

Draft

'The Blair Years –A Northern Irish Perspective'

Paper to the Conference

The Blair Years

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The perspective on the Blair years offered in my paper is that of a serving Northern Irish politician. I have been active in politics for almost thirty years, a member of the SDLP, currently a member of the regional assembly and a minister in the Northern Ireland executive (or was until earlier this week). My portfolio covers/covered responsibility for higher education, i.e. universities and colleges, training programmes, labour relations and labour tribunals.

I am/was one of a twelve strong executive formed within the framework of the 1998 Good Friday agreement. That executive includes/d members from the UUP, four including the First Minister; the SDLP with a similar level of representation including the Deputy First Minister; the DUP and Sinn Fein with two ministers each. In other words the Executive represents approximately eighty to eighty five per cent of the Northern Ireland electorate.

Since last week the situation has changed but the framework remains in place and hopefully can be restored to full operation. I shall return to the current situation later and, if there is the interest, enlarge upon my comments in response to questions.

The constitutional and political framework within which I operate is that set down in the Good Friday agreement. The agreement prescribes a unique set of arrangements governing relationships between the people of Northern Ireland themselves, between Northern Ireland and the Republic of Ireland, and also between Ireland and Britain.

Constitutionally, the arrangements mean that while Northern Ireland remains within the UK because that is the wish of a majority of its people, it also enjoys a special constitutional and political relationships with the Republic of Ireland.

The constitutional relationship with the Republic is essentially potential. It will only exist in reality if a majority of the people of Northern Ireland wish it so. This is what the *principle of consent*, a principle central to the agreement means – the consent of a majority in Northern Ireland.

Formal recognition of this potential is not, however, meaningless. It has huge significance given unionist and nationalist attitudes to the existing constitutional position of Northern Ireland. Unionist attitudes have always insisted that nationalists should accept Northern Ireland's current relationship to the UK. The latter have either been totally resistant to the British connection, or have sought a clear acceptance by the British as well as unionists that a united Ireland could come into existence should a majority of the people of Northern Ireland so determine. Sinn Fein and the IRA represented the former view, the SDLP the latter. It was this latter approach which was accepted by all of the signatories to the Good Friday agreement.

Furthermore, having had this constitutional position formally endorsed in the joint referenda held North and South in May 1998, it is one now fully accepted by

an overwhelming majority of the people of Ireland. This endorsement removed a claim made by militant republicans, Sinn Fein and the IRA for example, that the people of Ireland did not consent to the 1920-21 division of the country. It has also resulted in an amendment to the constitution of the Irish Republic to the effect that unity can only come about by peaceful means and in accordance with the wishes of a majority in Northern Ireland.

What this constitutional situation means is that while Northern Ireland remains within the UK, the UK government is now formally committed to ceding part of its territory to another state. Furthermore, the UK government has engaged with that state in the management, if not the full government of Northern Ireland. In itself this is a very special position for any sovereign government to have entered into as far as part of its own territory and citizens are concerned.

Contrast this with the constitutional position in Scotland and Wales. While both parts of the UK also enjoy forms of devolved government, each form quite different from the other, there was no question of any formal recognition being granted to even a potential change in their relationships with the UK. Scotland and Wales remain fully part of the UK – full stop. Independence is part of the political manifestoes of parties within both regions but until that becomes an issue with significant electoral support, independence remains at the level of political discourse and political campaigning by groups and parties with less than sufficient support to make it a realistic prospect.

The only parallels with the constitutional situation in Northern Ireland that come to mind, within the British sphere of governance, are to be found in territories geographically much further away than Ireland is from Britain – Gibraltar and the Falklands, for example. Both would be ceded to neighbouring states if a majority in each so determined. But such an eventuality for either or both would, in all likelihood, impinge little on the immediate geo-political context of Britain itself. In other words changes to their constitutional status would impact much less on British politics than would the imminence of a united Ireland. The imminence of a united Ireland could, depending on the circumstances, have serious implications for Britain itself, not only on the future of devolution, especially in Scotland, but also constitutionally as well as on party political relationships.

Politically, relationships between Northern Ireland and the Republic are also quite special though, in principle, not unique. A North-South Ministerial Council has responsibility for developing all-island initiatives in a number of designated areas, ranging from the economy, to aspects of education, health, agriculture, environment, tourism, culture etc.

