

The Conservative Stewardship of Northern Ireland, 1979–97: Sound-bottomed Contradictions or Slow Learning?

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Oscar Wilde thought it took a heart of stone not to laugh at the demise of the heroine of one of Dickens' sentimental novels. The same idea arises when asked to reflect upon eighteen years of Conservative government on the politics of Northern Ireland.² Solemnity is called for, but the oddities of these years mean that horselaughs are tempting.³ Remarkable inconsistencies or contradictions, as Marxists say, have characterized the Northern Irish policy making and implementation of the four Conservative governments since 1979, and provide the food for the occasionally ribald analysis which follows. But, it will be maintained, these inconsistencies and contradictions mask a deeper reality, the slow development of a more consistent and sensitive approach to the management of Northern Ireland – and for these reasons mockery must be suitably restrained.

The Inconsistencies or Contradictions

Consider in succession five related and partially overlapping contradictions in the Conservative stewardship: (i) the integrationist-devolutionist contradiction; (ii) the sovereignist-intergovernmentalist contradiction; (iii) the cherished but

¹ The author thanks Amanda Francis for help and absolves her of responsibility.

² Spatial constraints prevent concessions to those unfamiliar with Northern Ireland. The necessary materials are in the following books and surveys: Kevin Boyle and Tom Hadden, *Northern Ireland: a Positive Proposal* (Harmondsworth, Penguin, 1984); Kevin Boyle and Tom Hadden, *Northern Ireland: the Choice* (Harmondsworth, Penguin, 1995); John McGarry and Brendan O'Leary, *Explaining Northern Ireland: Broken Images* (Oxford, Cambridge, MA, Basil Blackwell, 1995); John McGarry and Brendan O'Leary (eds), *The Future of Northern Ireland* (Oxford, Clarendon, 1990); Brendan O'Leary and John McGarry (eds), 'A state of truce: Northern Ireland after twenty five years of war', *Ethnic and Racial Studies* 18 (1995), 4; Brendan O'Leary and John McGarry, *The Politics of Antagonism: Understanding Northern Ireland* (London and Atlantic Heights NJ, Athlone, 2nd ed., 1996); Joseph Ruane and Jennifer Todd, *The Dynamics of Conflict in Northern Ireland: Power, Conflict and Emancipation* (Cambridge, University of Cambridge Press, 1996); and John Whyte, *Interpreting Northern Ireland* (Oxford, Clarendon, 1990).

³ For detailed treatments of these years see Paul Bew and Henry Patterson, *The British State and the Ulster Crisis* (London, Verso, 1985); Peter Catterall and Sean McDougall (eds), *The Northern Ireland Question in British Politics* (Basingstoke, Macmillan, 1996); Michael Cunningham, *British Government Policy in Northern Ireland 1969–89* (Manchester, Manchester University Press, 1991); Brendan O'Duffy, *Violent Politics: a Theoretical and Empirical Examination of Two Centuries of Political Violence in Ireland* (PhD dissertation, London School of Economics, 1996); and McGarry and O'Leary, *The Politics of Antagonism*.

indifferent Union contradiction; (iv) the talking and not talking to terrorists contradiction; and (v) the defence of capitalism and social justice contradiction.

I. The Integrationist-Devolutionist Contradiction

Margaret Thatcher and her Shadow Secretary of State for Northern Ireland, Airey Neave, shifted the Conservatives from bi-partisanship between 1975 and 1979 – though they found it difficult to outflank the then Secretary of State, Roy Mason, on law, order, authoritarianism, and thoughtless contributions to local community relations. Thatcher and Neave advocated the full administrative integration of Northern Ireland into the United Kingdom. To be more precise, they advocated regional and local government on the Scottish model, and left others to imagine the remaining details. They were much influenced by two men.

The first was Enoch Powell, the British nationalist ideologue, former Conservative, and then Ulster Unionist Party (UUP) MP for South Down. An exponent of the ‘logic’ of integration, of making Northern Ireland less different from the rest of the UK, this former professor of Greek espoused a simple dialectic. Integration implied a British ‘nationalizing’ policy for Northern Ireland, unitary centralized unionism, what would later be called Thatcherite statecraft in Great Britain. It meant dealing with Northern Ireland’s minority as if it was not serious about its Irish nationalism, but merely unconsciously hankering after the benefits of good government – Westminster-style. The smack of firm government was necessary to criminalize and marginalize Irish nationalist militants. This thinking contributed significantly to Thatcher’s mishandling of the republican hunger strikes in 1980–81. The second man was Edward Heath, though unlike Powell, Thatcher was counter-suggestive to his influence. Heath had suspended the Stormont parliament in 1972 in order to reconstruct it as a power-sharing devolved assembly, a task he had succeeded in doing by the end of 1973. His success, however, was short-lived, not least because he called and lost a Westminster general election in February 1974 that enabled hard-line unionist opponents of the new system, with 51% of the regional vote, to win eleven out of the then twelve Northern Irish seats.⁴ The malleable spine of Merlyn Rees, appointed Secretary of State by Harold Wilson in February 1974, made it easier for the anti-Sunningdale United Ulster Unionist Council to destroy the power-sharing executive in May 1974 – with a little help from loyalist, and indeed republican, paramilitaries. As Thatcher was allergic to all things Heathite, and disposed towards Powellite logic, it appeared that Northern Irish policy would depart radically from that of her predecessor; it would be integrationist rather than devolutionist.

