

## NORTHERN IRELAND'S FUTURE: WHAT IS TO BE DONE?

By

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'Free institutions are next to impossible in a country made up of different nationalities. Among a people without fellow-feeling... the united public opinion necessary to the working of representative government cannot exist.'

- John Stuart Mill, *Considerations on Representative Government* (1861).

Northern Ireland is a "segmented" society. Segmented societies are divided into separate subcultures which possess radically different identities and values. The subcultures frequently have their own network of separate and exclusive voluntary associations, such as political parties. They enjoy different leisure activities, read separate newspapers, attend separate educational institutions and live in segregated neighbourhoods. The divisions in these societies may be racial, ethnic, religious, linguistic or ideological, or some cumulative permutation thereof. Northern Ireland's segmentation is based on ethnicity and religion, and has its origins in Britain's imperial and colonial past. The historic province of Ulster was an ethnic frontier between Britain and Ireland, where Scots and English planters settled amidst Irish natives.<sup>2</sup>

Segmented societies lack the internal consensus which underlies political stability in more homogeneous societies.<sup>3</sup> They are inherently unbalanced and often, as in Northern Ireland, exist in an unstable state ranging from uneasy peace to outright civil war. There are, however, several strategies available for stabilizing segmented societies, many of which have been proposed for Northern Ireland. These strategies can be divided into five basic types: control, assimilation, partition, externally managed arbitration, and power-sharing.<sup>4</sup> This paper assesses the value and relevance of each of these strategies as a way forward for Northern Ireland.

### PART A. STRATEGIES FOR STABILIZATION

#### 1. *Control:*

According to the political scientist who pioneered this concept, control involves 'a relationship in which the superior power of one segment is mobilized to enforce stability by constraining the political actions and opportunities of another segment or segments'<sup>5</sup>. Historically it has been the most common mode through which segmented societies have been stabilized. Control is most often overtly undemocratic in form, with imperial or authoritarian regimes controlling multi-cultural territories through elite co-option and/or coercive domination. However, control can also be "democratic" if the controlling segment has a majority of the population. The classic example of the "democratic" version of

control is Northern Ireland itself, where the Protestant majority used its monopoly of power under the Westminster system of government to rule Northern Ireland between 1921 and 1972. Many unionists, especially in the Democratic Unionist Party (DUP), still demand a return to control in Northern Ireland through the restoration of a devolved government on a majority-rule basis. They believe that Stormont government worked, in the sense that it maintained order, and that it was democratic, because it was based on majority rule.

There are several fundamental problems attached to this option for Northern Ireland. First, it is undesirable: the quality of majority-control democracy is dubious. Majoritarian democracy only works well when key conditions are present: when the exclusion of the minority is temporary; and when the issues dividing the majority from the minority are not fundamental and when, as a consequence, the minority can expect that their interests will be reasonably well served by government policies. These conditions do not exist in segmented societies.

In Northern Ireland, between 1921 and 1972, the Unionist Party was elected to government at every election. It was a hegemonic party that could not be defeated. Historians, government-appointed commissions, political scientists and Marxists all agree that the majoritarian government used its power in a discriminatory fashion to benefit its supporters at the expense of the minority.<sup>6</sup> Arguments that this treatment would not be repeated can be dismissed. Majoritarian governments in segmented societies, their hold on power dependent on segmental cohesion, have no clear incentive to make concessions to minority groups and every incentive to help their own.

Second, the restoration of control is unworkable: there is very little likelihood that a reversion to majority-control democracy would result in a return to the stability of 1921-69 as supporters of the option claim. The control system broke down between 1969 and 1972 as a result of a minority rebellion which still persists. Minority expectations have increased since that period and any attempt to re-impose majority rule would almost certainly provoke a marked increase in violence. The re-imposition of control would require much more radical coercion of the insurgent minority. The costs of this strategy in Northern Ireland do not need elaboration. It would also create obvious costs for the British government: a dramatic deterioration of relations with the Irish Republic and poor human rights publicity in European and North American capitals. The peculiar conditions which allowed control to be maintained between 1920 and 1969 are not likely to be restored.<sup>7</sup>

It is therefore highly unlikely that Westminster could condone such a strategy, although Humphrey Atkins did flirt with the option while Secretary of State in 1979-80. Article 4 ((b) and (c)) of the Anglo-Irish Agreement states that the only acceptable form of devolution for Northern Ireland is one which would secure the cooperation of both minority and majority<sup>8</sup>, which effectively rules out a return to control while the Agreement lasts.

## 2. *Partition:*

Partition is a logical solution for the problems of segmented societies. If it is impossible for rival groups to live together in a heterogeneous state, it makes obvious sense for them to live apart in two or more homogeneous states. This proposal has been promoted in recent years by Liam Kennedy.<sup>9</sup> In a book published in 1986, he outlines a number of ways in which Northern Ireland could be partitioned, all of which aim at separating the two antagonistic communities, thereby reducing the interactions which precipitate violence.

The major problem with the option of partition when applied to Northern Ireland is that the population there is so interspersed that any attempt to redraw the border will leave a substantial minority of Catholics in the part remaining with Britain, and a substantial minority of Protestants in the section ceded to the Irish Republic. Kennedy's work presents the most plausible case for partition in Northern Ireland to date. But even his most radical attempt to produce two homogeneous Ulsters, a scenario in which West Belfast is added to the Republic in addition to the present border areas, would leave a British Ulster with a 20 per cent Catholic minority and an Irish Ulster with a 16 per cent Protestant minority. It may be possible, as Kennedy claims, to reduce the size of these minorities further with generous resettlement grants but given the attachment of Catholics and Protestants to their territory, the policy would face severe implementation-difficulties. Forced transfers would solve this problem, albeit at the cost of sacrificing many people's human rights. In any case, as most of the Protestants who would have to move from the western counties are farmers and most of the Catholics who would have to move from the eastern counties are urban, any direct exchange would be impractical.

Given the likely existence of continuing heterogeneity in Kennedy's "two Ulsters" there would be risks attached to a partition settlement along the lines he proposes, especially during the transition period. Both majorities would have an interest in making 'their' Ulster as homogeneous as possible. If the patterns of intimidation established in 1969-70 were followed, Catholics would be forced out of Protestant areas and Protestants would be ejected from Catholic areas. A similar scenario cost half a million lives during the partition of the Indian subcontinent in 1947.<sup>10</sup> Violent evictions would produce two embittered sets of refugees, posing problems for international relations and security cooperation between Ireland and Britain.