Comparisons can be made with inter-governmental organisations, elsewhere, e.g. the Nordic Council, the Benelux Union and, though on a much greater scale, the European Union itself. It was such examples that provided the inspiration to develop the concept of a North-South Council to deal with all-Ireland relations. The special feature of North-South relationships under the Good Friday

agreement is that these involve a sovereign state establishing political institutions in partnership with a devolved administration of a region in another sovereign state.

Let me turn now to address the issue of devolution in Northern Ireland and how it fits into the framework of thinking about devolution within the UK context.

While devolution came to the UK during Blair's first government it had a long political gestation. In Northern Ireland's case, it was a by-product of the struggle for Irish independence – not something initially sought by the unionist community there. Rather it was part of the compromise reached in 1920-21 that made the achievement of independence in the rest of Ireland possible.

Because of its domination by the unionist community and the pressures created by the civil rights movement in late nineteen-sixties and the inter-communal violence that broke out from 1969, devolution was removed from Northern Ireland in 1972. Since then the challenge facing every British government was to find a basis upon which it could be returned.

The challenge, however, was not merely agreeing a basis for governing Northern Ireland, but how relationships between the people in both parts of Ireland should also be resolved in mutually satisfactory ways. After several unsuccessful attempts at an overall settlement devolution returned following the GFA of 1998. What the prospects are for it developing as intended depends on events currently taking place.

This week's decision by the Ulster Unionist Party led by David Trimble to withdraw his party's ministers from the Northern Ireland Executive is but the latest interruption to the process of implementing the GFA and to the re-introduction of devolution. Trimble did so because he says he is not satisfied with the amount of progress being made by the IRA towards decommissioning its arms. While there is no such progress, the UUP argues it cannot remain part of an executive in which ministers from Sinn Fein, the party closely associated with the IRA, also participate.

I want to turn now to discuss the process of reaching this agreement and what its implementation means both for Ireland, North and South, for Irish-British relationships generally as well as implications for relationships with Britain itself.

The Blair Approach

As far as Ireland, especially Northern Ireland, was concerned the Blair years commenced with a peace and political process well underway. By May 1997 the political negotiations initiated the previous summer by John Major and John Bruton, Prime Ministers of the UK and the Republic of Ireland respectively, were about to recommence. These negotiations were being chaired by the former US Senator, George Mitchell, assisted by Harri Holkeri, former Prime Minister

of Finland and General John de Chastelain, former Commander in Chief of the Canadian Armed Forces.

Both the peace and political processes stretched back to earlier years of the decade and, indeed, beyond. The IRA, followed by loyalist paramilitaries, had first declared ceasefires in 1994. The two years that followed were marked by a gradual intensification of the pressure leading to the negotiations which finally commenced in June 1996.

These negotiations had proceeded fitfully. Sinn Fein was not a participant because the IRA had broken its ceasefire in February 1996 and had not yet renewed it. The immediate challenge, therefore, was to bring Sinn Fein into the process. By the middle of July 1997 this objective had been achieved and Sinn Fein became a full participant in the negotiations from September.

Achieving this breakthrough was due in no small part to Blair's arrival. His huge majority in the House of Commons freed him from dependence on any other group or party of MPs in a way that John Major had not been free. Major's ever-reducing majority had left him dependent, directly or indirectly, on the Ulster Unionists to survive crucial votes in the Commons. His room for manoeuvre on Northern Irish had, correspondingly, become less and less.

The Labour Party manifesto made it clear that the new government would continue the process already in place for almost twelve months:

We have supported the recent agreements between the two governments - the Anglo-Irish Agreement, the Downing Street Declaration and the Framework Document. The government has tabled proposals which include a new devolved legislative body, as well as cross-border co-operation and continued dialogue between the two governments.

There will be as great a priority attached to seeing that process through with Labour as under the Conservatives, in co-operation with the Irish government and the Northern Ireland parties. We will expect the same bipartisan approach from a Conservative opposition.

Blair was determined to push the negotiations forward with Sinn Fein's participation. He appointed Margorie (Mo) Mowlam his Secretary of State for Northern Ireland and encouraged her to do whatever was necessary to achieve that progress. Mowlam began signalling her readiness to meet Sinn Fein's demand for a fixed point of entry into the negotiations together with an end point for completion. Sensing that the time was now ripe to restore its ceasefire the IRA did so in mid- July and paved the way for Sinn Fein's entry to the negotiations in September.

