind the scenes.

The victims representative agreed: “There were so many people there from so many different sectors: the trade unions, business, the arts, the community and voluntary sector. That brought a richness to it. Debates and discussions were always quite lively.” Because participants brought “lots of knowledge”, indeed, the debates in the Forum were “far superior” to those in the Assembly, whose members relied on briefings from civil servants, he claimed.

A churches member with a close relative who was an MLA experienced both sides of this institutional divide. She found a “striking contrast” between the debates and discussions in the Forum and the “so adversarial” Assembly.

Feminists have long argued that adversarialism in politics, as epitomised by the gladiatorial contest that is Prime Minister’s Questions at Westminster, is linked to taken-for-granted masculinist forms of behaviour. The Civic Forum had exactly the same number of female members (22) as the Assembly has at the time of writing. But they comprised 37 per cent of its membership, as against only 20 per cent of today’s MLAs (and there were even fewer female MLAs while the Civic Forum was sitting).

The churches member noted this difference in the space accorded women in the two institutions in the context of the “male domination” of Northern Ireland’s political parties. “There were certainly some very articulate women on the Civic Forum and they certainly were heard,” she said.

Joyce McMillan was an interested observer of the Forum, attending it twice in her capacity as chair of the Scottish Civic Forum. Partly because of its relative gender balance, “the focus was on the same kind of issues we were talking about,” she said. “It was about education, about jobs, about the environment and people’s quality of life … They were focused on the future and on basic social goods.”

A number of members interviewed spoke critically, sometimes robustly, of the chair of the Forum and of the secretariat. The more conspiratorial-minded linked this to the political hostility which the Forum faced but clearly there was genuine dissatisfaction with how the Forum was steered and supported. The word “tension” appeared in more than one interview alongside that of “chair” and there was concern that, rather than emerging from

within the Forum membership, the chair had been appointed by the civil service in a separate process.

The chair pointed out, however, that he had been appointed through a process of open competition. Far from being the instrument of the OFMDFM, he had met neither Trimble nor Mallon before the Forum began its work and had been given no induction – he was just expected to get on with it, he said.

Moreover, a churches member conceded: "Any chairperson would have struggled to harness the range of interests in that room. I would have said it was like herding cats."

Plenary sessions of the Forum were on occasions "nightmarish". This was perhaps inevitable in a body that included some vigorous single issue lobbyists, including *inter alia* a Protestant-fundamentalist member and a passionate advocate for the Irish language, but the clashes that from to time ensued were largely "set pieces" which could bring the dismissive suggestion of a "talking shop".

At an away day the Forum decided to establish working groups – on an anti-poverty strategy and 'Towards a Plural Society' – and these were much more favourably regarded.[17] The churches member said that these were "where the greater value was". And as a voluntary sector member said, they "provided space for people from different places to come together", so that those who had been working on poverty, for instance, could engage with those with an interest who nevertheless had not.

As for the secretariat, another churches member expressed disappointment and made a link upstairs, so to speak. She said: "The secretariat support was pretty weak to be honest and one felt almost they had to obey their masters. I really wasn't impressed by that." The victims representative however distinguished the secretariat from the wider civil service in that regard.

## n. Budget and funding

At only around 1 per cent of the funding for the Assembly, the budget for the Forum was, as one civil servant put it, "peanuts". One trade union member said: "It was the poor relation of the agreement in how it was funded and how it was treated." There is no evidence however of the Forum's activities stretching its budget. In the year 2001/02 the total

[17] One of the authors was the main drafter of the social-inclusion report commissioned by the anti-poverty working group.

expenditure was £425,000, and in 2002/03 it was only £328,000.[18] Funding cannot be seen as one of the main reasons why the Forum failed to meet its key objectives. The same civil servant who described the budget as peanuts identified as a major problem the fact that civil society had itself failed to "champion" it.

A business member saw this as linked to the at best lukewarm and at worst antagonistic attitude of the principal political parties to the Forum. He also formed the impression that "individuals in the civil service didn't want it either". So he said: "We weren't given the necessary support, resource and guidance." For instance, he complained, Forum members had been denied access to the Assembly library.

A churches representative echoed this argument. "I honestly think the majority of politicians looked on the Civic Forum as an unnecessary expense," she said.

## o. Significance / impact

In the light of these considerations, it is perhaps unsurprising that support from the Forum, even from those most likely to be wedded to it, was not strong. When the institutions were suspended in 2002, three members were delegated by the Forum to speak to the nominating bodies. One of the team said: "To say it was getting support from wet rags would be an understatement."

A voluntary sector member recognised that one of the problems for the Forum was that "not everybody had buy-in" – and there were, as another member from that sector put it, individual "wreckers". But, worse than that, she said, "I didn't feel there was necessarily even unconditional support from our sector." A business member agreed: "The business community weren't that bothered about the Civic Forum."