It is true that the pattern of partition of Ireland between 1920 and 1925 was in many senses the most fundamental historical cause of the current conflict. The creation of the home rule parliament in Belfast and the territorial demarcation of the new entity of Northern Ireland as six counties of the historic province of Ulster laid the foundations of the system of Stormont control. In the nine counties of historic Ulster Protestants precariously outnumbered Catholics (56%: 44%), but without Cavan, Donegal and Monaghan the religious ratio in the rest of Ulster altered dramatically in favour of Protestants (65%: 35%). In negotiations with British governments the territory of Northern Ireland was quite self-consciously carved out by unionists with a view to winning the

maximum sustainable amount of territory. They wanted "those districts which they could control".<sup>11</sup>

The territorial definition of Northern Ireland was thus an act of domination; it guaranteed an in-built Protestant majority, providing Catholic population-growth did not dramatically exceed that of Protestants. The partition was - and remains - dramatically imperfect for those who sought to legitimate it on national, ethnic or religious grounds. As John Hume has put it., "Without a minority in Northern Ireland the 1920 settlement would have been perfect".<sup>12</sup> The Catholic, and largely Irish nationalist population, not only composed over a third of the entire population, but were also a local majority in two of the six counties (Fermanagh and Tyrone), the second city of the territory (Derry/Londonderry), and in almost all of the local government jurisdictions contiguous with the border.

The British negotiators of the Anglo-Irish Treaty of 1921, especially Lloyd George, were acutely aware of the injustice of incorporating Fermanagh and Tyrone into Northern Ireland. However, they re-assured the Irish negotiators by the promise of a future Boundary Commission and with the thought that the presence of a large minority within Northern Ireland would make the new entity both unworkable and illegitimate. There is little doubt (a) that the establishment of a Boundary Commission was designed to avoid a break in negotiations over the issue of Ulster, because that would have seriously embarrassed the British, (b) that Lloyd George assured Unionists that the Boundary Commission would lead to very minor changes, whereas he assured Sinn Fein that it would lead to very substantial changes, and (c) that the Sinn Fein negotiators paid insufficient attention to the precise wording of the Boundary Commission clauses in the Treaty.<sup>13</sup> The Boundary Commission, which met in 1925, failed to produce any radical adjustments of the border.

Kennedy's proposals are, in effect, an attempt to rectify the wrongs of 1920-25. Unlike Irish nationalists he does not see any injustice in partition *per se*, but rather in the specific pattern of partition executed in the 1920s. However, the British record in partitioning former colonies (Palestine, Ireland and the Indian subcontinent<sup>14</sup>) and the practical difficulties in repartitioning Northern Ireland, which have been spelt out by various demographers, geographers, lawyers and political scientists<sup>15</sup> help explain why there has been no recent move to explore the merits of this option by bilateral discussions between both governments. Nevertheless, Mrs Thatcher is said to have commissioned papers on repartition<sup>16</sup>, and it is an option which may increase in attractiveness for the British government if the Anglo-Irish Agreement does not induce a more desirable settlement. As we shall suggest in our conclusion, repartition is the most benign of drastic default options if more desirable strategies should fail.

### 3. *Assimilation:*

A third strategy for stabilising segmented societies is to eliminate or reduce substantially the plural character of the society through assimilation or integration. Political stability is produced as a consequence of the disappearance of primordial subnational attachments and their replacement with national

loyalty through processes of acculturation and socialization. Assimilation requires at least one segment to replace its identity (or at least that part of its identity which is the cause of the conflict) with the identity of the dominant group or it requires the creation of a transcendent identity. Advocates of this strategy believe that it is only when integration takes place that "normal" political development can take place on a left-right basis.

Assimilation options are attractive, as they aim at replacing sectarianism with the creation of a common social will, at creating homogeneity in place of antagonistic heterogeneity. The success of the strategy, however, is dependent on the segmentation in the society being weak to begin with or being merely the temporary segmentation of immigrants who have assimilation as their goal (as in the United States). There is not a single instance of the strategy being successful in historically, deeply divided societies. In societies such as these, any attempt to eradicate the strongly entrenched subcultures not only is unlikely to succeed, especially in the short run, but may stimulate segmental cohesion and intersegmental violence rather than national conciliation. Attempts to ignore the concerns of strong subcultures will result in remedies being unsuccessful and perhaps even counterproductive.

Republicans in Fianna Fail and Sinn Fein, and also *some* within the Social Democratic and Labour Party (SDLP), argue that Northern Ireland Protestants could and should be integrated into a united Ireland. In their view, the creation of a unitary Irish state would result in the backward church-dominated subcultures in both parts of Ireland being transcended by a new national identity and political divisions based on class. This argument is a classic example of "republican" Irish nationalism. It has its roots in Tone's famous statement that an independent and united Ireland would "unite the whole people of Ireland...abolish the memory of all past dissensions and ... substitute the common name of Irishman in place of the denominations of Protestant, Catholic and Dissenter".

For such a thesis to be considered realistic, it is essential that the brittle nature of the unionist subculture in Northern Ireland be demonstrated. Traditional Irish nationalists assume that the Protestants are part of the Irish nation who, while presently alienated from their fellow countrymen, would be able to reach a political accommodation with them in the event of a British withdrawal. The "scales will fall from their eyes" in the latter event, and Protestants would recognize their 'true' national identity. If the British declared their intention to leave, and took appropriate measures to minimize Protestant resistance, such as providing subsidies to the new Ireland and disarming the Ulster Defence Regiment (UDR), there would be no serious internal obstacle to the realisation of a united Ireland. This group routinely put more emphasis on seeking a British withdrawal than in attempting to win over unionists, because the latter objective is seen to be a secondary matter and relatively unproblematic "in the long run". The latest academic version of this view is put forward by Rowthorn and Wayne.<sup>17</sup>

The claim that Protestants will not fight (or at least not fight convincingly) to prevent a united Ireland is hypothetical and rests on a contestable and

wishful interpretation of Irish history. In the past, Protestants have been at their most militant whenever unification under an Irish state was considered a serious possibility: when Gladstone converted to Home Rule in 1886, during the Home Rule crisis of 1912 and the civil wars leading to partition in 1920-22, and again during the years between 1972 and 1976 when Protestants feared a British withdrawal. On each of these occasions, Protestants grouped together in tens of thousands to join paramilitary bodies. These facts conflict with the nationalist argument that the British presence is the main obstacle to a united Ireland. There are already some 20,000 armed Protestants in the Royal Ulster Constabulary (RUC), the RUC Reserve and the UDR and the majority of legally-held guns are in Protestant hands. There appears to be no compelling evidence that Protestants would not again resort to their traditional method of resisting a united Ireland if it became a declared policy of the British and Irish governments.

Other much less benighted nationalist intellectuals and politicians now admit that the Protestants are an autonomous subculture who must be persuaded of the benefits of a united Ireland.<sup>18</sup> This realization was the clear message of the New Ireland Forum Report (even if its recommendation of an Irish unitary state as the best solution did not follow from its own prior analysis).

