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ABSTRACT

A “NEW POLITICS” OF PARTICIPATION?

This paper outlines developments in participatory politics in Northern Ireland and draws some comparisons with Scotland. The section on Northern Ireland covers traditions of civic activism which led to efforts to ensure that women activists and the voluntary and community sectors in general would be able to shape the “normalization” of politics and to continue to contribute in the new polity. In particular, it examines the fate of the Civic Forum and the role of Section 75 of the Northern Ireland Act as a form of inclusive policy-making. In making some comparisons with Scotland, the paper looks at similarities and differences in contexts, procedures/institutions and impacts. In conclusion it identifies issues and questions that need to be addressed for there truly to be a “new politics” of participation. The paper suggests that, while high expectations in Scotland for “new politics” have been somewhat disappointed, there is evidence of some change but that the situation may be less promising in Northern Ireland.

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BIOGRAPHICAL INFORMATION

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A “NEW POLITICS” OF PARTICIPATION?

Elizabeth Meehan and Fiona Mackay

INTRODUCTION: DEVOLUTION AND “NEW POLITICS”

Civic and public participation had a high profile in pre- and post-devolution politics in the UK in terms of both democracy and effective governance. From the democratic point of view, devolution was seen to offer better representative democracy by bringing democratic scrutiny of institutions, deliberately designed to be more open, closer to the people. This, it was thought, would lead to more responsive governance. Moreover, this vision was supplemented with the ideal of participatory democracy and the involvement of civic groups and citizens more directly in policy formation and decision-making. Devolution was expected to encourage a better quality of political participation by ordinary citizens and by interests outside the “usual suspects”, not least because of the greater geographical and ideological proximity of institutions.

From the governance point of view, participation was expected to lead to better policy-making—at the central as well as the devolved levels. Through participatory consensus building, there would be lower implementation costs, a reduced likelihood of policy fiascos, and greater public ownership of programmes. Participation in policy-making, not merely voting, would promote active citizenship and improve democratic dialogue leading to enhanced trust and legitimacy and greater social cohesion.

On the other hand, comparative research suggests that effective and meaningful public and civic participation can be complex, and are far from easy to achieve. Neither are the outcomes predictable. For example, participation does not inevitably result in consensus, particularly when views are polarized, especially to the extent that they are in Northern Ireland. There is also considerable scepticism about the motives underlying the enthusiasm of those that govern for increased participation by the governed.

Has devolution delivered more open decision-making and more participatory politics? And have expectations about the nature and effects of a “new politics” of participation been borne out? In the research from which this paper is drawn we address a number of questions that have been raised in the post-devolution context about the mechanisms, purposes and limits of consultation and participation in policymaking, the resources required, and the tensions between the differing expectations of those who consult and those who are consulted. In today’s paper, the primary focus is on Northern Ireland—though not without comparisons across the Irish Sea. While the research from which this paper is drawn covers all three devolved administrations, for today’s purpose, Scotland, not Wales, is the point of comparison.

The paper begins by outlining developments in participatory politics in Northern Ireland and then draws some comparisons with Scotland. The section on Northern Ireland covers an overview of participatory traditions and original efforts to ensure that women activists and the voluntary and community sectors in general would be able to shape the “normalization” of politics and to continue to contribute in the new polity. It focuses on the short-lived Civic Forum (a north-south consultative forum was also envisaged but has not come to anything so far) and the role of Section 75 of the Northern Ireland Act—statutory duties to promote equality and good relations—as a form of inclusive policy making. The paper also traces the role of civil society through periods of the suspension of devolution until its final restoration in 2007. In conclusion, it identifies issues and questions that need to be addressed for there truly to be a “new politics” of participation. The paper concludes that, while high expectations in Scotland for a more open and participatory polity have been somewhat disappointed, there are some changes but that the situation in Northern Ireland may be less promising.¹

TRADITIONS OF CIVIC PARTICIPATION IN NORTHERN IRELAND

There is a long history of voluntary activity in Ireland from the end of eighteenth century (Williamson, 1995) and, by the 1990s, there was a strong belief that voluntary activity is particularly well developed in Northern Ireland (Mowlam, 1997; Northern Ireland Council for Voluntary Action (NICVA), 1998; Department for Social Development (DSD), 2000). Certainly it is true that in the recent past the voluntary and community sector performed a role that was different from, and possibly wider than, that of its counterparts in Great Britain, ranging through service provision to a more engaged policy development role (Acheson and Williamson, 1995).

The system of direct rule from Westminster which continued from 1972 for more than twenty-five years offered particular opportunities to the voluntary sector in Northern Ireland. To counter the negative features of direct rule, notably its democratic deficit, the voluntary sector was to some degree encouraged to become involved in governance. Pending agreement on “high” politics among local political parties, the sector became part of simply getting the business of government done (Morison and Livingstone, 1995; Meehan, 1996; McCrudden, 1994). In part the sector could bring a degree of local expertise and knowledge as well an element of legitimacy to state action particularly in politically sensitive areas (Carroll and Carroll, 1999). From the sector’s point of view, such a relationship with government had certain advantages. Having a role in de-politicizing service delivery, civic organiza-

¹ Before moving on, we provide here a working definition of civil society. Civil society comprises social networks, associations and organizations that are notionally distinct from the state and the market, although the distinction between the civil sphere and the spheres of the state and market is increasingly blurred in complex contemporary societies. Deliberation, discussion and networking are seen as key coordinating mechanisms for civic activity in contrast to bureaucratic rules or market mechanisms (Cohen and Aretz, 1992; Young, 2000). Civil society in the UK would typically be seen to include trades unions, sectoral interest groups and lobbies, pressure groups, social movement organizations, community groups, voluntary sector organisations, church/ faith groups and so on.

tions also gained opportunities to become involved in policy formation. Parts of the sector, especially those staffed by individuals who, in other circumstances, might have entered formal politics but who were not attracted by the local political scene, may have particularly welcomed an opportunity to become more closely involved in policy development. Their co-operation was reciprocated by some in government. Sweeney (1998: 60) has argued that the political fall-out from the Anglo-Irish Agreement in 1985 provided an important additional opportunity for strategists from the community and voluntary sector to influence government and, he maintains, a cadre of senior civil servants was equally determined to experiment with bold new approaches to tackling community differences.