The challenge to Blair was to ensure that with Sinn Fein in, the UUP would not withdraw as had the DUP and other unionists. This he ensured by insisting that Northern Ireland's position within the UK would remain intact.

It soon became clear that he was deeply committed to the process and very determined the negotiations should reach a successful conclusion. The Irish government, now also under new direction following elections in June, was equally determined that the outcome should be positive. Both governments and particularly their prime ministers worked extremely closely together to this end.

That they were able to do so was due to the fact that Anglo-Irish relations had grown ever more cordial following the 1985 Anglo-Irish agreement. This agreement was bitterly opposed by unionists not least because it had been signed by Margaret Thatcher in whom they had placed considerable trust to protect their interests. The key feature of the agreement and the one to which unionists took greatest exception was that it gave the Irish government a formal say in Northern Ireland's affairs. As a result, momentum had gradually gathered behind the search for a settlement. The Brooke-Mayhew talks in the early nineteen nineties involving the main unionist parties and the SDLP of the early nineties together with then secret contacts between the IRA and the British government were early signs of this momentum.

While the Brooke-Mayhew talks had failed to produce any agreement both governments maintained contact with the IRA until, eventually, the 1994 ceasefires were declared. The period from then until 1997 witnessed a succession of developments culminating in the opening of negotiations in June 1996. These developments included an increasingly important role for the US government under President Clinton's influence, the joint publication by both the Irish and British governments of a set of framework documents setting out an agenda for negotiations and, in May 1996, the election of party delegates to conduct negotiations.

Blair's Anglo-Irish inheritance was, therefore, a process, an agenda and context for moving towards the longed for settlement. He himself did not come to the process with any history of views on either Anglo-Irish relations generally or on Northern Ireland in particular. Despite a strong family connection on his mother's side with Donegal (the Republic's most northerly county and one with a long land border with Northern Ireland) which had led him to holiday there quite frequently as a young boy, Blair had not become involved in any direct way in the development of Labour Party policy on Northern Ireland. That had been left mainly to the party's spokesperson on the area, Kevin McNamara MP who, because of his strong nationalist sympathies, had frequently antagonised unionists.

On becoming Labour Leader, Blair had begun to acquaint himself with the situation and had visited both parts of Ireland in that capacity to introduce himself to the leading personalities. He replaced McNamara with Mo Mowlam MP, another unknown as far as the region's politics were concerned. Mowlam with strong left-wing credentials was a politician whose outgoing, almost unconventional style would enable her play a crucial role in pushing the whole peace process together with the search for a settlement forward.

When in opposition the Labour Party had endorsed the Downing Street Declaration made by the British and Irish Prime Ministers in December 1993 in which the principle of consent had been made the cornerstone for any settlement. (In an interview with the Irish Times in ... he spelt out his own commitment to that principle.)

Two weeks after becoming Prime Minister he visited Belfast and made his first official speech on the future of Northern Ireland. Mr Blair told his audience that he valued the Union; that unionists had nothing to fear from a Labour government; and that even the youngest in his audience was unlikely to live to see the North's constitutional status change. Blair stated:

Northern Ireland is part of the UK, alongside England, Scotland and Wales. The Union binds the four parts of the UK together. I believe in the UK. I value the Union. I want to see a Union which reflects and accommodates diversity. I am against a rigid and centralised approach. That is the surest way to weaken the Union.

Unionists, usually profoundly suspicious of the Labour Party because of its official policy of support for Irish unity, were delighted with this message.

However, Blair was also very concerned to maintain good relations with the Irish government. He had come to appreciate that co-operation with Dublin was essential to achieving lasting peace, stability and a political settlement in the North. If a settlement could not be achieved then at least peace and stability had to be assured. Both required the same good relations with Dublin.

So whatever about Blair's commitment to the Union and to Northern Ireland's position within it, he was also determined to proceed towards a settlement on the basis of the Downing Street Declaration. That Declaration in addition to asserting the principle of consent, also made clear that a political settlement would have to be cast in some kind of all-Ireland framework. That was the basis for negotiations set down by both governments in their framework documents, documents to which unionists had taken considerable exception. Blair was now insisting that this would continue to be the basis for those negotiations. So, notwithstanding their pleasure with his Belfast speech on the Union, unionists also had cause for some early concern about his ultimate motives. That concern was increased by moves to ease Sinn Fein's entry into the negotiations.

