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Three Futures and Three Predictions

Political scientists share things with politicians, historians and prophets. We share with politicians the fact that we rarely open our mouths without subtracting from the sum of human knowledge. We share with historians the capacity to be dull and earnest while failing to illuminate the past. And we share with prophets the capacity to be memorably wrong about the future.

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Having given all these health warnings - which I intend to have the same impact as those written on the back of cigarette packets - I want to speak about possible futures for Northern Ireland. But before I do so I want to say a brief word about the past, and its interpretation.

A terrible failing of many historians and political scientists in Ireland and Britain has been their intellectual conservatism: their attempts to explain why the world has been as it has been, and why it could not have been otherwise. Indeed it became a commonplace with many intellectuals, not just political scientists and historians, both here and in Great Britain, to insist that the fundamental problems of Northern Ireland were insoluble - which meant they were incapable of constructive resolution through negotiation, dialogue and constitutional innovation. This facile quietism, or rather cynicism, was also conveyed by many journalists. Its existence was one reason why major politicians in these islands refused for so long to think the unthinkable, to imagine the unimaginable, or to say the unsayable. Let us all be thankful that world may be passing away.

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What of the future or possible futures of Northern Ireland?

The first of the lessons Harold Nicolson drew from the failure of the Versailles Peace Treaty was a simple one: 'those who desire to make peace must first understand the causes of war'<sup>1</sup>. ~~Was there~~ probably all agree with this verdict, even though we

*KEV everybody here can*

<sup>1</sup> Harold Nicolson, *Peace-making, 1919* (London, 1943), 'Introduction', vii.

probably all disagree about the key causes of the twenty-five year war which may well have come to an end.

Northern Ireland has been the site of a protracted ethno-national conflict; one waged between two societies and their political organisations, as well as by their respective paramilitaries. Ethno-national conflicts are waged between perceived kinship groups who believe that the protection and expression of their nationality require the construction or maintenance of a state in which their nation, their national identity, and their national culture animate the major political institutions. Not everybody within Northern Ireland fell or falls into the ethno-national camps. It *may* be true that cultural Catholics are less committed to separatist nationalism than cultural Protestants are to unionist integrationism; and that not everybody who is a nationalist or a unionist is uncompromisingly so; but the national conflict has been fundamental - it has underpinned all the other causes of antagonism. The national question motivated republican and loyalist paramilitaries and it still accounts for the major cleavage between the political parties. It follows that the national question must be addressed squarely by any politicians or peace-makers intent on successful conflict-resolution. In a moment I will address how that might be done. But before I construct such a benign scenario let me first address the two most conservative prophecies about the future. It is perhaps fitting that these conservative scenarios have been articulated by two angry old men; one English, the other Irish.

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*At the rest of  
Standing agent....*

One is advocated by Enoch Powell, a man noted for his constructive contributions to ethnic relations in Britain. Predictably Powell insists that unionists and the British government should not surrender. Equally predictably he suggests that the IRA and its kin should not be spared what he is pleased to call law. What is more important is that he has encouraged unionists to seize this moment to be resolute integrationists.

Let us flesh out Powell's dream-scenario. Across the polished negotiating tables James Molyneux leans over to address John Hume, who is seated beside Gerry Adams. In his quiet way Molyneux declares 'Mr Adams, thank you for surrendering; and Mr Hume, thank you for arranging it... However, as you know, I've never really cared for a devolved government or for high-wire negotiations. I think a bit of calm is called for, after all this excitement .... What we need now is a period of good government by Her

Majesty's Government, an increase in the competencies of local government along English lines, or perhaps Scottish lines... In any case we'll be seeing you.'

It's not an impossible future. After being fearful that the British government had sold them out it is possible that some unionists will go on to suffer from hubris, and believe that now is no time to negotiate; rather it is a time to consolidate what they may come to see as a victory; a victory characterised by the lifting of a siege - a phenomenon familiar in their collective memory.