The role of the sector was enhanced further through the establishment of structures to deal with urban disadvantage, the founding of the Voluntary Activity Unit within government (in DSD), and the development of partnership structures based on European Union funding (Hughes et al, 1998). Indeed, the European dimension is particularly important. Both structural funding and the rounds of funding under the Special Support Programme for Peace and Reconciliation depend upon the functioning of governmental, social and civic partnerships that satisfies the standards of the European Commission. A sustained critique (Carlin et al, 1993) of the exclusion of trades unions and civic groups during the first round of structural funding between 1984 and 1989 led to a pattern of consultation during the second that was unheard of in the Great Britain transformed by Mrs Thatcher (Hodgett, 1998; Hodgett and Meehan, 2003). In the 1990s, women's groups were particularly active in showing themselves able to meet EU expectations for partnership-based policy-making (Women and Citizenship, 1995).

An important result of this enhanced role given to civil society generally and the voluntary sector in particular was that, when devolved government was being planned, there was an openness in some quarters to continuing the role of the sector in some form even after "normal politics" had been established. Expressed at its highest, there was a view that the process of restoring self-government through elected representatives should not threaten the more informal space of governance that developed while getting the business of government done during violent conflict and direct rule.² However dispiriting our assessment of the participatory channels introduced by the Good Friday Agreement and Northern Ireland Act, it is the case that a developed role for Northern Ireland's voluntary groups or organizations in governance pre-dates the New Labour Government's espousal of partnership with the sector through the development of compact documents throughout the UK (Ross and Osbourne, 1999; Morison, 2000). And though "new politics" was not part of the Northern Ireland lexicon, there was a concern amongst the newer community-based parties to design more open institutions, as well as the sense that a

² This motivation was recalled during a rather fraught debate on the future of the Civic Forum in February 2009, a matter which will recur later in the text.

tradition of participation should not be wholly sacrificed to the establishment of local, representative democracy.³

PARTICIPATION AND DEVOLUTION VIA THE CIVIC FORUM AND THE EQUALITY DUTIES IN SECTION 75 OF THE NORTHERN IRELAND ACT

The Civic Forum and Equality Duties were the two main participatory innovations introduced by the Good Friday Agreement and the Northern Ireland Act 1998. The Civic Forum was short-lived, though its future is currently being reviewed. Its short life is partly due to suspensions of devolution and partly because it was, and is, disliked by significant sections of the then newly installed politicians of the representative democracy school. The Section 75 Duty on equality (there is another on good relations) is now an entrenched feature of the policy architecture, though one cannot be confident that in implementation it lives up to the strand of thinking that sees “mainstreaming” as a potentially transformative democratic innovation.

The origins of the Civic Forum

The tradition of participation and the experience of EU-inspired district partnerships responsible for judging applications for Peace funding,⁴ led the Northern Ireland Women’s Coalition (NIWC) to propose in the talks the constitutional innovation of a Civic Forum as a way of bringing civil society into the political arena to ensure that the new arrangements were participatory and inclusive (Fearon, 1999; Hodgett and Meehan, 2003). The community and voluntary sectors, often primarily female, had maintained “the fabric of society” (Women and Citizenship, 1995) throughout the “troubles” and, in so doing, had acquired an expertise in everyday policy-making that was lacking amongst those whose main preoccupations had been with “high” constitutional politics. The NIWC believed that the vibrant activity of Northern Ireland’s civil society should somehow be harnessed and fed into the proposed forum (Fearon, 1999: 6).

³ Developments across the UK share a common agenda with the “modernizing government” programme of central government, which emphasises the importance of civic society groups and organizations and individual citizens in the development of public policy. Morison (2000: 112-13) traces the beginnings of a new relationship in the UK between civil society and the state to the aftermath of the Labour Party’s revision of its “talismán”—Clause IV—in 1994, expressed in 1998 in state-voluntary sector compact documents for England, Scotland, Wales and Northern Ireland. However, there seems to have been a greater impetus to take forward the politics of participation in the devolved jurisdictions of Scotland, Wales and Northern Ireland than can be discerned at UK level. This internally generated aspiration for open decision-making and enhanced popular participation was reinforced by external sources of legitimation, arising from the response to the so-called “crisis of democracy” apparent in many western societies as evidenced by rising levels of popular distrust in politicians, political parties and liberal democracies. At the same time, there has been academic interest in the impact of social capital (or quality of civic associations) on the success or failure of institutions (Putnam, 1993) and in calls for more participatory and inclusive forms of democracy (Young, 2000). That is, there was, as Keating (2005: 15) puts it, “a new vogue for more participative types of decision-making and new relationship between governors and governed”.

⁴ Some intermediary funding bodies and statutory agencies also did this.

The NIWC's argument for a Civic Forum held symbolic value (comparable with the institutional aspirations in "new politics" elsewhere) and offered a practical mechanism for the new system of governance to be more consultative. Many—women, in particular—did not feel comfortable in the old formal political arena but were involved in many informal political activities and had a desire to contribute to policy development (*ibid.*).⁵ Hence, it was intended that the Civic Forum would help to promote a new style of politics that was more inclusive and consultative—a "third way"⁶ form of politics that more fully utilized the wealth of policy expertise outside the political parties and civil service.

The Good Friday Agreement 1998 and the Northern Ireland Act 1998 specified that the Civic Forum would comprise representatives of the business, trade union and voluntary sectors and would act as a consultative mechanism on social, economic and cultural issues (Strand One, paragraph 34; see also McCall and Williamson, 2001). But further detail was left to the new Executive.

The inauguration of the Civic Forum

The First Minister (designate) (David Trimble, UUP) and Deputy First Minister (designate) (Seamus Mallon, SDLP), who were not amongst the advocates of this innovation, were charged with making arrangements for obtaining the views of the Forum, providing administrative support and establishing guidelines for its selection to be approved by the Assembly (Section 56 of the Northern Ireland Act 1998). In February 1999, they announced its basic composition; a chair, plus six people nominated by the First and Deputy First Ministers and fifty-four other members, chosen by extra-Assembly nominating bodies, from business, agriculture/fisheries, trades unions, voluntary and community sectors, churches, culture, arts and sport, victims (of the "troubles"), community relations, and education. They also announced that there would be a review of the Forum in 2002 (www.ofmdfmi.gov.uk/civic-forum-structure-operation).