There are obvious and fundamental difficulties with the traditional republican nationalism of authors like Rowthorn and Wayne. The Republic's desire or ability to coerce a large recalcitrant Protestant majority into a united Ireland must be doubted.<sup>19</sup> Its citizens' desire for Irish unity is a "low-intensity aspiration".<sup>20</sup> While it is plausible to conceive of the British reneging on their guarantee to Protestants and withdrawing from Northern Ireland if the violence continues and/or the costs of the British commitment escalate, it is unreasonable to expect that they will also be willing to coerce Protestants into a united Ireland against their will. For all these reasons, the most likely consequence of a unilateral British withdrawal is not a united Ireland but a more intense civil war followed by a partitioning of Northern Ireland.

Many unionists parallel the arguments of nationalists in claiming that the Northern Ireland minority can be integrated into the United Kingdom. Like their nationalist counterparts, unionist "integrationists" typically seek to demonstrate the weakness of the subculture which is to be assimilated. They draw attention to the significant number of Catholics who are unionists and claim that those who are not (including the IRA) would acquiesce if the British would only make it clear, once and for all, that Northern Ireland was to be governed in exactly the same way as other parts of the United Kingdom.<sup>21</sup> Such a step, it is claimed, would remove Catholic fears of a return to Protestant majority-control and deprive the IRA of its hope of victory.<sup>22</sup> If this policy was followed, they claim, communal attachments would gradually give way to normal politics of left and right, as happened in Glasgow and Liverpool earlier in the century.

Integration of Northern Ireland with Britain is indeed a more feasible goal than integration with the rest of Ireland, given the organisational resources of the British state, the fact that the Catholic minority are already in the United Kingdom and that a significant proportion of Catholics do not wish to become

a part of the Republic. It might have been possible to implement such a strategy peacefully at certain points in the past such as after the partition of Ireland in 1920 or in the late 1960s. It might be possible to achieve it even at some future stage. If it was tried now, however, it would probably result in an increase in support for the large Republican subculture, which has been successfully developed and articulated by Sinn Fein in the 1980s. If integration were to promote peace and stability, steps would need to be taken to crush that subculture, steps which liberal democratic governments are usually unwilling to take. It would also require the unilateral abandonment of the Agreement<sup>23</sup>, lead to a breakdown in Anglo-Irish relations, compel the SDLP to become more nationalist, and produce a negative international reaction, especially in the United States but also among European Community members.

Apart from a brief period in the late 1970s, when the Labour minority government expediently granted five more Westminster seats to Northern Ireland and the Conservatives under their Northern Ireland spokesman, Airey Neave, supported integration, British policy-makers have been anxious to quarantine Irish affairs from mainstream British politics.<sup>24</sup> They have no desire to have Northern Ireland affairs permanently debated at Westminster, risk Northern Ireland MPs holding the balance of power there, or permanently coerce the recalcitrant Irish nationalist minority.

The arguments of "Electoral Integrationists", who call for the British parties to organise in Northern Ireland, can also be included in the assimilation category.<sup>25</sup> They claim that it is the failure of the British parties to organise in Northern Ireland which has perpetuated the sectarian divisions in the province. For them, the unionist and nationalist subcultures can only be transcended and "normal" political development begin when the British parties organise in the province. Like the other "nation-building" proposals, their case rests on proving the brittle nature of the present subcultures. To this end, they claim that a significant proportion of the Northern Ireland electorate want the British parties to contest elections in the province and would be prepared to vote for these parties.<sup>26</sup> These findings lead Roberts to conclude that the orthodox view "that the people of Northern Ireland are obsessed with their religious differences and their communal politics...and cannot be induced to set aside these preoccupations...[is]... groundless and a demonstrable myth".<sup>27</sup>

However, the claim that the organisation of the British parties in Northern Ireland would lead to a breakdown of sectarian politics is valid only if those prepared to vote for the British parties have non-sectarian motives for doing so. As Labour is officially committed to a united Ireland and as the Conservatives are more clearly supportive of the union between Britain and Northern Ireland, electoral integrationists' claims seem less sensible. The viability of their prescription must depend critically not only upon the presence of significant numbers prepared to support the British parties but also upon the existence of significant numbers of Catholic Conservatives and Protestant supporters of Labour. Otherwise, what may appear to be non-sectarian electoral behaviour and non-sectarian responses to poll-questions may in fact be deeply sectarian. A *Belfast Telegraph* poll of October 1988 which provides a break-

down of party preference and religious affiliation is revealing.<sup>28</sup> It shows that 21 per cent of Catholics would support Labour but only 6 per cent of Protestants would do so. Moreover, 24 per cent of Protestants would vote Conservative but only 6 per cent of Catholics would do so. This differential in support cannot be explained adequately by class differences between the two communities, although that may account for some of it. The poll also reveals that in the event of British parties organising in Northern Ireland, 70 per cent of Catholics would continue to vote for parties advocating a united Ireland (35 per cent-SDLP, 14 per cent-Sinn Fein, 21 per cent-Labour) while 81 per cent of Protestants would continue to vote for parties which are broadly supportive of the union (34 per cent-OUP, 18 per cent-DUP, 5 per cent-Alliance, 24 per cent-Conservative). This evidence does not support electoral integrationists' crucial claim that popular support for sectarianism is superficial. In these circumstances, it is wishful thinking to claim that the mere organisation of British parties in Northern Ireland will result in the Northern Irish adopting British political culture. While there may be solid democratic arguments for requiring the British parties to seek a mandate in the province, given the existence of direct rule, it is extremely doubtful that this step alone would lead to the disappearance of the province's deeply-rooted subcultures. The electoral integrationists' position suffers from another critical weakness. It is evident that the British do not regard Northern Ireland as an integral part of the UK state, let alone the British nation.

#### **4. *Externally-managed Arbitration:***

Arbitration is a fourth strategy for stabilising segmented societies, where conflict is refereed "by a supposedly neutral authority above the rival subcultures".<sup>29</sup> The authority's disinterestedness enhances its capacity to act autonomously, unswayed by the partisan preferences of the rival subcultures. The arbiter thereby dampens the violence which would occur in its absence and permits governmental effectiveness to be maintained. The success of this strategy depends, most crucially, on the extent to which the internal antagonistic segments perceive the arbiter as genuinely impartial.

Arbitration has been the dominant strategy employed in Northern Ireland since the abrogation of the Stormont Parliament in 1972, complicated only by the brief power-sharing experiment in the first five months of 1974, and the modifications resulting from the Anglo-Irish Agreement. The British government has claimed to be neutral arbiters in Northern Ireland from their intervention in 1969 at least until 1985. There were four key elements in their arbitration strategy:<sup>30</sup> First, they encouraged the rival sub-cultures to work together towards a political accommodation, while retaining the position of "honest brokers". Their neutrality rested on their refusal to accept unionist extremism (the restoration of majority-control) or nationalist extremism (withdrawing from Northern Ireland). Second, they proclaimed the reform of Northern Ireland. Third, after some initial equivocation, they criminalized political violence. Finally, they pursued a bi-partisan consensus, to quarantine the affairs of Northern Ireland from the rest of Britain.