However, I do not think Enoch Powell's dream is going to come true. For a start neither the British nor the Irish Governments intend to permit it. At the Conservative Party Conference Sir Patrick Mayhew insisted that Northern Ireland is different and needs to be governed differently. The Anglo-Irish Agreement and the Downing Street Declaration point towards the construction of a devolved government and an agreed, if not unified, Ireland; and both governments are committed to these agreements in ways which have surprised many. Moreover, if the Ulster Unionist Party was to react to the cessation of violence with constitutional negativism it would know that it would be in the business of recreating the conditions for war. I can see that, you can see that, and it is clear from the measured tones of some key people in the UUP that they can see that. They also know that if they were to react in this manner, if they were to refuse to engage in constitutional accommodation, then they would face, once again, the danger of being by-passed. In these circumstances to keep the peace the British and Irish governments would deepen their co-operation, and direct rule would continue with an even greater Irish input, with both governments obliged to give Sinn Fein as well as the SDLP access to governmental patronage in quangos.

Nevertheless it is a possible scenario, a scenario with two variants. In one there is a return to the status quo ante, of paramilitary combat and political stalemate, while in the other there is peace without justice, a state of armed truce between two antagonistic peoples, what the late Professor Frank Wright would have called a condition of tranquillity without peace. These vistas should serve us as a warning. We should keep them in mind as we get ready for the long negotiations which I hope will replace the long war.

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The second conservative scenario is that sketched by another angry old man, but in this case it that of an Irishman. I refer, of course, to Conor Cruise O'Brien. In this prophet's writings most of us are condemned as fools. Some of us are merely unwitting fools, while others are what Lenin called 'useful fools'. When I read these denunciations and insults from the former diplomat who considers himself to be Edmund Burke's reincarnation I am reminded of the old adage my mother used to whisper in my ear about a now-departed relative, 'Sure Brendan there's no fool, like an old fool.'

Dr O'Brien greeted the IRA's cessation of violence on August 31 with a series of dire predictions in British newspapers, culminating in a saga of disaster that included 500,000 refugees, 10,00 dead in a civil war which terminates with the construction of a smaller but ethnically homogeneous Northern Ireland, a military coup in Dublin, and extensive explosions in British cities.

*JOKÉ - Cahokia & Co...*

Dr O'Brien is listened to very seriously in Great Britain. That is partly because he feeds every historically established stereotype about the Irish that the English imbibe with their schoolbooks. He is read, sadly, not because of the undeniable quality of his writing but because he makes it possible for Englishmen and women to quote him without the danger that their views will be condemned as ethnocentric or racist.

Dr O'Brien's predictions flow from a simple premise. He believes that the IRA is seeking to dupe the British government into a military withdrawal, confident that if the British military does withdraw that it will not be sent back to deal with a renewed war. As with all conspiracy theories - and we are dealing here with a conspiracy theory about a conspiratorial organisation - it is impossible to disprove. However, I believe we should be sceptical about this scenario.

For a start, the evidence suggests Sinn Fein has acted in the manner that it has because it no longer believes that the IRA can win a united Ireland through war - with or without the presence of the British Army in Northern Ireland. Secondly, the republican movement has persuaded itself that it can do better, eventually, in the democratic long run than it can do in the military short run. Thirdly, neither the British nor the Irish governments are eager for a military withdrawal - as opposed to demilitarisation - before the arrival of a constitutional settlement.

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*or like  
end of Britain*

*Military Post 2005*

If we are charitable, and it is a time to be charitable, we should treat these old men's prophecies as awful warnings, as useful for concentrating our minds. Of course there are numerous dangers and difficulties ahead, and within each society there are those so fearful that they have lost that small sparks might send them back to war. However, we should not let the prophecies of these old men impair the opening of our minds, or obstruct the possibilities which have opened up as a result of the efforts of John Hume, the Downing Street Declaration, the IRA's cessation of violence, and the reciprocal cessation of violence by the UVF and the UDA on October 12.