Yet the moment Thatcher became Prime Minister the Conservatives changed their constitutional though not their security policy. The manifesto commitment to administrative integration was abandoned – and not just because Airey Neave was murdered by the Irish National Liberation Army in the House of Commons car park during the 1979 general election. Each of Thatcher’s Secretaries of State for Northern Ireland – Humphrey Atkins (1979–81),

⁴ After 1921 the number of Westminster seats for Northern Ireland was kept lower than its population might otherwise have warranted. In horse-trading with the UUP, to prolong the Labour Government, James Callaghan and Michael Foot agreed to increase Northern Irish representation at Westminster to 17 seats. The measure took effect in the 1983 general election, and increased the potential leverage of the UUP. From 1997 the region will have 18 seats.

James Prior (1981–84), Douglas Hurd (1984–85), Tom King (1985–89), and Peter Brooke (1989–92) – attempted to promote a devolved assembly, though without using the dreaded name ‘power-sharing’. The Conservatives in government, if not within their party, or their rhetoric, recognized that neither integrationist ‘logic’, nor a miniature Westminster parliament on the lines of the old Stormont regime, were appropriate to Northern Irish conditions. Peter Brooke and Sir Patrick Mayhew (1992–97), the Secretaries of State appointed by John Major, felt freer to acknowledge these realities, at least in interelection periods. Sir Nicholas Scott, one of Thatcher’s most robust and effective security ministers at the Northern Ireland Office (NIO) put the governing logic actually pursued by the Conservatives lucidly: ‘Northern Ireland is different, so it must be governed differently’.⁵

Prior managed to set up an elected Assembly in 1982, despite ill-tempered opposition from his Prime Minister.⁶ The ‘rolling’ scheme enabled the delegation of a set of powers (excluding security) which an extraordinary majority of the prospective Assembly might choose to exercise – promoting power-sharing devolution by other means. The election for the Assembly facilitated Sinn Féin’s entry into competitive politics more than the creation of a power-sharing government. In 1982 to some people’s surprise, especially Thatcher’s, ten per cent of those who voted in Northern Ireland, over thirty per cent of nationalists, backed the party which supported the IRA’s right to engage in ‘armed struggle’ – and did so in the immediate aftermath of the death of ten republicans who had starved themselves to death to win recognition as political prisoners. The Assembly did not last its full term. One of Prior’s successors, Tom King, felt obliged to suspend it. Boycotted by all nationalists from its inception, it ended its days as a site of unionist protest against the Anglo-Irish Agreement of 1985.⁷ Yet King declared, without irony, that it was his intention to establish talks about talks between political parties (excluding those which condoned violence) – in which a devolved government would be a central objective. His successors have continued in the same vein. Mayhew managed to set up an elected Peace Forum some ten years later, in May 1996. It was not an assembly, though it was hoped that it would lead to one; but it was an elected body. It was boycotted by all elected nationalists, like the previous Assembly, and became a site of protest for unionist opposition to Conservative policy on the peace process. The Forum has not been wound up, and might one day perform a useful role, but it has not yet been a success – and the election which set it up enabled Sinn Féin to win its best ever share of the regional vote, 15.5 per cent.⁸

So when not creating elected bodies boycotted by nationalists, who feared that they would become Stormont Mark IIs; and when not helping Sinn Féin’s vote by setting up such bodies at inauspicious moments; Thatcher and Major sought to promote a devolved government – anathema elsewhere in the

⁵ Interview with the author, 3 January 1991.

⁶ For accounts which diverge on facts and opinions see James Prior, *A Balance of Power* (London, Hamish Hamilton, 1986) and Margaret Thatcher, *The Downing Street Years* (London, HarperCollins, 1995), esp. p. 394.

⁷ Cornelius O’Leary, Sidney Elliott and Rick Wilford, *The Northern Ireland Assembly, 1982–86: a Constitutional Experiment* (London, Hurst, 1988).

⁸ See Geoffrey Evans and Brendan O’Leary, ‘Intransigence and flexibility on the way to two forums: the Northern Ireland elections of May 30 1996 and public opinion’, *Representation*, (1997 in press).

Kingdom. The world, i.e. the government and media of the USA, was told that the prospective devolved government would enjoy cross-community support, be formed from an assembly elected by proportional representation, and take the form of a multi-party coalition – in short, it would be consociational. The successive Secretaries of State who pursued this elusive goal were not, however, entirely inconsistent in practice, even if they were inconsistent in formal intent.⁹ Some of their deeds corresponded much better with the image of a unitary, British national integrationism. They centralized and ‘de-democratized’ local Northern Irish public life in multiple ways, further diminishing the ‘powers’ of local governments; expanded quangocracy on a scale comparable to, and indeed in excess of, that in Great Britain;¹⁰ placed increasing administrative and legislative discretion in the hands of the Secretary of State; and, last but not least, gradually integrated Northern Ireland into multiple aspects of British administrative, policy-formulation and parliamentary routines – measures inconsistent with the aim of creating a meaningful devolved assembly! The last significant steps of Major’s government in 1996–97 included regularizing the scrutinizing of legislation, hitherto passed mostly through Orders in Council, and establishing a Grand Committee for Northern Ireland. These measures, critics observed, were at odds with the Government’s promotion of agreed devolution in what were then hoped to be ‘all-party’ negotiations – in which nothing, apparently, had been decided in advance. They were, however, consistent with the Government’s desperate need to shore up its parliamentary position, and make concessions to the UUP in return for its support in the lobbies.