Towards the end of 2000, following a detailed process whereby umbrella bodies from the various sectors were charged with producing a list of representatives to make up the members, public advertisements were placed for the post of Chair.⁷ The Forum met for the first time in October 2000 and adopted as its mission that it would "exercise effective community leadership and directly influence the building of a peaceful, prosperous and just, cohesive, healthy and plural society" (*ibid.*). It was not until February 2001, however, that the First Minister proposed a Motion to the Assembly about how it would relate to other institutions. To the OFMDFM, it would "offer its views on such social, economic and cultural matters as are from time to time agreed between the Chairperson of the Forum and the First Minister and Deputy First Minister". Subject to resource constraints, the Forum would not be

⁵ Indeed, 37 per cent of the members of the new Civic Forum were women, compared with 13 per cent in the first Assembly.

⁶ The lexicon of "modernizing government"—see footnote 3.

⁷ The person subsequently appointed to the chair was Chris Gibson, a business leader.

prevented from addressing any issue. The Assembly could also invite the Forum to offer views (www.ofmdfmi.gov.uk/index/making-government-work/civic-forum-review/ci).

Thus, formally at least, a wide range of civic society was given a voice in the governance processes of Northern Ireland and was factored into the formal institutional structure of government. The Civic Forum was accepted by a subsequent Deputy First Minister as an example of inclusive democracy but, from the beginning and even in its absence (see below), it has been objected to by many politicians, mainly members of the two large unionist parties.

The work of the Civic Forum

In the face of its controversial beginnings, the Civic Forum set to work by examining issues in the draft of the first Programme for Government; poverty, peace-building and life-long learning. Its contribution to the consultation process over the draft Programme led to some improvements in the final version with respect to these issues, especially as they affected women.⁸ The Forum itself consulted widely on and addressed policy concerns about educational disadvantage and childcare for women entering or re-entering further education. Such issues were included in its substantial anti-poverty strategy document.⁹ In carrying out its work from October 2000 until October 2002, it met in plenary form a dozen times and dealt with particular programmes through standing committees and working groups. In October 2002, devolution was suspended and, in the absence of a legal power for the OFMDFM to defray its expenses, the Civic Forum was immediately shut down (unlike cross-border cooperative bodies).

That the Civic Forum had the potential to be a form of inclusive democracy is clear from favourable comments on its work in some of the responses to the current review (see below) and in some of the comments in Assembly debates (also see below). On the other hand, in its early days it suffered from different ideas, within its own membership and outside, about the meaning of consultation, who were the “unheard voices” it was to bring in, how it was to do so, and so on (Bell, 2004). It remains controversial and it is not clear that it will be re-established.

⁸ The Civic Forum brought attention to various equality shortfalls. For example, under Section 4.4.3 those on unemployment benefits were identified as a key group which should be provided with lifelong learning opportunities to enable them to update their knowledge, skill and qualifications. The Civic Forum, however, highlighted that the original target group, unemployment claimants, were most likely to be men. Women who are unemployed but not entitled to these types of claims (but may be on other forms of benefits) would be excluded and disadvantaged. This resulted in the final version of the Programme for Government stating in its Annex C, Equality Aspects, 5.4 that: It would be important that, in assessing eligibility for these programmes, there is no indirectly discriminatory effect on women. 160 community and civic organizations were also consulted over the Programme for Government and its final version was described by one of the Ministers in the Office of First Minister and Deputy First Minister as a “contract between the people and the government” (Conference on 16 October, 2001 to launch the Equality Commission).

⁹ Led by Robin Wilson, Director of the think tank, Democratic Dialogue (which has since gone out of existence). Its report was written by Wilson, with Gráinne Kelly: *A Regional Strategy for Social Inclusion*, published in May 2002; see also another of its reports, *Can do better: Educational disadvantage in the context of lifelong learning*, published in October 2002.

The uncertain future of the Civic Forum

When, after several suspensions of institutions, it began to seem likely that devolution would be re-established more permanently, the Transitional Assembly's Preparation for Government Committee considered the terms of reference that had been proposed for the first review of the Civic Forum. However, it seems it "was clear that members were divided on whether the Civic Forum, as originally constituted, was in fact the most appropriate mechanism for obtaining the views of civic society". However, they agreed that there "should be a review of the mechanisms for civic society to promote its views" and, following the full restoration of devolution, the new First Minister (Dr Paisley, DUP) and Deputy First Minister (Martin McGuinness, Sinn Féin) decided in May 2007 to commission a fresh review under wider terms of reference (www.ofmdfmni.gov.uk/review-civic-forum).

Though the new review went through a consultation process in 2008 (OFMDFM news release, 29 May 2008), there has been no report so far from the OFMDFM on recommendations for either the future of the Civic Forum or some other mechanism for engaging with civic society.¹⁰ Some sixty or so written responses were received. Some respondents favoured a new form of civic partnership body, without what they saw as defects in the original; and others did not (www.ofmdfmni.gov.uk/index/making-government-work/civic-forum-review/ci). According to the First Minister (Peter Robinson, DUP), 44 of the submissions favoured "some mechanism of engagement", 19 of which made explicit reference to a civic forum, but there was "little demand for a return to the same structure...that operated between 2000 and 2002" (OR, Assembly, 9 February 2009, AQOs 1986/09 and 1993/09).

The week before these questions to the First Minister, there had been a debate on a Private Member's Motion in which Stephen Moutray, DUP, called on the Executive not to restore the Civic Forum but to "investigate modern ways to interact with the public, including online interactive means of helping to shape policy" (OR, Assembly, 3 February 2009). Despite Mr Moutray's apparent openness to e-democracy, he used his speech to vilify the old Civic Forum. He and DUP colleagues (Ian McCrea, Iris Robinson, and Alastair Ross) referred to its being "anti Orange Order" and being "made up of people who were rejected by the electorate". Others, in contrast, stressed that it had been impeded by the "difficulties at the heart of the political process" (e.g., Mitchel McLaughlin, Sinn Féin). A lot of the debate dispiritingly rehearsed old arguments, brought more up-to-date through point-scoring about who agreed to what in the St Andrews Agreement. The SDLP, while liking the idea of modern ways to interact with the public, voted against the motion on the ground that it was "a cynical move by the DUP...to satisfy the demands of the Mr and Mrs Noes who continue to exist within the party" (Dolores Kelly, SDLP).

