A Deliberative Forum on Possible Reforms to Power-Sharing

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The twenty-fifth anniversary of the Belfast/Good Friday Agreement has been marked by debate about the sustainability of the power-sharing institutions. This paper reports on the findings of a small-scale citizens' assembly – a deliberative forum – which brought together a broadly representative sample of people from across Northern Ireland, to ascertain citizens' views on: maintaining the current power-sharing system; replacing the present system with a government formation system based purely on negotiation between political parties; or, replacing the current system with a government formation system based on both negotiation and cross-community inclusion. The findings assist in better understanding public attitudes towards the status quo and potential alternative government formation models. Importantly, they shed light on the reasons behind these attitudes and the process by which any potential reform(s) could come about.

Introduction

The Belfast/Good Friday Agreement instituted a power-sharing system of government for Northern Ireland in 1998. The model of power-sharing, commonly described as 'mandatory coalition', takes a maximally inclusive approach to government formation. Most positions in the Executive are divided amongst political parties in proportion to the number of seats they have in the Assembly, using the d'Hondt method of sequential portfolio allocation. Hence, the system is 'mandatory' in the sense that Executive seats correspond to parties' electoral mandates.[1] Safeguards exist to protect the interests of the unionist and nationalist communities within the institutions. The Executive is jointly led by the First Minister and the deputy First Minister. Representative of different political communities, the First Minister and deputy First Minister are co-equal in power and can only govern in partnership. Additional mechanisms, such as a minority veto, exist in the Assembly to ensure important matters are decided on a cross-community basis.

Although political violence significantly declined after 1998, devolution since then has been characterised by instability, with extended periods during which the Assembly and Executive have been unable to function. Indeed, the power-sharing Assembly has only twice served a full term without some form of institutional collapse. Following a three-year hiatus in devolved government from 2017 to 2020, an institutional reform package was included in the agreement reached in January 2020 to resurrect the devolved institutions. On 11th January 2020, a five-party Executive took office amid hopes of more stable devolved government.

Hopes of stable government, however, proved short-lived. The collapse of the Executive Office in February 2022, and the lack of devolved government since the Assembly election in May, have reignited debate about whether the devolved institutions are fit for purpose. Some political parties in Northern Ireland have called for a fundamental rethink of the devolved power-sharing model, and it has been suggested that it may be time to replace so-called 'mandatory coalition' with an alternative model of government. This view, however, is not universally shared.

Broadly speaking, there are two potential alternatives to the current model of devolved government in Northern Ireland:

- Simple voluntary coalition; and,
- Qualified voluntary coalition.

With simple voluntary coalition, seats in the Executive would not automatically be divided between the political parties using the d'Hondt formula, as happens with the current system. Instead, after an election, the decision as to which parties form the Executive would rest with the political parties themselves. As is the case in other coalition settings, for example in the Republic of Ireland, parties would participate in post-election negotiations to secure a coalition agreement. Parties signing up to the coalition agreement would form the Executive, and those parties not signing up to the coalition agreement would form the opposition. Although parties may wish to ensure cross-community representation in the Executive, a simple voluntary coalition model would not enforce this. The model is 'simple' in that the Executive would not need to meet any special criteria to take office, beyond commanding the confidence of the Assembly. In theory, any arrangement of parties would be able to govern Northern Ireland.

Qualified voluntary coalition (QVC) is similar to simple voluntary coalition in that the composition of the Executive would be decided through a process of inter-party negotiations after an election, rather than through the automatic process of d'Hondt used in mandatory coalition. However, unlike simple voluntary coalition, QVC would not give parties complete freedom to decide on the composition of an Executive. Instead, only an Executive which could demonstrate some form of cross-community support would qualify for office in a QVC scenario.[2] It would not be possible, for example, to form an exclusively unionist or an exclusively nationalist Executive within a QVC system. This could be achieved by a quota system in the Executive, stipulating a certain number of ministers to be drawn from each community, or through a more flexible arrangement. QVC would therefore permit parties a degree of choice in terms of who forms the Executive but would ensure some degree of power-sharing continuity within the Executive. Parties signing up to a QVC agreement would sit in government and those parties not signing up to the QVC agreement would form the opposition.