Their arbitration strategy enjoyed some success in the late 1970s, with decreasing levels of violence and polls indicating that both communities were



prepared to accept (or tolerate) direct rule as a second best option.<sup>31</sup> Direct rule also won support from iconoclastic Irish politicians, notably Dr. Conor Cruise O'Brien, who regarded it as the least bad option, echoing the apologias of British administrators.

However, the arbitration strategy came unstuck in the early 1980s. This was largely because Catholics increasingly perceived it as an option biased towards unionists, even though that group was not enamoured by direct rule. Direct rule was after all British rule. The longer it persisted, the more the British government became the primary target of minority discontent and was blamed for the many continuing discreditable features of Northern Irish society. The British were perceived to rely upon sectarian instruments of coercion: the Protestant dominated RUC and UDR, and the "extraordinary" legal system. Roy Mason's years as Secretary of State (1976-79) were not seen as neutral arbitration by the Catholic working class. "Ulsterization", "Criminalization", and the minority government's expedient concession of extra Westminster seats to Northern Ireland suggested that the British were on the side of the unionists. Above all, the failure of the British to reform Northern Ireland became increasingly evident in Catholic eyes. Catholic unemployment remained dramatically higher than Protestant unemployment, the male Catholic rate being 2.5 times the male Protestant rate, and Catholics blamed the differential on discrimination.<sup>32</sup> Catholics did not see their relative position improving under direct rule and it was widely recognized that Protestants preferred direct rule to power-sharing. Caesar's question, *Cui bono?*, if asked of direct rule, had an obvious answer to Northern Ireland Catholics.

The government's security policy, its handling of emergency legislation, interrogation procedures, judicial processes, and prison management built support for the Provisionals. The 1980-81 hunger strikes allowed Sinn Fein to emerge as a serious political force. This development, added to the increasingly adverse international reaction to British management of Northern Ireland, forced the government to explore alternative longer term strategies with the government of the Republic, resulting in the Anglo-Irish Agreement.<sup>33</sup>

### 5. Power-sharing:

Power-sharing between leaders of the rival subcultures is the final strategy for stabilizing divided societies. Whereas assimilationists seek to erode one or all of the subcultures in a segmented society, advocates of power-sharing reject this plan as unrealistic, at least in the short term, and accept the segmental characteristics of the society as the stable building blocks for the regime. While proponents of power-sharing concede that their preferred option may strengthen and institutionalize sectarianism, especially in the short-term, they claim that power-sharing can create the conditions for assimilation to proceed peacefully at some later stage by resolving some of the major disagreements among the segments and by creating sufficient trust at both elite and mass levels to render power-sharing itself eventually superfluous.<sup>34</sup> In the case of Northern Ireland, advocates of power-sharing suggest that after a successful and extended period of such government two possibilities might become feasible. First, on the

national question, sufficient trust might develop for Catholics to accept assimilation into Britain, or for Protestants to accept assimilation into the Irish Republic, or for both communities to build an independent Northern Ireland. Second, the political culture of the province could change, as the conditions for the preservation of sectarianism are eroded and a 'normal' class politics develops.

Power-sharing, or consociation as it is known in political science, is distinguished by sustained cooperation amongst political elites, and requires four basic institutional developments. First, the government must be a power-sharing coalition of the segmental leaders. Second, proportionality must apply throughout the public sector: that is, there must be proportional representation in the electoral systems, in assembly committees, in the policing and judicial apparatuses, in public employment and in the allocation of public expenditure. Third, mutual veto or concurring majority principles must operate (whether they be *de facto* or *de jure*), allowing each subculture, especially the potential minorities, to prevent domination by others. Finally, segmental autonomy must exist, allowing the cultural segments which divide the society sufficient freedom to enable them to make decisions on matters of profound concern to them. In Northern Ireland a certain degree of segmental autonomy already exists in the field of education. A very much more radical version of consociation would entail a situation in which each community polices and judges itself, that is, a literal fragmentation or cantonization of state powers.

In Northern Ireland, power-sharing is the only constitutional option which consistently draws significant support from both subcultures (See Appendix). While their proposals differ in important details, power-sharing is supported by the Alliance Party (APNI) and by the SDLP, and has been put forward by members of the Ulster Unionist Party (UUP) and Ulster Defence Association (UDA). Power-sharing is also the option favoured by the governments of the United Kingdom and the Republic of Ireland, as stated in the Anglo-Irish Agreement (Article 4). Few non-partisans doubt that a power-sharing settlement, which necessarily would involve the leaders of the two subcultures in the governing of their own province, would be a desirable way forward for Northern Ireland. The key question is whether power-sharing is feasible in the province.

The experience of Northern Ireland since the abrogation of the Stormont parliament suggests that a power-sharing settlement is unlikely to be attained. This option can be achieved only when certain conditions are present.<sup>35</sup> Political leaders from the rival segments have to be sufficiently motivated to engage in conflict regulation. They must also simultaneously be capable of retaining the support of their followers. This condition is likely to be present where political elites enjoy predominance over a deferential and organizationally encapsulated following and where the subcultures in the segmented society enjoy internal stability.<sup>36</sup> Finally, the nationalism of the rival subcultures must be more cultural than political, for as long as each nation uncompromisingly seeks the political objective of independence or unification with its "own" state, a power-sharing settlement is neither viable nor sustainable. The absence of these crucial

conditions in Northern Ireland explain the failure of attempts to promote power-sharing.

There are four reasons why political elites might consider consociation. They may desire to fend off a common external threat, maintain the economic welfare of their segment, avoid violence, or obtain office. These motivations have evidently not been present in a "critical mass" among Northern Ireland's politicians. There is no agreed external threat. The radical economic decline of the province has not concentrated enough minds on the merits of accommodation. The desire to avoid war has not been sufficiently intense. Despite the historical experience of segmental antagonisms, the strategies of unionist and nationalist leaders between 1969 and 1972 could not have been better designed to create violence. While important elements within all the major parties have been interested in local office at various times since 1972, their desire has not been strong enough to overcome their unwillingness to accommodate each other.

Even if the leaders of the segments are motivated to compromise with each other or become motivated at some time in the future, they must also be capable of persuading their followers to abide by their decisions. Northern Ireland, however does not possess an elite-dominated political culture. It is democratically egalitarian insofar as leaders' independence from their followers is strictly limited.<sup>37</sup> The system of values there is certainly different from the acquiescent or deferential political cultures of other societies where power-sharing has been successful, like Malaysia and the Netherlands, where leaders are expected to lead and followers to follow. Elite autonomy in these countries has given leaders wide independent authority to act in a manner which they think best. It facilitates mass compliance even when the latter find their leaders' decisions questionable or distasteful.