Not all the debate was like this. Many referred to the positive role played by civic society in times of crisis, of the need to avoid making assumptions that only elected politicians knew what was good for people, and of the need for people to have a

¹⁰ For the purpose of revising this conference paper, Elizabeth Meehan contacted the Review Team in the OFMDFM to ask when a report could be expected but the reply offered no specific date.

sense of ownership of the new experience of devolved government. There were mixed views on the use of modern technology to promote democracy. Dawn Purvis (PUP) was scathing about the physical inaccessibility of the Stormont building¹¹ but also believed that “to substitute technology for the voice of real people [was] cynical, mean spirited and strange”. Anna Lo of the Alliance Party, and others, spoke favourably of the old Civic Forum (for example, its work on anti-poverty/social inclusion noted above). She, too, argued for the benefits of face-to-face deliberation. On the other hand, there was quite a bit of support for the idea of investigating e-democracy, even amongst those who were opposed to Mr Moutray’s proposal that there be no civic forum. What was abundantly plain in debate about face-to-face interaction was a clear community divide on the concept of democracy. Mainstream unionists argued that the proper route for such interaction was via constituency work and listening to civic groups in Assembly committees. All the others were in favour of supplementing representative democracy with participatory channels. The divisiveness of the Civic Forum shows in that a petition of concern was presented the day before requiring that the vote be held on a cross-community basis. The “ayes” numbered 41 and the “noes” 44 so the motion not to restore the Forum would have just failed under a simple majority. It failed starkly under the cross-community count. All unionists, except Dawn Purvis, voted for the motion, while no nationalists and no “others” did. What all this implies for the future of inclusive participation remains to be seen.

The Statutory Duties in Section 75 of the Northern Ireland Act

There are two Section 75 Statutory Duties, one on the promotion of equality and the other on promoting good relations. At times, there has been an uneasy relationship between them. As the former is more entrenched than the latter, it is the subject of this section of the paper. It should be noted that the Northern Ireland Duty covers a number of categories and is, therefore, an attempt at what is called diversity mainstreaming rather than gender mainstreaming.

The origins of Section 75

For some years the Standing Advisory Commission on Human Rights (SACHR) had looked to Section 71 of the Race Relations Act 1976, which placed a statutory duty on local authorities in Great Britain to eliminate discrimination and promote equality. They repeated this call in a 1998 review of employment legislation for something comparable in Northern Ireland (Hinds, 2003; Hinds and O’Kelly, 2005). An NGO, the Committee on the Administration of Justice (CAJ),¹² led support for SACHR’s recommendation for a statutory duty. It was joined by members of the equality agencies and others concerned to move from the elimination of discrimination to the promotion of equality and beyond equality defined as “parity of esteem”

¹¹ It is out in the suburbs. Two busses go fairly near but entail a long walk up an exposed and windy avenue that leads to the Parliament Building.

¹² Northern Ireland’s equivalent of Liberty (originally known as the National Council for Civil Liberties).

between the "two communities". Their call became embedded in the negotiations in and around the drafting of the Agreement and Northern Ireland Act.¹³

Advocates of a broad conception of equality supported the work of an Equality Coalition, led by the CAJ and the trade union, UNISON,¹⁴ during the passage of the Northern Ireland Act. The Equality Coalition intervened throughout the twin processes of developing a firmer approach to mainstreaming and of enacting a form of devolution with equality and human rights at its core. Donaghy (2003 cites McCruden's (1999) description of this as the "parallel peace process". She notes that, "in construct[ing] the equality agenda", the Equality Coalition and the equality agencies were seen by the British and Irish governments as the main actors with which "they had to deal because of their influence on this issue".

The implementation of Section 75

The very process, itself, of mainstreaming is meant to encourage participation in policy-making. Among other advantages (more rational and evidence-based policy-making), it should enhance openness and transparency because it requires consultation among affected interests at an early stage in the policy cycle. Properly implemented,¹⁵ the Statutory Duty (ies) build(s) a "crucial link between government and civil society" through greater participation and should lead to greater governmental accountability (Equality Commission Northern Ireland Working Party Report, 1999: 82).

The methods promoted from the bottom-up, notably by the Equality Coalition, were critical in the form of mainstreaming that came to be adopted. As Hinds (2003: 191-2) points out, public authorities are required by the Equality Commission Northern Ireland (ECNI) to consult "representatives of persons likely to be affected by the [equality] scheme; and such other persons as may be specified in the directions". She goes on to say that:

consultation and engagement [over the schemes themselves, identifying policies to be subject to impact assessment and throughout the impact assessment process] with the widest range of groups affected by the legislation...is at the core of the Northern Ireland approach to mainstreaming.

¹³ While the goal of the most powerful parties was to end political conflict, for others—often, like the Women's Coalition, with roots in community activism—the absence of violence over the constitution was not the same as peace and an inclusive political culture. The aim for a broader conception of equality (in participation and policy) is reflected in the requirement that all legislation passed in the Assembly be "equality proofed" and compliant with international human rights standards (Agreement, 1998: 5-6, 8)—as well as in the Statutory Duties.

¹⁴ UNISON "had [already] undertaken a number of initiatives to see PAFT better implemented" (Donaghy, 2003: 5). Policy Appraisal for Fair Treatment was an earlier and less stringent requirement placed on government departments.

¹⁵ See O'Connide (2002) and Mehlman (2005) on the necessity of empowering groups to participate and acknowledging their perspectives.

It is this that leads Donaghy (2003) to categorize the approach as “participative-democratic”. She contrasts this with to the top-down “executive-bureaucratic” approach,¹⁶ while other observers suggest that the application of mainstreaming in Northern Ireland represents a combination of the models (e.g., Squires, 2007). In its most ambitious form, the participative-democratic approach to mainstreaming is said to be capable of transforming or fully democratizing society through its inclusive participatory and dialogic methods (Squires, 2007, throughout but esp. 136-7, 170-5).

However, the whole of Squires’ book demonstrates that there are no thoroughly convincing examples of the most ambitious conception of mainstreaming, especially in the field of diversity mainstreaming or what is called intersectionality (*ibid*: 163-70). In this approach, even greater attention is needed “to allow people an equal capacity to shape the social and physical world in which they live”. Moreover, mainstreaming schemes in general, she argues, are mostly based on consultation rather than dialogue or deliberation (*ibid*: 168-72).

Even in Northern Ireland’s schemes their emphatically participatory intent is attenuated by practical problems. There are practical difficulties in identifying groups to be included and a large burden falls on groups which engage in this unremunerated participation. This, according to Squires, generally tends to divert participation by all affected groups to funded, professionalized NGOs. Donaghy (2003) also notes such resource and capacity impediments in Northern Ireland which risk making participation unsustainable. At first, the ECNI was able to provide some remuneration through a Section 75 Consultation Development Grant but this came to an end. The resource difficulty continued to be noted in reviews, also based on consultation, of the implementation of Section 75 (see below).