The most piquant dimension of the integration-devolution contradiction was electoral. The fall-out with Heath, who terminated unionist one-party rule in Northern Ireland, led the UUP’s MPs to stop taking the Conservative whip at Westminster. By 1986 the last organizational linkage between the two parties, joint youth membership, was broken after the Anglo-Irish Agreement. In its aftermath, the Conservative party hierarchy strongly resisted independent electoral organization in Northern Ireland. But faced by an activists’ protest-movement – identified as ‘a peasant’s revolt’ by one aristocrat who could be relied upon to recognize the species¹¹ – the occasionally impressive and always urbane Brooke was required, on behalf of a pro-devolution government, to witness the local creation of pro-integration branches of his party. The new members organized with enthusiasm. They wrapped themselves in the Union Jack more tightly than on ‘the mainland’ – the unionist term for Great Britain. They described themselves as integrationist Thatcherites; and as opponents of devolution and of the Anglo-Irish Agreement – in short, of the local policies of the Conservative government. They argued that giving the Northern Irish the chance to vote Conservative would enable them to break from local ethno-religious tribalism, and spent much time arguing that the British Labour party should do the same – though organizing in Northern Ireland remains one of the

⁹ Locals devised nick-names for all the Tory Secretaries of State – the printable ones include Willie Whitewash, Humphrey Who?, Gentleman Jim, Tom Cat King, Babbling Brooke and Paddy Mayhem.

¹⁰ These ‘de-democratizing’ measures were often welcomed by Catholics and nationalists in the SDLP – who preferred progressive and professionalized public administration under direct rule to clientelist and discriminatory local government by the UUP.

¹¹ Author’s unattributable interview with a senior Conservative MP in 1990.

few Conservative policies that Labour's modernizers have not imitated. The new local Conservatives maintained that the 'community charge' should be transferred forthwith to the denizens of Northern Ireland, as proof of its status as an integral part of the United Kingdom, but the NIO's Conservative ministers avoided adding the poll tax to their woes.

The results of electoral integration were unimpressive: peaking with 5.7 per cent of the regional vote for the Conservatives in the 1992 Westminster election. Their electoral 'successes' were confined to North Down – often described by journalists as 'like Surrey', a sure sign that they have travelled extensively in neither county. In the May 1996 Forum elections the Conservatives, fortunately for their masters at Westminster and Smith Square, failed to figure in the top ten parties. Their share of the total vote registered half of one per cent, and the local branches of the party face losing their deposits in the 1997 Westminster election. Contradictory preferences between a governing party's leadership and its activists are not uncommon in parliamentary democracies, but it is rare for a governing party to permit new branches of its organization to be established that it knows will oppose its own policies in the relevant locality. It is not, however, rare for activists to discover that their preferences have less popular resonance than they imagine. It might all even have been amusing, had matters of war and peace not been at stake.

II. *The Sovereignist-Intergovernmentalist Contradiction*

The Conservative and Union Party is nothing if it is not the party of Westminster sovereignty and of British nationalism. In 1979 its designated Prime Minister opposed external interference in the internal affairs of the UK, and was unenthusiastic about 'Irish dimensions'. Yet by the end of Thatcher's premiership, and throughout Major's, it had become unthinkable to consider managing Northern Ireland except through the co-operation of the 'the two Governments', the standard parlance. The major achievement, for good or ill, of the Conservatives in eighteen years of office was the negotiation of an international treaty with the Republic of Ireland in 1985,¹² now known as the Anglo-Irish Agreement. It granted the Irish Government, in Article 2, rights of consultation, through a regular and fully serviced Intergovernmental Conference, on all aspects of Westminster's Northern Irish policy; and promised in the same article, to make 'determined efforts' to agree with this foreign government.¹³ The Agreement fell short of co-sovereignty or joint authority, and in its first years was often implemented in a manner that disappointed Irish nationalist hopes and expectations, but it was the first occasion that a foreign state had been granted such privileges over London policy makers within their own jurisdiction since the *Danegeld* was paid by earlier lords of the realm.

The explanation for this remarkable *volte face*, from insisting on unilateral sovereign prerogatives to embracing intergovernmentalism, is complex, and

¹² For different discussions of the meanings, making and impact of the Anglo-Irish Agreement see Arthur Aughey, *Under Siege: Ulster Unionism and the Anglo-Irish Agreement* (London, Hurst, 1989); Tom Hadden and Kevin Boyle (eds), *The Anglo-Irish Agreement* (London, Sweet and Maxwell, 1989); Anthony Kenny, *The Road to Hillsborough* (Oxford, Pergamon, 1986); and O'Leary and McGarry, *The Politics of Antagonism*, chs 6–7.