All three models of government – mandatory coalition, simple voluntary coalition, and QVC – inevitably possess strengths as well as weaknesses. Whilst several political parties have expressed a view on whether Northern Ireland should consider a new model of devolved government, little is known about what citizens in the region think

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[1] Parties eligible to join the Executive under the d'Hondt formula are not forced to take up their seats.

[2] The meaning of 'cross-community' representation and/or 'cross-community' support in the context of QVC was left open to participants' interpretation. The traditional understanding of cross-community support in Northern Ireland conceptualises it primarily in terms of unionist and nationalist support, however the prospect of institutional reform provides an opportunity to reconsider this. In light of the growing number of citizens in Northern Ireland who identify as neither nationalist nor unionist, a tripartite understanding of cross-community support – incorporating unionists, nationalists, and others – might elicit broader public support.

about this and related issues. This paper summarises evidence collected as part of an important first step in engaging citizens on the issue of institutional reform in Northern Ireland.

Exploring Public Opinion with a Deliberative Forum

Deliberative methods bring together members of the public and support them in developing informed opinions about a topic through a process of learning, discussion, and public reasoning. Deliberative engagement can successfully help to shape public policy due to its ability to provide informed and considered public opinion.

Forty-six participants from across Northern Ireland were brought together virtually, via Zoom, on Saturday 5th March 2022 to learn about and discuss possible institutional reforms. The online workshop lasted three hours and consisted of a combination of plenary presentations, where all participants were presented with the same information, and subsequent breakout discussions of approximately seven participants per group. Each breakout session was facilitated by an experienced moderator. Expert presentations were delivered by Dr Sean Haughey (University of Liverpool), Dr Joanne McEvoy (University of Aberdeen) and Professor Jon Tonge (University of Liverpool). The expert witnesses did not advocate for or against institutional reform. Presentations considered the rationale, history, and performance of power-sharing in Northern Ireland, and explored potential strengths and weaknesses of alternative models of government.

The online deliberative forum, facilitated by Ipsos, was designed to allow participants to digest information from the expert witnesses in the form of animations and PowerPoint presentations. The event was carefully designed to ensure maximum participant engagement, while minimising online fatigue. This was achieved through the mix of plenary discussion, animations, presentations, and two smaller breakout group discussions. After each breakout discussion, the workshop moderators provided feedback from their individual group discussions, which served to provide participants with information on how other groups had approached conversations around the topics.

In order to take a baseline measure of participants' views on the power-sharing arrangements in Northern Ireland and to understand, how, if at all, these views changed through the process of deliberation, participants were asked to complete a pre- and post-event survey. The survey covered the most salient issues under discussion during the event.

In the briefing that follows, we draw on both the anonymised transcripts from each group discussion and participants' pre- and post-event survey responses. More detailed analysis of the data is provided in the authors' full report.[3]

Attitudes towards the current system

There was widespread agreement across the discussion groups that there have been two interlinked benefits of power-sharing:

(1)   It has presided over a sustained period of relative peace in Northern Ireland,

(2)   It is inclusive and representative of the region's different political traditions.

The decline in political violence was often cited as the most significant outcome to emerge from the introduction of power-sharing in 1998. Although some younger participants associated power-sharing with peace, participants who had lived through the violence of the 'Troubles' tended to emphasise this the most. Relatedly, participants credit power-sharing for facilitating cross-community representation and for enabling political parties of various persuasions to have a role in governing Northern Ireland. The representation of different communities in positions of power, it was argued, ensures 'buy-in' and support from said communities, and allows for equal participation in the system. Participants from all backgrounds – nationalist, unionist, and neither – recognised these features as positive.