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This brings me to the third and much more constructive future which I believe is opening before us. It assumes that before long the British Government will lift the exclusion orders made under the Prevention of Terrorism Act and then enter into exploratory dialogue with Sinn Fein. It assumes that there will be a very significant reduction in Army patrols across Northern Ireland. It also assumes that the Forum for Peace and Reconciliation will start to meet here in November and that some northern unionists, including the Alliance party, but perhaps others, will attend its meetings. It also assumes that before the end of the year the two Governments will reconvene the constitutional parties in Northern Ireland and present them with a framework document for negotiation. It also assumes that at some presently unspecified point Sinn Fein is brought into these negotiations.

The key question then is this: what is the best possible framework document which the British and Irish governments could produce? I believe any such framework document must have five components.

(1) *Consent on Sovereignty.*

Any framework for resolving conflict in and over Northern Ireland now has to be consistent with the Anglo-Irish Agreement and the Joint Declaration for Peace. It must therefore guarantee that Northern Ireland remains within the United Kingdom as long as a majority of its population so wishes, and firmly establish that the creation of a unified Ireland will occur if and when a majority in Northern Ireland so desires. This principle offers unionists their present guarantee while assuring nationalists that they can achieve their long-term goal constitutionally.

The British government must therefore agree that Section 75 of the Government of Ireland Act of 1920 should be modified so that Westminster's sovereignty over Northern Ireland is clearly conditional upon the consent of a majority of the people of Northern Ireland to remain within the Union. The Irish Government must also agree to organise a referendum proposing that Articles 2 and 3 of its Constitution be amended so that the future creation of a unified Ireland is made conditional upon the consent of a majority of people in Northern Ireland. However, any Irish Government which wishes to carry such a referendum, and which wishes to reassure northern nationalists that they will be protected as long as they remain within the UK must ensure that four other changes will be guaranteed by the British Government.

(2) *Proportionality and Power-Sharing*

The two Governments must agree that any devolved assembly shall be based upon proportional representation. Proportionality rules must be used to elect the assembly - STV, which is well-established in Northern Ireland, is the obvious system to use. Proportionality rules must also be used by the assembly to establish its committee structures and chairs. The technical Sainte-Laguë rule, which is the fairest for small parties, should be used - in this way both Sinn Féin and the Alliance party will get a stake in the system. The same method should be used to elect the executive.

Proportionality rules will not be enough to ensure the consent of northern nationalists to any new constitutional order because for the present they still mean simple majority rule by unionists - one of the major political causes of conflict in the Stormont years.

Therefore power-sharing will also be required, though it need not apply to everything. The assembly could be prevented from bringing down the executive it elects before the expiry of the life of the assembly - as is the practice in Switzerland, a political system built on power-sharing. The executive could also be required to proceed by consensus in specified areas of policy.

The two Governments must agree that the more power that is devolved to Northern Ireland the better, including the management of finances and security. This move will ensure greater incentives for politicians to participate in and work any new system. It will direct their ambitions towards Belfast rather than Dublin or Brussels. At the limit, the Northern Ireland Office and the Secretary of State for Northern Ireland should be abolished, and their functions carried out by the new executive and committee chairs.

The Foreign Secretary, the Home Secretary and the Attorney General could carry out British responsibilities in the inter-governmental conference.

(3) *Parity of Esteem and Treatment*

Any settlement consistent with the Anglo-Irish Agreement and the Joint Declaration for Peace requires the two major national communities to enjoy full parity of esteem and treatment. To this end a Bill of Rights will be necessary which will protect collective cultural rights as well as individual human rights. This Bill of Rights must be interpreted by a Northern Ireland Supreme Court, the decisions of which may in turn may be adjudicated at the European Court in Strasbourg. As in Canada citizens should receive public support to challenge the constitutionality of legislation.

The two Governments must elaborate the implications of equality and parity of esteem for the two major traditions. They must entail important symbolic changes: for example a Northern Ireland Police Service, rather than the Royal Ulster Constabulary; and a Northern Ireland Judicial Commission, rather than Crown Courts. They may also require changes in the recruitment and composition of the police and senior judiciary - for example staff from the Garda Síochána could be seconded to the police until Catholic recruits are present in sufficient numbers in a reorganised police service. Economically a firmly entrenched commitment to fair employment is required, including affirmative action where necessary. All public policy will need to be evaluated by its implications for equality and parity of esteem. Culturally a continuing commitment to equal provision for all kinds of primary and secondary education (including both integrated and denominational schools) will be necessary. The cultural insignia of both national traditions must also be equally protected or equally unused.