¹³ Lord Tebbit described the Irish government as 'a county council' to the author, who pointed out that Conservative governments are not in the habit of signing treaties with county councils – BSKyB, London, 13 February 1996.

cannot be related in detail here.¹⁴ To increase security within Northern Ireland and Great Britain, and to contain fears about militant and electoral republicanism expanding in both parts of Ireland – aggravated by the mismanagement of the Maze hunger strikes – Thatcher was persuaded to change tack by successive Irish premiers (Charles Haughey and Garret FitzGerald), by fellow Conservatives (Sir, now Lord, Geoffrey Howe and Douglas Hurd), and by her civil servants in the Foreign Office and the Cabinet Office (especially, but not only Robert, now Lord, Armstrong). She agreed the development of an institutionalized Irish dimension – which she had prevented Prior including within his rolling devolution plans in 1982, not least because of Ireland's stance during the Falklands/Malvinas war.

Thatcher was also persuaded to sign the Agreement because it would later enable an agreed devolved government in Northern Ireland.¹⁵ As told in her memoirs she still seems slightly surprised that she ever signed it, rather like her memory of the Single European Act, but unsurprised that 'the wider gains for which I had hoped from greater support by the nationalist minority in Northern Ireland or the Irish government and people for the fight against terrorism were not going to be forthcoming'.¹⁶ For once the Iron Lady despaired too soon. It was the Agreement that created the conditions for the paramilitary cease-fires of 1994–96, and the more hopeful prospects for a political settlement and interethnic peace that remain features of the late 1990s, evidence to the contrary notwithstanding.

The one long-run benefit of the Agreement, from Thatcher's perspective, was that 'the international dimension [of Northern Ireland] became noticeably easier to deal with'.¹⁷ True, but the Agreement had price-tags in return for the reductions in Britain's international embarrassment, especially in the USA. The Irish government acquired greater potential leverage than before, which it was to use to the maximum under Taoiseach Albert Reynolds (1992–94), who took significant risks for peace, and successfully persuaded John Major to take them with him, and thereby helped orchestrate the republican cease-fire of August 1994, which lasted until February 1996. Northern nationalists appreciated the symbolic, and some of the material, benefits from the active consultation with their patron-state from 1986 onwards. They became more willing to believe in the possibility that Northern Ireland could be reformed, as demonstrated by the second Fair Employment Act (1989). Many saw less merits in the IRA using the Armalite while Sinn Féin used (and abused) the ballot box. Ultimately, the Agreement led republicans to reconsider their strategy and goals. They ceased to believe that they, or the IRA, could win a united Ireland through war, or indeed through war and electoral competition. They moved instead, albeit slowly, to

¹⁴ See O'Leary and McGarry, *The Politics of Antagonism*, chs 6–7.

¹⁵ This strategy, backed by some senior civil servants, was called 'coercive consociation' by this author, not by the policy makers (as some unionists imagine the author to have claimed) – see O'Leary, 'The limits to coercive consociationalism in Northern Ireland', *Political Studies* 37 (1989), 452–68. The strategy aimed to push unionists into a devolved power-sharing government by confronting them with the threat that British–Irish intergovernmental cooperation might lead to something worse. Critics of this interpretation are commended to re-read the text of the Agreement: Article 4 states that agreed devolved government is the preferred policy of the UK, and that the Irish government supports the policy; Articles 2 and 4 limit the scope of the Inter-Governmental Conference if there is a devolved government.

¹⁶ Thatcher, *The Downing Street Years*, pp. 406–7.

¹⁷ Thatcher, *The Downing Street Years*, p. 407.

create a pan-nationalist coalition for 'change' in favour of northern nationalists, rather than an immediate united Ireland.¹⁸ Not the least of the achievements of the Agreement was that Sinn Féin's activists sought to internationalize their struggle, in America and Europe, through appeals to the discourses of international law, self-determination and democracy – later to prove helpful in assisting the verbal transformations of the Agreement into the Joint Declaration for Peace of December 1993,¹⁹ an important feature of what we can optimistically call the first peace process.

It was precisely because the Conservatives were *the* British sovereignist party, the party of 'no surrender' to foreigners, and the hegemonic owners of British patriotism, that it was a Conservative government that successfully presided – albeit painfully, and with many a reluctant twist – over the 'inter-governmentalization' and 'inter-nationalization' of the management of Northern Ireland.²⁰ The process began with the Thatcher and Haughey summit of 1980, and culminated in 1994–95 in still ongoing three-stranded, two-state and multi-party negotiations. These talks, like the talks of 1991–92, have been facilitated by international third parties. Today a former US Senate majority leader, George Mitchell, a Canadian general, John de Chastelain, and a former Finnish Prime Minister, Harri Holkeri, handle constitutional minutiae and the intricacies of the possible decommissioning of parliamentary weapons, while in 1992 the Australian Sir Ninian Stephen made available his good offices. Even Dr Paisley's Democratic Unionist Party now participates, albeit without fulsome enthusiasm, in trips to the White House, and in formal negotiations which include the Irish government as the co-chair – assisted by semi-official representatives and promises of small-scale funds from the USA and the European Union. Moreover, when their minds are focused, the British and Irish governments now have the organizational capacity and intelligence to interact with one another with greater sensitivity and skill than they did in the early stages of the present conflict – when, apparently, an Irish government contemplated military intervention in defence of its co-nationals, and when, apparently, British intelligence operatives could conspire with loyalist paramilitaries to bomb the Republic.

