



Findings from the Economic and Research Council's
Research Programme on *Devolution and Constitutional Change*

Devolution Briefings

The Northern Ireland Election

Briefing No. 5, February 2004

Key Points

- Ian Paisley's DUP was the big winner, and after subsequent defections from the UUP is by far the biggest party
- The electoral centre ground was squeezed as the election developed largely into a contest for supremacy within the Unionist and Nationalist communities. The DUP won the former contest, Sinn Féin the latter
- The main issue in the election was Northern Ireland's security and constitutional situation rather than the performance of parties in the devolved Assembly and the Northern Ireland Executive's record on public policy in regard to health, education, transport and so on.
- A resumption of devolution under the terms of the 1998 Belfast Agreement now looks even more difficult. According to its rules, a reconvened Assembly would have an Executive jointly led by the DUP and SF. The DUP refuses all cooperation with SF, and seeks wholesale renegotiation of the Agreement
- The UK and Irish governments are insistent that there is no possibility of any substantial renegotiation of the Agreement. Though a long-planned Review of the Agreement, now set to roll out from February 2004, provides a context for exploring options in more detail, the most likely outcome of the election is a further period of direct rule
- Despite the stalemate produced by the election, the peace process remains intact.

The Results

With the final results declared late on the afternoon of 28 November, the distribution of seats in the (virtual) Assembly saw the realisation of David Trimble's 'nightmare scenario': the DUP and Sinn Féin emerged as the two largest parties, with the UUP and SDLP relegated to third and fourth places, respectively. The consequences of this set of results are for the most part imponderable – save, that is, for the continuation of direct rule in the foreseeable future.

Table One: The Results 1998 and 2003

Party	1998			2003		
	First Preference Votes			First Preference Votes		
	Votes	%	Seats	Votes	%	Seats
DUP	145,917	18.1	20	177,944	25.7	30 (33)*
UUP	172,225	21.3	28	156,931	22.7	27 (24)*
SDLP	177,963	22	24	117,547	16.98	18
SF	142,858	17.7	18	162,758	23.5	24
Alliance	52,636	6.5	6	25,372	3.68	6
UKU	36,541	4.5	5	5,700	0.82	1
PUP	20,634	2.6	2	8,032	1.16	1
Ind**				6,158	0.88	1
NIWC	13,019	1.6	2	5,785	0.83	0
Others	47,452	5.8	3***	25,801	3.70	0
Total	824,391		108	692,028		108
Turnout		69.95%			63.1%	

* Jeffrey Donaldson, Arlene Foster and Norah Beare left the UUP to join the DUP on 5 January 2004

** Dr Kieran Deeny (West Tyrone). Dr Deeny ran on a single issue: the retention of acute hospital services in Omagh, Co. Tyrone. He topped the poll in the constituency, attracting first preference votes from both unionist and nationalist electors.

*** Three Independent Anti-Agreement Unionists.

The DUP's advance was dramatic. Increasing its vote share by 7.6% and its share of seats by 50%, it emerged as the only party with Assembly Members (MLAs) returned in each of the 18 constituencies. However, its gains came not at the expense of the UUP—whose share of the vote increased over that achieved in 1998, and which emerged with one more seat¹ than in October 2002 when the fourth suspension occurred—but to the cost of the minor anti-Agreement unionist parties that were swallowed up in the maw of the DUP's vote.

Only one of the candidates from these minor parties, Robert McCartney (UKUP, North Down), retained a seat, while the pro-Agreement David Ervine (PUP, East Belfast) was re-elected whereas his fellow ex-MLA Billy Hutchinson (North Belfast) was unsuccessful. While Alliance managed to retain its six seats, on a reduced share of the vote, the 'mould-denter' in the shape of the Women's Coalition lost both of its seats, though 18 women were elected, four more than in 1998 (Of the 18 women, two are Alliance, two DUP, two UUP, five SDLP and seven SF. Whilst this represents a marginal improvement, the proportion of women elected lags significantly behind their counterparts in both the Welsh Assembly and the Scottish Parliament.

The Election and the Belfast Agreement

The squeezing of the electoral 'centre' ground is emblematic of the communal polarisation that, paradoxically perhaps, has occurred since the Agreement. The aspiration harboured by some that after 1998 a pro- and anti-Agreement axis might emerge that would transcend the

¹ By mid-October 2002, the UUP had 26 MLAs, a reduction of two since the June 1998 election. Peter Weir (North Down) had defected to the DUP and Pauline Armitage (Londonderry East) had been suspended *sine die* following her failure to support the election, on a joint ticket, of Messrs Trimble and Durkan as, respectively, First and Deputy First Minister in November 2001. Mr Weir (DUP) was re-elected but Mrs Armitage, who ran on the UKUP slate, was not.