The absence of an elite-dominated political culture can be seen in intra-party relations in Northern Ireland. One obstacle to power-sharing there is that the parties are highly democratic, in the sense of being representative of and responsive to their members. Rather than the conventional "iron law of oligarchy", there exists a high degree of "democracy from below" in the province's political parties. This facet leaves political leaders unwilling to take risks or adopt new policies for fear of provoking a reaction in their own party or a loss of electoral support to other parties within their segment.

The UUP, the once hegemonic party which governed Northern Ireland without serious challenge for fifty years, has forced out four of its five leaders since 1969 (O'Neill, Chichester-Clark, Faulkner, and West), and its present leader (Molyneux) cannot be described as authoritative, let alone charismatic. The UUP has endured several breakaway factions (Faulkner's Unionist Party of Northern Ireland and Craig's Vanguard Party in the 1970s, and McCartney's integrationists in the wake of the Anglo-Irish Agreement). It seems to be in a permanent leadership crisis. The Vanguard Party, one of the breakaway parties, disintegrated in 1976 when its leader suggested a temporary coalition with nationalists. Even Ian Paisley, leader of the Democratic Unionist Party (DUP)

and arguably the most hegemonic of Northern Ireland's political elite, does not have an unassailable position within his party.<sup>38</sup>

The leadership of the SDLP also does not seem to enjoy the security necessary to negotiate freely on behalf of its members. This is contrary to the view expressed in the first study of the party which gave the impression of a modern party with extensive discretion vested in its leadership.<sup>39</sup> When its leader, Gerry Fitt, supported the "Atkins initiative" in 1979, his party disagreed and he resigned. The party leadership, partly because of its constitution, has not always been able to impose its wishes upon its local branches. One prominent example is the SDLP's decision not to contest the by-election in Fermanagh and South Tyrone, which saw Bobby Sands elected to the Westminster Parliament. The tension over the relative importance of power-sharing and the Irish dimension, evident in the SDLP's 1979 leadership turmoil, remains latent. The present leader John Hume's decision to engage in talks with Sinn Fein during 1988 brought this tension into the open.

Sinn Fein leaders are incapable of delivering compromise on power-sharing even if they were somehow to be persuaded of its merits. The party's history, since its inception in 1917, is one of internal dissension and fragmentation. There is truth in Brendan Behan's joke that whenever republicans meet, the first item on the agenda is the split.

Even with the existence of the appropriate motivations and dominant elites, power-sharing would not automatically follow. Political elites must be secure in their segmental bases before hazarding compromise. Northern Ireland's political elites have obviously not felt so secure. The twenty year crisis and the change in the electoral system have encouraged the fragmentation of the rival segments. When the Protestant/unionist monolith collapsed it broke into five factions (the UUP, DUP, UPNI, APNI, and Vanguard) and then into three (UUP, DUP and APNI). Competition for hegemony within this segment has weakened any impetus for power-sharing and accommodation. The DUP (and Vanguard before it) forced the UUP to be as belliciously anti-consociational and loyalist as themselves. Hume considered the debate among unionists in the early 1980s to be a competition to see who could "out-Paisley Paisley".<sup>40</sup> The Catholic/nationalist bloc consolidated behind the SDLP (as the civil rights activists and nationalists made their peace) in the early 1970s but then fragmented under the lack of political progress. Competitive pressure, first from the Irish Independence Party and then SF, has left the SDLP continuously guarding its nationalist flank.

The Anglo-Irish Agreement was, in part, a new experiment designed to create the requirements for power-sharing to work. Many, though not all, of its framers, on both the British and Irish sides, saw it as a master-plan to coerce key factions of the unionist bloc into accepting some version of the 1973-74 Sunningdale settlement, as the lesser of several evils. On the one hand, the Agreement confronted the unionists with an Irish dimension, the Intergovernmental Conference, of far greater political salience than the Council of Ireland of 1973-74. On the other hand, the unionists were offered a mechanism for

removing the agenda-setting scope of the IGC, provided they were prepared to bite the bullet of "agreed devolution", as specified in Articles 4 (b) and (c) of the Agreement. The hope was that the SDLP - having secured an Irish dimension (the IGC) - would be motivated to reach a consociational accommodation. Strengthened in its segmental rivalry with Sinn Fein, the SDLP would be more able to negotiate. The unpalatable choices which the Agreement put before the unionists bloc, by contrast, were designed to force their leaders to rethink their political attitudes, and to sow divisions amongst them in the hope that a significant group would be willing to grasp the nettle of power-sharing. The Agreement was designed to change the structure of the incentives facing the elites of both blocs and to encourage elite autonomy within Northern Ireland's political parties. It was also hoped that the Agreement would affect intra-segmental relations in a way conducive to power-sharing.

It is now clear, of course, that the Agreement has not sufficiently altered elite motivations, elite autonomy and segmental stability in ways conducive to power-sharing. The APNI remains the only unionist party willing to accept power-sharing under the terms of the Agreement. Unionists still seem to be willing to stay in their current state of disaffection and general withdrawal of consent against the British government in the hope that the Agreement is repudiated. Rather than proclaiming its willingness to promote power-sharing, the SDLP has emphasised the Irish dimension within the Agreement and seems intent on pushing pan-Irish solutions to the conflict. Rather than conducting serious discussions with unionists, Hume spent most of 1988 meeting with Sinn Fein. Whether he was trying to build a nationalist monolith to help achieve an all-Ireland solution, or simply out-manoeuvre Sinn Fein, the talks indicate that an internal settlement is not a urgent priority. The failure of secret discussions at Duisburg in late 1988, suggest that Hume is not prepared to trade even a temporary suspension of the Conference in return for a power-sharing deal.<sup>41</sup> Northern Ireland would appear to vindicate John Stuart Mill's pessimism about the prospects for representative government in a country made of different nationalities. It does not seem hospitable territory for consociational solutions.

#### **PART B: WHAT IS TO BE DONE?**

The authors independently arrived at the same normative and empirical conclusions about the Northern Ireland conflict at the same time.<sup>42</sup> Our normative conclusions were as follows. Power-sharing or consociation is the best means of stabilizing the Northern Ireland conflict, on the grounds of equity and of adherence to democratic values. By comparison with some of the other options we evaluated, and have examined here, consociation has the following advantages, which are visibly apparent in the Northern Ireland case. First, consociation is based upon agreement rather than coercion (unlike control, coercive integration or assimilation, or enforced partition). Second, it is based upon conflict-regulation by the actors themselves rather than by external powers (unlike external management). Third, consociation is compatible with democratic legitimacy, provided the preconceived Westminster norms of what a democratic system must be like are transcended. Northern Irish Protestants look too much to the Westminster model for their picture of the good polity, whereas

we believe they would be better advised to examine the democratic systems of Switzerland, Austria, Belgium or the Netherlands for models worth emulating. Fourth, consociation has a (partially) successful track record in stabilizing potentially violent societies elsewhere in the world. While it is difficult to realise in certain circumstances, its advocates cannot be accused of the utopian assumptions which unfortunately mar the reasoning of many sincere assimilationists, whether of the British or Irish variety. Finally, if consociation succeeds, it becomes dispensable; that is, consociational democracy can facilitate a transition to "normal" democratic competition, in which sectarian or ethnic divisions are diminished or transcended, as has arguably occurred in the Netherlands.

