



Better to hang on

Mandelson should not dissolve the Northern Ireland assembly. Others besides the IRA are defaulting

[Northern Ireland: special report](#)

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Three vital matters remain to be initiated or completed by the supporters of the Good Friday agreement.

David Trimble pledged to resign as first minister if de Chastelain had nothing positive to report on decommissioning before Trimble met his council members again this February. In setting this deadline he acted outside the terms of the Mitchell Review - as Gerry Adams complains - but he genuinely believed it was necessary to carry his party with him.

The onus, political and ethical, is on republicans to relieve Mr Trimble of his difficulties. Republican difficulties appear psychological: they refuse to bow to Trimble's arbitrary deadline even though he ate many of his previous words to enable Sinn Fein to join the cabinet, and even though he and his party have now delivered on all of their obligations.

Their position appears childish. Republican difficulties may have deeper roots, eg internal dissent, or it may be motivated by hard-ball negotiating - but to what end? Whatever motivates their unwillingness they can't expect sympathy beyond their ranks.

The situation may tempt Mr Mandelson to suspend the assembly - as unionists urge - but that would establish a dangerous precedent: any time either the SDLP or the UUP are unhappy in future they can threaten system-collapse knowing the UK government will step in to carry the can. This was not what was agreed on Good Friday or subsequently - the parties opted for responsible self-government and explicitly denied the secretary of state the right of dissolution. Nor is it right that George Mitchell be expected to be a permanent one-man fire brigade.

Mandelson would be well advised to wait, with draft suspensory legislation ready, until May 22 - when he would have the SDLP's and the Irish government's full consent to suspend the experiment if republicans had not delivered on decommissioning, and, even better, when the SDLP would be politically, ethically and legally obligated to declare Sinn Fein unfit for office under the cross-community parallel consent procedure, thereby obviating the need for any suspension. In the meantime, of course, if the UUP collapse the executive some of the other institutions of the agreement, particularly the north-south ministerial council and the British-Irish council could not function, and public pressure would mount on Sinn Fein to deliver effectively and rapidly on its commitments. Existing and resigning ministers could be asked to perform as caretakers until May.

The letter of the agreement would be preserved. It would not deny David Trimble the moral high ground, nor relieve the pressure on republicans. The international commission would have a short period to engage fully with the respective interlocutors of the loyalists and republicans. Republicans would have absolutely no constitutional excuse if they were in default on May 22, and their political isolation would be even greater than now. Moreover, and this is a point to which unionists pay insufficient attention, a suspension now, or later, would mean that the British-Irish inter-governmental conference would revive in significance, thereby further antagonising the rejectionist unionists.

Mr Mandelson certainly requires a cool head, as will others. Militant republicans cannot have failed to register that Sinn Fein cannot expect further electoral gains, North or South, or enjoy the sustained fruits of office, without rapid decommissioning by May 22.

Republicans are entitled to observe that two other tasks remain to be completed by other parties. But one of these, demilitarisation, is entirely dependent upon their own conduct. No UK government is going to initiate the removal of

troops without evidence of authentic decommissioning.

The last task is a different matter. The criminal justice review established under the agreement was to have been completed by autumn 1999. So where is it? The Patten commission on policing was published on time, and is being implemented almost to the letter - a model of a government delivering on its obligations.

By contrast, the criminal justice review required much less work. It has been done, and a long time ago. Why has it not been published? It is believed that the lord chancellor and leading Northern Irish judges are opposed: it proposes an independent judicial appointments commission to ensure that Northern Ireland has a representative judiciary in charge of protecting the new human rights culture promised by the agreement.

It would be a terrible irony if future historians write that only three groups failed to deliver on their obligations under the Good Friday agreement: the Provisional IRA, the UVF/UDA, and Lord Irvine and the Northern Irish senior judiciary. Mr Blair and Mr Mandelson should direct the lord chancellor to fulfil his duties so that it can truly be said that only the relevant paramilitaries are preventing the full implementation of the Good Friday agreement.

Prof O'Leary is co-author of Policing Northern Ireland.

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