In view of such concerns, it is worth noting another debate in the Assembly on the same day as that on the Civic Forum—arising from the crisis in funding for women’s groups. Before that, however, another—possibly unforeseen—problem should be mentioned. Side (2009) raises the question of whether the enthusiasm for and energy spent on Section 75 has, as it were, let the political parties “off the hook” over the question of promoting women’s political participation. The proportion of women in political positions is much worse in Northern Ireland than Wales and Scotland.

The funding of women’s groups

In contrast to the tenor of the debate on the Civic Forum, the subsequent discussion of funding for women’s organizations was more uplifting—more uplifting because of its cross-community character. Martina Anderson, Sinn Féin, introduced a Private Member’s Motion born out of the funding crisis facing women’s organizations and the consequent danger that their work in the community would have to cease. She called on the Executive to take action on cross-cutting departmental

¹⁶ Nott (2000), cited by Donaghy, coined the terms participative-democratic and expert-bureaucratic to describe competing approaches to mainstreaming. The first focuses primarily upon consultation and the second focuses primarily upon in-house expertise and technical instruments.

commitments and for the OFMDFM to monitor outcomes. An amendment was proposed by Michelle McIlveen of the DUP which added a mapping aspect and referred to the effective use of resources and their equitable distribution. Her amendment was accepted by Ms Anderson.

Ms McIlveen did make reference to the under-representation of protestants in key umbrella groups, placing them, she said, at a funding disadvantage. And there were political "swipes" between the rival nationalist parties, the SDLP and Sinn Féin. But these were minor skirmishes amongst a slew of sentiments in favour of the motion and its amendment. Mickey Brady (Sinn Féin) reminded the Assembly that it had noted in a debate in November 2008 that "the social compact had been largely aspirational" and that NICVA had called for legislation to replace it. He, himself, now called for a firm commitment to multi-annual funding for a voluntary and community sector that was recognized as diverse and including women. The OFMDFM Junior Minister, Jeffrey Donaldson, in taking note of the points raised, said an interim report on the funding of women's organizations would be brought to the Executive which would inform the latter's comprehensive review of its gender equality strategy. The motion, as amended, was put and agreed to. We wait and see. In the meantime, since devolution in Northern Ireland has been so interrupted, unlike Scotland and Wales, it is necessary to say a little about participation under recent spells of direct rule.

PARTICIPATION DURING INTERRUPTIONS OF DEVOLUTION¹⁷

Participation in reviewing the Statutory Duty

A review of the processes and quality of consultation over the implementation of Section 75 was carried out for the OFMDFM, which continued to be so-called even whilst there were no such ministers, by John Kremer (OFMDFM, 2003).¹⁸ One issue raised by him relates to the point made by Squires and Donaghy. Kremer (*ibid*: 28-9) notes that to ignore how an organization—probably ill-resourced and possibly doubtful about its likely impact—perceives the costs and benefits of responding would be "disastrous, not only for the groups in question but for the process as a whole..." He recommended that "procedures for ensuring the long term viability of these groups should continue to be explored". Following the Kremer report and an-

¹⁷ Following the Northern Ireland Act, 1998, the devolved government operated in "shadow mode" until December 1999. Operating in "real mode" briefly, it was suspended on 11 February 2000. Direct rule prevailed from then until 30 May 2000. Devolution was in place from 30 May 2000 until 14 October 2002 (with two one day suspensions of the Assembly on 10 August and 22 September 2001). Direct rule returned on 14 October 2002 and lasted until 8 May 2007. In addition, there was a formal dissolution of the Assembly on 28 April 2003 in anticipation of elections, at first expected in May 2003 but actually held in November of the same year. The Assembly was then suspended and the parties became engaged in a review of the Good Friday Agreement. A non-legislative Assembly existed from May 2006 to make preparations for the renewal of devolution. Both of these contributed to the St Andrews Agreement of 13 October 2006 which, after some fits and starts, resulted in the restoration of devolution in May 2007.

¹⁸ 60 questionnaires were returned, 15% percent of which were from consultee groups and the rest public authorities. Focus groups and interviews were also held.

other on the community and voluntary sector (DSD, 2004), additional funding was provided by the OFMDFM for purposes of consultation.

This issue recurred in an operational review of Section 75 for the Northern Ireland Office (NIO), carried out by Eithne McLaughlin and Neil Faris (NIO, 2004). Their consultation group included some sixty representatives of voluntary and community groups, many of them from the equality groups affected by the legislation. Over one hundred people attended a consultative conference while more than one hundred written submissions were received. Both categories included people and/or submissions from public agencies but the majority represented the views of social partners and equality groups. McLaughlin and Faris did not believe that the government's response to the resource problem "w[ould] significantly alter the policy development and partnership capacity of the sector" (*ibid*: 32, 45). Thus, levels of support appear to be at odds with what the Equality Commission Working Group had indicated in 1999 would be necessary to bring about the implementation, through consultation, of the Statutory Duty(ies).¹⁹ Such issues recur in the next section on other aspects of the place of participation during suspensions of devolution.

Other participation when devolution was suspended

During the four and a half years of direct rule from October 2002, the voluntary and community sectors were once again significant contributors to public life. The "voluntary sector", it was said, "is perhaps the most positive aspect of democratic life" in Northern Ireland (Wilford and Wilson, eds, Northern Ireland Devolution Monitoring Report, (NIDMR), January, 2006). Moreover, "in the absence of devolution", it was noted, "the voluntary sector had rather returned in recent years to its old direct-rule role of privileged interlocutor for government"²⁰—a role that the local political class had "found little to their liking" (*ibid*: May 2006). Funding for the sector increased following a paper, Positive Steps (DSD, 2005). This paper was, itself, a response to the report of a Taskforce on the Voluntary Sector, Investing Together (DSD, 2004). By 2006, a Joint Government and Voluntary Sector Forum regularly brought together statutory and voluntary representatives. At its March 2006 meeting, Minister David Hanson, praised the sector's work and noted that the work of the Forum "represents the ethos of Government working with the sector to help deal with issues of common interest affecting people in Northern Ireland" (Wilford and Wilson, eds, NIDMR, May 2006).

¹⁹ Both the Working Group (1999: 59) and its respondents agreed that full implementation would incur considerable resources and that government should provide the new commission with them.