Extremely anxious to have Sinn Fein participate in those negotiations Blair encouraged Mo Mowlam to indicate that should a new IRA cease-fire be called, Sinn Fein's entry to the talks could follow quite quickly. The hint was taken and when the ceasefire was called in July 1997, a six week test of its durability was all that was prescribed before approval was given for that entry.

Until the final stages of the negotiations were reached Blair's interventions were rare. Mowlam took the lead for the British government alongside the Irish Foreign Minister on matters pertaining to both. However, once Senator Mitchell,

the overall chair of the negotiations, announced that the negotiations would end successfully or otherwise on 9 April 1998, Blair became very deeply involved along with Irish Prime Minister Ahern to ensure their success.

Both Prime Ministers devoted most of the final days of the negotiations to personally ensuring success. Blair, in particular, played a crucial role in reassuring David Trimble whose own negotiating team was deeply divided over key elements of the agreement, notably the early release of paramilitary prisoners and the decommissioning of paramilitary weapons. A side letter written to Trimble assured him that decommissioning would commence soon after the agreement was signed. It is a letter still quoted by unionists as evidence of what was understood by the British government to be the commitments entered into on this matter.

Ever since the signing of the agreement the process of its implementation marked as that has been by several mini-crises, has seen Blair and Ahern maintain their close involvement. It is almost as if they both regard Northern Ireland as a personal project which they have determined will succeed. Their commitment is very high but whether they have been wise to have remained so closely involved is a question that needs to be raised.

The close working relationship between the Irish and British governments was acknowledged in a very special way when Blair was invited to address the joint houses of the Oireachtas, the Irish Parliament, in November 1998. In his address he spoke not only about the historic agreement of six months previously, but also looked forward to closer cooperation between both governments in other areas, most notably within the European Union.

Another sign of Blair's commitment to the agreement was his decision to replace Mo Mowlam with one of his closest associates, Peter Mandelson. Molwam had increasingly lost unionist confidence and in the summer of 1999 replacing her was becoming imperative. Mandelson had been one of the architects of Blair's reforming crusade within the Labour Party. Appointing him Secretary of State for Northern Ireland was a further indication of Blair's determination to do everything he could to make the new agreement a success.

However, while he continues to maintain close contact with developments in Northern Ireland, the role Blair is now playing on the world stage following the terrorist attacks on the US last month may well reduce the amount of time he can devote to Northern Ireland. Consequently, the current crisis may have to be dealt with at Secretary of State level on the British side and Foreign Minister level on the Irish side.

Devolution – Northern Irish Style

Despite its regular crises and its complex procedures, devolution Northern Ireland style is showing that it can work and that it can make a difference within

the narrow range of functions and powers upon which it is based. It is bringing government closer to the people. On matters such as the recent foot and mouth crisis, the actions taken by the minister for agriculture demonstrated a decisiveness that won the confidence of the farming community in a way that probably would not have been possible under direct rule. On matters within my own ministerial responsibility action has been taken to increase the level of financial support for university and college students that gives them better support than their counter-parts in England. North-South developments are beginning to take shape in a range of areas such as trade, agriculture, education, environment, health etc.

However, expectations as to what can be achieved by a locally controlled administration are extremely high and opposition to reforms that entail significant changes to the location of services and, or the manner in which services are delivered can be considerable. In areas like health, public transport, education and infrastructure, much is expected. However any suggestion that a region might have its hospital services removed or even reduced because of the high cost of some services can produce an amazing degree of public opposition even from within supporters of the minister responsible for the proposed changes. The most constraining factor and it is one which affects all three devolved governments is that the overall budget is set in London and the capacity to add to it by way of local taxes is extremely limited.

Managing expectations in Northern Ireland where, mainly because of the security situation over the past thirty years rather than because of heavy investment in public services, government expenditure has been high is, therefore, a major challenge. It is a challenge which will increasingly test solidarity and collective decision making within the Executive, not least because the Executive is not a voluntary coalition. Rather it is a form of imposed coalition out of which parties have to opt rather than opt in on the basis of their electoral strength.

Devolution – UK Context

On the wider question of how devolution in Northern Ireland is affecting constitutional and political developments in UK as a whole it is difficult to say. There are so many special and unique features to Northern Ireland when compared with other devolved regions that its experience of devolution is not a good basis on which to make any judgement. Given that Northern Ireland, even during the period of direct rule from 1972 until the Good Friday agreement began taking effect, had a separate administration, devolution might be said not to have any significant impact on the future of the UK.