Participants generally struggled to cite any further advantages of the current model of power-sharing. Although it was clear that peace and inclusivity were regarded as significant and not to be taken for granted, there was a noticeable sense of disappointment in some group discussions that devolution had not delivered more. This was especially true of some of the younger participants who expressed sentiments such as 'the only real pro to power-sharing is peace' and 'it's better than nothing'. On the whole, therefore, assessments of power-sharing in its current form were not particularly upbeat, and there was a sense across the groups that, though inclusivity and the absence of political violence are to be welcomed, citizens now have higher expectations for devolved government.

Participants generally found it easier to identify weaknesses in the current model of power-sharing. These weaknesses, which relate to both institutional and behavioural issues, can be grouped together into three broad

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[3] S. Haughey and J. Pow (2022) 'Public Attitudes to Institutional Reform in Northern Ireland: Evidence from a Deliberative Forum', accessed on 18.04.2023 at: https://www.liverpool.ac.uk/humanities-and-social-sciences/research/research-themes/transforming-conflict/institutional-reform/.

frustrations with the status quo: (1) Executive instability and collapse, (2) an absence of cooperation and cohesion within the Executive, and (3) a perceived dominance of communal identities and associated disputes.

(1) Executive instability and collapse

The frequency with which the devolved institutions have collapsed, or have appeared close to collapse, featured prominently in discussions about the weaknesses of the current system. This was framed as both a behavioural and an institutional problem. There was widespread criticism of the perceived willingness of some parties to walk away from the institutions when it suited their political purposes. This type of behaviour was invariably described as immature and short-sighted. However, participants were also critical of the institutional structures which facilitate this type of behaviour. In particular, participants expressed frustration that one political party can collapse or prevent the formation of an Executive. Others explained that the devolved institutions keep collapsing 'because of the way the system was built' and identified the ease with which one party can collapse the Executive as one of the system's biggest disadvantages. Several participants argued that steps should be taken to combat the instability which arises from Executive Office resignations.

(2) An absence of cooperation and cohesion within the Executive

The relationships between governing parties was a frequent subject of criticism across the discussion groups. Participants were generally of the view that the level of cooperation between the parties has been poor and that there has been an absence of genuine power-sharing, or a sense of partnership, within the Executive. Multi-party coalitions in Northern Ireland were described as a 'carve-up' in which, at best, the governing parties were prepared to 'tolerate each other'. Others characterised the current system of power-sharing as having stagnated.

Participants also commented on how a lack of cooperation between the governing parties was affecting day-to-day government in Northern Ireland, namely that the Executive has not been able to govern in a cohesive fashion. Some related this lack of cohesion in the Executive to the number of governing parties, arguing that the size of multiparty coalitions made them unwieldly and that there did not need to be as many parties in the Executive. Others commented on the fortunes of the smaller parties in the Executive, noting that despite being members of the government they often 'don't get heard'. A more general complaint, related to dynamics within the Executive, was that having to secure multiparty agreement, or having to secure cross-community consent (see below), often means that decision-making is slow. Some participants reflected on how slow Executive decision-making had affected them personally or in their place of work.

(3) A perceived dominance of communal identities and associated disputes

The perception that ethnonational ('orange and green') issues dominate the political agenda, at the expense of more pressing issues, was evident across the discussion groups. Some participants cited flags policy and the Irish language as particularly prominent examples in this regard. Others argued that the parties generally place too much emphasis on Northern Ireland's past and do not focus sufficiently on contemporary problems. For some participants, the prominence of 'orange and green' issues is an inherently political problem, stemming from the behaviour and choices of the region's political parties.

It was also clear, however, that some participants attribute the salience of ethnonational divisions to the institutional design of the Assembly and Executive. Comments such as 'it's automatically divided from the very top' reflected a sense that the current model of power-sharing has institutionalised communal differences. The requirement that MLAs must officially register a communal designation was regarded as polarising, with one participant arguing that it has made it harder for 'neutralism to stick'. Others were critical of the manner in which cross-community consent is conceptualised and measured in the Assembly. For example, it was argued that the focus on securing agreement between unionists and nationalists has perpetrated the idea of there being only two communities in Northern Ireland, whereas, in reality, this is not the case. Similar sentiments were echoed elsewhere, with participants commenting that neutral or non-designating voices struggle to be heard because of the precedence afforded to nationalism and unionism within the institutions.