²⁰ This is not to say the sector re-adopted this role in uncritical fashion. Despite the appearance of "policy activism" on the part of direct rule ministers, one survey showed dissatisfaction. The September 2005 round of NICVA's regular survey of the voluntary sector revealed that 88 per cent of groups had a sense of "lack of policy drive" (Wilford and Wilson, eds, NIDMR, January 2006).

The topics upon which the voluntary sector and civic associations intervened—with mixed results—were broad in scope, including violence against women,²¹ community relations,²² environmental governance,²³ poverty,²⁴ education²⁵ and health.

COMPARISONS WITH SCOTLAND

Here the paper looks briefly at motivations for and contexts of reform; at some similarities and differences in institutions and procedures; and at how well "new politics" has impacted on peoples' lives—or not.

²¹ According to ministers, *Women's Aid* carried out "excellent" work in raising awareness and supporting victims of domestic violence over last three decades. All five direct rule ministers signed a forward to a new five year strategy on domestic violence launched in October 2005. The document stresses a joined up approach facilitated by the involvement of *Women's Aid*, The Probation Board, and health and social services trusts (*ibid*, January 2006).

²² Consultation on *A Shared Future* was launched in January 2003, leading to a new framework announced in advance of the May 2005 elections. This was intended to bring about a normally functioning civil society in which all individuals are considered as equals and where differences are resolved through dialogue (but little is said in it about integrated education and mixed housing). This initiative was reported in January 2006 as "treading water" (*ibid*, January 2006). The long awaited action plan appeared in April 2006, published alongside a Race Equality strategy, but nothing much has happened since (*ibid*, May 2006 and September 2008).

²³ NGOs had highlighted, among other things, the lack of an independent environment protection agency in NI, unlike the other administrations (*ibid*, November, 2005). They had commissioned a report by Professor Richard Macrory who agreed with them. The direct rule administration responded sympathetically and set up an independent review, chaired by the eminent environmentalist, Tom Burke, who also recommended an agency, noting that Belfast Agreement ministerial/departmental arrangements caused the fragmentation of responsibility—indeed, a policy system that was "not fit for purpose". With the departure of direct rule ministers, the DUP Minister for the Environment, Arlene Foster, has done little so far save to set up a round table between green groups and farmers (*ibid*, September 2007).

²⁴ Consultation on the proposed anti-poverty strategy, consulted began in April 2004 and led to protest by NICVA and 200 specific organizations (*ibid*, January 2006). Eventually, following a pledge in the November 2006 St Andrews Agreement, a new document, *Lifetime Opportunities*, was launched at NICVA by the Secretary of State, Peter Hain. But criticism continued on the part of NICVA because of its concern about the evidence in *Households Below Average* that the proportion of children in poor families was higher than elsewhere and rising (*ibid*, September 2007).

²⁵ The Abolition of the Transfer Test is a particularly complex issue in which civic associations and NGOs are on both sides. Groups include churches, trades unions, academic experts, parents, the head teachers of grammar schools and others. It was announced by Martin McGuinness just before October 2002 suspension. Direct rule ministers were not inclined to overturn his last decision in office (reaffirmed by Peter Hain in January 2006) but did issue a consultation document in December 2005 which led to vigorous lobbies on both sides of the argument. An Abolition Bill was laid before Parliament in June 2006 but with a proviso that, if local politicians agreed to go back into government with one another by 24 November, they could take their own decision. Planned abolition was thrown into doubt by St Andrews Agreement in which an agreement about how certain decisions were to be taken in the Assembly gave an effective veto to DUP and SF ministers. Thereafter, the matter was further complicated by the appointment of Caitriona Ruane as Minister for Education, a person, "infamous" to unionists for her activities relating to republicans and FARC guerrillas in Columbia. In the still confused situation, the 11-plus has gone but academic selection has not. There is now a proliferation of the means of selection being carried by different schools (*ibid*, January 2006, January 2007, April 2007, September 2007, and September 2008).

Motivations and contexts

The prime goal of the most powerful architects of the new institutions in Northern Ireland was to end violence between communities with different national aspirations. Nevertheless, the strong base of community activism, referred to earlier, brought into being new parties, including the NIWC, for which the absence of violent conflict over the constitution was not the same as peace and an inclusive political culture. This injected concerns similar to those found in Scotland. Bronagh Hinds' presentation to this conference referred to them; for example, a broader conception of equality, participation, transparency, collaboration and an end to adversarial politics, particularly that rooted in sectarianism.

However, in Scotland there had been a much longer and more widespread movement—through the Constitutional Convention²⁶—that explicitly developed the equation of devolution with democracy or popular sovereignty and good governance.²⁷ “New politics” in its Scottish version embodies certain key themes relating to new institutions, new processes and new political culture (see, for example, Mitchell, 2000; Brown, 2000; Sloat, 2002; Keating, 2005). These aspirations are expressed in the founding documents of devolution;²⁸ a new institutional balance, the displacement of adversarial politics by a new, more European way of conducting business within the Parliament and a “step change” (Bonney, 2003: 460) in popular participation by citizens outside the Parliament. Moreover, as a result of the campaigns by women (see footnote 26) over the preceding decade, it became accepted that the “new politics”, to be realized through devolution, would mean nothing if it did not address the gender question in all respects.

Institutions and procedures

There are both similarities and differences in the institutions and procedures developed for greater civic and political participation in Scotland and Northern Ireland. A Scottish Civic Forum was introduced but independent and without the constitutional

²⁶ The Scottish Constitutional Convention had involved a wide range of groups and networks, had enhanced their role and politicized many of their members. Among these were women's groups and women activists in the other organizations. As a result of their activism, with some male champions, it became accepted that the “new politics” to be realised through devolution would mean little if it did not address the gender question—if it did not equally enable women to be active as political representatives and as civic actors (Nairn, 1994/2001; Brown, 1998/2001; Brown et al, 2002).

²⁷ In Scotland, as Keating points out (2005: 13), reform demands had two linked dimensions. Power within Scotland was to be moved away from old elites with a niche in the centralized UK state. And Scottish government, located in Scotland, was to be “democratized and made more accountable and participative as part of a ‘new politics’”. So, part of the vision was to create more effective governance and better policy, through more responsive policy making at a spatial level that had some “territorial solidarity” and was more conducive to a “synthesis” of economic competitiveness and social cohesion (Keating, 2005: 198-9). But there was a strong normative element, too, concerned about democratic enhancement and aspirations for a “new politics”, more inclusive and representative than that of Westminster.