Unionist-Nationalist cleavage dwindled to a vain hope. That hope was rekindled by the planned sequence of events of 21 October 2003, including the third act of IRA decommissioning, but was abruptly extinguished. Following General John de Chastelain's statement about the decommissioning event, David Trimble put the sequence on hold on the ground that it was insufficiently transparent and detailed because, it transpired, the IRA had invoked a private confidentiality agreement with the head of the Decommissioning Commission. Thus, instead of each of the pro-Agreement party leaders encouraging voters to endorse pro-Agreement candidates, the election reverted to type, that is of ethnic party competition within rival communal blocs. The net result was a victory for both the DUP and SF, each of which overhauled their immediate competitors.

While the parties did set out their respective stalls on a raft of (potentially) devolved matters, with both the DUP and SF in particular publishing large volumes of policy documents, there was little doubt that the key issue was the Agreement and the supplementary Joint Declaration published by the UK and Irish Governments on 1 May 2003. The electoral competition within unionism was complicated by the fact that several of the UUP's candidates were at least sceptical about the Agreement and hostile towards the Joint Declaration. Indeed, five such candidates, including Jeffrey Donaldson and David Burnside, were elected even though they have not re-taken the party whip at Westminster which they, together with Revd. Martin Smyth resigned in May in protest at the Joint Declaration. That internal division meant the party's message was often confused and contradictory. Indeed, the dissidents issued their own 'mini-manifesto' during the course of the campaign that served only to put the division very firmly on public display. Donaldson and two colleagues later defected to the DUP, strengthening its position as biggest party.

Any lingering presumption that the second Assembly election could consolidate the transition of Northern Ireland to a stable, functioning consociation and sustain intact the hard-crafted political architecture designed in 1998 has evaporated. When the final results were known, the UK and Irish Governments issued a joint statement, agreed at the British-Irish Council meeting held in Cardiff on 28 November. Surveying what the Taoiseach prior to the election had forecast (correctly) would be 'a mess', Bertie Ahern and Tony Blair restated their shared view that the 1998 Agreement 'remains the only viable political framework that is capable of securing the support of both communities in Northern Ireland' and that '[I]ts fundamentals are not open to renegotiation'.

Reading between the lines of the joint statement, the 'framework' may be interpreted as the Agreement's three-stranded approach, while the 'fundamentals' embrace its commitment to power-sharing on an inclusive (four-party) basis. The latter principle has in fact been underlined and compromised by the results. The 'big four'—DUP, SF, UUP and SDLP—now hold 99 of the Assembly-in-waiting's seats, nine more than in 1998. If (and when) the Assembly is reconvened, the DUP would nominate the First Minister and three ministers, SF the Deputy First Minister and three ministers, the UUP and SDLP two ministers each.² But it is a big 'If', and therein lies the problem.

² The subsequent defection of Jeffrey Donaldson and his two colleagues entitles the DUP to four ministries, with all the other members of the 'big 4' limited to two.

Paisley's DUP the Big Winner

The DUP tapped into the palpable unease among unionist electors with the perceived asymmetry of the Agreement's implementation. In their view the accord had prioritised the nationalist agenda and ignored unionist sensitivities on police reform, the release of paramilitary prisoners, especially republicans, the symbols of their British identity, the evolution of unaccountable all-Ireland bodies and, above all, the inclusion of SF in the Executive. From its perspective, the result of the election vindicates the DUP's simple and direct message that 'the Belfast Agreement is finished' or, more colourfully, 'dead in the water'. More, it claims the victory as a measure of the distrust unionists harbour towards 'Sinn Féin/IRA' and the 'incompetent' leader of 'pushover unionism', David Trimble.

None should underestimate the DUP's antipathy towards SF. The most graphic evidence for this occurred during the election count when the Rev Ian Paisley seized the lapels of his TV interviewer and declaimed that any one from his party who engaged in direct talks with Sinn Féin would be expelled. Without the disbandment of the IRA, its complete and total disarmament, and a declaration that their 'war' is definitively over, there is no prospect of the restoration of devolution on the 1998 model. Old Testament unionism is in the ascendant, displacing Mr Trimble's preference for New Testament unionism. Now that the DUP—for the first time since the 1981 local elections and the second time ever - has emerged as the larger of the two main unionist parties, the onus is on it to act responsibly in seeking to achieve what its election literature defined as 'a fair deal' for both unionists and nationalists.