The sovereignist-intergovernmentalist contradiction has therefore been resolved in practice, if not yet fully in Conservative doctrine. The UK's sovereignty over Northern Ireland remains formally intact, but intergovernmentalism, or rather bi-governmentalism, is the management method. Treaty arrangements and formal inter-prime ministerial statements are in place, enabling agreed transition to British and Irish co-sovereignty or eventual Irish sovereignty, if and when demography and democratic head counts of northern nationalists create a different majority. The process, of course, is not a one-sided

¹⁸ Kevin Bean, 'The New Departure: Recent Developments in Irish Republican Ideology and Strategy', *Occasional Papers in Irish Studies*, No. 6 (University of Liverpool, Institute of Irish Studies, 1994); Eamonn Mallie and David McKittrick, *The Fight for Peace: the Secret Story Behind the Irish Peace Process* (London, Heinemann, 1996); Fionnula O'Connor, *In Search of a State: the Catholics of Northern Ireland* (Belfast, Blackstaff, 1993), and the author's interviews, suggest that the Agreement compelled a rethink amongst republicans, first visible in Sinn Féin's *Scenario for Peace* (1987), and consolidated with the publication of *Towards a Lasting Peace in Ireland* (1992).

¹⁹ See McGarry and O'Leary, *Explaining Northern Ireland*, Appendices A and B.

²⁰ See W. Harvey Cox, 'Managing Northern Ireland intergovernmentally', *Parliamentary Affairs*, 40 (1987), 80–97.

surrender. Arrangements are in place for a possible renunciation of Ireland's formal claim to sovereignty over Northern Ireland – expressed in Articles 2 and 3 of *Bunreacht na hÉireann* (1937). But, it is agreed, that must await confirmation in a referendum endorsing a comprehensive political settlement – transitional or permanent – that will establish greater functional cooperation between the two parts of Ireland, through both British-Irish intergovernmentalism, and North-South interparliamentarism. The prospective, complex and heterogeneous institutional networks, sketched in the joint Framework Documents of February 1995, may materialize as outlined, or may one day be credited as the textual origins of a federal Ireland, functioning within a more confederal British Isles, themselves within a confederal European Union.²¹

III. The Cherished but Indifferent Union Contradiction

If the sovereignist-intergovernmentalist contradiction has been resolved in practice in favour of bi-governmentalism, the 'cherished but indifferent Union' contradiction looks more stably unresolved. This contradiction is easy to state; and can be found in the public language of staunchly British unionist Conservatives like Thatcher and Andrew Hunter, the most recent Chair of the Conservative backbench Northern Ireland Committee, in the more lofty Europeanist tones of the former Foreign Secretaries Lord Howe and Douglas Hurd, and in the 'dripping green' speeches of Sir Nicholas Scott and Peter Temple-Morris. The Conservative and Unionist Party warmly espouses the Union of Great Britain and Northern Ireland, and yet is indifferent about it. It is warmly and passionately uxorious about the Union, yet it would permit a quick divorce tomorrow.

We can take as our text the Conservative Party manifesto of 1997. Under the heading of 'a confident, united and sovereign nation', in which Northern Ireland is impliedly part of the British nation, the reader is told that 'While we cherish the Union and Northern Ireland's place within it, we recognize that there exist within the Province special circumstances which require further action to be taken'.²² These special circumstances include 'local accountable democracy' – which implies an elected assembly, an idea which the previous page of the manifesto warns 'could well pull apart the Union' if implemented in Scotland and Wales. Pulling apart that other Union, the one that binds Great Britain, is obviously of greater emotional concern. 'We cherish ... but' statements loom large in unionist indictments of the last eighteen years of Conservative government. They have also been noted, naturally in more ironic tones, by Irish nationalists.

In cherishing mode the Conservatives insist that Northern Ireland is British – which it is not, geographically, historically or legally, though it does contain a majority of British people. In indifferent mode the Conservatives treat it as a region which is not British – which it is not; or one that requires 'special circumstances', i.e. non-British institutions, which is true. Cherishing means that Northern Ireland deserves the best of British: in government and public

²¹ For the possibilities see Brendan O'Leary, 'Afterword: what is framed in the framework documents?', *Ethnic and Racial Studies*, 18 (1995), 862–72; and McGarry and O'Leary, *Explaining Northern Ireland*, ch. 10.

²² Conservative Central Office, *You Can Only Be Sure with the Conservatives: The Conservative Manifesto 1997* (Westminster, 1997), p. 51.

services, which it gets, aside from its policing. Indifference means constitutional idiosyncrasy piled upon legal and political oddity. Northern Ireland's status as part of the United Kingdom has always been conditional: it has a legal right to secession, or more precisely to unification with the Republic of Ireland, a fact underlined in the last eighteen years, and entrenched in the Anglo-Irish Agreement. England, Scotland and Wales are not declared in law or in international treaties to be part of the United Kingdom as long as their local parliaments or local peoples desire. They are not subject to treaties which specify how they might become part of another state. In the Joint Declaration for Peace of 1993, known in this island as the Downing Street Declaration, 'the people of Ireland' are defined impliedly in a way which differentiates them from 'the people of Britain'. The people of Northern Ireland, irrespective of whether they support the Union, are explicitly not defined as British, but as Irish.²³ This, to put it mildly, suggests indifference to the self-professed identities of those the Conservatives claim to cherish. The Union has become a loveless marriage according to its unionist critics – in which the partner with the greater status, money and power sustains the polite fictions only because the weaker party insists upon it.