Some participants were also critical of the design of the Executive Office. In one discussion group it was argued that the existence of a 'First Minister' and 'deputy First Minister' gives rise to controversy because the impression conveyed by the different titles is one of power imbalance or hierarchy, whereas in reality the positions are co-equal. This, it was argued, has led to unnecessary disputes and acrimony over which party and political tradition holds the first ministership.

Public awareness of institutional reform options

Although political parties have become increasingly focused on the issue of institutional reform, evidence from the discussion groups would suggest that everyday citizens are not sufficiently informed about this issue. Overwhelmingly, participants were not aware of the potential for Northern Ireland to change its system of devolved government, for example by departing from the model of mandatory coalition. Participants were also surprised to

learn that Northern Ireland is not the only region of the world with a power-sharing system of government. Upon learning this, participants were curious about how other societies institutionalise power-sharing, asking whether Northern Ireland could learn lessons from power-sharing systems elsewhere, and whether any similar systems had been effectively reformed.

The levels of interest and curiosity shown in alternative models of government suggest the time is ripe for a much more extensive public conversation about institutional reform in Northern Ireland. It is not the case that citizens are disinterested in the topic of institutional reform, it is more that a lack of information and consultation on the subject has inhibited informed conversations.

Attitudes towards a simple voluntary coalition model

The expert presentations explained that a simple voluntary coalition system would not use the d'Hondt formula to automatically divide seats in the Executive amongst the political parties based on their electoral mandates, rather, that it would be left to the parties to decide amongst themselves who forms the government after an election. Those parties who could find common ground with one another would form an Executive, leaving those parties who were unwilling or unable to join the coalition in opposition. This would mean that, in theory, any configuration of parties could form an Executive. Participants recognised two important benefits of a simple voluntary coalition system: that government would likely be more cohesive because parties will have secured a coalition agreement before taking office, and that parliamentary scrutiny would be enhanced by the near-guaranteed existence of a more substantial opposition.

Despite participants recognising some benefits of simple voluntary coalition, concerns about the potential loss of cross-community government tended to take precedence in discussions about this model. The potential for a voluntary coalition emerging in which only one political tradition was represented was widely regarded as problematic. It was argued that the exclusion of one political tradition from government would be destabilising for Northern Ireland, with some participants going as far to suggest that it could trigger unrest. Anxiety about the loss of cross-community government was particularly prominent among nationalist participants, although it is notable that their concerns were shared by participants from other backgrounds (Box 1).

BOX 1:   Concerns about simple voluntary coalition
'It sounds scary. Younger people would be more open to it but the older age group have the fear of not being represented…You have this fear of not being represented if it was voluntary.'   Female, 60+, ABC1, Catholic, Nationalist
'I would worry if my community was not represented. I don't want to offend anyone but if one side was making the decision for my community, would I like that? We need to think more openly.'   Female, 35-44, C2DE, Catholic, Nationalist
'I think there would be an uproar if certain parts of the community weren't represented.'   Female, 45-59, C2DE, Catholic, Nationalist
'This agreement was built on peace, if nobody's representing this side of the community, they might think, "what are we getting from this? Wasn't it better when we got on with what we were doing?"'   Female, 45-59, C2DE, Protestant, Unionist
'In a less politically charged society, this would make sense. But realistically, if you were to see what happened here, as soon as there is any whisper of the community not being represented, the extremists will take it to the street.'   Male, 25-34, ABC1, Protestant, Nationalist

Attitudes towards a qualified voluntary coalition model

Qualified Voluntary Coalition (QVC) was described in the expert presentations as similar to simple voluntary coalition in that seats in the Executive would not be divided amongst the political parties using the d'Hondt formula. Instead, after an election, political parties would have some scope to negotiate with one another to decide who forms the next Executive. Importantly, however, with QVC parties would be required to negotiate within certain parameters, namely that it would not be possible to form a government in which only one political tradition is represented. Thus, for example, an exclusively unionist or an exclusively nationalist Executive would not be permitted under the rules of QVC. As such, QVC would give parties some degree of say in terms of who joins the

government (and who sits in opposition) but would include a safeguard to protect cross-community representation in the Executive. The expert presentations did not specify the exact nature of such a safeguard (it could be achieved by a quota system, for example); suffice to say that it would eliminate the potential for single-community government by guaranteeing some form of cross-community representation in the Executive.