Beyond its objective of securing 'stable, accountable, effective and efficient devolution', the DUP's ideas about an alternative to the 1998 template are difficult to fathom with any certainty. Initial exploratory meetings convened by Paul Murphy were held in the immediate aftermath of the election but as yet there is little to suggest that there is any clear direction or momentum towards the restoration of devolution. The DUP's refusal to negotiate directly with Sinn Féin is (the same policy the UUP held to until 1996) does not preclude proximity talks taking place, with the UK Government acting as the DUP's emissary to SF as it, and George Mitchell, did *vis a vis* the UUP and the republican leadership in the run-up to Good Friday. Thus, while the situation is undeniably difficult, it is not utterly impossible. There is a pragmatic element within the DUP, but it is not as supple as that within the UUP

Formally, the two governments are committed to a review of the operation of the Agreement's Strand One institutions, namely the Executive and the Assembly (and the Civic Forum). The DUP, however, is seeking to renegotiate all three Strands, that is including the north-south and east-west dimensions of the devolved architecture. This stance does, in fact, threaten the Agreement. Extending the scope of the Review would be a breach of the terms of the accord. Even if the parties and the two governments enabled the Review to be broadened and deepened, any resulting consensus would have to be tested by way of referendums on each side of the border—a prospect that neither London nor Dublin would relish.

Sinn Féin and the Rest

For its part, Sinn Féin's electoral success has not only increased its lead over its nationalist rival, the SDLP, achieved at the Westminster and local government elections in 2001, but also anchored mainstream republicanism to the bedrock of the political process. The outcome is a vindication of the Adams/McGuinness strategy and one they will not allow to be jeopardised

in the face of local government elections in the Republic of Ireland in the summer of 2004 and simultaneous elections to the European Parliament on both sides of the border.

The SDLP has been left reeling by the results. In 1998, and for the first time, it emerged as the largest party in Northern Ireland: now it has slipped to fourth place, losing six Assembly seats in the process and ending up with the same number as Sinn Féin won at the first Assembly election. Deprived of some of its leading figures as candidates – including John Hume, Seamus Mallon, Brid Rodgers and Eddie McGrady – it now faces the prospect of serious electoral decline. The success of John Hume a decade or more ago in encouraging republicanism to commit more fully to the political process has, it seems, come at a cost: that of the SDLP becoming the perennially junior nationalist party.

As for the UUP, the outcome is a decidedly mixed blessing. Overhauled by the DUP, and relegated to third place in terms of its share of the vote, David Trimble's position as party leader is now under threat. Even before the final results were declared, his long-time rival, Jeffrey Donaldson, stated on local television and in subsequent interviews, that should the party fall behind the DUP in terms of seats won, then Mr Trimble's leadership was 'no longer tenable'.

Mr Trimble, for his part, seems to relish the prospect of a battle for the top spot. He can point to an increase in the UUP's share of the vote, compared to 1998, and to have actually emerged (until the defection of Donaldson et al) with a gain of one seat compared to the number of MLAs the party commanded in the Assembly at the time of suspension in October 2002.³ Moreover, the UUP did not lose a seat to the DUP at the election. The latter's gains came almost exclusively at the expense of the anti-Agreement unionist minnows who had been elected in 1998, only one of whom – Robert McCartney of UKUP – retained a seat. Mr Trimble's position is by no means wholly secure, but he has given every indication of his preparedness to take on his internal critics and opponents and, indeed, the DUP, which he regards as having been elected on a false prospectus. There is, in David Trimble's view, no viable alternative to the Agreement, provided that it is implemented fully which, of course, means the republican movement concluding the necessary 'acts of completion'.

What Next?

While the electoral dust settles, the initial preparations for the Review of the Agreement are underway and are likely to begin in January 2004. There is, clearly, a political crisis in Northern Ireland, stemming from the mounting and mutual distrust among the parties and the wider communities. However, this mistrust has not spilled over onto the streets, nor is it likely to. While the political process is stymied, the peace process is in no imminent danger. Trust has to be rebuilt, and here the onus does lie with republicanism. In the interim, the safety net of direct rule continues into its second successive year and enables government to tick over.

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³ Peter Weir (North Down) had defected to the DUP during the life of the Assembly and Pauline Armitage (Londonderry East) had been suspended from the UUP and ran as a UKUP candidate at the election. At the time of suspension in October 2002, the UUP had 26 MLAs.

The Devolution and Constitutional Change Programme was set up by ESRC in 2000 to explore the series of devolution reforms which have established new political institutions in Scotland, Wales, Northern Ireland, London and the other English regions since 1997. It has commissioned 35 projects around the UK to carry out top-class academic research and to contribute to the policy debates surrounding devolution.

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