(4) *British, Irish and European Dimensions*

British and Irish institutional dimensions are necessary - and it will be best if it is established that these will survive any future transformation in the status of Northern Ireland. The inter-governmental conference established by the Anglo-Irish Agreement must remain, though its scope and functions must be refined. The inter-parliamentary tier of the Agreement must be expanded to include members from the Northern Ireland Assembly as well as representatives from Westminster and Dáil Éireann.

The priority here is to establish all-Ireland cross-border co-operation and British-Irish co-operation especially in policy functions affected by the European Union. The

establishment of such bodies need not mean any erosion of either state's sovereignty. A rolling series of cross-border agencies should be set up, in some cases modelled on the European experience, e.g. commissioners should be appointed by their respective jurisdictions for fixed periods to carry out technocratic tasks. These commissions should be either UK-Republic bodies or Northern Irish-Republic agencies will make more sense.

(5) *Double Protection*

Finally, the two Governments must establish mechanisms for protecting a constitutional settlement of ~~the~~<sup>the</sup> kind. The best step to take here is to give the inter-governmental conference the role of safeguarding the constitutional settlement. In this way each community will be reassured that it has the protection of its respective nation-state. Each Government in the inter-governmental conference should be empowered, after legal remedies have been exhausted, with the right to veto any law or measure of public policy which it deems fundamentally to threaten national, religious or human rights in Northern Ireland.

This mechanism will ensure that northern nationalists can be confident that there will be no return to the Stormont nightmare. It may be objected that unionists will see this as an intrusion by the Irish government in the affairs of Northern Ireland, and therefore tantamount to joint sovereignty. The answer to this objection is fourfold: first, this protection mechanism does not positively involve either the British or Irish states in directly governing Northern Ireland, but rather provides a check against a possible internal abuse of power; secondly, this protection must apply to both communities (e.g. protecting unionists against a perverse legal verdict); thirdly, to work this mechanism will have to be radically under-used; and, finally, to be balanced this mechanism must be institutionalised so that it would survive any change in the sovereignty of Northern Ireland. In short, the British government must have the same role in protecting the British community if and when Northern Ireland becomes part of a federal Ireland as that which the Irish government should have now as long as Northern Ireland remains part of the United Kingdom.

This double protection should be further entrenched in the following way. It should be constitutionally established that whatever arrangements are now agreed for the



governance of Northern Ireland would continue to apply if and when Northern Ireland voted to join a federal Ireland. The entire constitutional package would be transferable, apart from the fact that the two governmental protectors of the constitutional arrangements would change places (a different one would now be sovereign and the other would be a protector of its national community).

+ specialisation / + sharing \*\*\*\*\*

These five ideas are consistent with the Anglo-Irish Agreement and the Joint Declaration for Peace. They improve upon the status quo for northern nationalists while reassuring unionists that if and when they become a minority they will receive the same protections to which northern nationalists should now be entitled.

exactly

**A** ~~This~~ constitutional package may not materialise in <sup>this</sup> form, but I believe that these five inter-related elements will be at the heart of the negotiations. It is easy to imagine variations on each of these five elements.

In the first instance it is possible to imagine that unionists will vehemently reject any idea of a double veto or a double protection mechanism. If so, they will weaken their own long-term collective insurance at the price of not satisfying nationalists ~~but~~ we are secure security is being retained.

It is possible that unionists will reject any significant all-Ireland cross-border agencies. If so, northern nationalists are even less likely to be contented with the new order, and British-Irish agencies may be established which by-pass the Northern Ireland devolved government.

It is possible that many unionists will also reject the radical implications of 'parity of esteem'. If so, then the re-ignition of conflict becomes more likely. Northern Ireland cannot be democratically stable if it is purely British or purely Irish, and its policing and legal institutions will have to be adapted to this reality.

It is also possible that some unionists will hold out against any power-sharing beyond simple proportionality - in which case we really will get close to the Powell scenario.