This analysis may, of course, allow too much for sentiment and prejudice. One Conservative told the author in 1994, off the record, that it was best to understand the Conservative position as 'the sort of hypocrisy demanded by *realpolitik*'. As the party in charge of the state, a state which needs the co-operation of the Republic of Ireland, it must declare that the United Kingdom is neutral in the conflict between Irish nationalists and (British) unionists, and about the long run constitutional future of 'the Province'. However, reason of state does not bind the parliamentary party, or the party-at-large, whose sentimental members oppose such neutrality. In short, the contradiction dissolves once one realizes that the state of the Conservatives is neutral on the Union, whereas the party of the Conservatives is not.

IV. The Talking and Not Talking to Terrorists Syndrome

The most publicly embarrassing contradiction of the last eighteen years has been the syndrome of 'talking and not talking to terrorists (and their supporters)'. Thatcher and Major regularly declared that they would not talk to terrorists, or their spokesmen; indeed Major told the House of Commons that the idea would turn his stomach. They publicly refused to talk to terrorists, and their more palatable alleged 'fronts', Sinn Féin, the Progressive Unionist Party and the Ulster Democratic Party, even though Sinn Féin had a considerable electoral mandate. The two Conservative Prime Ministers encouraged other democracies to follow their example, and stand firm against the scourges of local and 'international' terrorism. And yet, Thatcher must have authorized both Atkins' indirect contacts with republicans in 1980–81 and Brooke's with republican sources after 1989; and in 1993 Major and Mayhew were exposed as having lied to Parliament about their communications with republicans.

The Conservatives in office were not, of course, complete hypocrites on the subject of terrorism. They were tougher on terrorism than on its causes. Thatcher's memoirs reveal her obsession with security, almost to the exclusion

²³ McGarry and O'Leary, *Explaining Northern Ireland*, pp. 409, 420.

of every other Northern Irish topic: the relevant chapter is entitled 'Shadows of Gunmen'. She faced down the hunger-strikers until she had created so many martyrs that the republicans switched into politics. Her governments deployed the SAS in Northern Ireland and in Gibraltar, and authorized a range of covert actions in what became called the dirty war. Her governments introduced a broadcasting ban on Sinn Féin, required all councillors to take an oath repudiating the use of violence, and made the Prevention of Terrorism Act permanent – despite its being in conflict with the judgements of the European Court of Human Rights.

It was, perhaps, because of its natural dispositions on terrorism that the Major government failed constructively to exploit the opportunity created by the republican and loyalist cease-fires in 1994. It was not wholly prepared for them, because its intelligence-information and its judgement were not as good as the Irish government's. For the same reasons, it was unprepared for the breakdown of the IRA's cease-fire in February 1996. By political tradition and instinct the Conservatives were understandably biased in ways which affected their judgements. They hated the prospect of publicly negotiating with the spokespersons of Irish republicans. Major had to assuage the right wing of his party throughout the Irish peace process; and felt he had to bend over backwards to reassure constitutional unionists that they were not being sold out – unionists who were divided over whether to treat the IRA's cessation of violence as a surrender, a trap, or as a ripe moment for negotiations.

The Major government walked a fateful path. In the aftermath of the IRA's cease-fire, and the reciprocal loyalist cease-fire six weeks later, it engaged in important confidence-building measures, but, more significantly, began to erect an ever-changing obstacle course to inclusive multi-party negotiations. It broke its promises to the Irish-American Morrison delegation, to the Irish government, and to republicans, about the prospective timing of such negotiations. Flying in the face of sensible advice from key figures in the Army and the RUC it became fixated on seeking symbolic surrenders of *materiel* from the undefeated paramilitaries; and, most disastrously and incompetently, in January 1996 it played manipulative politics with the report of the international body chaired by Senator Mitchell that it had jointly set up with the Irish Government to resolve the impasse it had itself created over the 'decommissioning' of paramilitary weapons.

These successive errors of judgement – over-negotiating, and pre-conditioning prospective negotiations – were aggravated by Major's progressively diminishing parliamentary majority. By the summer of 1995 he was wholly exposed to pressures from his Europhobic and ultra-unionist right wing, and increasingly disposed to keeping the UUP sweet in case its MPs were needed in the lobbies. From 1995 the new leader of the UUP, David Trimble, sought to postpone negotiations as long as possible and followed crowds of angry, fearful and law-breaking Orangemen and women in his capacity as their leader. He demanded, and got, an election in May 1996 to precede negotiations. He rejected outright the Framework Documents, carefully devised by the two governments as flexible but strongly recommended proposals, without receiving any British governmental admonishment. He supported the Orange Order's rights of territorial machismo, and sought the further normalization of Northern Irish business at the House of Commons, the politics of 'creeping integration'.