²⁸ Notably the Consultative Steering Committee (CSG, 1998) Report on the workings of the new Parliament. While most of the pre-devolution attention was on the Parliament rather than the Executive, the latter has adopted the Parliament's founding principles. However the Executive is not *required* to consult but *committed* to do so.

basis of the one that briefly existed in Northern Ireland. Its aims were "to ensure that partnership between parliament and people [was] sustained", to build links between parliament and people and between different parts of civic society (see website of the Equality Network (www.equality-network.org)). It had a membership of about 700 groups and individuals and held about thirty-five debates, involving around 2,500 people, around Scotland on matters on the policy agenda such as the smoking ban and prostitution tolerance zones. However, it, too, has not fared well but a little differently from the Northern Ireland Civic Forum.

After it spent "six years encouraging community groups, churches, trade unions and others to have their say on key issues" (Ian Swanson, *Evening News*, 9 July 2005; available on the website noted above), the government stopped funding it in 2007. Moreover, the Scottish Parliamentary Corporate Body declined to step in to persuade the government to change its mind and, similarly to the government, suggested that it could acquire funds by tendering for parliamentary projects. However, its director, Debbie Wilkinson, pointed out that that method of funding would not provide a basis for the running of the organization (to Swanson, *ibid*). As a result, it has more-or-less wound up. A petition to the Parliament in May 2007 by Mr John Dowson called for the Parliament and Executive to undertake an urgent review of their consultation and participation practices and to consider a proposal to reinstate funding for the Forum (http://epetitions.scottish.parliament.uk/view_petition.asp?PetitionID=166). The Scottish Parliament's Public Petitions Committee (SPPPC) agreed in November 2007 to seek responses from the government and the Parliamentary Corporate Body. The SPPPC agreed in January 2008 to write again to the government seeking further information on its work on investigating ways to improve community partnership and civic engagement. However, in May 2008, it closed further consideration of the petition on the grounds that neither government nor Parliament had any plans to provide direct funding for the Forum and that both had recently reviewed their consultation and participation practices (*ibid*).

The Forum had been used by the Executive to carry out public consultations over potential policy initiatives and, although the Forum is nothing like it was, it was commissioned by the government in each year from 2005-6 until 2008-09 to build capacity in civic society, and increase awareness in civic organizations of the contribution they make to sustainable development, as well as awareness of their potential for increasing this contribution ([www.scotland.gov.uk/Topics/Sustainable Development/SCF](http://www.scotland.gov.uk/Topics/SustainableDevelopment/SCF)).

Similarly to Mr Moutray's suggestion for Northern Ireland (which may have been inspired by the Scottish experience—see footnote 29), the Scottish government and parliamentary bodies make extensive use of information technology to foster participation. In contrast to the physical inaccessibility noted by Dawn Purvis of the Northern Ireland Assembly and her suspicions of the proposal for electronic interaction, the Scottish Parliament has had, from the beginning, a website that Fawcett (2001, who says the same about the Welsh equivalent) describes as "appealing" in how it "entices the internet user to explore further"—which made the Assembly website look "minimal and uninspiring by comparison". The Scottish website gives

extensive information about the many routes to the front door of the Parliament (in contrast with getting to Stormont; see footnote 11). Fawcett also compared the Scottish website more favourably in respect of parliamentary business, especially with regard to the records of committees. And she drew attention to a huge difference in the number of committee sessions that were closed to the public in Northern Ireland compared with Scotland. This last comparison did become much less stark and, in recent years, steps have been taken to make the Assembly more accessible to visitors in general and, in particular, to schools.

In the period between making my conference presentation and revising it into a working paper, the Assembly has made significant improvements to its website—where it is now possible to look in on live debates.²⁹ But the Scottish Parliament also keeps moving ahead, having just introduced (and publicized on its website), for example, a Community Partnerships Project “to give a voice to people typically under-represented in political life”. The first projects involve blind and partially sighted young people, “difficult-to-reach” young people and people from black and ethnic minority backgrounds. The groups, themselves, will decide what issues they would like to see addressed and will work with parliamentary staff and MSPs to decide upon the most effective way of bringing them to the Parliament (www.scottish.parliament.uk/vlioutreach/index.htm).

Mainstreaming—potentially as much a method of participation as a policy itself—also exists in Scotland as an equality duty, though without the statutory basis to be found in Northern Ireland. There are equality or gender units in both executives. There is an equality committee, with duties to consider the inclusion of marginalized groups in the Scottish Parliament which has no counterpart in Northern Ireland. In the latter, equality issues are dealt with in the OFMDFM and overseen by the corresponding Assembly Committee, both of which have many other responsibilities. Both the Parliament and the Assembly pay some attention to gender issues in the form of family-friendly hours of business. Additionally (and, possibly uniquely) there is in Scotland a crèche for the care of visitors’ children. Moreover, the Scottish Parliament, unlike the Northern Ireland Assembly, has cross-party groups on matters of concern to wider society; for example, on a properly complex understanding of the needs of people with communication difficulties.

In terms of links with civil society, relationships tend to be issue specific in both Scotland and Northern Ireland (unlike Wales where there are a number of formal consultative networks). Scotland, however, has the striking innovation of the public petitions process mentioned above in connection with the Civic Forum and which is now on the agenda for the UK Parliament. Despite the absence of much of a response to Mr Dowson, it has been judged to be a success. It enables individuals, community groups and organizations to voice grievances or raise issues of public

²⁹ The Assembly Commission, of which Mr Moutray is a member, initiated a review of the organization of the secretariat, overseen by a steering group chaired by the former speaker of the Scottish Parliament, George Reid, which considered among other things, the accessibility of the Assembly (personal communication to one of the authors; see also http://www.niassembly.gov.uk/commission/2007mandate/press/Review_Report.htm).

concern. Once petitions are submitted, they are considered by the SPPPC, which can take one of a number of courses of action, including a process that can lead to legislation. Some twelve hundred petitions on a range of issues have been considered and, unlike the fate of Mr Dowson's, quite a lot have led to further action. On that was picked out recently (since the conference when this paper was presented) by the Minister for Parliamentary Business (Crawford, 2009) as especially notable was about knife crime. The SPPPC organized a debate in the chamber—to which people concerned from outside Parliament were invited to come and to contribute—and made a strong request to the government to respond. The groups in the Community Partnership Project might also use this route to place issues on the agenda.