However, it is also clear that the essential conditions for consociational democracy are not yet present in Northern Ireland, and that the Agreement has not yet worked in ways conducive to the development of these conditions. Do such conclusions suggest that consociationalists should despair? We think not. We believe that radical reforms, within the framework of the Agreement, have not been tried consistently or for long enough in ways which might be conducive for a consociational settlement.

A policy aimed at promoting consociationalism implies the restructuring and reform of Northern Ireland to make consociation easier to achieve at some point in the future. On the one hand such a strategy would work through persuading Catholics that Northern Ireland can be reformed through programmes of affirmative action - more far-reaching than those envisaged in the Fair Employment Act of 1989 - and justly administered through the restoration of civil liberties and the reform of the courts;<sup>43</sup> and through persuading Catholics that sacrificing the immediate pursuit of the objective of Irish unity in return for power-sharing is worthwhile. On the other hand it would work through forcing (what some regard as) disagreeable change in Northern Ireland, persuading unionists that power-sharing is the best way of protecting their interests. This strategy was latent in the terms of the Agreement, and deserves to be tried more earnestly than it has been to date.

The authors believe that any such strategy, whether pursued by Labour or the Conservatives, should be accompanied by a systematic change in the electoral system in Northern Ireland. All elections, to the European Parliament, Westminster, a new Northern Ireland assembly, and to local councils, should take place under the same system: a party-list system of proportional representation. This change would have a number of advantages. The first is uniformity. Currently, Westminster elections take place under "first-past-the-post" rules, whereas other elections take place under the STV system. Second, the change would alter elite motivations amongst the UUP. Competition with the DUP, rather than cooperation, at least during the Westminster elections would become more likely. Third, the list system has the key advantage over STV of enhancing the authority of party leaders as opposed to the voters,<sup>44</sup> which *might* make compromise easier. Fourth, the list system is genuinely proportional, unlike STV which is a system which counts preference-rankings and the intensity of preferences. Finally, the list system is used in successful consociational democracies elsewhere.

We also believe that any such strategy should be accompanied by a British commitment to persuade the Irish government to entrench "unity by consent" in its constitution, that is, by replacing Articles 2 and 3 of the Irish Constitution with a declaration which merely aspires to achieving the unification of the island of Ireland into one state. Suggesting this option is not utterly unrealistic. In December 1967 an all-party committee set up to review the Constitution of 1937 proposed that Article 3 be replaced by a new provision:

"1. The Irish nation hereby proclaims its firm will that its territory be reunited in harmony and brotherly (sic!) affection between all Irishmen.

2. the laws enacted by the Parliament established by this Constitution shall, until the achievement of the nation's unity shall otherwise require, have the like area and extent of application as the laws of the parliament which existed prior to the adoption of this Constitution. Provision may be made by law to give extra-territorial effect to such laws."

Despite its sexism the enactment of this provision would have effectively constitutionally committed the Irish Republic to seeking "unity by consent". The provision failed to be enacted because of opposition within Fianna Fail but there is no reason to suppose that this party is immutably committed to all of de Valera's legacy. A post-Haughey Fianna Fail might well be more flexible, especially since the party has been working the Anglo-Irish Agreement since February 1987.

A British government intent on producing a consociational settlement should also take advantage of British and Irish membership of the European Community to promote maximum feasible functional cross-border co-operation (in attracting investment and European Social and Regional Funds, in agricultural policy, energy production and distribution, and public transport) and maximum feasible legal harmonization (in bills of civil and social rights). The direction of more political attention to Brussels, that is, away from London and Dublin, will be triply beneficial. European arbitrators of interests in Northern Ireland are less likely to be regarded as enemies of either segment; greater European integration will make the differences between membership of the British and Irish states less salient over time; and this type of harmonization will make either con/federal or consociational settlements easier to achieve.

Finally, we believe that the British Government should commit itself to a comprehensive Bill of Rights for Northern Ireland with adequate provision for communal as well as individual rights. In time, this would shift political power away from legislatures and governments and towards the courts, as has happened in Canada since the creation of its Charter of Rights and Freedoms in 1982. The advantages of such a transfer of power for a society like Northern Ireland are straightforward. First, courts when interpreting rights normally do not distinguish between majorities and minorities but make decisions based on the equality of plaintiff and defendant, and on the quality of the arguments presented to it. It is the strength of the case, and not the numerical size of the parties to it, that is meant to decide the outcome.<sup>45</sup> Second, this separation of powers reduces the risks attached to entering a consociational settlement,

especially for minorities. Third, there is widespread support for a Bill of Rights in both communities. Pessimists claim that a British government would not implement such a Bill lest it increase pressure for a similar measure in the rest of the United Kingdom. Such fears, however, did not prevent London from implementing proportional representation in Northern Ireland and should not prove an insurmountable obstacle to a Bill of Rights for the province either. Nor are doubters necessarily correct when they claim that courts operating in the Westminster tradition of parliamentary sovereignty would interpret a Bill of Rights restrictively. The Canadian experience since 1982 suggests otherwise.<sup>46</sup>

If, as must be candidly admitted seems likely at the time of writing, consociationalism cannot be rapidly engineered (if ever), even by a radical reforming British government actively working the Agreement in conjunction with a similarly motivated Irish government, one must ask what are the most likely ways in which the management of the Northern Ireland conflict will develop?

The authors believe that there are three feasible political and constitutional strategies available for the consideration of British policy-makers. The first entails a retreat towards the status-quo ante, maintaining a modified form of direct rule, slowly downplaying the importance of the Agreement and reverting to the "crisis-management" much criticized by the Irish government before November 1985. We believe that over the longer run this policy is unsustainable. Policy-makers in liberal democracies are under constant pressures to "do something", and the famous fallacy "Something must be done; this is something; let's do this" operates regularly in politics. British policy-makers want to end a conflict in which they have no major economic, geopolitical or political stakes.

The second option involves a unilateral abandonment of the Agreement by the British government and integrating Northern Ireland with the rest of the British political system. For reasons we have already referred to, we believe this strategy is unlikely to be embarked upon.

While the final feasible initiative, repartition, is not on the immediate agenda, it is clear that should the Agreement fail in the next decade it will become increasingly attractive to British policy-makers. Repartition is the drastic but logical solution to consociational failures. Moreover, since in our judgement and that of many others the outcome of most solutions which entail a British withdrawal from Northern Ireland is another partition of the island a simple question must arise at least amongst British policy-makers considering this option. "If repartition will occur once we (British) decide to leave, then why shouldn't we organise it in a more civilized way?" From the point of view of British governments, especially Conservative ones, re-partition is an obvious long-run emergent solution, consonant with their interests and beliefs. It would produce a smaller but loyal British Ulster, and transfer most troublesome Irish Catholics to another jurisdiction. It seems reasonable to expect support for this option to grow over time, especially if the Agreement fails to produce a consociational settlement.