Nevertheless, the achievements of the Forum, despite the constraints upon it, should not be underestimated. One trade union member pointed to the "quite extensive list of publications" and stressed the work that had gone into producing the reports and the responses to the Programme for Government. Despite its small secretariat and limited resources, he said, the output of the Forum during its life "comes out very favourably" by comparison with that of the Assembly.

[18] Bell, V. (2004) 'In Pursuit of Civic Participation: The Early Experiences of the Northern Ireland Civic Forum', 2000-2002, *Political Studies*, vol 52 pp565-584

A voluntary sector member pointed, for example, to how the work of the Forum on educational disadvantage had been "led by educationalists". He added, however: "But I don't know if those reports ever saw the light of day."

Similarly, a churches representative heavily involved with the 'Towards a Plural Society' work said: "Even looking back at it now, some of the issues are still so relevant." And she said: "I was very disappointed that we never got anywhere near implementing what was proposed."

The first Programme for Government of the devolved institutions, agreed in 2001, had a broad social purpose, summed up in its first chapter heading 'Growing as a Community'. But the renewal of devolution in 2007 saw this focus narrowed to the economy, conceived in an orthodox, neo-liberal fashion.

The Civic Forum engaged with the PfGs in the first phase of devolution, as we have seen. A voluntary sector member said the Forum had had a broad "social and civic" perspective, which she contrasted with the current economic agenda of the Assembly. It is thus not surprising that the issues on which the Forum had worked were "completely still unresolved", as she put it.

Suspension was to strangle the Forum only shortly after birth. As the victims representative put it, "I don't think we were allowed to deliver an awful lot. We were only getting going when the carpet was pulled from under us."

## p. Strengths, weaknesses and lessons identified

The former senior voluntary-sector interviewee said there was now a gap in the absence of the Civic Forum: "On the bigger policy ideas there's no trusted intermediary any more." But she feared that while the Forum had "promised a lot" the idea might have been "killed" by the performance. With notable exceptions, such as its work on social inclusion and early years, she said: "It achieved very little except to damage the idea that citizens could be involved in real politics."

In her diagnosis, the forum components had failed to develop a "shared perspective" necessary for problem-solving. They had looked over their shoulders at the interests who had nominated them and presented set pieces on their behalf. Having offered these to the media, they had then "shut their mouths and closed their ears". There was thus little sense of a "fiduciary duty" to the Forum as a whole.

A civil servant involved linked this to the lack of a tradition of social partnership as had developed in the Republic. “They were just coming from their sectors and there wasn’t a background to them normally engaging,” he said. “There wasn’t a collegiate approach at all.”

Others were more positive, however. One trade union member said that the notion of civic engagement was “to bring a collective view, a consensus view”. In the absence of the Forum, now there was just individual lobbying rather than agreement across sectors. It would make politics “more transparent and healthier” and “would also help the policy discourse in the wider society” – disconnected from Stormont as it was – were a forum to be reconvened.

For him, a new forum should have business and the unions as its “anchor”, rather than “minority” members. The voluntary sector had never requested a larger representation than the other social partners and it should be included on an equal footing with them, he said. Another trade union member linked the strength of what he saw as single-issue representation to the lack of shared purpose and fragmentation which he detected.

A voluntary sector member concurred. The “cross-sectoral” character of the forum had been one of its key strengths, which she linked to the concurrent existence of the official social-partnership arrangements in the Republic and the informal Concordia network in the North at the time.

The OFMDFM nominee also saw the particular value of members bringing an “organisational” and not just “personal” perspective to deliberations and reporting back. Even if that did not always bring unanimity, “meaningful discussion” was valuable, she said.

For her, a new forum now should have clearer terms of reference, focusing on specific issues like the Programme for Government and budgets and others causing “gridlock” at Stormont. It should be smaller, she said, with fewer sectors represented and it should be clearer to whom it was making recommendations. She would like, in addition, to see a youth forum, recognising that “younger voices often go completely ignored”.

One voluntary sector member rhetorically asked if the latest political impasse would have been the same had there been an active, functioning Civic Forum. And the former chair of the Scottish Civic Forum said the recent crisis demonstrated how a reintroduced forum “could be quite a profound stabilising factor”, as the members were “not bound by tribal party politics in that way”.

For the former senior voluntary-sector figure, what was needed now was a deliberative, citizen-centred body". A revamped Civic Forum could thus have a citizens' panel as a component and could engage in online deliberation.

A member of the Forum drawn from the 'community relations' arena felt its efforts to engage the public by holding plenary sessions around the region had not really worked. Local interest had not been strong.

A churches member described the Forum as "participatory democracy as an experiment". And she said: "The rise of technology and social media over the last 20 years means they can't cram that back in … This genie is not going back into the bottle."

Indeed, in today's context, she argued, the efforts of the Forum to engage in outreach would be greatly eased by social media: "The whole visibility to the greater public would be so different." And it could be two-way communication via comments on forum outputs and blogs.