The first peace process ended in a bloody but messy renewal of republican violence, punctured with occasional loyalist actions of a similar nature. It had produced two so far fruitless political outcomes: an elected Forum boycotted by all nationalists; and a hamstrung multi-party and intergovernmental talking shop that without Sinn Féin has so far been going nowhere, slowly. And yet . . . within weeks of the breakdown of the IRA cease-fire the Major government was, with the Irish government, concerned to re-establish, or to be seen to re-establish the peace process, bi-governmentally, on similar promises, and it prepared legislation to facilitate amnesties for the decommissioners of paramilitary weapons. Indeed until the 1997 general election was called Conservative ministers avoided precluding the possibility of ever negotiating with Sinn Féin. For their part, a range of republicans and loyalists sought to revive the peace process, mindful that the Conservative government's difficulties were not entirely of its volition, and that the killings executed by their ultras were at least as culpable as the Government

V. The Capitalist Party Unfrees the Labour Market

The least widely noticed contradiction of the Conservative hegemony was that the party of unfettered free markets and deregulation, especially of free markets in labour, introduced the most vigorous, if not perfect, affirmative action programmes in the European Union. The 1989 Fair Employment Act was demanded of the Conservative government, in response to Irish Americans who had mobilized a threatened investment-strike under the 'MacBride principles'. It was demanded by the Irish Government, which was consulted at length, and before the House of Commons, on the details of the relevant legislation; and it was advocated and sketched by a range of non-Conservative anti-discrimination experts. Last, but not least, the Conservatives made unusual concessions to the Labour Party's front-bench spokesmen during the passage of the Bill that rectified Labour's much more feeble 1976 Act.²⁴ This outcome was not one that any one would have predicted from a New Right, free-market, British nationalist party. Like the other contradictions it demands explanation.

Explaining or Explaining Away the Contradictions

How should one react to these apparent contradictions and inconsistencies? Three partially overlapping accounts present themselves: (a) historical garbage can or foul-up explanation; (b) reactive crisis management within a pluralist liberal democratic state; and (c) ethno-national policy learning.

(a) Historical Garbage Can or Foul-up Explanation

One historical garbage can explanation would be that matters could not have been otherwise – an insoluble policy problem will have useless and incoherent technologies (policies) thrown at it. Alternatively, it might be suggested that to look for consistency in Conservative politicians engaged in 'high politics' is to

²⁴ See Christopher McCrudden, 'The Evolution of Fair Employment (Northern Ireland) Act 1989 in Parliament', in R. J. Cormac and R. D. Osborne (eds), *Discrimination and Public Policy in Northern Ireland* (Oxford, Clarendon, 1990), pp. 244–64.

be a victim of rationalist fallacies. The Conservative record on Ireland in this century is, after all, multiply inconsistent. They began as stout opponents of home rule, and sought to kill the idea 'with kindness' – the killing administered by 'bloody Balfour'.²⁵ Against devolution (home rule), the party's leaders encouraged illegal paramilitarism and insurrection against the will of the House of Commons.²⁶ The consequent Irish republican insurrection found the Conservatives as the coalition partners of the Liberals whom they had once accused of treason over Ireland. They supported harsh repression from 1916 to 1921, before conceding the need to negotiate with the Sinn Féin of their day, whose growth they had fertilized. During and after the Irish war of independence key Conservatives constrained Lloyd George's settlement with Sinn Féin,²⁷ and gifted devolution (home rule), of all things, to the novel and widely unwanted entity of Northern Ireland, ensuring lasting bitterness in Irish-British relations.²⁸ From 1922 until 1964 the Conservatives were in the UK Cabinet for all but eight years, and were happy to leave Northern Ireland devolved and governed by a provincial quasi-branch of their party whose representatives took the Tory whip at Westminster.

Yet garbage can reasoning, in the light of these historical inconsistencies, is not enough. The Conservatives as a party have, after all, generally been consistent in their Unionism. They have differed mostly over the means to support the Union – though, when the chips were down, they were willing to transfer Northern Ireland to the Irish Free State as a side-payment for the latter's entry into the Second World War. But the point still stands. They have been consistent, throughout most of the century, in opposing the break-up of the UK – though any part of Ireland has been much less integral to their vision of the British nation than Scotland, Wales or England.

(b) *Reactive Crisis Management in a Pluralist State*

It is perhaps more tempting, and illuminating, to see many of the foregoing contradictions as the by-products of the policy-making dynamics of a pluralist state. The Conservatives, in government, have responded like a weathervane to the relevant political pressures – from the Irish and US governments, from Northern Irish parties in Westminster and without, from paramilitaries aiming bullets or planting bombs, from the Irish diaspora in America and Britain, and from the British media. The resultants of these pressures have varied and twisted their political intentions and indeed their preferences. The autonomy of Conservative policy makers was constrained and rendered inconsistent, especially in reactive crisis management compounded by the low salience of Northern Ireland in Cabinet decision making. As former Taoiseach Dr FitzGerald memorably complained: 'The failure of the Irish to understand how stupidly the British can act is one of the major sources of misunderstanding between our countries ... Their system is uncoordinated. Because there's a

²⁵ Eunan O'Halpin, *The Decline of the Union: British Government in Ireland, 1892–1920* (Dublin, Gill and Macmillan, 1987).

²⁶ Ian Lustick, *Unsettled States, Disputed Lands: Britain and Ireland, France and Algeria and the West-Bank-Gaza* (New York, Cornell University Press, 1993); O'Leary and McGarry, *The Politics of Antagonism* ch. 2.