Within their discussion groups, participants were generally more open to the idea of Northern Ireland adopting a QVC system of government. This was primarily due to QVC's cross-community safeguard, which assuaged the concerns participants raised about simple voluntary coalition and the potential for one particular community being excluded from government. With a degree of cross-community representation in government assured, some participants felt comfortable exploring what benefits a QVC model might offer, such as a clearer system of government and opposition, enhanced parliamentary scrutiny, and a more cohesive Executive. Others framed QVC as 'the way forward' for Northern Ireland, offering the 'best of both worlds' in that it could create a more 'standard' or 'normal' system of government and opposition whilst maintaining some form of cross-community government. Participants from unionist and centre-ground ('neither') backgrounds tended to be more vocal about the benefits of QVC, whereas some nationalist participants acknowledged the model's advantages but queried whether Northern Ireland was ready for such a change.

Participants acknowledged that QVC would not come without drawbacks. Concerns were expressed about the potential for lengthy post-election negotiations, especially given the track record of Northern Ireland's political parties in terms of reaching agreements. It was pointed out, for example, that nationalist and unionist parties have little in common and some questioned their ability to reach and sustain a coalition agreement on a voluntary basis. Interestingly, some participants were critical of QVC because it could potentially lead to a major political party, such as the Democratic Unionist Party or Sinn Féin, being excluded from government. Whilst it is not unusual for major parties to form the opposition in other coalition contexts, some participants seemed to suggest this would be problematic in Northern Ireland. The potential for a QVC system to be complicated or convoluted was also raised, with some noting it could prove difficult to establish workable criteria as to what exactly would constitute a 'cross-community' government under QVC rules.

To reform or not?

Although the deliberative sessions did not result in participants identifying one clear favourite as to a preferred model of government, a majority view did emerge in terms of how substantively the governance structures of the Good Friday Agreement (GFA) need to be changed. Before and after the event, participants were presented with a series of statements on the governance structures of the GFA and asked to select the statement which best reflects their view. As Figure 1 shows, the perception that GFA structures require no change was a minority view before the event (13%) and fewer participants took this view after the discussion groups concluded (4%). On the other hand, the statement that the GFA structures need 'to undergo some changes to work better' was the plurality view before the event (42%) and emerged as the clear majority view (70%) after the event. The view that the GFA was no longer a good basis for governing Northern Ireland and needed to be 'substantively changed' reflected the position of 16% of participants before the event and 20% of participants after the event. Support for removing the GFA structures entirely was minimal before (7%) and after (2%) the event.