In that context it would be important to recognise the marked change in the demography of Northern Ireland since the Forum was suspended in 2002, notably with the accession of central and eastern European countries to the EU from 2004 and the arrival of significant numbers of refugees to the region. The Hungarian-born member, stressing that Northern Ireland was "much more diverse than 15 years ago", also said: "Quite a proportion of the population of Northern Ireland don't know, or don't care, about the historic division … They are integrating without taking on the burden of the past."

A business member said: "I think there would be tremendous value in having this civic body in some revamped shape." But he said it would depend on there being a receptive disposition in the political institutions. And he questioned whether the necessary "confidence and maturity to fully embrace the concept" had yet evolved.

One civil servant used a phrase aired by many interviewees when he said there was "no appetite" for a Civic Forum now.

What of course has actually emerged, from the 'Fresh Start' document agreed by the two main Northern Ireland parties in November, is a proposal for a 'Compact Civic and Advisory Panel'. This was revealed as our interviews were rounding up but was foreshadowed by another civil-service insider before the talks concluded. He noted that the debate had been whether what would emerge would be "more like the older Forum or something much smaller and more restricted" – with, clearly, unionists favouring the latter, nationalists the

former. In that light, the result reflects more the antipathy of the DUP towards the Forum than the uninterest of SF.

A churches member whose interview came after this revelation was withering about the panel proposal – in which she professed "absolutely no faith", as its members would all be "political appointees" and so "cronies of the people in power". She said: "I really think it's a nonsense. It's not a Civic Forum or remotely like a Civic Forum. They choose a few people who tell them what they want two times a year."

In impassioned vein, she said that the Civic Forum was "more necessary than ever". Pointing to the lack of an Assembly opposition to date, the absence of any referendum on the important changes to the Good Friday Agreement contained in the St Andrews Agreement and the associated domination of politics by "the two tribes", she said: "I do think it's an extremely important dimension of democracy and we don't really have democracy here." To her this was all "really worrying".

Whether the panel idea is compliant with the terms of the Northern Ireland Act implementing the Belfast Agreement is questionable. Section 56 requires the First Minister and Deputy First Minister to "make arrangements" to obtain views from (and the Department of Finance and Personnel to defray the expenses of) the Forum, which is defined as that referenced in the Good Friday Agreement. Before the 'Fresh Start' agreement, we obtained the following legal advice:

> An analogy might be the English High Court's decision in the case of *R (Child Poverty Action Group) v Secretary of State for Work and Pensions* [2012] EWHC 2579 (Admin), where Mr Justice Singh ruled that the Secretary of State had acted unlawfully in preparing a national poverty strategy without first complying with the statutory duty, imposed by s10(1) of the Child Poverty Act 2010, to request the advice of the Child Poverty Commission. No such advice had been sought because no such Commission had been created, despite s8 of the 2010 Act asserting that "[t]here is to be a body called the Child Poverty Commission" and making further provision for it elsewhere in the Act. This is the case which Mr Justice Treacy relied upon earlier this year when he upheld the CAJ's application for judicial review of the OFMDFM's failure to produce a strategy setting out its proposals for tackling poverty, social exclusion and patterns of deprivation based on objective need.

The implication of this advice was that a judicial review of the failure of OFMDFM to reconvene the Civic Forum could well find in favour of the plaintiff.

What about other avenues for civic engagement? The former senior voluntary-sector figure complained: “There is absolutely no appetite to hear women’s voices.” She saw plenty of scope for more to be heard on the otherwise “overwhelmingly male” departmental boards and non-departmental public bodies. There was also a need to address the ethnic diversity which now characterised Northern Ireland, she said: “We’re carrying on as if nothing’s changed.” And reformed local government should provide the opportunity for committed representatives to come forward, turning the municipal into a proper tier of governance distinct from Stormont.

Two Queen’s University political scientists we consulted, Sophie Long and John Garry, favoured other ideas entirely than a reconvened forum. They offered up instead a menu of alternative methodologies which have developed, and been variously trialled, in recent years: citizens’ juries, citizens’ panels and online referenda. Garry argued that the Civic Forum suffered from inherent problems of legitimacy in terms of the arbitrariness of the definition of component sectors and the duplication of elected politicians’ claims to ‘representativeness’. This, he pointed out, had not proved a problem in the Irish Constitutional Convention where the shared deliberations of politicians and randomly selected citizens had proved much more productive.

In any event, a gap remains. In October the cross-community organisation Intercomm pulled together people from a range of sectors to a meeting at the Europa Hotel. They formed the Civil Society Network, which has engaged individuals from many different organisations and communities, including the Irish Congress of Trade Unions, the Confederation of British Industry and the Northern Ireland Council for Voluntary Action – the bases of the old Concordia network – as well as the Community Relations Council and the Equality Commission, the Training for Women Network, Alternatives NI, Co-operation Ireland, Young Influencers and the City Centre Initiative in Derry. One seasoned activist involved said: “There’s still a huge disconnect between the people and the politicians.”