²⁷ Michael Laffan, *The Partition of Ireland, 1911–25* (Dundalk, Dundalgan, 1983).

²⁸ McGarry and O'Leary, *Explaining Northern Ireland*, ch. 1.

Northern Ireland Secretary people think there's a Northern Ireland policy – but there isn't'.²⁹ Such suggestions regularly feature in Irish diplomatic and undiplomatic complaints – and were formally expressed in the *Report* of the New Ireland Forum in May 1984.³⁰

This reasoning, while illuminating, especially on the daily management of crises, is nevertheless ultimately unsatisfactory. Beneath the contradictions there have been consistencies. The Conservatives, in government, have accepted that Northern Ireland is different and that integration, while preferable for the party faithful, is ultimately infeasible. As governors the Conservatives have recognized that Northern Ireland must be treated as 'a place apart' in the light of its distinctive conflict. They have reformed, and sought to reform, some of the most overtly majoritarian and discriminatory aspects of public institutions and public life in the region – many of which were embarrassing reminders of the dispositions of ancestral Tories. Conservative office-holders think, at least tacitly, that Northern Ireland should be consociationalized. The Conservatives have been generally consistent, if not always intelligent, in security policy, between 1979 and 1994 – though it was not always coherently coordinated with the promotion of power-sharing democracy or the winning of political consent. The Conservatives were also generally consistent between 1979 and 1997 in regional economic policy – though the generous subvention of the region probably reduced the incentives facing local political élites to settle the conflict.

There have, of course, been inconsistencies: Secretaries of State varied in their initiatives and local micro-management; Thatcher presided over the shift from the focus on an internal resolution to externalizing the management of the conflict with the Irish government; Major did, and did not, accept the normalization of interactions with Sinn Féin; and the bulk of this article has examined five apparent contradictions in some depth. But, it would be unsatisfactory to conclude merely that the Conservatives have been consistent in some, and inconsistent in other policies – even though there is truth in this suggestion.

(c) *Ethno-national Policy Learning*

It is an odd feature of much explanation in political science that so little credence is given to cognition or learning as independent variables. One way of explaining the inconsistencies in the Conservative stewardship is to maintain that policy learning, albeit painfully slow learning, has been taking place – learning that has been maintained and developed in the memory banks of the senior ranks of the civil service, the military and the police; and transmitted with increasing success to successive elected office-holders.

Many of the contradictions and inconsistencies discussed above can be explained against the background of ethno-national policy learning. Amongst British policy makers the definition and understanding of the conflict has been transformed in the last eighteen years. It has been recognized as ethno-national, and bi-governmental, as well as bi-national, in nature. It has been recognized that the fundamental conflict is between rival nationalisms; and does not derive primarily from religious conflicts between Protestants and Catholics, or from economic deprivation, or from economic discrimination, or from the absence of

²⁹ David McKittrick, 'FitzGerald attacks inept Britain', *The Independent* (London, 7 June 1989).

³⁰ New Ireland Forum, *Report* (Dublin, Stationery Office, 1984).

good British government, or just from terrorism – even though all these variables have been and are at play, and even though things have been done to address these other dimensions of the conflict.

Better prescriptions, and policy dispositions, have followed better analysis – albeit slowly, and in some cases only after lessons have been relearned by new office-holders. It is known, though not always stated in this language, that the internal promotion of consociational arrangements can only be successful if matched by bi-governmentalism and cross-border institutions that ensure that both Irish nationalists and British unionists have approximate equality in national recognition, and have parity of esteem. It is recognized that a political settlement requires that unionists, and nationalists, and their governments, must be coerced, in their own best interests, to drink at the well of institutional concessions. It has become known, albeit reluctantly acknowledged and against ingrained beliefs, that political violence has political causes, and should not merely be treated as ordinary criminality. It is understood that British arbitration cannot ever be seen as neutral, even when it is benign, by non-British people – the promise of ‘rigorous impartiality’ has had to be matched by real and promised Irish dimensions.

This is not, perhaps it is necessary to say, a pious commendation of Conservative policy makers. They could have learned these matters much earlier and much better. Many of them took two decades to learn what Edward Heath mostly understood in 1973. Moreover, their learning was not, unfortunately, significantly promoted by the dissemination of independent academic research. The Conservatives were, of course, not alone in being slow learners – the same could be said of many in the British opposition parties, and of Northern Irish nationalists, republicans, unionists, loyalists, and the parties in the Republic of Ireland. The acquisition of useable knowledge, relevant to the possible resolution of the region’s ethno-national conflict, has come from the experience of protracted war and conflict; from the understanding that no one can ‘win’ outright, and that the opponents are political, with identities as well as interests and passions.

It will be intriguing to see when they go into Opposition whether the Conservatives’ policy learning will be maintained, either by them, or by their successors in office. If they go into Opposition it seems most likely that their learning will be at least temporarily sacrificed to the party’s opposition to the wider constitutional restructuring of the UK envisaged by Labour and the Liberal Democrats. Conservative leaders will certainly be freer to express their party faithful’s inclinations on Northern Ireland, which are less burdened by learning.

(Accepted: 25 April 1997)