Both governments should recognize that only the joint pursuit of consociation within Northern Ireland is likely to pay dividends. Both governments need to be persuaded that there are only two long run stabilizing solutions to the Northern Ireland conflict: consociation or repartition. Of these, the authors feel the former has by far the greater merit, but we realize the strengths of the arguments for another partition - even if it poses drastic dangers. Indeed partition is such a drastic solution that threatening a major repartition of Ulster might actually produce the change in elite motivations, elite autonomy and segmental relations required to generate a consociational settlement. It would concentrate nationalist minds in West Belfast, and unionist minds west of the Bann and south of Armagh. The threat would have to be made credible by the appointment of a boundary commission, by a public declaration on the part of both states to carry out some small adjustments (for example in Crossmaglen) *pour encourager les autres*. Clarification of the choice between partition and power-sharing, through the threat of partition just might produce a consociational settlement. Focusing people's attentions on the consequences of the former might persuade them of the merits of the latter.

## APPENDIX

Table 1

1986 poll: "Over the next five years, what do you think would be the best form of government for Northern Ireland?"

1988 poll: "Looking at this list which of these forms of government do you personally think would be the best for Northern Ireland?"

	Prot. 1986/1988 %	Cath. 1986/1988 %	All 1986/1988 %
Complete Integration with Great Britain	35/47	6/9	23/32
Direct Rule	12/4	6/2	10/3
Devolution with Power-Sharing	21/17	28/31	24/23
Devolution with Majority Rule	17/14	2/1	11/9
Independent Northern Ireland	6/7	5/4	6/6
Joint Authority Between London and Dublin	2/1	16/12	8/5
Federal Ireland	1/1	5/7	3/3
United Ireland	0/1	21/25	9/10
Don't Know	5/8	10/10	7/9

Sources: 1986 poll from *Belfast Telegraph* 15 January 1986. 1988 poll from *Fortnight*, April 1988.

Table 2

Thinking now about power-sharing between the political parties in Northern Ireland would you say that you agree or disagree with this principle?<sup>47</sup>

	January 1986		February 1988		October 1988	
	Agree	Disagree	Agree	Disagree	Agree	Disagree
	%		%		%	
Protestants	61	33	56	42	62	30
Catholics	79	13	84	15	76	14
Total	68	25	68	30	67	24

Sources: *Belfast Telegraph*, 15 January 1986; *Fortnight*, April 1988; *Belfast Telegraph*, 5 October 1988.

Endnotes

1. John McGarry thanks the Social Science and Humanities Research Council of Canada for a research grant. Brendan O'Leary thanks the Nuffield Foundation for a travel grant.
2. See I. Lustick, *State-Building Failure in British Ireland and French Algeria* (Berkeley, 1985) and F. Wright, *Northern Ireland: A Comparative Analysis* (Dublin, 1987). A summary of the evidence of segmentation in Northern Ireland is provided in J. Whyte, "How is the Boundary Maintained Between the Two Communities in Northern Ireland?", *Ethnic and Racial Studies*, 9, 2, (1986), pp. 219-34.
3. See A. Lijphart, *Democracy in Plural Societies* (New Haven, 1977) for a full explanation of this assertion.
4. Lijphard mentions three strategies: assimilation, partition and consociation, *Democracy in Plural Societies*, pp. 44-45. Lehbruch mentions two: arbitration and consociation. See G. Lehbruch, "Consociational Democracy in the International System", *European Journal of Political Research*, 3, 4, 1975, p. 378. I Lustick (1979) pioneered the concept of control. See his article, "Stability in Deeply Divided Societies: Consociationalism Versus Control", *World Politics*, 31, (1979), pp. 325-44. There are of course other 'strategies' for stabilizing' divided societies - compulsory mass emigration or genocide - but we do not consider these for obvious reasons.
5. I. Lustick, "Stability in Deeply Divided Societies", p. 328.
6. See *inter alia* P. Buckland, *The Factory of Grievances: Devolved Government in Northern Ireland* (Dublin, 1979); *Disturbances in Northern Ireland* (Cameron Report), CMD 532, HMSO, London (1969); J. Darby, *Conflict in Northern Ireland: The Development of a Divided Community* (Dublin, 1976); and M. Farrell, *Northern Ireland: The Orange State* (London, 1976).
7. For a discussion of the external conditions which permitted Unionists to maintain control see B. O'leary, "The Limits to Hegemonic Control: The Impact of British and Irish State and Nation-Building Failures on Northern Ireland 1920-1972", ECPR Conference, Paris 1989 (forthcoming in H. Blomkvist and D. Renier eds., *Theories of the State*.)
8. 4(b) "It is the declared policy of the United Kingdom Government that responsibility in respect of certain matters within the powers of the Secretary of State for Northern Ireland should be devolved within Northern Ireland on a basis which would secure widespread acceptance throughout the community. The Irish Government support that policy."