Figure 1: Perspectives on reforming the governance structures of the GFA
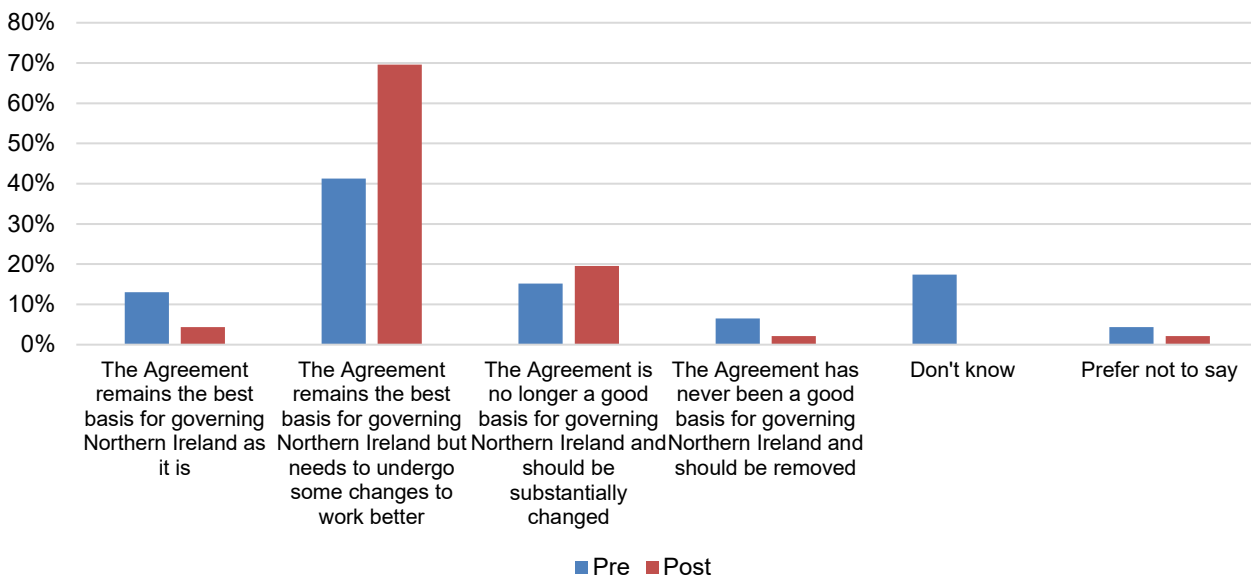
How should any reform come about?

The vast majority of participants said that it was important to some extent that a majority of MLAs should support any proposed reform. Similarly, the vast majority of participants said that it was important that both a majority of unionist MLAs and a majority of nationalist MLAs should support the reform. Before the presentations and group discussions, a roughly even number of participants thought this condition was 'very' or 'somewhat' important. Afterwards, there was a notable increase in the number of participants who thought this condition was 'very' important.

In general, participants were much more ambivalent about the extent to which it would be important for the British and Irish governments respectively to recommend any proposed reform. The dominant view emerging from the group discussions was that it was primarily up to the people of Northern Ireland and their representatives to negotiate and endorse any reforms to the nature of devolved government. There was a general sense that if any particular reform(s) did command sufficient support from within Northern Ireland, it would be unlikely that either the British or Irish government would stand in the way.

It is clear from both the survey data and the qualitative data from the group discussions that participants consider it important that the public should be properly consulted ahead of any reform(s) begin introduced. Indeed, by the end of the event, a decisive majority of participants (65%) said that it would be 'very' important for any reform to receive the support of a majority of voters in a referendum in Northern Ireland. Box 2 summarises the views expressed by participants during the group discussions. The discussions highlight a general perception that the public should ultimately have ownership over their political system, as well as a perception that the public have not been properly consulted about fundamental questions of governance since the 1998 Belfast/Good Friday Agreement.

BOX 2: How should institutional reform be decided?
"It should be democratically decided. A referendum, absolutely. What we have now was picked at referendum and what we have next should be. I'd be in the streets protesting if it was decided by somebody else." Female, 60+, ABC1, Catholic, Neither*
"Referendum. Otherwise, if you're leaving it up to MLAs are you going to get a fair call on it?" Female, 45-59, ABC1, Catholic, Nationalist
"It's a good way to make sure you get the majority of what the people agree to rather than those who are neglected and who could have a harmful agenda. […] If the referendum is done right, there is not much of a downside. But this is a lot easier said than done." Male, 25-34, ABC1, Protestant, Unionist
"Because it's such a difficult topic, sometimes you are told to vote for something particular or you don't understand what you are voting on at the referendum. They go for what other people say, and they are not thinking it through themselves." Female, 60+, ABC1, Catholic, Nationalist
"Not a lot of people know politics. The majority would have to be explained properly or having independent people trying to explain who they are voting for." Female, 60+, C2DE, Protestant, Unionist
"The public would need to be informed of the option, and how it's going to work. I feel that in the past, we've been kept in the dark." Female, 45-59, ABC1, Protestant, Neither
"I think the biggest thing is, would the public in Northern Ireland give these (possible reforms) a chance? […] It might be a good thing if they went to a referendum and asked people what they want, give the people a vote on it. But tell people the ins and outs of it, explain to people and give them a chance to make up their own minds." Male, 60+, C2DE, Catholic, Nationalist
"Referendums are time consuming. We already have the MLAs in place. We have London and Dublin negotiating. Between those 3 parties as such, surely, they can come up with an agreement that is suitable to all parties?" Female, 60+, ABC1, Catholic, Neither*