Assessment of achievements and constraints

In an earlier version of this paper written in 2004, it was difficult to say much about the impact of "new politics" in Northern Ireland because of suspension. But we were able to note the Northern Ireland Civic Forum's small, specific impact on the first Programme for Government. Since then, consultation, if not participation, has continued through the implementation of Section 75 during direct rule. At the time, we judged Scotland and Wales to have achieved "a mixed score card" in terms of more significant participation. Given that the most positive comments, noted earlier, about the voluntary and community sector in Northern Ireland refer to participation during direct rule and given the stark division of Assembly opinion on the Civic Forum, it is still difficult to come to a judgement about devolution and "new politics" there.

In Scotland (and Wales), there is evidence of overall progress towards meeting the goal of more participation. This can be found in the quantity and variety of structures, mechanisms and opportunities for inclusion.³⁰ The voluntary sector is seen as the main beneficiary of new régimes and inclusionary practices, enjoying closer relationships than before devolution with elected representatives and government.³¹ If the different political context in Northern Ireland means that such a relationship there was more obvious under direct rule, the different contexts also mean that discernible policy impacts under devolution are more obvious in Scotland. These can be seen in respect of legislation on, for example, domestic violence, land reform, housing, community care and health.

³⁰ Assessments from sources such as the Procedures Committee's wide ranging enquiry (SPPC, 2003) into the operation of the founding principles of the Scottish Parliament, the Scottish Civic Forum's Democratic Audit (2002), and the Richards Commission into devolved arrangements in Wales (2004), all concur that there had been a step change. This reinforces observations by academic commentators in Scotland (for example; Keating, 2005) and Wales (for example; Chaney, Hall and Pithouse, 2001) that while, progress has been uneven, there is more open decision-making, marking a break with the pre-devolution culture of civil service secrecy and limited, often tokenistic, consultations.

³¹ As noted by the SPPC (2003), "The Parliament has been engaging successfully with the established networks and organizations of what might be called 'civic life' or civil society. These groups are generally equipped (although frequently not well equipped) and certainly eager to engage with the Parliament. In the words of a recent commentator: 'The voluntary groups and non-governmental organizations have never been as thoroughly consulted as they are being now'".

The Scottish Parliament is particularly well-thought of both at home and by external observers. According to the Scottish Civic Forum (2002: 81), “[t]here is no doubt that the Scottish parliament has created new ways for people to participate in the democratic process, and that the executive is carrying out a great deal more consultation”. Whether its members would still think this is a moot point! The Bertelsmann Foundation of Berlin (2003: para.148) commented in a report reviewing the use of the internet by parliaments and governments world-wide: “There is no doubt about it. As regards participation, Scotland is out in front”.

On the other hand, our research found that the quality of participation in Scotland varied by group, issue and geography. And, as in Northern Ireland, it was affected by feelings of “consultation fatigue” amongst poorly resourced civic associations. As one Scottish female trades unionist put it; “I really do feel there are so many opportunities that we never had before placed in front of us—so many opportunities—that it actually weakens your ability to focus and to know what are priorities”.

Also on the other hand, the Scottish Parliament, though new, is nested in older institutions (Mackay, 2009). Despite the high expectations that the new Parliament would at all costs avoid the habits of Westminster, some of the old ways of doing things persist into the new institutions—as might have been predicted according to the theory of path dependency. The older experience of being able to do things through executive dominance remains germane in the minds of politicians and this attenuates the dialogue and consensus building that were to have characterized the new Parliament. Moreover, Scotland’s civil service is a pre-devolutionary one, part of the overall British civil service, another factor that is said to slow down adaptation to change. In contrast, Northern Ireland has its own civil service. In the past, however, it was seen, despite its independence, as an obstacle to change, often being castigated for simply “reading over” from Whitehall and Westminster in what it did. But, as noted above, political circumstances gave it more of an incentive to consult local civic associations and there was a particular group of civil servants who could see this as the way forward in difficult times.

The news media do not help to dispel the impression that executive dominance is the key to effective governance. In both Scotland and Northern Ireland there is a prevailing media culture imbued with the values of adversarial politics which sees responsiveness to the public and negotiated or collaborative decisions as government “weakness”. Now that there is a minority government, led by the Scottish National Party (SNP), and a situation where governing has to involve negotiation and, hence, compromise, there are frequent headlines that chastise the SNP for not delivering that was promised in its manifesto.

To sum up, “new politics in Scotland thrives on the margins”—“more in Parliament than the government and more in the equality and petitions committees than in the subject committees” (Mackay, 2009). The Assembly debate about the future of the Northern Ireland Civic Forum reveals the continuation of a strong attachment to conventional representative democracy, albeit led by a diarchy through the constitutionally entrenched power sharing arrangement. And what is even less promising for the fate of “new politics” there is that the representative democracy/participatory

democracy spectrum by-and-large coincides with the old sectarian or constitutional divisions.

CONCLUSION

Overall, post-devolutionary politics continues to raise the perennial questions about the costs and benefits of participation. These include:

- the dilemmas of more participatory decision-making for civil society actors;
- whether open decision-making necessarily means better decision-making;
- and whether more participatory decision-making is, indeed, more democratic—given inequalities in civil society, different capacities to organize, special interests and cynicism about the "usual suspects".

While these need to be addressed seriously (as, seemingly, recognized in the recent debate in Northern Ireland about the funding of women's organizations), if "new politics" is to be realized it is important not to be deflected by the language of the cynics when they refer to the "usual suspects". This epithet is often used as a way of discrediting people who were marginalized—just at the moment they get a chance to come in from the cold. The devastating effects on women and/or minorities of deploying this language can be seen in Canada and Australia (Sawyer, 2004). The high proportion of female representatives in the Scottish Parliament means that such language has had limited purchase. In Northern Ireland, the proponents of conventional representative democracy still show the same cynicism about likely members of a new Civic Forum that they expressed in 1998 about the advocates for the creation of the original one. Moreover, although criticized by others, some members of the Executive have no compunction about using exclusionary language about some of the marginalized—namely gays and lesbians.

Whatever the limitations of participation in Scotland, it is clear that there is no appetite to return to the old patterns of "command and control". Since civil society will not cede monopoly of public authority to the new institutions (McCrone, 2003), there is no going back from the idea that participatory and representative democracy must coexist. It is not clear that civil society will be able to maintain this stance in Northern Ireland for so long as old divisions coincide with sharp differences of opinion about the value of participation in the post-direct rule polity.

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