- 4(c) "Both Governments recognise that devolution can be achieved only with the co-operation of constitutional representatives within Northern Ireland of both traditions there."
9. L. Kennedy, *Two Ulsters: A Case for Repartition* (Belfast, 1986).
  10. G.D. Khoshla, *Stern Reckoning* (New Delhi, 1950), p. 229.
  11. D.W. Miller, *Queen's Rebels: Ulster Loyalism in Historical Perspective* (Dublin, 1978), pp. 122ff.
  12. P. O'Malley, *The Uncivil Wars: Ireland Today* (Belfast, 1983), p. 100.
  13. F. Pakenham, *Peace by Ordeal: The Negotiation of the Anglo-Irish Treaty 1921* (London, 1967), pp. 166-82.
  14. For a good discussion of British-managed partitions see T.G. Fraser, *Partition in Ireland, India and Palestine: Theory and Practice* (London, 1984).
  15. See P. Compton, "The Demographic Background", in D. Watt (ed.), *The Constitution of Northern Ireland* (London, 1981), pp. 74-92; K. Boyle and T. Hadden, *Ireland: A Positive Proposal* (Harmondsworth, 1985), pp. 34-37; F.W. Boal, "Segregating and Mixing: Space and Residence in Belfast", in F.W. Boal and J. Douglas (eds.), *Integration and Division: Geographical Perspectives on the Northern Ireland Problem* (London, 1982), pp. 249-80; and R. Rose, *Northern Ireland: Time of Choice* (Washington D.C., 1976), pp. 160-73.
  16. *Sunday Press* (Dublin), 4 November 1984. The accuracy of this press report was confirmed in an interview with Dr. G. FitzGerald conducted by B. O'Leary in Dublin in June 1989.
  17. R. Rowthorn and N. Wayne, *Northern Ireland: The Political Economy of Conflict* (Cambridge, 1988).
  18. See, for example, G. FitzGerald, *Towards a New Ireland* (Dublin, 1972).
  19. W.H. Cox, "Who wants a United Ireland?", *Government and Opposition*, 20, 1 (1985), pp. 29-47.
  20. C.C. O'Brien, *Neighbours* (London, 1980), p. 39.
  21. R. McCartney, *The Case for Integration* (Belfast, 1986).
  22. J. Oliver, "Constitutional Uncertainty and the Ulster Tragedy", *The Political Quarterly*, 59, 4, 1988, pp. 427-436.
  23. The pursuit of integration would be at odds with Article 4 of the Anglo-Irish Agreement which commits both governments to a power-sharing devolved government (see note 7), and with the entire temper of the Agreement which recognizes the legitimacy of two traditions, the nationalist and unionist.
  24. See *inter alia* P. Arthur, "Anglo-Irish Relations and the Northern Ireland Problem", *Irish Studies in International Affairs*, 2, 1985, pp. 37-50, and D. G. Boyce, *The Irish Question and British Politics 1868-1986* (London, 1988).
  25. H. Roberts, *Northern Ireland and the Algerian Analogy: A Suitable Case for Gaullism?* (Belfast, 1986), and "Sound Stupidities: The British Party System and Northern Ireland", in J. McGarry and B. O'Leary eds., *The Future of Northern Ireland* (Oxford, 1990); B. Clifford, *Parliamentary Sovereignty and Northern Ireland* (Belfast 1985), *Parliamentary Despotism* (Belfast, 1986) and *Government Without Opposition*; J. Davidson, *Integration: A Word Without Meaning* (Belfast, 1986) and *Electoral Integration* (Belfast, 1986) and *McNamara's Ban* (Belfast 1987).
  26. While opinion polls of 1988 indicate that 53 per cent of the Northern Ireland electorate would be prepared to support the British parties, these findings have to be interpreted in light of the tendency of Northern Ireland citizens to be more moderate when answering poll questions than they are when voting.

In the European Community elections of June 1989 Dr. Laurence Kennedy, the Model Conservative candidate who stood on a platform advocating Conservative-organization in the province, lost his deposit, as did two candidates advocating Labour organization. Between them these candidates polled 5 per cent of the vote in an election tailor made for a 'protest vote'. This set of results suggests a certain naivete amongst those who believe that British parties will transform the Northern Ireland electorate.

27. Roberts, "Sound Stupidities".
28. *Belfast Telegraph*, 6 October 1988.
29. G. Lehmbruch, "Consociational Democracy in the International System", p. 378.
30. B. O'Leary, "The Limits to Coercive Consociationalism in Northern Ireland".
31. R. Rose, I. McAllister, and P. Mair, "Is There a Concurring Majority About Northern Ireland?", *Strathclyde Studies in Public Policy*, 22, (1978).
32. Objective analysis demonstrates that indirect discrimination through informal recruitment remains the major factor in explaining differential unemployment. See Standing Advisory Commission on Human Rights, *Religious and Political Discrimination and Equality of Opportunity in Northern Ireland: Report on Fair Employment* (London, 1987).
33. B. O'Leary, "The Anglo-Irish Agreement: Statecraft or Folly?", *West European Politics*, 10, 1 (1987), pp. 5-32.
34. Lijphart, *Democracy in Plural Societies*, p. 105 points to the Austrian power-sharing experiment of 1945-66 which paved the way for the resumption of a government versus opposition pattern of politics without any danger to the regime's stability, and to the Netherlands, where religious divisions gave way to class politics after a prolonged period of power-sharing.
35. Lijphart identifies a number of background conditions, the presence of which is conducive or favourable to consociationalism, but none of which are essential. The most important of these are: a multiple balance of power among the segments, so that no segment is dominant; an external threat perceived as a common danger by the different segments; some society-wide loyalties; the absence of extreme socio-economic inequalities among the segments; and the existence of prior historical traditions of political accommodation that predispose the segments to power-sharing. It is clear that most of these favourable conditions have been and are absent in Northern Ireland. See *inter alia* A. Lijphart, "Review Article: the Northern Ireland Problem; Cases, Theories and Solutions", *British Journal of Political Science*, 5 (1975), pp. 83-106; J. McGarry, "The Anglo-Irish Agreement", *Political Quarterly*, 59, 2 (1988), pp. 236-50; and O'Leary, "The Limits to Coercive Consociationalism".
36. This is the central theme of E.A. Nordlinger, *Conflict Regulation in Dividend Societies* (1972).
37. There may be economic reasons for this. Both subcultures in Northern Ireland lack a strong bourgeois elite, although the absence of this group is especially noticeable in the Catholic segment. Religion may also be a factor. Presbyterians, especially, shun elites. While the Catholic religion is more hierarchical, the old clerical elites are not as dominant in Catholic society as they were before the 1960s.
38. After both Paisley and Molyneux hinted, after talks with Prime Minister Thatcher in February 1986, that they might be prepared to discontinue their campaign against the Anglo-Irish Agreement, they were both forced to 'recant' immediately after meeting with their party members in Belfast (*Fortnight*, 10 March, 1986). In 1971, after causing much consternation among his supporters, Paisley also quickly retracted a statement that an accommodation with the Irish Republic might be possible if the influence of the Catholic church there was reduced. O'Malley, *The Uncivil Wars*, p. 192.
39. I. McAllister, *The Social Democratic and Labour Party of Northern Ireland* (London, 1977).
40. O'Malley, *The Uncivil Wars*, p. 103.

*Summer 1990*

41. See *Fortnight*, March 1989, pp. 14-15.
42. J. McGarry, "The Anglo-Irish Agreement and the Prospects for Power-Sharing in Northern Ireland". B. O'Leary, "The Limits to Coercive Consociationalism".
43. We are not persuaded that democracies necessarily have to abandon civil liberties, due process and trial by jury in order to deal with terrorist attacks. Indeed the Northern Ireland evidence suggests that abandoning these rights and procedures is actually counterproductive for political stability and the legitimization of the existing legal order.
44. A. Lijphart, *Democracy in Plural Societies*, p. 137.
45. For an excellent account of how the black minority in the United States used the courts there to protect and enhance their position, see R. Rose, "On the Priorities of Citizenship in the Deep South and Northern Ireland", *Journal of Politics*, 38, 2 (1976). Rose also advocates a bill of rights for Northern Ireland.
46. See M. Mandel, *The Charter of Rights and the Legalization of Politics in Canada* (Toronto, 1989).
47. This question is from the February 1988 poll. A slightly different question was asked in January 1986 and October 1988 i.e., 'Do you (a) agree in principle with power-sharing between the political parties in Northern Ireland or (b) disagree in principle with power-sharing between the political parties in Northern Ireland?'