By the end of the event, a majority of participants (65%) said that it would be either 'very' or 'somewhat' important that any proposed reform(s) should be recommended by an official citizens' assembly. This marked an increase in the perceived importance of this condition being met, compared to participants' initial views. There was also a sharp decrease in the number of participants who said they didn't know if it was important or unimportant for this condition to be met. When asked about their views on a potential citizens' assembly in the group discussions, participants tended to echo their views about referendums: that they provide an opportunity for the public to be part of the process of considering possible institutional reform. There was also a sense that a citizens' assembly could complement a referendum by trying to find common ground before putting any recommendation for all voters to consider.

Concluding recommendations

A public conversation about institutional reform has yet to begin in earnest. In bringing to a close what we consider to be only a first step in initiating this conversation, we make the following tentative recommendations:

1) Inclusive and extensive public consultation should be the first step in any institutional reform process. The value of public consultation is two-fold. Firstly, asking citizens what they expect of government and democracy in Northern Ireland will furnish key principles to shape the reform agenda. Secondly, public involvement in the process will add democratic legitimacy to any reforms, should they be implemented.

2) Greater emphasis should be placed on the Executive, particularly the Executive Office, in any future reform process. The ease with which one party can collapse or prevent the formation of an Executive is widely regarded as problematic. Any reform process which seeks to reconsider the institutional arrangements of the Executive Office would likely resonate with the public.

3) Other issues to do with the Executive are worthy of further exploration. People do not seem to see much value in distinguishing between a First and deputy First Minister given the co-equal status of these positions. Indeed, consistent with research elsewhere, the evidence suggests the public would be open to the renaming of these respective positions to 'Joint First Minister'.

4) Consideration should also be given to measures which (i) enhance cooperation and coordination within the Executive and (ii) sharpen the government's focus on public policy delivery. These would address two common complaints about devolved government.

5) In terms of reforms to the Assembly, it may be time to reconsider the current system of communal designation. While there is still clear support for the principle of power-sharing, it is not clear that the current designation procedure is regarded as a necessary feature of power-sharing. Research elsewhere indicates public support for alternative approaches to demonstrating cross-community consent, such as a 60% majority, which would not require MLAs to register a designation.

6) More significant institutional reform, particularly the question of whether to replace or retain mandatory coalition, should be approached with caution. This question divides opinion and prompts calls for further information as to how alternative models of government would work in practice.

7) A simple voluntary coalition model of government would likely be unworkable in Northern Ireland at present. Widespread concern about the potential loss of cross-community representation in a voluntary coalition Executive suggest this model would cause communal anxieties.

8) There may be more value in exploring the potential of a qualified voluntary coalition (QVC) for Northern Ireland. Citizens appear more open-minded to QVC and recognise both the model's potential benefits as well as its potential drawbacks. Designing acceptable and workable criteria as to what would constitute a 'cross-community' government in a QVC scenario would require careful consideration.

9) If Northern Ireland is to transition to a new model of government, consideration should be given to how the public can meaningfully contribute to the institutional reform process. People are strongly of the view that the decision to retain or change the region's model of government should involve the public. There are high levels of support for a referendum on the issue, but also for mechanisms such as citizens' assemblies which could inform and engage citizens on the issues at stake.

10) Significantly reforming the devolved institutions without creating opportunities for civic input would risk undermining the legitimacy of any new institutional order. Even amongst those citizens who are critical of the Assembly and Executive, there is a sense of ownership of the institutions which likely stems from their public endorsement, via referendum, in 1998.