Finally, it is possible that some unionists and some nationalists will reject an agreement based on majority consent for any change in sovereignty. Some loyalist die-hards may

insist that Northern Ireland should never be allowed to become part of an Irish Republic, even with local majority consent; while some republicans may insist that any such agreement is a fundamental denial of the Irish people's right to self-determination. Provided such objections take the form of constitutional anti-constitutionalism we need not be concerned; democracies can and should flourish despite the presence of anti-system parties. Nevertheless the crunch questions surround this matter.

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Having suggested the content of a benign future, and some of the major stumbling blocks attached to it, let me indicate that there's is no starry idealism about this prophecy:-

- we must expect a world of negotiating musical chairs, in which some parties walk in and out of conference chambers, threatening never to come or threatening never to return;
- we must expect some attempts by disgruntled republicans and loyalists to disrupt the constitutional peace process;
- we might even anticipate attempts to disrupt the peace process by those in the security sector who must expect to lose their jobs in a world without political violence; and
- it is possible that we may get tranquillity without peace, i.e. order without legitimacy, or an unresolved stalemate without war.

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That said let me end by making some predictions, some less controversial than others.

We can predict, uncontroversially, a continuing growth in the Catholic population in Northern Ireland. This growth might be enhanced by peace in two ways.

[Overhead]

First, stability and the prospects of greater prosperity at home may staunch Catholic out-migration.

Secondly, fair employment, delivered by law and by modifications of Protestant perceptions of all Catholics as disloyal, will give Catholics stronger reasons to stay in Northern Ireland.

*state*  
The political implications of this growth are not straightforward. The growth of the Catholic population may beckon a united Ireland eventually, but ~~what~~ <sup>it</sup> is more important ~~it~~ presages practical equality between the two communities. One society cannot politically dominate the other and one cannot police the other so easily the more it becomes the case that the two communities become matched in size and resources, ~~both economic and political~~ **50:50 Belgium**

The second prediction that we can make is that the nationalist vote will continue to grow; that is the combined Sinn Fein and SDLP vote will rise. Such growth would be consistent with developments since 1969. This growth will have interesting implications for Westminster elections, where there are least six and possibly seven nationalist seats, and for Northern Ireland Assembly elections where vote-transfers by nationalists could consolidate a strong nationalist bloc without a formal coalition arrangement.

[see overhead]

Growth in the northern nationalist vote may occur not only because it can ride the demographic tide but also for political reasons. In any political order in which Catholics are treated equally and fairly the Alliance Party may face a problem of political redundancy. In conditions of peace or tranquillity moderate middle class Catholics may find it more comfortable to align with their own ethnic bloc.

Within the nationalist bloc I therefore anticipate that both Sinn Fein and the SDLP can make electoral gains. Sinn Fein can grow because a vote for the party will no longer be a vote for war, and it should, furnished with American money, be capable of party-building beyond its present 10 % threshold in the North. If it nurtures good candidates it could also make a breakthrough in the Republic. All previous republican insurrectionaries have initially electorally benefited from going into politics, and I see no reason why the same should not occur with Sinn Fein, especially given the disarray amongst Democratic Left and the Workers Party. The SDLP could also benefit by eating into the support for the Alliance Party amongst Catholics. It already does so in

European elections, and through proper party management it could do the same in Northern Ireland assembly elections.

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My final prediction concerns the destiny of the DUP. This party emerged from the crisis of the last twenty five years. Its electoral base consists of evangelical Protestants and secular working class Protestants. Its leadership derives almost exclusively from evangelical Protestants.

In conditions of peace and tranquillity I see no reason why this electoral bloc need hold together; it is an unnatural alliance; at the very least it will require skilled party management by Dr Paisley or Peter Robinson to hold them together. The succession of the very talented and rather secular Ian Paisley junior would do the trick; the succession of the Reverend William McCrea will guarantee the party's demise. There is electoral space for a populist secular unionist party. The cadres of the demobilised UVF may be capable of organising such a movement. We shall see.

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Thanking you for this opportunity to make prophecies I am happy to be reminded of them in the future.

*and predictions.*

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Free Sheet here