In making the case for devolution within the UK in its 1997 election manifesto, the Labour Party made no reference to Northern Ireland. In fact the issue is addressed as if Northern Ireland was not part of the UK:

The United Kingdom is a partnership enriched by distinct national identities and traditions. Scotland has its own systems of education, law and local government. Wales has its language and cultural traditions. We will meet the demand for decentralisation of power to Scotland and Wales, once established in referendums.

Subsidiarity is as sound a principle in Britain as it is in Europe. Our proposal is for devolution not federation. A sovereign Westminster Parliament will devolve power to Scotland and Wales. The Union will be strengthened and the threat of separatism removed.

Devolution is seen as the means whereby government is brought closer to the people and the dangers of separatism removed but only as far as the regions of Britain itself are concerned. Northern Ireland is dealt with quite separately in its own section of the same manifesto.

The Scottish experience because of that country's size and its significance for the main British political parties– the Labour Party, for example, has a large number of Scottish MPs – has much greater potential for influencing the future of the UK. However, as devolution develops the case for complete independence seems to have lost some its appeal. The Scots like devolution. The Scottish Assembly, more frequently referred to as the Scottish Parliament, is a source of national pride. The valued links with London can be retained but now more in a context of parity than previously.

The unresolved question that has not been addressed in the devolution context is the question of England itself. England does not enjoy devolution. Westminster and Whitehall remain the sources of constitutional and political authority as far as England is concerned. So the anomalous situation is that the central government is now playing a dual role – it is both the sovereign government and the government of England.

Links between the devolved institutions are only slowly developing. Meetings between ministers in the devolved institutions have been few and, in my own experience, have been no more than getting to know you occasions. Meetings with London ministers have been more substantial but again rare. Members from the devolved assemblies have also met but again infrequently.

The provision in the GFA for a British-Irish Council embracing, those institutions as well as the London and Dublin governments, the Isle of Man and the Channel Islands has not advanced at anything like the pace of the North-South Ministerial Council linking Northern Ireland and the Southern government. Proposed to balance unionist concerns about the North-South Council, the British-Irish Council has seldom met and has not developed any serious programme of work.

According to one observer, Dr Garret FitzGerald, at its inception the Council was seen by some politicians in Scotland and Wales “as a forum through which their devolved assemblies and executives can perhaps exert pressure on the

Westminster government, seeking to use the experience...of the independent Irish state as a means of seeking for themselves greater freedom of action.” There is at present little evidence of this happening and, if that was a serious motivation for using the Council, London may not be too unhappy at its failure to take root.

Beyond the Constitutional

Blair’s government has been noted for significant developments other than with regard to constitutional matters. Amongst these are the initiatives taken in the area of human rights. The European Convention on Human Rights has been incorporated into domestic law and equality legislation has been reviewed. Both issues have strong parallels in Northern Ireland where human rights and equality issues had been prominent throughout the thirty-year period of the troubles and also became the basis for important confidence building measures in the Good Friday agreement. The result is that Northern Ireland now has the strongest set of legislative and supervisory provisions of any region in the UK or, indeed, in Ireland.

A new era in human rights legislation has arrived for the whole of the UK.

Relationships with the EU are the final point I will touch on in my presentation. Devolution offers each of the regional administrations new opportunities to play a role on the European stage. This is most obviously the case with respect to those matters over which the EU has jurisdiction, notably agriculture.

In Northern Ireland’s case the recent outbreak of foot-and-mouth saw the Minister for Agriculture make frequent visits to Brussels alongside the British Minister and sometimes separately. My own department with its responsibilities for labour legislation and for training, much of which is now developing within a framework of EU policy, also a need to become increasingly involved with EU institutions.

Within the UK the Scottish administration is far ahead of the other regions in terms of both the scale and level of its presence in the EU. Northern Ireland’s uncertainties have inhibited the development of its presence and role on that stage.

However, there remains the need to take account of London’s overall responsibility for EU policy which can limit any attempts by the devolved administrations to adopt more independent policy lines.

Conclusion

The Blair years have seen the most hopeful developments in Northern Ireland’s recent history. The basis for these developments long pre-dated Blair’s rise to political power. Since achieving power he has been demonstrating a tremendous interest matched by a huge determination to deliver the promises contained in

those developments. His involvement in Northern Ireland will, whatever happens, be an important part of his political achievement and legacy.